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

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

Mr. Speaker
Anderson
Armour
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Bowers
BoySEN
Braehn
Bryan
Bullock
Burkett
Byrd
Chapman
Clint
Cloud
Cole
Conley
Cory
Cotten
Cowan
Cox
Crosthwaite
Day
de la Garza
Dewey
Duff, Miss
Dugas
Dungan
Ebrie
Elliott
Ellis
Fenoglio
Ferrell
Ford
Foreman
Foreyth
Glass
Glushing
Green
Hale
Harrington
Heathy
Hefflin
Hensley
Hollowell
Holman
Hooks
Hosey
Hueter
Huffman
Huffor
Hughes of Grayson
Hughes of Dallas
Hutchins
Isaacks, Miss
Jackson
Jamison
Johnson
Jones
Kelly
Kennard
Kennedy
Kilpatrick
Koliba
Kochtahl
Kothmann
Latimer
Lee
McCoppin
McDonald
McGregor
McGregor
McNlihan
Martin
Matthew
Mays
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myst
Oliver
Osborn
Parish
Patterson
Phipkin
Pool
Presler
Puckett
Ramsey
Richardson
Roberts
Russell
Sadler
Sanders
Saul
Schram
Schwartz
Schwartz
Seeligson
Seeligson
Shackelford
Shannon of Erath
Shannon
Shaw
Sheridan
Sherill
Slack
Smith of Hays
Smith of Jefferson
Spillman
Spurrier
Bristow
Sandahl

A quorum of the House was announced present.

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

"As we come to this legislative hall we think of service to the people. God gives an example of service. Peter and John were going to prayer service at 3 p. m. and met a man blind from his mother’s womb. They rendered a great service to this man. Their gave him happiness, they ran shouting into Jerusalem, they gave him health, crippled from his mother’s womb. They rendered a great service to this man.

They gave him happiness, he ran shining into Jerusalem. They gave him health, crippled from his mother’s womb, they gave him Faith in God who healed him. What a service he rendered through cooperation with God. God help these men and women to know they are not sufficient within their own efforts.

May this be the day when they will ask God to join them, to make their service the greatest possible. In His Name we pray—Amen."

LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:
Mr. Sandahl for today on motion of Mr. Bartram.

The following Member was granted leave of absence on account of illness:

Mr. Bristow for today on motion of Mr. Burkett.

INTRODUCTION OF HOUSE BILL NO. 904

Mr. Harrington asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 904.

There was no objection offered and it was so ordered.

MOTION TO PRINT HOUSE BILL NO. 459 ON A MINORITY REPORT

Mr. Ferrell moved that H. B. No. 459, reported adversely with a minority favorable report, be printed.

Mr. Sudderth moved to suspend all necessary rules for the purpose of speaking on the motion by Mr. Ferrell.

The motion prevailed.

The motion by Mr. Ferrell to print H. B. No. 459 was lost.

INTRODUCTION OF HOUSE BILL NO. 901

Mr. Mann asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 901.

There was no objection offered and it was so ordered.

INTRODUCTION OF HOUSE BILL NO. 903

Mr. Pressler asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 903.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 482 ORDERED NOT PRINTED

Mr. Sutton moved to suspend all necessary rules for the purpose of not printing H. B. No. 482.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, April 10, 1957

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

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

S. B. No. 427, Authorizing spear fishing method of taking rough fish; and declaring an emergency.

S. B. No. 70, Redefining the words "mentally retarded children"; and declaring an emergency.

S. B. No. 247, Relating to refunding bonds secured by revenues from power, gas, water, and sewer systems; and declaring an emergency.

S. B. No. 248, Relating to lease of State lands for oil, gas and mineral production; and declaring an emergency.

S. B. No. 264, Relating to the prospecting of State lands for certain minerals; and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

MESSAGE FROM THE SENATE

Austin, Texas, April 10, 1957

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

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

S. C. R. No. 54, Granting permission to Del-Mar-Taylor Oil Corporation to sue the State.

S. C. R. No. 55, Granting permission to Del-Mar-Taylor Oil Corporation to sue the State.

S. C. R. No. 51, Granting O. P. Sutton et al permission to sue the State.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

MESSAGE FROM THE SENATE

Austin, Texas, April 9, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.
Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 749, Authorizing the Commissioners Courts in counties of 800,000 or more population to create a petty cash fund for the operation of County Welfare Department; and declaring an emergency.

H. B. No. 815, Constituting a local law for the maintenance of the public roads and highways in Frio County; and declaring an emergency.

H. B. No. 853, Constituting a local law for the maintenance of public roads and highways in Ector County; and declaring an emergency.

H. B. No. 857, Authorizing Webb County to supplement the salary of the District Attorney of the 49th District, the appointment of certain employees; and declaring an emergency.

H. B. No. 2, Establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees; and declaring an emergency.

Sir:

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

MESSAGE FROM THE SENATE

Austin, Texas, April 10, 1957

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

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

S. B. No. 303, Relating to increase of fees for certified copies of vital records; and declaring an emergency.

S. B. No. 300, Providing Workmen’s Compensation coverage for certain employees of Texas Technological College; and declaring an emergency.

S. B. No. 322, Requiring a permit for selling certain copyrighted musical compositions; and declaring an emergency.

S. B. No. 340, Providing for the creation of a Hospital District in the City of Amarillo; and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

MESSAGE FROM THE HOUSE

Speaker of the House of Representatives

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

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

S. C. R. No. 60, Granting Ben E. Wade permission to sue the State Highway Department of the State of Texas.

S. C. R. No. 45, Granting Marguerite Horton Bocamp permission to sue the State.

S. C. R. No. 38, Granting W. D. Anderson Company permission to sue the State.

S. C. R. No. 44, Granting permission to Hoy H. Hylaw to sue the State.

S. C. R. No. 40, Granting permission to A. Vincent to sue the State.

S. C. R. No. 156, Relating to credit time between arrest and sentencing in misdemeanor cases; and declaring an emergency.

S. B. No. 430, Relating to annexation of territory by Boling Municipal Water District; and declaring an emergency.

S. B. No. 395, Relating to the licensing of dealers of citrus fruit; and declaring an emergency.
S. B. No. 431, Validating Austin County Water Control and Improvement District No. 2; and declaring an emergency.

S. B. No. 263, Requiring a special audit of county records when petitioned by 50% of the qualified voters; and declaring an emergency.

Respectfully,
CHARLES SCHNABEL.
Secretary of the Senate

WELCOMING THE SEVENTH GRADE STUDENTS FROM THE BELVILLE ELEMENTARY SCHOOL

Mr. Schwartz of Washington offered the following resolution:
H. S. R. No. 358

Whereas, The Seventh Grade students of the Government Class of The Belville Elementary School, Belville, Texas, accompanied by their teachers, William Fischer and Edwin Hohn, were visiting the Texas Legislature and other points of interest in the State Capitol on the 15th day of April, 1957; and

Whereas, These fine young American citizens, who are the future leaders of our State and nation, were on an educational tour to observe and learn the workings of our State Government; and

Whereas, The Texas House of Representatives of the 55th Legislature commends this group for their interest and for their desire to learn more of their democratic form of government, which is the foundation of our country and our State; now, therefore, be it

Resolved, That they be officially recognized and commended, and that a copy of this resolution be forwarded to the class.

The resolution was adopted.

WELCOMING HONORABLE MAURY MAVERICK, JR., AND HIS GOVERNMENT CLASS OF ST. MARY'S UNIVERSITY

Mr. Mullen offered the following resolution:
H. S. R. No. 357

Whereas, Maury Maverick, Jr., esteemed former member of the House of Representatives, is present in the gallery accompanied by his government class of St. Mary's University; and

Whereas, Maury Maverick, Jr., and his government class have made a special trip from San Antonio to Austin to watch and hear the proceedings of the House; and

Whereas, Each of these students is to be praised and commended for his interest in our grand and great State of Texas and its government and former Representative Maverick is to be praised and commended for his splendid service in assuring these students the opportunity to see these government proceedings; now, therefore, be it

Resolved, That we extend our sincere best wishes to this group of young Texans, and that an enrolled copy of this Resolution bearing the official Seal of the House be forwarded to them in recognition of their visit and interest in our State government.

The resolution was adopted.

INTRODUCTION OF HOUSE BILL NO. 902

Mr. Hale asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 902.

There was no objection offered and it was so ordered.

COMMITTEE MEETING

Mr. Pool asked unanimous consent of the House that the Committee on Motor Traffic be permitted to meet at this time.

There was no objection offered.

TO REQUEST THE LEGISLATIVE COUNCIL TO CODIFY ALL STATUTES PERTAINING TO PUBLIC EDUCATION

Mr. Watson offered the following resolution:
H. C. R. No. 86

Whereas, The system of public free schools has been of primary concern to the people of Texas throughout the history of the State and the Republic which preceded it; and
Resolved, That the codification to be prepared by the Legislative Council shall include formal revision, classification, simplification, and rearrangement of the statutes of Texas pertaining to public education, but that said codification shall not include any substantive changes; and, be it further

Resolved, That in addition to the codification, the Legislative Council be requested to make any recommendations it may consider desirable with respect to changes in the public education laws; and, be it further

Resolved, That the Texas Education Agency, the State Bar of Texas, the Texas Commission on Higher Education and other State agencies are hereby requested to cooperate with the Legislative Council in the accomplishment of this assignment as may be requested by the Council; and, be it further

Resolved, That the codification of public school laws be completed if possible within sufficient time for presentation to the 56th Legislature.

WATSON, McGREGOR of McLennan, JOSEPH, STEWART, THURMOND, TERRELL, HEATLY.

The resolution was referred to the Committee on Rules.

VOTE RECORDED

By unanimous consent of the House, Mr. Hollowell was granted permission to be recorded as voting "ay" on the passage of engrossment of H. J. R. No. 28.

RELATING TO CLASSIFICATION PLAN FOR EMPLOYEES OF STATE GOVERNMENT

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

S. C. R. No. 23, Requesting the Texas Employment Commission to prepare a classification plan for positions in the State Government.

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

The resolution was adopted.

TO GRANT MRS. M. B. BUFORD, ET AL, PERMISSION TO SUIT THE STATE

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

H. C. R. No. 44, Granting Mrs. M. B. Buford, et al, permission to sue the State.

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

Mr. Burket offered the following Committee Amendment to the resolution:

Committee Amendment No. 1
To H. C. R. No. 44

Amend H. C. R. No. 44 by adding an additional resolving clause at the end thereof to read as follows:

Be it further resolved, That the sole purpose of this resolution is to grant permission to the aforesaid, Mrs. M. B. Buford, her heirs, executors, administrators and assigns and/or George B. Lindler, administrator, to bring suit against the State of Texas, and, no admission of liability of the State or of any fact is made in any way by the passage of this resolution, and it is specifically provided that the facts upon which recovery is sought must be proved in Court as in other civil cases.

(Mr. Dewey in the Chair.)

Committee Amendment No. 1 was adopted.
Mr. Zbranek offered the following amendment to the resolution:

Amend H. C. R. No. 44 by striking the last 18 words of the 8th paragraph thereof.

Mr. Moore of Harris 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 was lost by the following vote:

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

The amendment by Mr. Zbranek was adopted by the following vote:

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Present-Not Voting:

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Absent-Excused:

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

The amendment by Mr. Zbranek was adopted by the following vote:
Mr. Zbranek offered the following amendment to the resolution:

Amend H. C. R. No. 44 by striking the words “and all interest which accrued to the maturity date of said bonds” from paragraph 3, page 3, thereof.

Mr. Moore of Harris 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:

Yea—71

Anderson
Bell
Boyce
Brasher
Bryan
Ford
Jamison
Kennard
Strickland

Absent—Excused

Bristow
Sandahl

Mr. Zbranek offered the following amendment to the resolution:

Amend H. C. R. No. 44 by striking the words “and all interest which accrued to the maturity date of said bonds” from paragraph 3, page 3, thereof.

Mr. Moore of Harris 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:

Yea—71

Anderson
Bell
Boyce
Brasher
Bryan
Ford
Jamison
Kennard
Strickland

Absent—Excused

Bristow
Sandahl
No. 44 was adopted and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE
Austin, Texas, April 10, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

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

S. C. R. No. 63, Requesting return of Senate Bill No. 91 from the Governor.

H. B. No. 377, Directing the Board of Regents of State Teachers Colleges to deliver to the State Highway Commission right-of-way easement to certain land in Hays County; and declaring an emergency.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

MESSAGE FROM THE SENATE
Austin, Texas, April 10, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 641.

The following have been appointed on the part of the Senate:

Senators:

W. B. Hugues of Galveston
Jesse Tellef
T. L. Pearson
W. P. Bass

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

WELCOMING STUDENTS OF NORTH TEXAS STATE COLLEGE, DENTON, TEXAS

Mr. Jamison offered the following resolution:

H. S. R. No. 368

Whereas, The Government Class from North Texas State College,
Denison, Texas, were guests of the House of Representatives of the Fifty-fifth Texas Legislature on Wednesday, April 10, 1957; and

Whereas, These same twenty students accompanied by their teacher, Honorable R. L. (Bob) Proctor, former member of the House and Senate, made a trip to watch the proceedings of the House and Senate; and

Whereas, Each of these students is to be praised and commended for their interest in our grand and glorious State of Texas and its government; now, therefore, be it

Resolved, That we extend our sincerest best wishes to this group of young Texans, and that an enrolled copy of this Resolution bearing the official Seal of the House be forwarded to them in recognition of their visit and interest in their State government.

JAMISON, SUDDERTH.

The resolution was adopted.

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. Smith of Jefferson:

H. B. No. 898, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Jefferson County Fresh Water Supply District No. 2"; prescribing its rights, powers, privileges, and duties; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Welch:

H. B. No. 899, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution comprising the territory contained within the cities of Mexia and Groesbeck, to be known as the "Blissone Municipal Water Supply District", for the purposes of providing a source of water supply for municipal, domestic and industrial uses and processing and transporting the same; providing for a Board of Directors to govern said district, providing for the annexation of additional territory thereto, authorizing the district to do all things to make available for the above-named uses water from surface sources and water it may obtain by purchase, lease, and operation contracts with persons, firms, corporations, and public agencies or the United States Government or any of its agencies; empowering the District to acquire land and construct, lease, or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing, or transporting water for the above-named purposes; authorizing the district to lease or acquire rights in and to storage and storage capacity in any reservoir; authorizing the issuance of bonds and making provision for the payment and security thereof; making applicable to the district Title 52, Revised Civil Statutes, as amended, relating to eminent domain, and declaring the district to be a municipal corporation within the meaning of Article 3328 of Title 52; providing that the district shall bear the expense of relocation, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; prescribing other powers and duties of the district; providing that the district shall not exercise any of the power or authority conferred in this act until establishment of such authority is confirmed at an election held throughout the district; enacting other provisions relating to the subject; providing that nothing in this act shall be interpreted to repeal or amend Article 7471, Revised Civil Statutes of Texas; providing for severability; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Sutton:

H. B. No. 900, A bill to be entitled "An Act amending Article 23, Section 1, Revised Civil Statutes, 1925."

Referred to the Committee on Insurance.
MESSAGE FROM THE SENATE
Austin, Texas, April 10, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.
Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 53, Relating to registration of commercial motor vehicles used for certain farm purposes to provide that additional use of such vehicles for passenger transportation, without charge, shall not prevent their registration as farm vehicles; and declaring an emergency.

H. B. No. 31, Providing penalties for certain offenses involving persons under nineteen years of age; and declaring an emergency.

H. B. No. 188, Providing that law licenses shall be granted without requirement of passage of the State Bar examination and setting out the conditions thereon; and declaring an emergency. (With Amendments).

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON H. B. NO. 641
Mr. Mann submitted the following Conference Committee Report on H. B. No. 641:
Austin, Texas, April 10, 1957
Honorable Ben Ramsey, President of the Senate.
Honorable Waggoner Carr, Speaker of the House of Representatives.
Sir: We, your Conference Committee, appointed to adjust the difference between the Senate and the House of Representatives on H. B. No. 641, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached:

BRACEWELL, KAZEN, PHILLIPS, RAELEWOOD,
On the part of the Senate.

H. B. No. 641
An Act relating to Harris County Houston Ship Channel Navigation District of Harris County, Texas; authorizing said District to acquire, purchase, enlarge, extend, repair, maintain, operate, or develop certain improvements and facilities; authorizing the Board of Navigation and Canal Commissioners of said district to prescribe fees and charges for the use of the improvements and facilities of the District and providing for the use and disposition of the revenues produced thereby; authorizing the issuance by said Board of obligations of the District payable solely out of said revenues and containing provisions relating to said revenues and to said obligations and the issuance thereof and to said improvements and facilities; providing that said District be converted to a navigation district operating under Section 59, Article XVI, Constitution of Texas; providing the powers and duties of the Commissioners Court of Harris County and of said Board relating to said bonds and the issuance thereof and containing other provisions relating thereto; authorizing the levy, assessment, and collection of an annual tax for the maintenance, operation, and upkeep of the District and its facilities, properties, and improvements, and containing provisions relating thereto; containing a finding of need; authorizing the issuance of bonds of the District which have heretofore been voted and containing provisions relating thereto; providing that this Act shall be cumulative of other laws and shall be liberally construed, and that nothing herein shall be construed to amend, repeal, or affect the laws relating to pilots, pilotage, their appointment, or renumera-
tion; validating said District, all acts and governmental proceedings of said Board and other officials of the District, all acts and governmental proceedings of the Commissioners Court of Harris County relating to said District, the boundaries of said District, all bonds herefore voted and issued and all elections hereafter held for the issuance of bonds, and the election held in said District January 31, 1957, at which Seven Million Dollars ($7,000,000) bonds of the District were authorized, and all proceedings relating to said election, and providing that such validation provisions shall have no application to litigation pending upon the effective date of this Act; providing a severability clause; and declaring an emergency.

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

Section 1. Revenue Obligations.

(a) The Harris County Houston Ship Channel Navigation District of Harris County, Texas, in addition to all other powers conferred by law, is hereby given authority and shall hereafter have, maintain, operate, or develop channels and turning basins, wharves, docks, warehouses, grain elevators, bunkering facilities, railroads, floating plants, and facilities, lightering facilities and towing facilities, bulk handling facilities, and everything appurtenant thereto, together with all other facilities or aids incident to or useful in the operation or development of the District's ports and waterways or in aid of navigation and commerce thereon.

(b) The Board of Navigation and Canal Commissioners of said District may covenant to and shall prescribe fees and charges to be collected for the use of those improvements and facilities of the District (the net revenues of which improvements and facilities are pledged, as hereinafter provided), which fees and charges shall be reasonable and equitable and fully sufficient to produce revenues adequate to pay, and said Board of Navigation and Canal Commissioners shall cause to be paid:

1. Revenue Obligations.

(a) The amount required to be paid annually into the sinking fund for the payment of any obligations issued hereunder and payable out of the revenues of said improvements and facilities.

(b) The amount or amounts required to be paid in reserve funds or other funds as may be provided for in the proceedings authorizing such obligations, to secure the payment of the obligations issued pursuant to the provisions hereof.

(c) Revenue which may be received in excess of those required for the purposes listed in the above subparagraphs (1), (2), (3), and (4), may be used by the Board of Navigation and Canal Commissioners to pay the cost of any other District improvements or for any other lawful purpose.

(d) The Board of Navigation and Canal Commissioners of said District may borrow money from any department or agency of the United States, or from any other source, and in evidence thereof issue the notes, warrants, certificates of indebtedness, negotiable bonds, or other forms of obligation of such District (hereinafter and hereafter referred to as "obligations") payable solely out of the revenues to be derived from said improvements and facilities for any or all of the purposes set forth in Section 1 (a) of this Act.

(1) All expenses necessary to the operation, replacement and maintenance of said improvements and facilities. Such operating and maintenance expenses payable from current revenues shall include the cost of the acquisition of properties and materials necessary to repair, replace and maintain said improvements and facilities in good condition and operate them efficiently, wages and salaries paid to the employees of the District in that connection, and such other expenses as may be necessary to the efficient operation of said improvements and facilities.

(2) The annual or semiannual interest upon any obligations issued hereunder and payable out of the revenues of said improvements and facilities.

(3) The amount required to be paid annually into the sinking fund for the payment of any obligations issued hereunder and payable out of the revenues of said improvements and facilities.

(4) The amount or amounts required to be paid in reserve funds or other funds as may be provided for in the proceedings authorizing such obligations, to secure the payment of the obligations issued pursuant to the provisions hereof.

Revenue which may be received in excess of those required for the purposes listed in the above subparagraphs (1), (2), (3), and (4), may be used by the Board of Navigation and Canal Commissioners to pay the cost of any other District improvements or for any other lawful purpose.

(c) The Board of Navigation and Canal Commissioners of said District may borrow money from any department or agency of the United States, or from any other source, and in evidence thereof issue the notes, warrants, certificates of indebtedness, negotiable bonds, or other forms of obligation of such District (hereinafter and hereafter referred to as "obligations") payable solely out of the revenues to be derived from said improvements and facilities for any or all of the purposes set forth in Section 1 (a) of this Act.

(d) Such obligation shall not constitute an indebtedness or pledge
of the credit of such District, and the holders thereof shall have the right to demand payment thereof out of any funds raised or to be raised by taxation, and such obligations shall contain a recital to that effect. All obligations issued hereunder shall be in registered or coupon form, and if in coupon form may be registrable as to principal only, or as to both principal and interest, shall bear interest at a rate not to exceed six percent (6%) per annum, payable annually or semi-annually, and shall be in such denominations and shall mature serially or at one time not more than forty (40) years from their date in such manner as may be provided by the Board of Navigation and Canal Commissioners. Principal and interest on such obligations shall be made payable at any place or places within or without the State of Texas, and in the discretion of the Board of Navigation and Canal Commissioners such obligations may be made callable and/or refundable at the option of said Board prior to maturity at such premium or premiums as the Board shall determine. Such obligations shall be signed by the manual or facsimile signatures of the Chairman and Secretary of the Board of Navigation and Canal Commissioners as may be provided in the proceedings authorizing such obligations, and the interest coupons attached thereto may also be executed by the facsimile signatures of such officers. Such obligations shall be sold in such manner and at such times as the Board of Navigation and Canal Commissioners shall determine to be expedient and necessary to the interests of the District, provided, that in no event shall such obligations be sold for a price which will result in an interest yield thereon of more than six percent (6%) computed to maturity according to standard bond tables in general use by banks and insurance companies. Any premium or premiums provided for the call or refunding of any bonds issued pursuant to this Section shall not be included in the computation of the maximum interest yield on such bonds. In the event of the officers whose signatures are on such obligations or coupons shall cease to be such officers before the delivery of such obligations to the purchaser, such signature or signature, nevertheless shall be valid and sufficient for all purposes. All obligations issued hereunder shall constitute negotiable instruments within the meaning of the Negotiable Instruments Law of the State of Texas.

(e) Any obligations issued hereunder may be issued payable from and secured by the pledge of all the revenues derived from the operation of the improvements and facilities of the District, except for any revenues derived from taxation or assessment, or may be payable from and secured by the pledge of any such revenues as may be derived from the operation of the improvements and facilities of the District, as may be provided in the proceedings authorizing the issuance of such obligations.

(f) In the resolution or order adopted by the Board of Navigation and Canal Commissioners authorizing the issuance of any obligations hereunder, said Board may provide for the pledging of the State's full faith and credit, the operation, maintenance, and upkeep of the improvements and facilities of the District, the operation, maintenance, and upkeep of the operation, maintenance, and upkeep of the improvements and facilities (the income of which is pledged), including provision for the leasing of all or part of said improvements and facilities and the use or pledge of moneys derived from leases thereon, as it may deem appropriate. Said resolution or order may also provide for the further issuance of obligations payable from said pledged net revenues, or may reserve the right to issue additional bonds to be secured by a pledge of and payable from said net revenues on a parity with, or subordinate to, the lien and pledge in support of the obligations herein issued, subject to such conditions as are set forth in said resolution or order. Such resolution or order may provide for the issuing of obligations in the amount sufficient to pay interest which will accrue on such obligations.
the resolution or indenture are silent as to the powers, duties, obligations, and procedure of the Board, the laws and rules governing the governing body of such District shall control the Board of Trustees in so far as applicable. The Board shall be created by the resolution or indenture, and in that event shall have all or any of the powers and authority which could be exercised by the governing body of the District in so far as the management and operation of any such improvement is concerned. By the term of any such resolution or indenture the governing board of any such District may make provision for later supplementing such resolution or indenture so as to vest the management and control of such grain elevator in a Board of Trustees having the powers, rights and duties herein conferred or imposed.

(h) Any resolution or order authorizing the issuance of obligations hereunder may provide that the revenues from which such obligations are to be paid and which are pledged to the payment of such obligations shall from month to month as the same shall accrue and be received, be set apart and placed in the interest and sinking fund, reserve fund, and other funds established in said resolution or order, and disbursed in the manner hereinabove provided.

(1) Any holder of obligations issued hereunder or of coupons originally attached thereto, may either by law or in equity, by suit, action, mandamus or other proceedings, force and compel performance of all duties required by this Act to be performed by the Board of Navigation and Canal Commissioners, including the making and collection of reasonable and sufficient fees or charges for the use of the improvements and facilities of the District, the segregation of the income and revenues of such improvements and facilities, and the application of such income and revenues pursuant to the provisions of this Act.

(1) As additional security for the payment of any obligations issued hereunder, the Board of Navigation and Canal Commissioners may in its discretion have executed in favor of the holders of such obligations an indenture, mortgaging and encumbering the improvements, facilities
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and properties acquired with the proceeds of the sale of such obligations, and may provide in such encumbrances for a grant to any purchaser or purchasers at foreclosure sale thereunder of a franchise or lease to operate such improvements, facilities and properties for a term of not over fifty (50) years from the date of such purchase, subject to all laws regulating same then in force. Any such indenture may contain such terms and provisions as the Board of Navigation and Canal Commissioners shall deem proper and shall be enforceable in the manner provided by the laws of Texas for the enforcement of other mortgages and encumbrances. Under any sale ordered pursuant to the provisions hereof, the purchaser or purchasers at such sale, and his or their successors or assigns, shall be vested with a permit, franchise or lease conforming to the provisions stipulated in the indenture to maintain and operate the improvements, facilities and properties purchased as such sale, with like powers and privileges as may theretofore have been enjoyed by the District in the operation of said improvements, facilities and properties. The purchaser or purchasers of such improvements, facilities and properties at such sale, and his or their successors or assigns, may employ such improvements, facilities and properties as provided in the last above sentence or may at their option remove all or part of said improvements, facilities and property, for diversions to other purposes. The provisions of Articles 8240, 8241, 8243, Revised Civil Statutes, 1923, and Chapter 134, Acts 1935, Forty-fourth Legislature, Regular Session, as amended, and any other statutes relating to the authorization or execution of mortgages and encumbrances or the granting of franchises or leases shall not be applicable to the authorization or execution of any mortgage or encumbrance entered into pursuant to the provisions of this Act, nor to the granting of any franchise or lease hereunder.

(k) The proceeds of the sale of any obligations issued hereunder may be deposited in such bank or banks as may be agreed upon between the purchaser at such sale and the Board of Navigation and Canal Commissioners, and may be deposited and paid out pursuant to such terms and conditions as may be so agreed upon, it being expressly provided that the Statutes of Texas pertaining to the deposit of Navigation District funds in the depository of such District shall not be applicable to the deposit of the proceeds of such sale.

1. The Board of Navigation and Canal Commissioners is authorized to enter into an agreement or agreements with the purchaser or purchasers of any obligations issued hereunder under the terms of which such Board shall agree to keep all of the revenues of which are pledged to the payment of such obligations, insured with insurers of good standing against loss or damage by fire, water or flood, and also from any other hazards customarily insured against by private companies operating similar properties, and to carry with insurers of good standing such insurance covering the use and occupancy of such property as is customarily carried by such private companies. The cost of such insurance shall be budgeted as maintenance and operation expenses.

2. Said District, in addition to the other powers hereinabove set out shall have general power and authority to make and enter into all contracts, leases and agreements necessary or convenient to the carrying out of any of the powers granted in this Act, which contracts, leases or agreements may be entered into with any person, real or artificial, any corporation, municipal, public or private, and any government or governmental agency, including those of the United States and the State of Texas. Any and all contracts, leases or agreements entered into pursuant hereto shall be approved by resolution or order of the Board of Navigation and Canal Commissioners of such District, and shall be executed by the Chairman and attested by the Secretary thereof.

3. Any obligations issued pursuant to the provisions of this Act shall be exempt from taxation by the State of Texas or by any municipal corporation, county, or other politi-
(o) The Board of Navigation and Canal Commissioners shall have the power to issue obligations of the District for the purpose of refunding any outstanding obligations payable out of the revenues of the District and accrued interest thereon. Such refunding obligations may be issued to refund more than one series of issues of outstanding obligations and combine the pledges for the outstanding obligations for the security of the refunding obligations, and such refunding obligations may be secured by other and additional revenues provided that such refunding will not impair the contract rights of the holders of any of the outstanding obligations which are not to be refunded.

Such refunding obligations shall be authorized, shall be executed, and shall mature as is provided herein for original obligations, and shall bear interest at the same or lower rate than that of the obligations refunded unless it is shown mathematically that a saving will result in the total amount of interest to be paid. Refunding bonds issued hereunder shall be approved by the Attorney General of Texas as in the case of other bonds issued hereunder, and shall be registered by the Comptroller of Public Accounts upon surrender and cancellation of the bonds to be refunded, but in lieu thereof, the resolution or order authorizing the refunding may provide that they shall be sold and the proceeds therefrom deposited in the place or places where the original bonds are payable, in which case the refunding bonds may be issued in an amount sufficient to pay the interest on the original bonds to their option or maturity date, and the Comptroller shall register them without the surrender and cancellation of the original bonds. The Board of Navigation and Canal Commissioners may combine refunding bonds and new bonds in one issue, in which event the provisions of this Section (o) shall apply to those bonds of the combined issue which are designated in the resolution or order as the refunding bonds.

(p) After any bonds have been authorised by the District hereunder, such bonds and the record relating to their issuance shall be submitted to the Attorney General of Texas for his examination as to the validity thereof, and after the Attorney General has approved the same, such bonds shall be registered by the Comptroller of Public Accounts of Texas. After such bonds have been approved by the Attorney General and registered by the Comptroller, they shall thereafter be indorsable for any cause except for forgery or fraud.

(q) All bonds issued hereunder shall be and are hereby declared to be, and to have all the qualifications of, negotiable instruments under the Negotiable Instruments Law of the State of Texas, and all such bonds shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, guardians, for State funds and retirement system funds (without limiting the generalization of the foregoing, including the Permanent School Fund of Texas, and funds of retirement systems created under the Constitution and Laws of the State of Texas), and for the sinking funds of cities, towns, villages, counties, school districts, or other governmental agencies, political corporations or subdivisions of the State of Texas. Such bonds shall be all sufficient to secure the deposit of any and all public funds of the State of Texas, and any and all public funds of cities, towns, villages, counties, school districts, or other governmental agencies, political corporations or subdivisions of the State of Texas; and such bonds shall be lawful and sufficient security for said deposits to the extent of their face value when accompanied by all unmatured coupons appurtenant thereto.

(r) This Section 1, without reference to other Statutes of the State of Texas, shall constitute full authority for the authorization and issuance of obligations hereunder and the accomplishing of all things herein authorized to be done, and no proceedings relating to the authorization or issuance of such obligations or the doing of such things shall be necessary except such as are herein required, and neither the Bond and Warrant Law of 1931 or any other provisions of the Laws of the State of Texas, pertinent to the
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authorization or issuance of obligations, the operation and maintenance of ports, canals and waterways, the granting of franchises, permits, or licenses, the right to elections or referendums, shall in any wise impair or restrict the carrying out of the acts authorized to be done hereunder or acts done pursuant hereto.

Sec. 2. Conversion of District and Tax Supported Obligations.

(a) Effective and operative January 1, 1955, the Harris County Houston Ship Channel Navigation District of Harris County, Texas, is hereby converted to a navigation district operating under the provisions of Section 9 of Article XVI, Constitution of Texas, and after said date said District will operate under Section 9 of Article XVI and this Section 2 of this Act; provided, that neither said constitutional provision nor this Section 2 shall apply to said District until said effective date.

Said District will thereafter be empowered and authorized to exercise, in addition to all powers conferred by this Act, all powers conferred upon said District by the laws or laws under which it was organized, and, in addition, shall have all of the powers and jurisdiction conferred upon Districts originally organized under Article XVI, Section 9, of the Constitution of the State of Texas, and particularly Articles 8210, 8211, 8225, 8226, 8227, 8228, 8229, 8230, 8231, 8232, 8233, 8234, 8235, 8236, 8237, 8238, 8239, 8240, 8241, 8242, 8243, 8244, 8245, 8246, 8247, 8248, 8249, 8250, 8251, 8252, 8253, 8254, 8255, 8256, 8257, and 8258, Revised Civil Statutes of Texas, 1921, as amended, as well as Chapter 90, Acts 1946, Forty-ninth Legislature, Regular Session, Page 130, as amended; Chapter 6, Acts 1941, Forty-seventh Legislature, Page 8, as amended; Chapter 290, Acts 1949, Fifty-first Legislature, Page 507, as amended; Chapter 174, Acts 1955, Fifty-fourth Legislature, Page 554; Chapter 217, Acts 1949, Fifty-first Legislature, Page 407; Chapter 252, Acts 1955, Fifty-fourth Legislature, Page 781; and Subsections (a) and (c) of Section 1, Chapter 134, Acts 1923, Forty-third Legislature, Page 348, as amended, provided, that if there is any conflict or inconsistency between said laws or any of them, and this Act, then to the extent of conflict or inconsistency, the provisions of this Act shall govern. The Board of Navigation and Canal Commissioners of said District shall continue to be a five-commissioner board, and the Commissioners shall continue to be elected and hold office as provided in Article 8215, Revised Civil Statutes of Texas, 1921. Any act or thing authorized to be done by said Board of Navigation and Canal Commissioners by provisions of this Act or by provision of any of the above-mentioned laws and legislative acts may be done and performed by the General Manager of said District (or other person authorized to act in his place and stead) when so authorized by general or special rule, regulation, order, resolution or other direction of the Board of Navigation and Canal Commissioners. The Navigation Board of said District is hereby defined and shall continue to be composed of the County Judge and County Commissioners of Harris County, Texas, and the Mayor and Commissioners of the City of Houston, Texas.

(b) If the Navigation and Canal Commissioners of said District shall from time to time determine to make further construction or improvements by the issuance of tax bonds or that additional tax bond funds are required with which to maintain the existing improvements, they shall certify to the Commissioners of the taxing districts of Harris County the necessity for an additional bond issue or issuing the amount required, the purpose of the same, the maximum rate of interest of said bonds, and the time for which they are to run. A certified copy of an order or resolution adopted by the Board of Navigation and Canal Commissioners, setting forth such information, shall constitute sufficient certification in this regard. The Commissioners Court at a regular or special meeting, shall order an election to vote on the proposition of the issuance of bonds and the levy of taxes as hereinafter provided. Said order shall specify the maximum amount of bonds to be issued, their maximum maturity date, and the maximum rate of interest. The ballots for such election shall contain words substantially as follows: "Against the issuance of bonds and levy of tax in payment thereof;"
and said ballot shall conform to the requirements of the provisions of the Constitution of Texas, Chapter 9 of Title 128, Revised Civil Statutes, 1925, and all other Statutes of Texas applicable thereto. Any and all limitations, statutory or otherwise, restricting the amount of bonds that may be issued by the District are hereby removed.

(c) When any election is held under this Act, notice thereof shall be given for not less than thirty (30) days prior thereto, stating the time, places of holding the same, the proposition or propositions to be voted upon, and the purposes thereof, and shall contain a substantial copy of the election order. Such notice shall be posted by the County Clerk in five (5) public places in said County, one (1) of which shall be at the Court House door, and four (4) of which shall be posted within the limits of said Navigation District. No other notice of election shall be necessary. This District, being presently a county-wide district, and so long as it remains such, the regular voting or election precincts established by the Commissioners Court for county-wide elections shall be the voting or election precincts for all such elections.

(d) Only duly qualified resident electors of said District who own taxable property within said District and who have duly rendered the same for taxes in payment shall be entitled to vote at said elections. Every person who offers to vote in any such election who is not known by the election officials to possess said qualifications shall take the following oath before the Presiding Judge of the polling place where he offers to vote, and the Presiding Judge is authorized to administer the same: “I do solemnly swear (or affirm) that I am a duly qualified resident elector of Harris County Houston Ship Channel Navigation District in Harris County, Texas, and that I own taxable property in this District which has been duly rendered for taxation, and that I have not voted before at this election.”

(e) The Commissioners Court shall canvass the returns of said election, and if a majority of those voting at the election vote in favor of the issuance of the bonds and the levy of the tax in payment thereof, then the Commissioners Court shall authorize the issuance of such bonds and levy taxes to pay the interest on and principal of such bonds, as hereinafter provided. In canvassing such returns and declaring the result of any such election, a simple resolution or order of said Commissioners Court shall be satisfactory.

(f) Bonds so authorized at an election may be issued in one or more installments, and when the Board of Navigation and Canal Commissioners shall have determined the amount of bonds to be issued in a particular series, or issue, said Board shall adopt a resolution or order setting forth the amount of bonds then to be issued, and a certified copy of such resolution or order shall be furnished the Commissioners’ Court. Thereupon, said Commissioners’ Court, at a regular or special meeting, shall adopt an order authorizing and directing the issuance of bonds for such District in the amount so certified.

(g) All tax bonds of the District shall be issued in the name of the District, shall be signed by the County Judge and attested by the County Clerk, and shall have the seal of the Commissioners Court impressed thereon; provided, that the order authorizing the issuance of such bonds may provide for the bonds to be signed by the facsimile signatures of said County Judge and County Clerk, either or both, and for the seal on the bonds to be a printed facsimile seal of the Commissioners Court; and provided further that the interest coupons attached to said bonds may also be executed by the facsimile signatures of said officers. The County Treasurer shall register such bonds and shall keep a record thereof, and evidence of such registration may be shown on the bonds by the manual or facsimile signature of said County Treasurer. Such bonds shall be issued in such denominations, shall be payable at such time or times not exceeding forty (40) years from their date or dates, and shall bear interest at a rate or rates not to exceed six percent (6%) per annum, all as may be determined by said Commissioners Court.

(h) The Board of Navigation and Canal Commissioners shall sell such bonds for the best price possible and in no event for less than their face value and accrued interest thereon. Such bonds may be sold either prior
to, simultaneous with, or after the adoption of the order by the Commissioners Court authorizing the issuance of such bonds, and if such bonds are sold either prior to or simultaneously with the adoption of said order by the Commissioners Court, then such order shall contain a provision confirming the sale of such bonds. All moneys received from the sale of such bonds shall be deposited with the County Treasurer to the credit of the District, and shall be expended only for the bond purposes and incidental expenses in connection therewith. No additional bond shall be required of the County Treasurer or of any officer or official of the District for the handling of the bond proceeds.

(1) All such bonds, and the record of proceedings pertaining thereto, shall be submitted to the Attorney General of Texas for his examination as to the validity thereof, and after the Attorney General has approved the same, such bonds shall be registered by the Comptroller of Public Accounts of Texas. When such bonds have been approved by the Attorney General, registered by the Comptroller, and delivered to the purchasers, they shall thereafter be incontestable for any cause except for forgery or fraud.

(2) When bonds have been issued, the Commissioners Court shall levy and cause to be assessed and collected taxes annually sufficient to pay the interest on such bonds, to provide a sinking fund to redeem said bonds as they mature, and to pay the cost of collection of such taxes.

The Commissioners Court shall have the power to issue bonds to refund outstanding bonds of the District and secured interest thereon, and the provisions of this Section 2 relating to the issuance of voted bonds shall apply to the issuance of refunding bonds except that no election therefor shall be necessary. Refunding bonds shall bear interest at the same or lower rate than the bonds to be refunded unless it is shown mathematically that a saving will result in the total amount of interest to be paid. Such bonds shall be approved by the Attorney General as in the case of original bonds, and shall be registered by the Comptroller upon surrender and cancellation of the bonds to be refunded, but in lieu thereof, the order authorizing their issuance may provide that they shall be sold and the proceeds thereof deposited in the place or places where the bonds to be refunded are payable, in which case the refunding bonds may be issued in an amount sufficient to pay the principal of the bonds to be refunded and the interest on such bonds to their option or maturity date, and the Comptroller shall register them without the surrender and cancellation of the bonds to be refunded.

All refunding bonds, after they have been approved by the Attorney General and registered by the Comptroller, shall be incontestable for any cause except for forgery or fraud.

(1) The Commissioners Court may, upon the request of the Board of Navigation and Canal Commissioners, invest the sinking fund created for the benefit of any bonds issued hereunder, in such county, municipal, district, or other bonds required by law to be approved by the Attorney General of Texas.

(2) The Commissioners Court shall be authorized to levy and cause to be assessed and collected for the maintenance, operation and upkeep of said District and the facilities, properties, and improvements of said District, whether heretofore or hereafter constructed or acquired and whether constructed or acquired under the provisions of this Act or otherwise, an annual tax not to exceed ten cents (10 c) on each One Hundred Dollars ($100) valuation of taxable property within such District; provided that the levying of such tax shall be first submitted to the qualified taxing voters of said District called and held as herein provided for bond elections and the proposition shall be adopted by a majority vote of those voting at the election.

The Commissioners Court shall at the time of levy of taxes for County purposes each year levy and cause to be assessed and collected said maintenance tax within such voted limit of ten cents (10 c) as has been determined by the Board of Navigation and Canal Commissioners.

(m) The Board of Navigation and Canal Commissioners of said district shall provide all necessary additional books for the use of the Assessor and Collector of taxes and the Clerk of the Commissioners' Court of Harris County, Texas. The Tax Assessor of said Harris County shall be charged with the assessment of all property
for taxation within said district and when ordered to do so by the Commissioners' Court of said county, and if said court shall find said books or rolls correct they shall approve the same and in all matters pertaining to the assessment of property for taxation in said district, the Tax Assessor and Board of Equalization of said county shall be authorized to act and shall be governed by the laws of Texas for assessing and equalizing property for State and County taxes, except as herein provided. All taxes authorized to be levied by this Act shall be a lien upon the property upon which said taxes are assessed, and said taxes may be paid and shall mature and be paid at the time provided by the laws of this State for the payment of State and County taxes; and all the penalties provided by the laws of this State for the non-payment of State and County taxes shall apply to all taxes authorized to be levied by this Act. The Tax Collector of Harris County shall be charged with the assessment rolls of said navigation district, and is required to make collection of all taxes levied and assessed against the property in said county and promptly pay over the same to the treasurer of said county. He shall deposit the funds in said district in such depository or depositories as may be designated by the Navigation and Canal Commissioners in the manner provided by law for the selection of a county depository and such depository so selected shall be the depository of said district for a period of two years and until a successor is selected and qualified. Should the Navigation and Canal Commissioners fail or refuse to select a depository such depository shall be selected in like manner by the Commissioners' Court. The depository of said district at the effective date of this Act shall continue to be the depository of the district until its successor is selected and qualified as herein provided. He shall pay out no money except upon the conditions provided for in this Act, and he shall carefully preserve on file all orders

County Taxes, except as herein provided; and suits may be brought for the collection of said taxes and the enforcement of the tax liens created by this Act. He shall be the duty of the Tax Collector to make a certified list of all delinquent property upon which the navigation tax has not been paid, and return the same to the County Commissioners' Court, which shall proceed to have the same collected by the sale of such delinquent property in the same manner, both by suit and otherwise, as now or may be provided for the sale of property for the collection of State and County taxes; and, at the sale of any property for any delinquent tax, the Navigation and Canal Commissioners may become the purchasers of the same for the benefit of the navigation district. Should said Tax Assessor and Collector fail or refuse to comply with the order of said Commissioners' Court requiring him to assess and list for taxation all the property in such navigation district, or fail or refuse to give such additional bond or security as herein provided, he shall be suspended from further discharge of his duties by the Commissioners' Court of said county, and shall be removed from office in the manner prescribed by law for the removal of county officers.

(e) The County Treasurer of Harris County shall be treasurer of said navigation district, and it shall be his duty to open an account of all moneys received by him belonging to said district and all amounts paid out by him. He shall deposit the funds of said district in such depository or depositories as may be designated by the Navigation and Canal Commissioners in the manner provided by law for the selection of a county depository and such depository so selected shall be the depository of said district for a period of two years and until a successor is selected and qualified. Should the Navigation and Canal Commissioners fail or refuse to select a depository such depository shall be selected in like manner by the Commissioners' Court. The depository of said district at the effective date of this Act shall continue to be the depository of the district until its successor is selected and qualified as herein provided. He shall pay out no money except upon the conditions provided for in this Act, and he shall carefully preserve on file all orders
for the payment of money; and, as often as required by the said Commissioners' Court, he shall render a correct account to them of all matters pertaining to the financial condition of the district. The County Treasurer shall execute a good and sufficient bond payable to the Navigation and Canal Commissioners of such district and to their successors in office for the benefit of said district in an amount to be fixed by the Navigation and Canal Commissioners, such bond to be conditioned for the faithful performance of his duties as treasurer of such district and to be approved by said Navigation and Canal Commissioners; provided whenever any bonds are issued by such navigation district the County Treasurer before receiving the proceeds of said bond shall execute additional good and sufficient bond payable to the Navigation and Canal Commissioners of said district in an amount to be fixed by the Navigation and Canal Commissioners, which bond shall likewise be conditioned and approved as aforesaid, but such additional bond shall not be required after such Treasurer shall have properly disbursed the proceeds of such bond issue; and the County Treasurer shall be allowed such compensation for his services as treasurer of such navigation district as may be determined by said Navigation and Canal Commissioners, and such compensation shall be paid to the Officers' Salary Fund of the County.

Sec. 3. Refunding of Bonds Herefore Voted.

The Commissioners Court shall have the power to issue bonds of the District to refund bonds of the District which have herefore been voted and which are outstanding at the time of the adoption of the refunding bond order, and no election therefor shall be necessary. Such refunding bonds shall mature serially or otherwise in not to exceed forty (40) years from their date, and shall bear interest at the same or lower rate than the bonds to be refunded unless it is shown mathematically that a saving will result in the total amount of interest to be paid. Such refunding bonds shall be approved by the Attorney General of Texas, and shall be registered by the Comptroller of Public Accounts of Texas upon surrender and cancellation of the bonds to be refunded, but in lieu thereof, the order authorizing their issuance may provide that they shall be sold and the proceeds thereof deposited in the place or places where the bonds to be refunded are payable, in which case the refunding bonds may be issued in an amount sufficient to pay the principal of the bonds to be refunded and the interest on such bonds to their option or maturity date, and the Comptroller shall register them without the surrender and cancellation of the bonds to be refunded. All such refunding bonds, after they have been approved by the Attorney General and registered by the Comptroller, shall be incontestable for any cause except for forgery or fraud.

Sec. 4. Construction of Act.

This Act shall be cumulative of other laws, and shall be liberally construed to effectuate the purposes set forth herein. It is hereby found and declared that all property in the District, both real and personal, is benefited by the District and by the improvements and facilities constructed or acquired under this Act. It is expressly provided that nothing in this Act shall be construed to amend, repeal, or affect the laws relating to pilots, pilotage, their appointment, or their remuneration.

Sec. 5. Validation Provisions.

Harris County Houston Ship Channel Navigation District of Harris County, Texas, is hereby in all things validated, and all acts and governmental proceedings of the Board of Navigation and Canal Commissioners and other officials of the District and all acts and governmental proceedings of the Commissioners Court of Harris County relating to said District are hereby in all things valid, and the boundaries of such Districts are hereby in all things validated, and all acts herefore voted and issued and all elections herefore held for the issuance of bonds are hereby in all things validated. Without in any way limiting the generalization of the foregoing, it is expressly provided that the election held in said District on the 31st day of January, 1957, at which election Seven Million Dollars ($7,000,000) bonds of said District were authorized, and all proceedings relating thereto, are hereby in all things validated. It is provided, however, that this Section shall have no application to litigation pending upon the effective date of this Act.
Sec. 6. Notice. Notice of intention to apply for the passage of this law has heretofore been given in direct conformity with the Constitution and Laws of the State, and evidence of such notice has been exhibited in the Legislature before the passage of this Act.

Sec. 7. Severability Clause. The provisions of this Act are separable, and if any provision or part thereof or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act and the application of such provision or part to other persons or circumstances shall not be affected thereby.

Sec. 8. Emergency Clause. The fact that the Harris County Houston Ship Channel Navigation District of Harris County, Texas, is in urgent need for a new and additional source of revenue and means of financing so that the navigation improvement program of such District can be carried forward and continued and that the State at large has a direct interest in such program and that the laws governing the District have heretofore hampered the proper development of said District and its navigation facilities, creates an emergency and an imperative necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in full force and effect from and after its passage, and it is so enacted."

Mr. Mann moved that all necessary Rules be suspended for the purpose of adopting the Conference Committee Report on H. B. No. 641.

The motion prevailed by the following vote (having received the necessary two-thirds vote):

Yea—134

Anderson
Armour
Atwell
Baker
Bainman
Bartram
Bass
Bishop
Blaine
Blanchard

Cory
Cotter
Cox
Crostwalt
Day
de la Garza
Duff, Miss
Duran
Dungan
Ehrle
Ellis
Ewell
Fenoglio
Perrill
Ford
Forsythe
Glass
Green
Hale
Harrington
Healy
Hedlin
Hensley
Holley
Holman
Holstein
Hooks
Honey
Huebner
Hufnagar
Huffor
Hufnagel
Hughes of Grayson
Hughes of Dallas
Hutcheson
Inuckles, Miss
Jackson
Johnson
Kennedy
Kilpatrick
Kolba
Korich
Kothmann
Latimer
Laurel
Lee
McConkey
McDonald
McGregor
McGregor
McGregor of McLennan
McGregor of El Paso
McIlhany
Mann
Martin

Matthew
Mays
Moore of Harris
Moore of Tarrant
Mullen
Murray
Mystic
Oliver
Ostborn
Parish
Parsons
Paterson
Pipkin
Pool
Pomerleau
Puckett
Ramsey
Richardson
Roberts
Russell
Saunders
Schram
Schwartz
Seligson
Shackelford
Shannon of Erath
Shannon of Harris
Shaw
Sheidt
Sheriff
Sheriff
Smith of Hays
Smith of Jefferson
Springer
Stewart
Stovall
Strickland
Strom
Sudduth
Talasek
Terral
Thurmond
Tunnell
Turman
Walling
Watson
Welch
Wheeler
Whitney
Wilson of Young
Wilson of Potter
Winfree
Wobbold
Wooley
Younker
Zbranek

In the Chair

Dewey
April 10, 1957  HOUSE JOURNAL  1599

The amendment was adopted.

S. J. R. No. 9 was passed to third reading by the following vote:

Yeas—75

Artman  Johnson  Rhea
Barnett  Moore of Harris  Ricco of Dallas
Bass  Moore of Tarrant  Roberts
Benson  Mullen  Sonnier
Bilbray  Murray  Standifer
Blinchard  Myers  Stanberry
Brenner  Osborn  Starnes of Tarrant
Bryan  Parish  Starnes of Washington
Browder  Parsons  Sterrett
Cloud  Patterson  Summerville
Cole  Pipkin  Toomey
Connor  Prentice  Wallis
Cox  Richardson  Wallis

Nays—57

Anson  Fenoglio  Wolfe
Atwell  Farrell  Womack
Baker  Ford  Worley
Bartram  Foreman  Wyckoff
Bowers  Forsyth  Yarbrough
Boyanton  Harrington  Yarbrough
Bolick  Healy  Yarbrough
Byrd  Holman  Yarbrough
Chapman  Honey  Yarbrough
Comly  Huffman  Yarbrough
Day  Hughes of Grayson  Yarbrough
Dugan  Hughes of Dallas  Yarbrough
Elliot  Johnson  Yarbrough
Ellis  Joseph  Kennedy

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

S. J. R. No. 9, Proposing an Amendment to the Constitution of the State of Texas, to provide for a Court of Criminal Appeals of Five Members.

The resolution having been read a second time on April 3, and further consideration of same postponed until today.

Mr. Bass offered the following amendment to the resolution:

Amend S. J. R. No. 9 by striking the last paragraph in Section 1 thereof.
Mr. Shackelford moved that the House recess until 2:00 o'clock p.m. today.

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

Mr. Strickland moved that the House recess until 3:00 o'clock p.m. today.

The motion to recess until 2:00 o'clock p.m. today was lost.

The motion to recess until 2:30 o'clock p.m. today prevailed.

The House accordingly, at 12:10 o'clock p.m. recessed until 2:30 o'clock p.m. today.

AFTERNON SESSION

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

LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence on account of illness:

Mr. Crosthwait for this afternoon on motion of Mr. Watson.

RESOLUTIONS SIGNED BY THE SPEAKER

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

S. C. R. No. 58, Commending students of A. and M. College of Texas for observance of Mustard-day.

H. C. R. No. 70, Designating Grandmothers Day.

H. C. R. No. 76, Requesting the Congress of the United States to enact certain laws.

H. C. R. No. 59, Granting W. H. Taylor permission to sue the State.

H. C. R. No. 83, Requesting the Senate to return H. B. No. 18, H. B. No. 60 and H. B. No. 63.

SENATE BILL NO. 73 ON SECOND READING

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

S. B. No. 73, Relating to sale of oil and gas lease on University lands; and declaring an emergency.

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

SENATE BILL NO. 73 ON THIRD READING

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 73 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-124

Anderson           Bra staples
Armory            Bryan
Arwell            Bullock
Baker             Byrd
Baltman           Chapman
Bartram           Cline
Bass              Cloud
Bell              Cole
Bishop            Conley
Blaine            Cory
Blandish          de la Garza
Bowers
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April 10, 1957
Mr. Sanders moved to reconsider the vote by which S. B. No. 73 was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 95 ON SECOND READING

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

S. B. No. 95, Relating to professional unit allocation for Foundation School Program Act and Fund purposes; and declaring an emergency.

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

SENATE BILL NO. 95 ON THIRD READING

Mr. Slack moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 95 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Anderson Latimer
Armour Laurel
Atwell Lee
Baker McCoppin
Bartman McDonald
Bell McGregor
Bishop of McFadden
Blaine McFadden
Blanchard of El Paso
Bowers Nellis
Boysen Mann
Brashear Matthew
Bullock Moore of Harris
Byrd Moore of Tarrant
Chapman Malone
Clint Murray
Cloud Myatt
Coles Oliver
Conley Osborne
Cory Parke
Cox Parsons
de la Garza Patterson
Dugas Pipton
Dungan Pool
Ehrie Pressler
Ellis Packett
Fennitto Ramsey
Ferrell Roberts
Foreman Russell
Foreyt Sande
Glass Saul
Green Schram
Hale Schwartz
Harrington of Galveston
Heflin Seigle
Hollowell Shackleford
Holman Shannon
Hoistin Shannon
Hooks of Tarrant
Hoosy Shaw
Huebner Sherrill
Huffman Slack
Huffor Smith of Hays
Hughes of Dallas Smith of Jefferson
Hutchinson Spillman
Isaksen, Miss Springer
Jackson Stewart
Jameison Storey
Johnson Strickland
Jones Stroman
Kelly Sudderth
Kennedy Sutton
Kilpatrick Talasek
Koliba Thermone
Korioth Tunnell
Kothmann Turman

Abstain--Excused

Bristow Sandahl
Crostwait

Abstain

Anderson Martin
Chapman Mays
Cowen Saul
Ford Slack
Glasius Stewart
Heads Watson
Hoistin Wilson of Potter
Kelly Winfree
Latimer Wohlford

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Cory Parke
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Ehrie Pressler
Ellis Packett
Fennitto Ramsey
Ferrell Roberts
Foreman Russell
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Glass Saul
Green Schram
Hale Schwartz
Harrington of Galveston
Heflin Seigle
Hollowell Shackleford
Holman Shannon
Hoistin Shannon
Hooks of Tarrant
Hoosy Shaw
Huebner Sherrill
Huffman Slack
Huffor Smith of Hays
Hughes of Dallas Smith of Jefferson
Hutchinson Spillman
Isaksen, Miss Springer
Jackson Stewart
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Abstain--Excused

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Kennedy Sutton
Kilpatrick Talasek
Koliba Thermone
Korioth Tunnell
Kothmann Turman

Abstain--Excused

Bristow Sandahl
Crostwait

Abstain

Anderson Martin
Chapman Mays
Cowen Saul
Ford Slack
Glasius Stewart
Heads Watson
Hoistin Wilson of Potter
Kelly Winfree
Latimer Wohlford

Mr. Sanders moved to reconsider the vote by which S. B. No. 73 was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 95 ON SECOND READING

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

S. B. No. 95, Relating to professional unit allocation for Foundation School Program Act and Fund purposes; and declaring an emergency.

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

SENATE BILL NO. 95 ON THIRD READING

Mr. Slack moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 95 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Anderson Latimer
Armour Laurel
Atwell Lee
Baker McCoppin
Bartman McDonald
Bell McGregor
Bishop McFadden
Blaine McFadden
Blanchard of El Paso
Bowers Nellis
Boysen Mann
Brashear Matthew
Bullock Moore of Harris
Byrd Moore of Tarrant
Chapman Malone
Clint Murray
Cloud Myatt
Coles Oliver
Conley Osborne
Cory Parke
Cox Parke
de la Garza Patterson
Dugas Pipton
Dungan Pool
Ehrie Pressler
Ellis Packett
Fennitto Ramsey
Ferrell Roberts
Foreman Russell
Foreyt Sande
Glass Saul
Green Schram
Hale Schwartz
Harrington of Galveston
Heflin Seigle
Hollowell Shackleford
Holman Shannon
Hoistin Shannon
Hooks of Tarrant
Hoosy Shaw
Huebner Sherrill
Huffman Slack
Huffor Smith of Hays
Hughes of Dallas Smith of Jefferson
Hutchinson Spillman
Isaksen, Miss Springer
Jackson Stewart
Jameison Storey
Johnson Strickland
Jones Stroman
Kelly Sudderth
Kennedy Sutton
Kilpatrick Talasek
Koliba Thermone
Korioth Tunnell
Kothmann Turman

Abstain--Excused

Bristow Sandahl
Crostwait

Abstain

Anderson Martin
Chapman Mays
Cowen Saul
Ford Slack
Glasius Stewart
Heads Watson
Hoistin Wilson of Potter
Kelly Winfree
Latimer Wohlford

Mr. Sanders moved to reconsider the vote by which S. B. No. 73 was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 95 ON SECOND READING

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

S. B. No. 95, Relating to professional unit allocation for Foundation School Program Act and Fund purposes; and declaring an emergency.

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

SENATE BILL NO. 95 ON THIRD READING

Mr. Slack moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 95 be placed on its third reading and final passage.

The motion prevailed by the following vote:
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<tr>
<th>Walling</th>
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<td>Nays-11</td>
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<th>Railmon</th>
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<td>Bristol</td>
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The Speaker then laid Senate Bill No. 95 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-130</th>
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<tr>
<td>Anderson</td>
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<td>Armor</td>
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Mr. Pool asked unanimous consent of the House that the Committee on
Motor Traffic be permitted to meet at this time.

There was no objection offered.

SENATE BILL NO. 154 ON SECOND READING

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

S. B. No. 154. Relating to adult probation and parole; and declaring an emergency.

The bill was read second time.

Mr. Lee offered the following amendment to the bill:

Amendment to S. B. 154

Amend S. B. 154 by striking out Section 10 of the bill and substituting therein a new Section 10 which shall read as follows:

"Sec. 10. For the purpose of providing adequate probation services, the judge or judges having original jurisdiction of criminal actions in the county or counties, if applicable, are authorized as hereinafter provided to employ and designate the titles and fix the salaries of probation officers, and such administrative, supervisory, stenographic, clerical, and other personnel as may be necessary to conduct pre-sentence investigations, supervise and rehabilitate probationers, and enforce the terms and conditions of probation. Only those persons who have successfully completed education in an accredited college or university and two years full time paid employment in responsible probation or correctional work with juveniles or adults, social welfare work, teaching or personnel work; or persons who are licensed attorneys with experience in criminal law; or persons who are serving in such capacities at the time of the passage of this act and who are not otherwise disqualified by Section 31 of this Act shall be eligible for appointments as probation officers; provided that additional experience in any of the above work categories may be substituted year for year for the required college education, with a maximum substitution of two years.

The amendment was adopted.

Senate Bill No. 154 was then passed to third reading.
April 10, 1957

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Shannon of Tarrant
Shaw
Sherrell
Smith of Hays
Smith of Jefferson
Smith
Springer
Springer of Young
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Sprin
On motion of Mr. Lee and by unanimous consent of the House, the Captiolon of Senate Bill No. 184 was ordered amended to conform with the body of the bill.

Mr. Lee moved to reconsider the vote by which S. B. No. 184 was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 184 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 184, Prescribing the maximum salaries that may be paid certain precinct officials, and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend Senate Bill 184 by striking out the word "That", being the first word in Section 1 of the Act, and by capitalizing the letter "T" contained in the word "104", being the next word immediately following the word being deleted.

The amendment was adopted.

Mr. Wilson of Potter offered the following Committee Amendment to the bill:

Committee Amendment No. 2

Amend Section 3 of Senate Bill 184 by deleting the words and figures "Seven Thousand Five Hundred Dollars ($7,500.00)" and substituting in lieu thereof the words and figures "Seven Thousand Dollars ($7,000.00)".

The amendment was adopted.

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

Committee Amendment No. 3

Amend Senate Bill 184 by deleting Section 8 from the bill and substituting in lieu thereof the following:

Section 8. The Commissioners Court shall not be required to fix the salaries in all precincts at equal amounts, but shall have discretion to determine the amount of salaries to be paid each Justice of the Peace and each County Judge in the several precincts or to individual judges without regard to the salaries paid in other precincts or to other officials. In arriving at the compensation to be paid the officials governed by the provisions of this Act the Commissioners Courts shall consider the financial condition of their respective counties and the duties and needs of their officials, but in no event shall any Commissioners Court fix the salary of any official at a figure in excess of the maximum compensation prescribed for the officials of that county by this Act, save and except as hereinafter provided, to wit:

1. In any county where the number of Justices of the Peace holding office and performing the duties of such office is less than the maximum number of Justices of the Peace authorized by the Constitution of Texas, the Commissioners Court may increase the maximum salary of the Justice or Justices so performing the duties of the office an additional amount not to exceed ten per cent (10%) of the maximum salary applicable to such office for each such constitutionally authorized Justice of the Peace not holding such office and not performing the duties of such office, provided that under no circumstances shall any Justice of the Peace under this subsection be paid more than twenty-five per cent (25%) over and above the maximum salary herein applicable to such office.

2. In the event there are any Justices of the Peace or Constables in the State of Texas who are now being paid salaries in excess of the amount permissible under the provisions of this Act, this Act shall not be construed to require a reduction in the salaries being paid such officials so long as the present incumbents of such office continue to hold such offices and perform the duties thereof, including both the present term for which they were elected and any terms for which they are re-elected; but in such cases, when the present incumbents of such offices vacate such offices for any reason, their successors in such offices shall receive maximum salaries fixed and determined in accordance with the provisions of this Act.

Mr. Haze offered the following amendment to the Committee Amendment No. 3, offered by Mr. Hossey:
Amend Committee Amendment No. 1 to S. B. 184 by adding the words “Not to exceed” following the word “Receive” in line 20 on page 3 of the printed bill as said bill was printed in the House.

The amendment to the Committee Amendment was adopted.

The Committee Amendment No. 2 as amended was adopted.

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

Amend Senate Bill 184 by changing the period at the end of Section 9 to a comma and adding thereafter the following:

“except the Justices of the Peace may have and retain, in addition to the salaries fixed by the Commissioners Courts, all fees, commissions, gifts, or payments made to them for performing marriage ceremonies, for acting as Registrar for the Bureau of Vital Statistics, and for acting as ex officio Notary Public.”

The amendment was adopted.

Mr. Hale offered the following amendment to the bill:

Amend S. B. 184 by adding thereto a new section to be enumerated as Section 6, to be inserted following Section 5, and renumbering all subsequent sections, said new Section 6 to read as follows:

“Section 6. The provisions of this Act shall not apply to any county having a population in excess of 60,000 inhabitants, according to the last preceding Federal census.”

The amendment was adopted.

Senate Bill No. 184 was then passed to third reading.

SENATE BILL NO. 184 ON THIRD READING

Mr. Hale moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-118
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de la Garza
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Dugan
Dungan
Ellie
Elliot
Ellis
Fenoglio
Foreman
Forsyth
Glass
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Hollowell
Heinlein
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Hughes of Grayson
Hutches of Dallas
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Kelly
Kennedy
Kilpatrick
Koliba
Korich
Kohlmann
Laused
Levi
McCoppin
McGregor
McGregor
of El Paso
McIntyre
Mann
Martin
Matthew
Moore of Harris
Mullen
Murray
Myatt
Oliver
Oseborn
Osborn
Parish
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Sanders
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Schwartz
Schwartz
of Galveston
Schwartz
of Washington
Seeligson
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Shannon of Erath
Shannon of Tarrant
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Sherill
Shill
Smith of Hays
Smith of Jefferson
Spilman
Springer
Stewart
Storer
Strickland
Sutton
Talasek
Terrell
Thurmond
Tussell
Turman
Wallin
Watson
Wheeler
White
Wilson of Potter
Winfree
Woolsey
Yezak
Zbranek
The Speaker then laid Senate Bill No. 184 before the House.

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

**Yeas-120**

<table>
<thead>
<tr>
<th>Member</th>
<th>Party</th>
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<td>of Washington</td>
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<td>Shackelford</td>
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**Nays-18**

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<td>Johnson</td>
<td>Suddeth</td>
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<td>Absent</td>
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</tbody>
</table>

Mr. Koroth moved that the House recess until 8:00 o'clock p.m. today.

The motion to recess was lost.
HOUSE BILL NO. 215 ON PASSAGE TO ENGROSSMENT

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

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

The bill having been read second time on March 6 and further consideration of same postponed until April 8.

Mr. Cox moved that further consideration of House Bill No. 215 be postponed until April 7, at 10 o'clock a.m.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 58 ON PASSAGE TO ENGROSSMENT

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

H. B. No. 58, 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 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 investigations; providing that the license fee be charged by said Commissioner; providing that each 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 15, 1957, and shall the a bond in the sum of One Thousand Dollars ($1,000.00); defining certain terms; defining interest and limiting the rates 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 violations 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 by 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 other penalties; providing for the repeal of Article 7047 of the Revised Civil Statutes of Texas, 1925, and also Article 122, entitled "Money Lenders", and also Article 1 of Title 616, all such articles being of the Revised Civil Statutes of Texas, 1925, and Articles 5073, Title 70, of the Revised Civil Statutes of Texas, 1925, are repealed insofar as inconsistent with the provision hereof; and providing for the repeal of all acts and parts of acts which relate to the same subject matter as this Act so far as they are inconsistent with the provisions of this Act; providing this Act shall be void as a whole if any part thereof held unconstitutional, and declaring an emergency."

The bill having been read second time on April 4 and further consideration of same having been postponed until April 8.

Mr. Hale moved that further consideration of House Bill No. 58 be...
postponed until April 16 at 10:30 o'clock a. m.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 229 ON PASSAGE TO ENGROSSMENT

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

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

The bill having been read second time on April 1, considered on April 2 and further consideration postponed until April 9, with amendment by Mr. Green offered in House of Committees Amendment No. 1, pending.

Mr. Green withdrew the pending amendment.

COMMITTEE MEETING

Mr. Smith of Hayes asked unanimous consent of the House that the Committee on Appropriations be permitted to meet at this time.

There was no objection offered.

Mr. Green offered the following amendment to the H. B. No. 229:

Amend House Bill No. 229 by striking out all below the enacting clause and by inserting in lieu thereof the following:

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

First: The following Counties shall compose the First District, to-wit: Van, Sand, Smith, Rusk, Panola, Wood, Camp, Upshur, Gregg and Shelby.

Fourth: The following Counties shall compose the Fourth District to-wit: Grayson, Fannin, Collin, Hunt, Rockwall, Kaufman, Denton and Raines.

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

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

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

Eighth: The following part of Harris County shall compose the Eighth District to-wit: That part of Harris County North of a line beginning at the point where U. S. Highway No. 249 intersects the county line between Harris and Waller Counties; thence along said U. S. Highway No. 249 to the intersection of said highway with Post Oak Road; thence along said Post Oak Road to Buffalo Bayou; thence along said Buffalo Bayou to Morgan's point.

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

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

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

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

Thirteenth: The following Counties shall compose the Thirteenth District, to-wit: Wilbarger, Baylor, Throckmorton, Archer, Clay, Jack, Wise, Wichita, Young, Hartley, Panola, Knox, Haskell, Stonewall,
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King, Dickens, Kent, Cooke, and Montague.

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

Fifteenth: The following Counties shall compose the Fifteenth District, to-wit: Cameron, Hidalgo, Willacy, Starr, Zapata, Webb, Jim Hogg, Dimmitt, Medina, Zavala, Frio, LaSalle and Maverick.

Sixteenth: The following Counties shall compose the Sixteenth District, to-wit: El Paso, Hudspeth, Culberson, Reeves, Loving, Winkler, Ector, Midland, Ward, Crane, Upton, Jeff Davis, Presidio, Brewster, Pecos, Glasscock, Webbs, Reagan, Terrell and Crockett.


Eighteenth: The following Counties shall compose the Eighteenth District, to-wit: Dallam, Sherman, Hartley, Armstrong, Panhandle, Frio, Upton, Borden, Andrews, Martin and Scurry.

Nineteenth: The following Counties shall compose the Nineteenth District, to-wit: Bailey, Lamb, Hockley, Floyd, Lubbock, Crosby, Yoakum, Terry, Lynn, Garza, Gonzales, Dawson, Borden, Andrews, Martin and Howard.

Twentieth: The following Counties shall compose the Twentieth District, to-wit: Bexar.


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

Section 2. Nothing in this Act shall in anywise affect the tenure in office of the present delegation in Congress of Texas, but this Act shall take effect for the general election in 1958, and thereafter until this law shall have been changed by the Legislature of this State.

Section 3. All laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Section 4. The vital and importance of the legislation proposed, and the urgent necessity of providing appropriate districts for the additional allotment of memberships in the Congress, creates an emergency and an imperative public necessity which requires that the Constitutional Rule requiring bills to be read on three several days be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Byrd offered the following amendment to the amendment by Mr. Green.

Amend the amendment by shifting Angelina County from District 2 to District 7.

Mr. Sudler moved to table the amendment by Mr. Byrd.

The motion to table the amendment by Mr. Byrd was lost.

(Mr. Bartram in the Chair)

Mr. Hemley moved that further consideration of House Bill No. 239 be postponed until April 17 at 2:30 o'clock p.m.

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

MOTION TO RECESS

Mr. Cowen moved that the House recess until 8:00 o'clock p.m. today.
A record vote was requested on the motion to recess.

The motion to recess until 8:00 o'clock p.m. today was lost by the following vote:

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<th>Yes</th>
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<td>Brashear</td>
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<td>Walling</td>
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Nays  -  85

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<td>Matthew</td>
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<td>Fennell</td>
<td>Maye</td>
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Mr. Ramsey moved the previous question on the pending amendments, the pending motion and the passage of H. B. No. 219 to engrossment, and the motion was seconded.

The motion for the main question was lost.

A record vote was requested on the motion to table the motion to postpone H. B. No. 219.

The motion by Mr. Cole to table the motion by Mr. Hensley to postpone H. B. No. 219 prevailed by the following vote:

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<td>Bullock</td>
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<tr>
<td>Blaine</td>
<td>Byrd</td>
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</table>
Mr. Pool moved that the House recess until 8:00 o'clock p.m. today.

Mr. Huffman offered the following amendment to the amendment by Mr. Green:

Amend the Amendment to House Bill 219 by striking out all of Paragraphs 8 and 9 Section 1 and inserting in lieu thereof the following:

Eighth: The eighth district shall be composed of Harris County.

Twenty-second: The twenty-second district shall be composed of all Harris County, Dallas County, Tarrant County, and Bexar County.

Mr. Cole moved to table the amendment by Mr. Huffman.

The motion to table prevailed.

MOTION TO RECESS

Mr. Pool moved that the House recess until 8:00 o'clock p.m. today.

A record vote was requested on the motion to recess.

The motion to recess was lost by the following vote:

Yeas—41

Nays—44

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Cline
Cloud
Cole
Cogley
Day
de la Garza
Dewey
Duff, Miss
Dupas
Dungan
Echols
Elliot
Ellis
Engglo
Foreman
Gleason
Green
Heflin
Holowell
Holman
Huffor
Hutchins
Isaacks, Miss
Jackson
Jones
Joseph
Kennard
Kennedy
Kilpatrick
Koliba
Korth
Kothmann
Lanier
Laurel
Lee
McDonald
McGregor
McGregor
of El Paso

Watson
Woolsey
Welch
Wolfe

Present—Not Voting

Terrell

In the Chair

Hartman

Absent

Atwell

Sadler

Bell

Sherrill

Buckett

Wilson of Potter

Forsyth

Wolfford

Russell

Absent—Excused

Bristow

Sandahl

Crostwalt
Mr. Sudderth moved the previous question on the pending amendment and the passage of H. B. No. 229 to engrossment.

The motion was seconded.

A record vote was requested on the motion for the main question.

The motion for the main question was lost by the following vote:

Yea—44

Anderson Baker Bower Brown Bullock Cline Cole Cory Day de la Garza Dewey Duft, Miss Dugas Ehrke Elliott Ellis Fenoglio Foreman Glass Green Harrington Hefflin Hollowell Holman Hovey Hutchins Isacks, Miss Jackson Jamison Jones Joseph Kelly Kennard Kennedy Stewart Stroman Sudderth Terrell Thurmond Tunstall Turner

Nay—96


Present—Not Voting

Russell

In the Chair

Hartram

Absent

Atwell Gibbs Burkett Sadler Cloud Wehlford

Absent—Excused

Bristow Sandahl Crosthwait

Mr. Sudderth moved the previous question on the pending amendment and the passage of H. B. No. 229 to engrossment.

The motion was seconded.

A record vote was requested on the motion for the main question.

The motion for the main question was lost by the following vote:

Yea—44

Anderson Baker Bower Brown Bullock Cline Cole Cory Day de la Garza Dewey Duft, Miss Dugas Ehrke Elliott Ellis Fenoglio Foreman Glass Green Harrington Hefflin Hollowell Holman Hovey Hutchins Isacks, Miss Jackson Jamison Jones Joseph Kelly Kennard Kennedy Stewart Stroman Sudderth Terrell Thurmond Tunstall Turner

Nay—96


Present—Not Voting

Russell

In the Chair

Hartram

Absent

Atwell Gibbs Burkett Sadler Cloud Wehlford

Absent—Excused

Bristow Sandahl Crosthwait

Mr. Sudderth moved the previous question on the pending amendment and the passage of H. B. No. 229 to engrossment.

The motion was seconded.

A record vote was requested on the motion for the main question.

The motion for the main question was lost by the following vote:
Mr. Kelly offered the following amendment to the amendment by Mr. Green:

Amend the amendment to H. B. No. 229 by deleting Dickens County from the 13th Congressional District and by adding Dickens County to the 19th Congressional District.

The amendment was adopted.

Mr. Kennard offered the following amendment to the amendment by Mr. Green:

Amend Committee Amendment No. 1, House Bill 229, by striking out Sub-Section “Eighth” of Section 1, and substituting in lieu thereof the following:

“Eighth: Harris County.”

And by striking out Sub-Section “Twenty-second” of Section 1, and substituting in lieu thereof the following:

“Twenty-second: Dallas County and Tarrant County.”

Mr. Cole moved to table the amendment by Mr. Kennard.

A record vote was requested on the motion to table.

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

Yeas—64

Anderson
Armbrister
Baker
Ballman
Bass
Bishop
Boyd
Boyd
Brady
Bryan
Bryant
Bunn
Burks
Byrd
Callejas
Carr
Cary
Clark
Close
Cogswell
Coolidge
Crockett
Cromwell
Cox
Cox
Crow
Curry
Deakins
Dean
Deering
Denton
Deuel
Dillard
Dimmitt
Donnell
Dowd
Dyess
Eaves
Eaves
Ehrle
Eiler
Elliott
Ellison
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Fo
Mr. Jamison offered the following amendment to the amendment by Mr. Green:

Amend the amendment to H. B. 239 by deleting Denton County from the 4th (fourth) Congressional District and adding Denton County to the 13th (thirteenth) Congressional District.

MOTION TO RECESS

Mr. Roberts moved that the House recess until 8:00 o'clock p. m. today.

A record vote was requested on the motion to recess.

The motion to recess was lost by the following vote:

Yeas---69

Bennett
Conley
Cotten
Cox
Dungan
Ehrle
Ford
Ferrell
Hensley
Hughes of Grayson
Hughes of Dallas
Hughes of Erath
Hughes of Galveston
Hughes of Tarrant
Hughes of Washington
Hughes of Young
Ison
Johnson
Kelly

Nays---73

Baker
Blaine
Blanchard
Bowers
Braford
Braford
Bullock
Burkett
Burnett
Carr
Chamberlain
Chapman
Cloud
Cotten
Cowen
Dobbyn
Dugas
Dungan
Ehrle
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Fo...
Mr. Forsyth offered the following amendment to the amendment by Mr. Green:

Amend the amendment by removing from District 14:
(1) Comal County to District 21.
(2) Guadalupe County to District 21.

Mr. Sudderth moved the previous question on the pending amendment and the passage of H. B. No. 229 to engrossment.

The motion for the main question prevailed.

Mr. Jones moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider the vote by which the previous question was ordered was lost.

The amendment by Mr. Forsyth to the amendment by Mr. Green was lost.

The amendment by Mr. Green as amended was adopted.

A record vote was requested on the passage of H. B. No. 229 to engrossment.

H. B. No. 229 was passed to engrossment by the following vote:

<table>
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<tr>
<th>Yeas</th>
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Mr. Green moved to reconsider the vote by which H. B. No. 229 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

By unanimous consent of the House, Mr. Spilman was granted permission to be recorded as voting "yea" on the passage of H. J. R. No. 24 on yesterday.

RECESS

On motion of Mr. Blanchard the House at 8:32 o'clock p. m. recessed until 8:00 o'clock p. m. today.

NIGHT SESSION

The House met at 8:00 o'clock p. m. and was called to order by the Honorable Barefoot Sanders.

CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

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

(Mr. Sanders in the Chair.)

INTRODUCTION OF HOUSE BILL NO. 905

Mr. Schwartz of Galveston asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 905.

There was no objection offered.

SENATE BILL NO. 127 ON SECOND READING

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

S. B. No. 127, A bill to be entitled "An Act amending Senate Bill 200 of the 46th Legislature, as amended by House Bill 604 of the 51st Legislature and House Bill No. 339 of the 54th Legislature, so as to provide that all tags required by law to be attached to mattresses shall be securely sewn to the mattresses on one side only of such tag; repealing conflicting laws; and declaring an emergency."

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

SENATE BILL NO. 127 ON THIRD READING

Mr. Myatt moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 127 be placed on its third reading and final passage.

The motion prevailed by the following vote:

YEAS—141

Anderescu Atwell
Armor Baker

NAYS—49

Barnett McCoppin
Burke Martin
Chapman Mathew
Cotten Mays
Cox Parish
Dugas Parsons
Dungan Pool
Ehrle Puckett
Ford Sadler
Ford Sanders
Ford Seeligson
Glass Shaw
Haile Smith of Hays
Healy Smith of Jefferson
Hensley Storey
Hollowell Sutton
Holstein Talseek
Huffman Terrell
Hughes of Dragon Tunell
Hughes of Dallas Turman
Hutcheson Welch
Jayson Wooleys
Johnson Ysasz
Kelly Zbranek
Koroth

Present—Not Voting

Bryan Jones
Foreman Kothmann

Absent

Atwell Schram
Atwell Sheridan
Murray Wohlfard

Absent—Excused

Bristow Sandahl
Crosthwalt

By unanimous consent of the House, Mr. Spilman was granted permission to be recorded as voting "yea" on the passage of H. J. R. No. 24 on yesterday.
The Chair then laid Senate Bill No. 127 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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The bill was read second time.

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

Committee Amendment No. 1:

Amend Senate Bill No. 290 by striking out Sec. 2 and inserting in lieu thereof the following:

Section 2. Said certificates shall be sold for cash and the proceeds thereof shall be used only for the acquisition of right of way irrespective of whether the same be located in or outside the corporate limits of any municipality in the county, for designated State Highways or Federal Highways when the acquisition of such right of way is approved by the State Highway Commission, and the payment of expenses in connection with such acquisition.

The amendment was adopted.

S. B. No. 290 was then passed to third reading.

SENATE BILL NO. 290 ON THIRD READING

Mr. Sutton moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 290 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson  Blaine
Armour  Blanchard
Atwell  Bowers
Baker  Boyles
Ballman  Brashear
Barrow  Bryan
Baugh  Bullock
Bell  Byrd
Bishop  Chapman
The Chair then laid Senate Bill No. 290 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 10, 1957  HOUSE JOURNAL  1621
The motion prevailed by the following vote:

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**SENATE BILL NO. 249 ON SECOND READING**

The Chair laid before the House, on its second reading and passage to third reading, S. B. No. 249, Validating the incorporation of certain cities, towns, and villages; and declaring an emergency.

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

**SENATE BILL NO. 249 ON THIRD READING**

Mr. Jackson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 249 be placed on its third reading and final passage.

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</table>
The Chair then laid Senate Bill No. 249 before the House on third reading and final message. The bill was re-ad third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>142</th>
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**Yeas—142**

<table>
<thead>
<tr>
<th>Anderson</th>
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<td>Armor</td>
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<td>Crosthwait</td>
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The bill was read third time and was passed by the following vote:

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<th>Yeas</th>
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**Yeas—142**

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The bill was read third time.
Mr. Day offered the following amendment to the bill:

Amendment to Senate Bill 204

(Floor Amendment No. 1)

Amend Senate Bill 204 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. The County Judge of Hamilton County and the Judge of the Judicial District which includes Hamilton County shall constitute the Juvenile Board of that county. The Judge of the court which is designated as the Juvenile Court of Hamilton County shall be Chairman of the Board and its chief administrative officer.

Section 2. As compensation for the added duties hereby imposed upon them, the County and District Judges who are members of such Board may be allowed additional compensation not to exceed Six Hundred Dollars ($600.00) per year, to be fixed by the Commissioners Court and paid monthly in twelve equal installments out of the general fund of the county.

Section 3. This Act shall be cumulative of existing laws relating to compensation of Judges of the District Courts and County Judges.

Section 4. The fact that Hamilton County is without an adequate Juvenile Court 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 Senate Bill No. 204 be placed on its third reading and final passage."

The amendment was adopted. Senate Bill No. 204 was then passed to third reading.

SENATE BILL NO. 204 ON THIRD READING

Mr. Shannon of Brazos moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 204 be passed and final passage.

The motion prevailed by the following vote:

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Mr. Day offered the following amendment to the bill:

Amendment to Senate Bill 204

(Floor Amendment No. 2)

Amend the caption of Senate Bill 204 to read as follows:

"A Bill to be entitled An Act creating a Juvenile Court for Hamilton County, Texas; and declaring

an emergency."
The Chair then laid Senate Bill No. 204 before the House on third reading and final passage. 

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

**Yeas-142**

- Anderson
- Armbrister
- Atwell
- Baker
- Ballman
- Bartram
- Bass
- Bell
- Bishop
- Blaine
- Blanchard
- Boykin
- Brokaw
- Bryan
- Bullock
- Burkett
- Byrd
- Chapman

- Parrott
- Ford
- Foreman
- Fram
- Gibson
- Gittings
- Green
- Gale
- Harrell
- Harrison
- Hensley
- Hollowell
- Holman
- Holstein
- Hooks
- Hoots
- of Galveston
- Houston
- Huff
- Hughes of Grayson
- Hughes of Dallas
- Hutchins
- Iassacks, Miss
- Jackson
- Jamison
- Johnson
- Jones
- Joseph
- Kelly
- Kennard
- Kilpatrick
- Koliba
- Kothmann
- Latimer
- Laurel
- Lee
- McDonald
- McGregor
- of McLennan
- of El Paso
- McAllister
- Mann
- Martin
- Mathew
- Marks
- Moore of Harris
- Moore of Tarrant
- Mullen
- Murray
- Myatt
- Oliver
- Osborn
- Parish

- Absent
- Absent-Excused

**Nays-20**

- Anderson
- Armbrister
- Atwell
- Baker
- Ballman
- Bartram
- Bass
- Bell
- Bishop
- Blaine
- Blanchard
- Boykin
- Brokaw
- Bryan
- Bullock
- Burkett
- Byrd
- Chapman

- Parrott
- Ford
- Foreman
- Fram
- Gibson
- Gittings
- Green
- Gale
- Harrell
- Harrison
- Hensley
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- Holstein
- Hooks
- Hoots
- of Galveston
- Houston
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- Joseph
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- Kothmann
- Latimer
- Laurel
- Lee
- McDonald
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- of McLennan
- of El Paso
- McAllister
- Mann
- Martin
- Mathew
- Marks
- Moore of Harris
- Moore of Tarrant
- Mullen
- Murray
- Myatt
- Oliver
- Osborn
- Parish

- Absent
- Absent-Excused

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- Anderson
- Armbrister
- Atwell
- Baker
- Ballman
- Bartram
- Bass
- Bell
- Bishop
- Blaine
- Blanchard
- Boykin
- Brokaw
- Bryan
- Bullock
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- Moore of Harris
- Moore of Tarrant
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- Murray
- Myatt
- Oliver
- Osborn
- Parish

- Absent
- Absent-Excused

**Tied-1**

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- Baker
- Ballman
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- Bass
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**Tied-1**

- Anderson
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- McGregor
- of McLennan
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- Parish

- Absent
- Absent-Excused

**Tied-1**

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- Bass
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- Bishop
- Blaine
- Blanchard
- Boykin
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- Bullock
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- of McLennan
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- McAllister
- Mann
- Martin
- Mathew
- Marks
- Moore of Harris
- Moore of Tarrant
- Mullen
- Murray
- Myatt
- Oliver
- Osborn
- Parish

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

S. B. No. 344, Creating a Juvenile Board for Jefferson County; and declaring an emergency.

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

Mr. Smith of Jefferson moved that the constitutional rule requiring bills to be read on three separate days be suspended and that Senate Bill No. 344 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Year—142**

Anderson  Ferrell
Armor    Ford
Atwell   Foreman
Baker    Forreth
Ballman  Glass
Bartram  Glasing
Bass     Green
Bell     Hale
Bishop   Harrington
Blaine   Healy
Blanchard Heffin
Brashear Hollowell
Bryan    Holstein
Bullock  Hooks
Byrd     Hovey
Chapman  Huebner
Chinn    Huffman
Cloud    Huffor
Cole     Hughes of Grayson
Couley   Hughes of Dallas
Cory     Hutchins
Cotten   Isaacks, Mna
Cowen    Jackson
Cox      Jamison
Day      Johnson
De la Garza Jones
DeWey    Joseph
Duff, Miss Kelly
Dugas    Kennard
Dungan   Kilpatrick
Ehrlie   Koliba
Elizott  Korfoth
Ella     Kothmann
Fenoglio Latimer

Laurel Schwartz of Washington
Lee McDonald of Seeligson
McGregor of McLean
McGregor of El Paso
McLain
Mann
Martin
Matthew
Mays
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parish
Parsons
Patterson
Phippin
Pool
Presler
Puckett
Ramsey
Ramsay
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schram
Schwartz
Seelgaon
Shackelford
Shannon of Erath
Shannon of Tarrant
Manning
Manning
Smith of Hays
Smith of Jefferson
Smith
Smith of Dallas
Spillman
Springer
Stewart
Strother
Strickland
Sudderth
Sutton
Talasek
Tarrell
Thurmond
Tunnell
Turner
Walling
Watson
Welch
Wheeler
White
Wilson of Young
Wilson of Potter
Witsree
Wobird
Woolsey
Yanez
Zbranek
McCoplin
Burkett
Kennedy
Bristow
Croswait
Absents—Excused

The Chair then held Senate Bill No. 344 before the House on third reading and final passage.

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

**Year—142**

Anderson  Bishop
Armor    Blaine
Atwell   Blanchard
Baker    Bowser
Ballman  Boyss
Bartram  Brashear
Bass     Bryan
Bell     Bullock
The Chair laid before the House, on its second reading and passage to third reading, S. B. No. 351, "An Act limiting the provisions of this Act to Bexar County; 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 county at any time; to take, kill or trap any fur-bearing animal in said county; to take or attempt to take any fresh water fish or other aquatic life in said county by any means or method; prescribing the legislative policy with respect to the wildlife resources in said county; conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation, the taking of the wildlife resources of said county; requiring the Commission to make investigation with respect to the depletion and waste of the wildlife resources of said county; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said county; defining depletion and waste; providing for the issuance of deer and antelope and elk permits; 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 of suits to test the validity of this act and of the rules and regulations of the Commission; providing a penalty for false swearing; providing a penalty for the violation of any of the provisions of this Act, as well as any order, rule or
regulation of the Commission; providing for the forfeiture of licenses; making it unlawful to purchase a new license and providing a penalty therefor; 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.

Mr. Kennedy offered the following amendment to the bill:

Amend S. B. No. 351 by striking out Section 17 and substituting the following new Section 17:

Section 17. Effective Date of Act. This Act shall be in force and effect from and after September 1, 1957, and shall terminate and be of no further force or effect after June 1, 1959.

The amendment was adopted.

Senate Bill No. 351 was then passed to third reading.

SENATE BILL NO. 351 ON THIRD READING

Mr. Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson  Conley
Armstrong  Cory
Atwell  Cotton
Baker  Cowen
Bailman  Cox
Bartram  Day
Basin  de la Garza
Bell  Dewey
Bishop  Daff, Miss
Blalock  Dugas
Blanchard  Duncan
Hovers  Ehrle
Hoyse  Elliott
Brashear  Ellis
Bryan  Fonoglio
Bullock  Ferrell
Byrd  Ford
Chapman  Foreman
Clift  Forsyth
Cloud  Glass
Cole  Glasing

Green  Pool
Hale  Pressler
Harrington  Puckett
Healy  Ramsey
Heflin  Richardson
Hensley  Roberts
Hollowell  Russell
Holman  Sadler
Hoistin  Sandahl
Hooks  Sanders
Hosey  Saul
Huebner  Schram
Huffman  Schwartz
Huffon  Galveston
Hughes of Grayson
Hughes of Dallas
Hutchins  Seeligson
Issacks, Miss
Jackson  Shackelford
Jamison  Shannon
Johnson  Erath
Jones  San Antionio
Joseph  Sherman
Kelly  Sherrill
Kennard  Slack
Kilpatrick  Smith
Koliba  Smith of Jefferson
Koroth  Spillman
Kothmann  Springer
Laumer  Stewart
Lee  Strickland
McDonald  Sutherland
McGregor  Sutton
McGregor of McLennan  Talasek
McGregor of El Paso  Terrell
McIlhany  Thurmond
Mann  Tunnell
Martin  Turman
Matthew  Walling
Mays  Watson
Moore of Harris  Welch
Moore of Tarrant  Wheeler
Mullen  White
Murray  Wilson of Young
Mystic  Wilson of Potter
Oliver  Winfree
Osborn  Wohlford
Parish  Woolsey
Parsons  Year
Patterson  Zerneck
Pipkin

Absent

Burkett  McCoppin
Kennedy  Absent—Excused

The Chair then laid Senate Bill No. 351 before the House on third reading and final passage.
The bill was read third time and was passed by the following vote:

**Yeas—142**

- Anderson
- Armor
- Atwell
- Baker
- Balkman
- Bartram
- Bass
- Bell
- Bishop
- Blaine
- Blanchard
- Bowers
- Boyesen
- Braashear
- Bryan
- Bullock
- Byrd
- Chapman
- Cloud
- Cole
- Conley
- Cory
- Cotten
- Cowen
- Cox
- DAY
- de la Garza
- Dewey
- Duff, Miss
- Dugas
- Duncan
- Ehrla
- Elliott
- Ellis
- Fenoglio
- Ferrell
- Fort
- Foreman
- Foust
- Fowth
- Glass
- Glasing
- Green
- Hale
- Harrington
- Heastly
- Heiflin
- Hemley
- Hollowell
- Holman
- Holstein
- Hooks
- Hopey
- Huebner
- Huffman
- Huches of Grayson
- Huches of Dallas
- Hutchins
- Sherrill
- Sherrill
- Smith of Hays
- Smith of Jefferson
- Spelman
- Springer
- Stewart
- Stroey
- Strickland
- Stroman
- Sudderth
- Sutton
- Talasek
- Terrell
- Thurmond
- Absent
- Absent

Mr. Day moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 411 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—142**

- Anderson
- Armor
- Atwell
- Baker
- Balkman
- Bartram
- Bass
- Bell
- Bishop
- Blaine
- Blanchard
- Bowers
- Boyesen
- Braashear
- Bryan
- Bullock
- Byrd
- Chapman
- Conley
- Cory
- Cotten
- Cowen
- Cox
- Day
- de la Garza
- Dewey
- Duff, Miss
- Dugas
- Duncan
- Ehrla
- Elliott
- Ellis
- Fenoglio
- Ferrell
- Fort
- Foreman
- Fowth
- Glass
- Glasing
- Green
- Hale
- Harrington
- Heastly
- Heiflin
- Hemley
- Hollowell
- Holman
- Holstein
- Hooks
- Hopey
- Huebner
- Huffman
- Huches of Grayson
- Huches of Dallas
- Hutchins
- Sherrill
- Sherrill
- Smith of Hays
- Smith of Jefferson
- Spelman
- Springer
- Stewart
- Stroey
- Strickland
- Stroman
- Sudderth
- Sutton
- Talasek
- Terrell
- Thurmond
- Absent
- Absent

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

**SENATE BILL NO. 411 ON SECOND READING**

The Chair laid before the House on its second reading and passage to third reading, S. B. No. 411, increasing the area of the Fort Bend County Water Supply District; and declaring an emergency.

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

**SENATE BILL NO. 411 ON THIRD READING**

Mr. Day moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 411 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—142**

- Anderson
- Armor
- Atwell
- Baker
- Balkman
- Bartram
- Bass
- Bell
- Bishop
- Blaine
- Blanchard
- Bowers
- Boyesen
- Braashear
- Bryan
- Bullock
- Byrd
- Chapman
- Conley
- Cory
- Cotten
- Cowen
- Cox
- Day
- de la Garza
- Dewey
- Duff, Miss
- Dugas
- Duncan
- Ehrla
- Elliott
- Ellis
- Fenoglio
- Ferrell
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- Fowth
- Glass
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- Green
- Hale
- Harrington
- Heastly
- Heiflin
- Hemley
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- Holman
- Holstein
- Hooks
- Hopey
- Huebner
- Huffman
- Huches of Grayson
- Huches of Dallas
- Hutchins
- Sherrill
- Sherrill
- Smith of Hays
- Smith of Jefferson
- Spelman
- Springer
- Stewart
- Stroey
- Strickland
- Stroman
- Sudderth
- Sutton
- Talasek
- Terrell
- Thurmond
- Absent
- Absent

The bill was read third time and was passed to third reading.
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The Chair then laid Senate Bill No. 411 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>Year—142</th>
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The ChaLr rai before the House, on its second reading and passage to third reading.

S. B. No. 417, Creating Galveston County Road District No. 1; and declaring an emergency.

SENATE BILL NO. 417 ON THIRD READING

Mr. Schwartz of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 417 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson Atwell
Armour Baker

Nay—5

Bowers McCoppin
Kennedy

Mr. Schwartz of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 417 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson Atwell
Armour Baker

Nay—5

Bowers McCoppin
Kennedy
<table>
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<td>Absent-Excused</td>
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</table>

The Chair then laid Senate Bill No. 417 before the House on third reading and final passage.

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

**Yeas—142**

<table>
<thead>
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<th>Yeas—142</th>
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<tbody>
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<td>Anderson, Anderson</td>
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<td>Atwell, Atwell</td>
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<td>Baker, Baker</td>
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<td>McPherson, McPherson</td>
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SENATE BILL NO. 419 ON SECOND READING

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

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

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

SENATE BILL NO. 419 ON THIRD READING

Mr. Schwartz of Galveston moved, that the constitutional rule requiring...
April 10, 1957   HOUSE JOURNAL 1633

<table>
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<tr>
<th>Bills to be read on three several days</th>
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<td>be suspended and that Senate Bill</td>
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<td>The Chair then laid Senate Bill</td>
<td>Absent—Excused</td>
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<td>No. 419 before the House on third</td>
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<td>reading and final passage.</td>
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<tr>
<td>The bill was read third time and</td>
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<td>was passed by the following vote:</td>
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| Anderson     | Hoffman     |
| Armor        | Hunter      |
| Atwell       | Hughes of  |
| Baker        | Grayson     |
| Balkman      | Hutchins    |
| Barram       | Isacks, Mmm|
| Bass         | Jackson     |
| Bell         | Jamison     |
| Bishop       | Johnson     |
| Blalock      | Jones       |
| Blanchard    | Joseph      |
| Boykin       | Kelly       |
| Brashear     | Kennard     |
| Bryan        | Kippatrick  |
| Bullock      | Kolba       |
| Burdett      | Kothman     |
| Byrd         | Latimer     |
| Chapman      | Lee         |
| Clines       | Laurel      |
| Cloud        | Leach       |
| Cole         | McDonald    |
| Conley       | McGregor    |
| Cory         | of McLennan |
| Cotten       | of El Paso  |
| Cowen        | McIlhany    |
| Cox          | Mann        |
| Day          | Martin      |
| de la Garza  | Matthew     |
| Dewey        | Mays        |
| Duff, Miss   | Moore of    |
| Dugas        | Harris      |
| Dungan       | Moore of    |
|              | Tarrant     |
| Ehrle        | Mullen      |
| Elliott      | Murray      |
| Ellis        | Myatt       |
| Fenoglio     | Oliver      |
| Ferrell      | Osborn      |
| Ford         | Parish      |
| Foreman      | Parsons     |
| Forsyth      | Patterson   |
| Glass        | Phippin     |
| Gilchrist    | Pool        |
| Green        | Pressler    |
| Haga         | Puckett     |
| Halk          | Ramsey      |
| Harrington   | Richardson  |
| Healy        | Roberts     |
| Hefflin      | Russell     |
| Hensley      | Sadler      |
| Holloway     | Sandahl     |
| Holman       | Sanders     |
| Holstein     | Saul        |
| Hooks        | Schram      |
| Fossey       | Schwarzbuch |
| Huehner      | of Galveston|

Yeas-142
An engrossment, on Bowers Roberts Ramsey Pool Murr of Mays Matthew Sudderth Turman Talaeek McCoplin Wohlford Wooley Yeak Zbranek

The bill was read second time.

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

Committee Amendment No. 1 Amend H. B. 88 by striking out all below the enacting clause, and substituting the following:

Sec. 1. Any person who has been a bona fide resident of the State of Texas for a continuous period of twelve months immediately prior to making application for admission to a state hospital as herein provided, and who is addicted to the use of narcotic drugs, shall be eligible for admission into, and care and treatment in, a state hospital under the jurisdiction of the Board of Texas State Hospitals and Special Schools.

Sec. 2. If there be facilities available in a state hospital, the Board may in its discretion admit into a state hospital, for care and treatment of any person eligible for admission under this Act who voluntarily applies for such admission, and who is certified to the Board by a reputable practicing physician licensed to practice medicine in this State, by written statement certifying that in the best of his knowledge and belief such applicant is a narcotic drug addict and is in need of hospitalization and treatment; provided, however, that the Board may refuse admittance to any applicant who has been a patient receiving treatment solely for drug addiction in a state hospital and who has been released for admittance, if, in the opinion of the Board, no useful purpose would be served by the admission of such applicant.

Sec. 3. A patient admitted to a state hospital under the provisions of this Article may be treated in the hospital until he is pronounced cured by the medical authorities of the hospital unless the Superintendent of the hospital determines that further treatment will not likely be beneficial; provided, however, that the patient shall be released upon his request for release at any time. Any applicant who applies for treatment...
for admission to a state hospital under the provisions of this Article shall be deemed to have voluntarily consented to his detention in the hospital and shall waive any right to be released from the hospital before the expiration of such period of time.

Sec. 4. Any person admitted to a state hospital under the provisions of this Article shall, if he has sufficient funds, be required to pay for his maintenance at the same rate charged other patients for maintenance at such hospital, and all the provisions of Chapter 152, Acts of the Regular Session of the 45th Legislature, 1937 (Article 2196a, Vernon’s Texas Civil Statutes) shall be applicable to any person admitted to a state hospital under the provisions of this Article. However, no person otherwise eligible for admittance to a state hospital under the provisions of this Article shall be denied admittance thereto and care and treatment therein, because of financial inability to pay for his maintenance.

Sec. 5. When any juvenile is declared to be a delinquent child because of his habitual use of or addiction to narcotic drugs, or when the judge of the juvenile court finds that any delinquent child under the jurisdiction of the court is addicted to the use of narcotic drugs, the court may order the child to be committed to the custody of the Board for Texas State Hospitals and Special Schools for treatment in a State hospital, providing there are facilities available in a State Hospital and the Board consents to such admission, to remain in the hospital until the medical authorities of the hospital certify that he is cured or that further treatment will not likely be beneficial. The delinquent child shall continue to be subject to the jurisdiction and orders of the committing court during the time of his confinement in the hospital, and shall be remanded to the court upon his discharge.

Sec. 6. If any provision of this Act or the application thereof to any person or circumstance 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. 7. The fact that the treatment and care of narcotic drug addicts is vital to the elimination of illegal traffic in narcotic drugs and the further fact that there is now no provision for treatment of drug addicts by the State 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. 88 was then passed to engrossment.

HOUSE BILL NO. 88 ON THIRD READING

Mr. White moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 88 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
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<th>Yeas</th>
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April 10, 1957

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Amend House Bill No. 186 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Subdivisions (a) and (b) of Article II, of Chapter 467, Acts of the Second Called Session of the 44th Legislature, as amended by Senate Bill 137, Acts of the 48th Legislature, Regular Session, 1943, Chapter 355, codified in Vernon's as Article 667-6, Vernon's Penal Code, are hereby amended so as to read hereafter as follows:

(a.) The application of any person desiring to be licensed to manufacture, distribute, or sell beer shall be filed in duplicate with the county judge, who shall set same for hearing at a date not less than five (5) nor more than ten (10) days from the filing of same.

(b.) Upon the filing of any application for a license the county clerk shall give notice thereof by posting at the courthouse door a written notice of the filing of such application, and the substance thereof, and the date of hearing upon such application. Upon the original application of any person desiring to be licensed to sell beer at retail at a location not theretofore licensed, notice shall be given of such application by publication for two (2) consecutive issues in a newspaper of general circulation published in the city or town in which the applicant's place of business is to be located. Provided, however, that where no newspaper is published in the city or town than the same shall be published in a newspaper of general circulation published in the county where applicant's business is to be located, and if no newspaper is published in the county, then notice shall be published in a newspaper which is published in the closest neighboring county and circulated in the county where the license or permit is sought. Such notice shall be published in ten (10) point black face type, and shall set forth the type of retail license or permit to be applied for, the exact location of said business, the name of the owner or owners thereof, and, if operated under an assumed name, the trade name, together with the names of all owners, and, if a corporation, the names and titles of all officers of said corporation. The cost of such notice shall be borne by the applicant. Any citizen shall be permitted to contest the facts stated in any application for a license to sell beer at retail and the applicant's right to secure such license upon giving security for all costs which may be incurred in such contest should the case be decided in favor of the applicant; provided, however, no officer of a county or incorporated city or town shall be required to give bond for such costs.

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

Section 3. If any provision of this Act or the application thereof to any
person or circumstance 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.

Section 4. The fact that under the present law original applicants for retail beer licenses in new locations are not required to publish notice of their application 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 that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Mr. Schwarts of Washington offered the following Committee amendment to the bill:

Committee Amendment No. 2

Amend House Bill No. 186 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL To Be Entitled
An Act amending subdivisions (a) and (b) of Section 6 of Article II, of Chapter 617, Acts of the Second Called Session of the 44th Legislature, as amended by Senate Bill 117, Acts of the 48th Legislature, Regular Session, 1943, Chapter 225, codified in Vernon's as Article 617-4, Vernon's Penal Code, so as to require publication of notice of an original application for a license to sell beer at retail at a location not theretofore licensed, providing a repealing clause, providing a severability clause, and declaring an emergency."

The amendment was adopted.

House Bill No. 186 was then passed to engrossment.

HOUSE BILL NO. 186 ON THIRD READING

Mr. Stewart moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 186 be placed on its third reading and final passage.

The motion prevailed by the following vote:

- Yeas—114
  - Anderson
  - Hughes of Grayson
  - Armor
  - Hughes of Dallas
  - Atwell
  - Hutchins
  - Baker
  - Inasaka, Miss
  - Ballard
  - Jackson
  - Barram
  - Jamieson
  - Bess
  - Johnson
  - Bell
  - Jones
  - Bishop
  - Joseph
  - Blaine
  - Kelly
  - Blanchard
  - Kennedy
  - Boyseen
  - Kilpatrick
  - Brashear
  - Koliba
  - Bryan
  - Kortich
  - Bullock
  - Kothmann
  - Burkett
  - Lackner
  - Byrd
  - Leda
  - Chapman
  - McDonald
  - Cline
  - McGregor
  - Cloud
  - Conley
  - of McLennan
  - Cole
  - Cory
  - of El Paso
  - Cotten
  - McFhany
  - Cowan
  - Mann
  - Cox
  - Martin
  - de la Garza
  - Maya
  - Dewey
  - Moore of Harris
  - Duff, Miss
  - Moore of Tarrant
  - Dugas
  - Mullen
  - Duncan
  - Murray
  - Ehrle
  - Myatt
  - Elliott
  - Oliver
  - Ellis
  - Osebra
  - Fenniglo
  - Parish
  - Ferval
  - Parsons
  - Ford
  - Patterson
  - Roseman
  - Pipkin
  - Porewth
  - Pool
  - Glass
  - Prester
  - Gusting
  - Peckett
  - Gross
  - Puckett
  - Hale
  - Richardson
  - Harrington
  - Roberts
  - Healy
  - Russell
  - Hoffman
  - Sadler
  - Hensley
  - Sandahl
  - Holloway
  - Sanders
  - Holman
  - Saul
  - Holstein
  - Schram
  - Hooks
  - Schuert
  - Hossy
  - of Galveston
  - Huebner
  - Schwarts
  - Huffman
  - of Washington
  - Huffor
  - Seeligson
House Bill No. 186 before the House on third reading and final passage.

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

Yeas—142

Anderson Anderson
Atwell Atwell
Baker Baker
Balman Balman
Bartram Bartram
Bell Bell
Bishop Bishop
Blaine Blaine
Bland Bland
Bozen Bozen
Brasher Brasher
Bryan Bryan
Bullock Bullock
Burkett Burkett
Byrd Byrd
Chapman Chapman
Clay Clay
Cloud Cloud
Cole Cole
Conley Conley
Cory Cory
Cotten Cotten
Cowan Cowan
Cox Cox
Day Day
dela Garza dela Garza
Dawley Dawley

Hutchins Hutchins
Isaacs, Miss Isaacs, Miss
Jackson, Jackson
Johnson, Johnson
Jones, Jones
Joseph, Joseph
Kelly, Kelly
Kennard, Kennard
Kilpatrick, Kilpatrick
Koliba, Koliba
Korlath, Korlath
Kothmann, Kothmann
LaFluer, LaFluer
Lee, Lee
McDonald, McDonald
McGregor, McGregor
McGregor of Jefferson, McGregor of Jefferson
McGregor of El Paso, McGregor of El Paso
McIlhany, McIlhany
Mann, Mann
Martin, Martin
Strickland, Strickland
Matthew, Matthew
Mays, Mays
Moore of Harris, Moore of Harris
Moore of Tarrant, Moore of Tarrant
Mullen, Mullen
Murray, Murray
Myatt, Myatt
Oliver, Oliver
Osburn, Osburn
Parish, Parish
Parsons, Parsons
Patterson, Patterson
Piggin, Piggin
Poo, Poo
Presler, Presler
Putkett, Putkett
Ramsey, Ramsey
Richardson, Richardson
Roberts, Roberts
Russell, Russell
Sadler, Sadler

Bowers, Bowers
Kingsland, Kingsland

Bristow, Bristow

Bowers, Bowers

Bristow, Bristow

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H. B. No. 193, A bill to be entitled "An Act to amend Section 8 of House Bill 209, Acts of the Fifty-fourth Legislature, Regular Session, 1955, Chapter 300, relating to the seizure
and forfeiture of vehicles used in connection with violations of the narcotics laws, providing for the disposition of such vehicles and the funds obtained from the sale thereof, authorizing the Department of Public Safety to retain for the use of the Narcotics Division those vehicles upon which no lien or mortgage existed, providing for the disposition of the proceeds of such vehicles when sold by the Department of Public Safety, making an appropriation and declaring an emergency.

The bill was read second time.

Mr. Johnson offered the following Committee amendment to the bill:

Committee Amendment No. 1

Amend Section 1 of H. B. 193 by deleting the words "Sec. 3, . . . , to the account of the Narcotics Division; Department of Public Safety, and may be used and is hereby appropriated for the purpose of defraying the expenses of purchasing and accumulating evidence as to violations of the narcotics laws and to destroy the expenses incurred in assembling, storing, transporting, selling, and accounting for said confiscated property, and for any other purpose deemed necessary by the Department in enforcing the provisions of the Uniform Narcotic Drug Act. Any unexpended portion of said fund, subject to further appropriation for such purposes," and insert in lieu thereof the words "in the General Revenue Fund."

The amendment was adopted.

Mr. McGregor of McLennan offered the following Committee amendment to the bill:

Committee Amendment No. 2

Amend Subsection 2 of Section 5 of Section 1 by striking the words "Narcotics Division of the Texas Department of Public Safety" and insert in lieu thereof "The General Revenue Fund."

The amendment was adopted.

House Bill No. 193 was then passed to engrossment.

HOUSE BILL NO. 193 ON THIRD READING

Mr. Cox moved that the constitutional rule requiring bills to be read on three or four separate days be suspended and that House Bill No. 193 be placed on its third reading and final passage.

The motion prevailed by the following vote:

YEAS—143

Anderson  Husbauer
Armor  Huffman
Atwell  Huffm
Baker  Hughes of Grayson
Ballman  Hughes of Dallas
Bartram  Hutchins
Bass  Isaac, Mica
Bell  Jackson
Bishop  Jamieson
Bowen  Johnson
Blaine  Jones
Blanchard  Jones
Bryant  Kenan
Bullock  Kilpatrick
Burkett  Kolia
Byrd  Koloth
Chapman  Koehn
Clise  Lailo
Cloud  Lec
Conley  McDonald
Cory  McGregor
Cotton  McLennan
Cowen  McGregor
Cox  of El Paso
Day  Molihan
de la Garza  Mann
Dewey  Martin
Duff, Miss  Mathew
Dugas  Mayo
Dungan  Moore of Harris
Ellis  Moore of Tarrant
Elliott  Mullin
Ellis  Murray
Espinosa  Myatt
Fair  Oliver
Ford  Osborn
Foreman  Parish
Foreyer  Parsons
Glass  Patterson
Glasing  Piggins
Green  Pool
Hale  Pressler
Harrington  Puckett
Headly  Ramsey
Haffin  Richardson
Hensley  Roberts
Holloway  Russell
Holman  Sadler
Holteila  Sandahl
Hock  Sandahl
Honey  Saul
The Chair then laid House Bill No. 270 before the House, on its second reading and passage to engrossment.
“An Act amending Article 709 of the Revised Civil Statutes of Texas, 1926, as last amended by Chapter 494, Article IV, Section 4, Acts of the 46th Legislature, Regular Session, 1955, relating to corporations exempt from payment of the franchise tax; and declaring an emergency.”

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

Mr. Conley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 270 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>Anderson</td>
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<td>Baker</td>
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The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>143</th>
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<tbody>
<tr>
<td>Anderson</td>
<td>Bishop</td>
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<td>Armor</td>
<td>Blakes</td>
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<td>Bass</td>
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</tbody>
</table>
The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 279, A bill to be entitled "An Act empowering cities and towns having power to undertake urban renewal projects to issue revenue bonds to finance such projects and declaring an emergency."

The bill was read second time.

Mr. Strickland offered the following Committee amendment to the bill:

Amend House Bill 279 by striking out the words "ten percent" on line 7 of Section 4, and substitute "five percent".

The amendment was adopted.

House Bill No. 279 was then passed to engrossment.

Mr. Seeligson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 279 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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The Chair then laid House Bill No. 378 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

Yes—160

No—39

The following members voted No: Anderson, Harrington; Armer, Hasty; Atwell, Heftis; Baker, Hensley; Ballman, Holowell; Bartram, Holman; Bass, Hooks; Bishop, Honey; Bland, Hucks; Blanchard, Huffer; Boyan, Hughes of Grayson; Bryan, Hughes of Dallas; Bullock, Hutchins; Iacobs, Miss; Bred, Jamison; Cameron, Johnson; Cline, Joens; Cloud, Joseph; Cole, Kelly; Conley, Keenard; Cory, Kilpatrick; Cotten, Koehl; Cox, Kothmann; Day, Leath; de la Garza, Laurel; Dewey, Lee; Duff, Miss; McDonald; Dugas, McLemnan; Dungan, McLemnan; Ehrlie, McLemnan; Elliott, McEl Paso; Ellis, McLainy; Fenoglio, Mean; Ferrell, Martin; Ford, Matthew; Foreman, Mays; Forsyth, Moore of Harris; Glass, Moose of Tarrant; Mullen, Green; Murray.
Mr. Conley offered the following Committee amendment to the bill:

**Committee Amendment No. 2**

To H. B. No. 293

Amend House Bill No. 293 by striking out Section 2, and inserting in lieu thereof the following section:

Section 2. Article 601-A of the Code of Criminal Procedure of Texas, 1925, as amended, is hereby amended so as to read hereafter as follows:

"In all counties of this State where jurors in either civil or criminal cases are drawn from a jury wheel as is now provided or may hereafter be provided by law and where as many as one-hundred (100) jurors have been summoned in such county for regular service for the week in which such capital case is set for trial, the Judge of the Court having jurisdiction of a capital case in which a motion for a special venire has been made, shall grant or refuse such motion for a special venire and upon such refusal require the case to be tried by regular jurors summoned for service in such county for regular service for the week in which such capital case is set for trial and such additional persons as may be summoned, upon order of the Court as provided in Article 591 of the Code of Criminal Procedure, but the Clerk of such Court shall furnish the defendant or his counsel a list of the persons summoned for jury service for such week upon application therefor."

The amendment was adopted.

House Bill No. 293 was then passed to engrossment.

**HOUSE BILL NO. 293 ON THIRD READING**

Mr. Conley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 293 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson, Atwell, Armor, Baker
The Chair then laid House Bill No. 393 before the House on third reading and final passage.

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

Year—143

The following voted for the bill:

Ballman
Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Bowers
Boykin
Breh障碍
Bryan
Bullock
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotman
Cowen
Cox
Day
de la Garza
Dewey
Duff, Miss
Dugas
Dungan
Ehler
Elliott
Ellis
Fegin
Ferrell
Ford
Foreman
Foreyth
Glas
Glasing
Green
Hale
Harrington
Healy
Heflin
Hensley
Hollowell
Holman
Holton
Hooks
Honey
Huebner
Huffman
Hutton
Hutter
Hughes of Grayson
Hughes of Dallas
Hutchins
Ineak, Miss
Jackson
Jamieson
Johnson
Jones
Joseph
Brady
Kenford
Kilpatrick
Koliba
Koroth
Kothmann
Laitemer
Laurel
Lee
McDonald
McGregor
McGregor
McIlhenny
Maun
Matthew
May
Moore of Harris
Moore of Tarrant
Muliken
Murray
Myatt
Oliver
Osborn
Parish
Parsons
Patterson
Piggin
Pool
Presler
Puckett
Ramsay
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Schram
Schwartz
Schwartz
Seagerson
Shackelford
Shannon
Shannon
Shaw
Sheridan
Sherrell
Black
Smith of Hays
Smith of Jefferson
Spillman
Sprigger
Stewart
Storey
Strickland
Stroman
Sudderth
Sutton
White
Terrell
Thurnmond
Tunnell
Turner
Walling
Watson
Welch
Wheeler

The following voted against the bill:

Abram
Amberson
Anderson
Armour
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Bowers
Boykin
Breh障碍
Bryan
Bullock
Byrd
Chapman
Cline
Cole
Conley
Cory
Cotman
Cowen
Cox
Day
de la Garza
Dewey
Duff, Miss
Dugas
Dungan
Ehler
Elliott
Ellis
Fegin
Ferrell
Ford
Foreman
Foreyth
Glas
Glasing
Green
Hale
Harrington
Healy
Heflin
Hensley
Hollowell
Holman
Holton
Hughes
Hollowell
Huchens
Hutchinson
Ineak, Miss
Jackson
Jamieson
Johnson
Jones
Joseph
Brady
Kenford
Kilpatrick
Koliba
Koroth
Kothmann
Laitemer
Laurel
Lee

The following were present and not voting:

Abram
Amberson
Anderson
Armour
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Bowers
Boykin
Breh障碍
Bryan
Bullock
Byrd
Chapman
Cline
Cole
Conley
Cory
Cotman
Cowen
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de la Garza
Dewey
Duff, Miss
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Ehler
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Hensley
Hollowell
Holman
Holton
Hughes
Hollowell
Huchens
Hutchinson
Ineak, Miss
Jackson
Jamieson
Johnson
Jones
Joseph
Brady
Kenford
Kilpatrick
Koliba
Koroth
Kothmann
Laitemer
Laurel
Lee
McDonald
McGregor of McLennan
McGregor of El Paso
McIlhany
Mann
Martin
Matthew
Mays
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parish
Parsons
Patterson
Pipkin
Pool
Puckett
Ramsey
Richardson
Roberts
Russell
Sadler
Sanders
Sandahl
Sander
Saul
Schram
Schwartz of Galveston
Schwartz of Washington
Seeligson
Shackelford
Shannon of Brathwaite
Shannon of Tarrant
Shaull
Sherwood
Sheriff
Shelby
Smith of Hays
Smith of Jefferson
Smith of Tarrant
Slinkard
Soddeth
Sutton
Talasek
Terral
Thurmond
Tunnell
Turman
Walling
Watson
Welch
Wheeler
White
Wilson of Young
Wilson of Potter
Winfrey
Wolfford
Woodey
Yezak
Zbranek

Absent
Bowers
Kennedy
Bristow

Absent—Excused

House Bill No. 332 on Second Reading

The Chair laid before the House, on its second reading and passage, to engrossment, H. B. No. 332, a bill to be entitled "An Act amending Section 2A of Acts 1930, 41st Legislature, 4th Called Session, Chapter 18; as amended by Acts 1931, 42nd Legislature, Regular Session, Chapter 217; as amended by Acts 1933, 43rd Legislature, 4th Called Session, Chapter 273; as amended by Acts 1935, 44th Legislature, Regular Session, Chapter 342; as amended by Acts 1947, 50th Legislature, Regular Session, Chapter 370; as amended by Acts 1949, 51st Legislature, Regular Session, Chapter 70; as amended by Acts 1953, 53rd Legislature, Regular Session, Chapter 111, to provide for the issuance by the Department of temporary registration permits for any truck, truck-tractor, trailer, or semi-trailer which is being temporarily operated by non-resident owners thereof in Texas for the purpose of transporting farm products produced outside of Texas to market, storage, processing plant, railhead or seaport within Texas; limiting the distance from the point of entry allowed by such special permit and providing a penalty for violating the same; providing a fee therefor; providing a saving clause; and declaring an emergency."

The bill was read second time.

Mr. Hutchins offered the following Committee amendment to the bill:

Committee Amendment No. 1

Amend House Bill 332 by striking out Section 1 and inserting in lieu thereof the following:

Section 1. That Section 2A of Acts 1930, 41st Legislature, Fifth Called Session, Chapter 18; as amended by Acts 1931, 42nd Legislature, Regular Session, Chapter 217; as amended by Acts 1933, 43rd Legislature, 4th Called Session, Chapter 273; as amended by Acts 1935, 44th Legislature, Regular Session, Chapter 342; as amended by Acts 1947, 50th Legislature, Regular Session, Chapter 370; as amended by Acts 1949, 51st Legislature, Regular Session, Chapter 70; as amended by Acts 1953, 53rd Legislature, Regular Session, Chapter 111, be amended by providing that Section 2A shall hereafter read as follows:

"Section 2A. To expedite and facilitate, during the harvesting season the harvesting and marketing of wheat, oats, rye, barley, grain sorghums, flax, rice; vegetables in bulk, field crates, or boxes, produced in this State, the Department is authorized to issue to a non-resident owner a thirty (30) day temporary registration permit for any truck, truck-tractor, trailer or semi-trailer to be used in the movement of such products, if such use is for the purpose of transporting farm products produced outside of Texas to market, storage, processing plant, railhead or seaport within Texas; limiting the distance from the point of entry allowed by such special permit and providing a penalty for violating the same; providing a fee therefor; providing a saving clause; and declaring an emergency."

The bill was read third time and passed.
The temporary permit may be issued to a non-resident owner during any one vehicle registration year in the State of Texas. A vehicle registered under the terms of this Act may not be operated in Texas after the expiration of the temporary permit unless the non-resident owner secures a second temporary permit as provided above, or unless the non-resident owner registers the vehicle under the appropriate Texas vehicular registration statutes, applicable to residents, for the remainder of the registration year. No such vehicle may be registered with a Texas farm truck license.

Any person who shall transport any of the commodities described in this Act, under a temporary permit provided for herein, to a market, place of storage, processing plant, railroad or seaport, not more than thirty (30) miles distant from such point of entry into Texas, or to market, place of storage, processing plant, railroad or seaport, which is a greater distance from the place of production of such commodity in this State, or the point of entry into the State of Texas than is provided for in said temporary permit, or shall follow a route other than that prescribed by the Highway Commission, shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

Nothing in this Act shall be construed to authorize, such non-resident owner or operator to operate or cause to be operated any of such vehicles in this State in violation of Acts 1929, 41st Legislature, Chapter 34, as amended (Article 91B, V.C.H.) or any of the other laws of this State.

Mr. Foryeh offered the following amendment to the Committee amendment No. 1:

Amendment to Committee Amendment No. 1

Amendment No. 1 to H. B. No. 932 by striking out the words and figure "thirty (30)" as it appears in the 3rd paragraph of the 1st line thereof the words and figure "eighty (80)".

The amendment to Committee Amendment No. 1 was adopted.

Mr. Spilman offered the following amendment to Committee Amendment No. 1:
Amend Committee Amendment No. 1 to H. B. No. 332 by deleting the sentence appearing on lines 7 through 10 on page 3 of the printed bill.

The amendment to Committee Amendment No. 1 was adopted.

Committee Amendment No. 1 as amended was adopted.

House Bill No. 332 was then passed to engrossment.

House Bill No. 332 on Third Reading

Mr. Murray moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-142

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

Yeas-142

The Chair then laid House Bill No. 332 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

Yeas-142
The Chair laid before the House, on its second reading and passage to engrossment, House Bill No. 333, a bill to be entitled "An Act amending Section 2 of Acts, Fifth Called Session, Forty-first Legislature, Chapter 18, as amended by Acts, 1931, Forty-second Legislature, Chapter 97, as amended by Acts, 1933, First Called Session, Forty-third Legislature, Chapter 26, Section 1, as amended by Acts, 1934, Forty-fourth Legislature, Chapter 143, Section 1, as amended by Acts, 1947, Regular Session, Fiftieth Legislature, Chapter 76, to provide for the temporary registration of vehicles for one-trip movements within the State; providing a penalty for movements in violation thereof; providing a saving clause; and declaring an emergency."

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

The motion prevailed by the following vote:

Year—142

Absents

Bowers McCoppin

Kennedy

Absents—Excused

Bristow Crosthwait

HOUSE BILL NO. 333 ON THIRD READING

Mr. Murray moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 333 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—142

Absents

Anderson Boyse

Armour Branch

Atwell Bryan

Baker Ballock

Ballman Byrd

Bartram Chairman

Basin Cline

Bell Cloud

Bishop Cole

Blalock Conley

Blanchard Cory

Bowers Cotten
April 10, 1957  

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Cowen, Mullen  
Cox, Murray  
Day, Myatt  
de la Garza, Oliver  
Dewey, Osborn  
Duff, Miss, Parish  
Dugas, Parsons  
Dungan, Patterson  
Ehrle, Pipkin  
Elliot, Pool  
Ellis, Presler  
Panettio, Puckett  
Ferril, Ramsey  
Ford, Richardson  
Foreman, Roberts  
Forysth, Russell  
Gliss, Sadler  
Green, Sanders  
Hale, Saul  
Harrington, Schram  
Healy, Schwartz  
Heflin, of Galveston  
Hensley, Schwartz  
Hollowell, of Washington  
Holiman, Seeligson  
Holstein, Shanksford  
Hooks, Shannon of Erath  
Hosey, Shannon  
Huebner, of Tarrant  
Huff, Shaw  
Huffor, Sheridan  
Hughes of Grayson, Sherrill  
Hughes of Dallas, Black  
Hutchins, Smith of Harris  
Jackson, Smith of Jefferson  
Jamison, Spelman  
Johnson, Stuart  
Jones, Strickland  
Kelly, Stroman  
Kennard, Sudderth  
Kilpatrick, Sutton  
Kilba, Taalee  
Kortz, Terrel  
Kothmann, Thurmood  
Latimer, Tunnel  
Laurel, Turnan  
Lee, Wailing  
McDonald, Watson  
McGregor, Wrelch  
Moore of McLennan, White  
Moore of El Paso, Wilson of Young  
McLain, Wilson of Potter  
Mann, Winfree  
Martin, Wohlford  
Mattlax, Woolsey  
Mays, Zavak  
Moore of Harris, Zbrassek  
Moore of Tarrant  

Absent  

Burkett, McCoppin  
Kennedy  

Bristow, Crockett  

The Chair then laid House Bill No. 333 before the House on third reading and final passage.  
The bill was read third time and was passed by the following vote:  

Year-143  

Anderson, Heflin  
Armor, Hensley  
Atwell, Hollowell  
Baker, Holman  
Ballman, Holstein  
Bartram, Hooks  
Bass, Hosey  
Bell, Huebner  
Bishop, Huffman  
Blauchard, Hughes of Grayson  
Boynes, Hughes of Dallas  
Bradshaw, Heithcliff  
Bryan, Isaacs, Miss  
Busick, Jackson  
Burkett, Jamison  
Byrd, Johnson  
Chapman, Jones  
Cloud, Kelly  
Cole, Kennard  
Conley, Kilpatrick  
Cory, Kilba  
Cotten, Korthoff  
Cox, Kothmann  
Latimer, Lauriel  
Lee, Lee  
McDonald, McGregor  
McGregor of McLennan, McGregor of El Paso  
McIlhany, Methany  
Mann, Mann  
Martin, Martin  
Mather, Mathew  
Mays, Moore of Harris  
McDurham, Moore of Tarrant  
Mullen, Mullen  
Murray, Myatt  
Oliver, Osborn  
Parish, Parish  

Absent-Excused  

Bristow, Crockett  

The Chair then laid House Bill No. 333 before the House on third reading and final passage.  
The bill was read third time and was passed by the following vote:  

Year-142  

Anderson, Heflin  
Armor, Hensley  
Atwell, Hollowell  
Baker, Holman  
Ballman, Holstein  
Bartram, Hooks  
Bass, Hosey  
Bell, Huebner  
Bishop, Huffman  
Blauchard, Hughes of Grayson  
Boynes, Hughes of Dallas  
Bradshaw, Heithcliff  
Bryan, Isaacs, Miss  
Busick, Jackson  
Burkett, Jamison  
Byrd, Johnson  
Chapman, Jones  
Cloud, Kelly  
Cole, Kennard  
Conley, Kilpatrick  
Cory, Kilba  
Cotten, Korthoff  
Cox, Kothmann  
Latimer, Lauriel  
Lee, Lee  
McDonald, McGregor  
McGregor of McLennan, McGregor of El Paso  
McIlhany, Methany  
Mann, Mann  
Martin, Martin  
Mather, Mathew  
Mays, Moore of Harris  
McDurham, Moore of Tarrant  
Mullen, Mullen  
Murray, Myatt  
Oliver, Osborn  
Parish, Parish
HOUSE BILL NO. 414 ON SECOND READING

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

H. R. No. 414. A bill to be entitled "An Act amending Section 24 of Senate Bill No. 111 of the Second Called Session of the Forty-first Legislature, as amended; and declaring an emergency." The bill was read second time.

Mr. Parish offered the following Committee amendment to the bill:

Amend House Bill 414 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 24 of Senate Bill No. 111 of the Second Called Session of the Forty-first Legis-
accounts are payable under the provisions hereof to a minor, payment may be made to such minor unless a parent or guardian of such minor delivers to an executive of the association written notice to make payment only to the legally appointed and qualified guardian of such minor.

Joint share or share accounts issued in the name of a husband and wife may constitute a partition between them of any community funds invested in such shares or share accounts under the provisions of Article 16, Section 15 of the Constitution of this State if the parties so provide by executing a written instrument and acknowledge the same in the manner now required by law for the conveyance of realty.

"Section 2. That Section 26 of Senate Bill No. 111 of the Second Session of the Forty-First Legislature, as amended by Senate Bill 12 of the Regular Session of the Forty-Second Legislature, be and the same is hereby amended so that said Section shall hereafter read as follows:

"Section 25. Membership, Liability: Capital Definition: Lien on Accounts. A member of a building and loan association shall be any person, persons, firm, co-partnership, association, or corporation owning any of the shares of stock or share accounts of a building and loan association, or holding a certificate of membership as a borrower from any such building and loan association. The manner of voting and the extent of the voting privileges shall be provided in the by-laws of each association, and voting may be by proxy. In the consideration of all questions requiring action by the members the by-laws shall provide that each shareholder shall be entitled to cast one vote for each share owned or may provide that each shareholder shall be entitled to cast one vote for each One Hundred ($100.00) Dollars of the maturity or par value of any amount from Ten ($10.00) Dollars to One Hundred ($100.00) Dollars each and the amount shall be set out in the by-laws. No preference between shareholders and/or accountholders shall be created with respect to the payment of withdrawals or the distribution of assets upon voluntary or involuntary liquidation, dissolution or winding up of an association except such preference as has been created by the building and loan Act where associations issue or have issued and have outstanding reserve funds or permanent shares. No association shall have the power to contract with respect to the capital or participation in the capital in a manner inconsistent with the provisions of this Act. The members of an association shall not be responsible for any losses which its capital shall not be sufficient to satisfy, and the shares or share accounts shall not be sub-
ject to assessment, nor shall the
members be liable for any unpaid
installments on their share subscrip-
tions. To secure loans to members,
an association shall have a lien
without further agreement or pledge,
on all accounts owned by the bor-
rower. Upon default upon any loan,
the association may, without past
notice to, or consent of the borrow-
er, cancel its books all or any ac-
counts owned by the borrower and
apply the value of such accounts in
payment on account of the loan. An
association may by written instru-
ment waive its lien in whole or in
part. Any association may take the
pledge of an account or accounts of
the association owned by a member
other than the borrower as addition-
al security for any loan secured by
an account or by an account and
real estate, or as additional security
for any real estate loan."

Section 3. The fact that the Calen-
dars of both Houses are likely to
become crowded and the further fact
that the changes proposed herein
need to become effective at the ear-
liest possible time, create an emer-
gen and an imperative public nec-
sity, authorizing the Constitution-
al Rule, requiring bills to be read
on three several days in each House
be suspended, and said Rule is here-
by 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.

House Bill No. 414 was then pass-
ed to engrossment.

HOUSE BILL NO. 414 ON
THIRD READING

Mr. Mullen moved that the constitu-
tional rule requiring bills to be read
on three several days be suspended
and that House Bill No. 414 be placed
on its third reading and final passage.

The motion prevailed by the follow-
ing vote:

Yes—141

Anderson        Bax
Armstrong       Bell
Atwell          Bishop
Baker           Blalke
Ballman         Blanchard
Bartram         Bowers
Boyce           McGregor
Brasher         of McLean
Bryan           McGregor
Buie            of El Paso
Byrd            Mellhany
Chapman         Mann
Chilc           Martin
Cloud           Matthew
Cline           Mays
Cole            Moore of Harris
Corry           Moore of Tarrant
Cotten          Mullen
Cowen           Murray
Daw             Myatt
Day             Olive
De la Garza      Osborn
Dewey           Parish
Dugas           Parsons
Dugas           Patterson
Ehrle           Picket
Ellis           Packert
Engel           Ramsey
Ernst           Richardson
Ford            Roberts
Foreman         Russell
Forsyth         Sadler
Glass           Sandahl
Glaes           Sanders
Green           Saul
Hale            Schram
Harrington       Schwartz
Hays            of Galveston
Heefin          Schwartz
Hensley         of Washington
Holloway         Seigle
Holman          Shellard
Holstein        Shannon of Brax
Hooks           Shannon
Honey           of Tarrant
Husby           Shaw
Hufn            Sheridan
Huff             Sherrill
Hughes of Dallas
Hughes of Grayson
Hughes of Texas
Hutcheson
Isaacks, Miss   Spliman
Jackson         Sturhage
Jamison         Stewart
Johnson         Storey
Jones           Strickland
Joseph          Stroman
Kelly           Suddeth
Kennard         Talasek
Kilpatrick      Terrell
Kolbe           Thorsen
Korth             Tennell
Koth mann        Terman
Latimer         Walling
Laurel          Watson
Lee             Welsh
McDonald        Wheeler

If you have any more questions or need further assistance, feel free to ask!
April 10, 1957  HOUSE JOURNAL  1655

The Chair then laid House Bill No. 414 before the House for third reading and final passage.

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

YEAS-141

Anderson, Sutton, Bowers
Armor, Public
Baker, Kennedy
Ballman, Wilson
Bartram, Wohlford
Bay, Wooten
Bell, Wooten
Bishop, Wooten
Blake, Wooten
Blanchard, Wooten
Boyer, Wooten
Bryan, Wooten
Burnett, Wooten
Byrd, Wooten
Chapman, Wooten
Cline, Wooten
Cloud, Wooten
Cole, Wooten
Coley, Wooten
Cory, Wooten
Cotten, Wooten
Covin, Wooten
Cox, Wooten
Day, Wooten
de la Garza, Wooten
DeBey, Wooten
Duffy, Wooten
Dugas, Wooten
Ebert, Wooten
Elliott, Wooten
Elliott, Wooten
Ellis, Wooten
Fenoglio, Wooten
Ferrell, Wooten
Ford, Wooten
Foreman, Wooten
Foryth, Wooten

NAYS-1

Sutton, Wooten

HOUSE BILL NO. 440 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 440, A bill to be entitled "An Act amending Section 1 of Chapter 159, Acts of the 53rd Legislature, Regular Session (Article 623a.1, Vernon's Texas Civil Statutes), relating to membership and prior service credit in the Employees Retirement System of Texas for State employees who executed a waiver in the System; extending the time for payment of back contributions and dues; and declaring an emergency."
The bill was read second time.

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

Committee Amendment No. 1
To House Bill No. 440

Amend House Bill No. 440 by striking out all of Section 1 and substituting therefor the following:

Section 1. Section 1 of Chapter 130, Acts of the 53rd Legislature, Regular Session (Article 6228a-1, Vernon's Texas Civil Statutes) is hereby amended to read as follows:

"Section 1. Any State employee who hereafter elects to receive retirement benefits from the Employees Retirement System of Texas, who was, on September 1, 1947, on the payroll of the State since September 1, 1947, shall be credited with one year for each year to which he was so credited in the Employees Retirement System of Texas since that date.

The amount to be deposited by each State Employee shall be determined by the Employees Retirement System of Texas, based upon the number of years actually employed by the State since 1947 and the salary received. Said State employee shall be required to file a statement of all earnings from the State since September 1, 1947, as forms prescribed by the State Board of Trustees. All deposits made by each individual State employee shall be matched by an equal contribution by the State of Texas, as now provided in the Employees Retirement System. The State Board of Trustees shall certify to the State Comptroller the matching fund required of the State of Texas to equal the amount of contributions by said State employees, and the Comptroller shall authorize the State Treasurer to make such transfers of funds to the Employees Retirement System."

The amendment was adopted.

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

Committee Amendment No. 2
To House Bill No. 440

Amend the Caption of House Bill No. 440 to read as follows:

An Act amending Section 1 of Chapter 130, Acts of the 53rd Legislature, Regular Session (Article 6228a-1, Vernon's Texas Civil Statutes), relating to membership and prior service credit in the Employees Retirement System of Texas for State employees who executed a waiver in the System; extending the time for electing to receive full credit for State Employee's Service and for payment of back contributions and dues; and declaring an emergency.

The amendment was adopted.

House Bill No. 440 was then passed to engrossment.

HOUSE BILL NO. 440 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. 440 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—142

Anderson
Armstrong
Atwell
Baker
Ballman
Barrett
Bass
Bell
Bishop
Blalock
Blanchard
Bowers
Boyce
Brashear
Brook
Byrd
Byrne
Cain
Cloud
Cole
Conley
Cory
Cottrell
Coy
Cox

Day
de la Garza
Day
Dawley
Duff, Miss
Dogget
Dungan
Ehrle
Elliott
Ellis
Engel
Ford
Foreman
Forsyth
Foster
Glasgow
Green
Hale
Harrington
Healy
Holman
Holstein
Hooks

Mr. Pool offered the following Committee Amendment to the bill:
April 10, 1957  HOUSE JOURNAL  1657

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<td>McDonald</td>
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<td>McGregor</td>
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<tr>
<td>McGregor               of McLennan</td>
<td></td>
</tr>
<tr>
<td>McGregor               of El Paso</td>
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</tbody>
</table>
The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 482 ON THIRD READING**

Mr. Sutton moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>143</th>
</tr>
</thead>
</table>

Anderson, Bell
Armor, Bishop
Atwell, Blalke
Baker, Blanchard
Ballman, Bowers
Bartram, Boykin
Bass, Brashear

Bryan, McGreager
Bullock, McComas
Byrd, McHarg
Chapman, Mann
Chinn, Martin
Cloud, Matthew
Cole, Mars
Conley, Moore of Harris
Cory, Moore of Tarrant
Cotten, Mullen
Cowan, Murray
Cox, Myatt
Day, Oliver
de la Garza, Osborne
Dewey, Parish
Duff, Miss Parson
Douglass, Patterson
Dungan, Pipkin
Ehrle, Pool
Elliott, Presseer
Ellis, Puckett
Ferguson, Ramsey
Ferrell, Richardson
Ford, Roberts
Foreman, Russell
Forreth, Smaller
Giese, Sandahl
Glas, Sanders
Green, Sual
Hale, Schrady
Harrington, Schwarts
Healy, of Galveston
Heflin, Schwarts
Hensley, of Washington
Hollowell, Seeligson
Holman, Shackelford
Holstein, Shannon of Ennis
Hooks, Shannon
Hosey, Shannon
Huebner, Shaw
Huffman, Sheridan
Huffner, Sherrill
Hughes of Grayson, Shack
Hughes of Dallas, Smith of Hays
Hutcheson, Spilman
Inaacks, Miss Springer
Jackson, Spilman
Jamison, Steward
Johnson, Storey
Jones, Strickland
Joseph, Stroman
Kelly, Sudderth
Kennard, Sutton
Kilpatrick, Talske
Koib, Terrell
Koroth, Thurmond
Kohmann, Tunnell
Laimer, Turner
Laurel, Walling
Lee, Watson
McDonald, Welch
McDow, Wheeler
McGue, of McLennan
White
<table>
<thead>
<tr>
<th>Absent</th>
<th>Absent—Excused</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burkett</td>
<td>McCoppin</td>
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<tr>
<td>Kennedy</td>
<td></td>
</tr>
<tr>
<td>Bristow</td>
<td>Crosthwait</td>
</tr>
</tbody>
</table>

The Chair then laid House Bill No. 482 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

**Yeas—141**
- Anderson
- Armor
- Atwell
- Baker
- Ballman
- Bartram
- Bell
- Bishop
- Blaine
- Blanchard
- Boren
- Brashear
- Bryan
- Bullock
- Burkett
- Byrd
- Chapman
- Clack
- Cloud
- Cole
- Conley
- Cory
- Cotton
- Cowen
- Cox
- Day
- de la Garza
- Dewey
- Duff, Miss
- Dugue
- Duncan
- Ehrle
- Eilcott
- Ellis
- Engle
- Perrell
- Ford
- Fowman
- Forsyth
- Glass
- Gluslng

**Nays—1**
- Absent

The bill was read second time and passed to engrossment.

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April 10, 1957

**HOUSE BILL NO. 521 ON SECOND READING**

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

**H. B. No. 521. A Bill to be entitled "An Act amending Article 888 of the Penal Code of Texas, relating to permits for the killing of wild birds and animals to prevent depredation, by adding provisions relative to the disposition of carcasses of deer killed under authority of such permits; providing a penalty; providing for severability and declaring an emergency."**

The bill was read second time and was passed to engrossment.
HOUSE BILL NO. 111 ON THIRD READING

Mr. H811Aley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 111 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Anderson</th>
<th>Holstain</th>
<th>Roberts</th>
<th>Springer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armor</td>
<td>Hooks</td>
<td>Russell</td>
<td>Stewart</td>
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<td>Atwell</td>
<td>Halsey</td>
<td>Sadler</td>
<td>Stovall</td>
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<td>Baker</td>
<td>Hushamer</td>
<td>Sandahl</td>
<td>Strickland</td>
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<td>Saliman</td>
<td>Huffman</td>
<td>Sanders</td>
<td>Sudereth</td>
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<td>Bartram</td>
<td>Huffor</td>
<td>Saul</td>
<td>Sutton</td>
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<tr>
<td>Bass</td>
<td>Hughes of Clayton</td>
<td>Schram</td>
<td>Talasek</td>
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<tr>
<td>Bell</td>
<td>Hughes of Dallas</td>
<td>Schwarts of Galveston</td>
<td>Terrell of Texas</td>
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<tr>
<td>Bishop</td>
<td>Hutchins</td>
<td>Shannon of Erath</td>
<td>Welch</td>
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<td>Blaln</td>
<td>Imackson, Mies</td>
<td>Shannon of Tarrant</td>
<td>White</td>
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<tr>
<td>Blanchard</td>
<td>Jackson</td>
<td>Shaw</td>
<td>Wilson of Young</td>
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<td>Bowers</td>
<td>Jamison</td>
<td>Sheridan</td>
<td>Wilson of Potter</td>
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<tr>
<td>Boyce</td>
<td>Johnson</td>
<td>Sherrill</td>
<td>Wintzfre</td>
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<td>Brashear</td>
<td>Jones</td>
<td>Slack</td>
<td>Wohlford</td>
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<tr>
<td>Bryan</td>
<td>Joseph</td>
<td>Smith of Hays</td>
<td>Woolley</td>
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<tr>
<td>Bullock</td>
<td>Kelly</td>
<td>Smith of Jefferson</td>
<td>Yeak</td>
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<td>Byrd</td>
<td>Kennard</td>
<td>Spilman</td>
<td>Zbranek</td>
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<tr>
<td>Chapman</td>
<td>Kilpatrick</td>
<td>The Chairman of the Committee on</td>
<td>Before the House on third reading and final passage:</td>
</tr>
<tr>
<td>Cline</td>
<td>Kolina</td>
<td>The bill was read third time and</td>
<td>was passed by the following vote:</td>
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<tr>
<td>Cloy</td>
<td>Kohlman</td>
<td>was passed by the following vote:</td>
<td>Year—141</td>
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<tr>
<td>Coyle</td>
<td>Latimer</td>
<td>Absent—Excused</td>
<td>Anselm</td>
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<td>Burkett</td>
<td>McCoppin</td>
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<td>McDonald</td>
<td>Britlow</td>
<td>Corthwal</td>
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<td>Day</td>
<td>of McLeman</td>
<td>The Chairmen laid House Bill No. 111 before the House on third reading and final passage:</td>
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<td>Deaver</td>
<td>of El Paso</td>
<td>The bill was read third time and was passed by the following vote:</td>
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<td>Duff, Miss</td>
<td>McLainha</td>
<td>Year—141</td>
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<td>Moore of Tarrant</td>
<td>Ballman</td>
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<td>Bishop de la Garza</td>
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<td>Holman</td>
<td>Richardson</td>
<td>Oliph</td>
<td>Ford</td>
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Pipkin

Glasses  Pool
Pool

Green  Pressler
Pressler

Rake  Fackett
Fackett

Harrington  Ramsey
Ramsey

Healy  Richardson
Richardson

Heftin  Roberts
Roberts

Hensley  Russell
Russell

Hollowell  Satter
Satter

Hollman  Sandahl
Sandahl

Holstein  Sanders
Sanders

Hooks  Saul
Saul

Hosey  Schram
Schram

Huskey  Schwartz
Schwartz

Huffman of Galveston  of of of

Hughes of Dallas  Seeligson
Seeligson

Hutcheson  Shackelford
Shackelford

Isaacks, Miss  Shannon
Shannon

Jackson  Shannon
Shannon

Jamison  of Tarrant
Tarrant

Johnson  Shaw
Shaw

Jones  Sheridan
Sheridan

Joseph  Sherrill
Sherrill

Kelly  Slack
Slack

Kennard  Smith of Hays
Hays

Kilpatrick  Smith of Jefferson
Jefferson

Koliba  Spilman
Spilman

Korlotz  Springer
Springer

Kothman  Stewart
Stewart

Latimer  Stoney
Stoney

Laurel  Strickland
Strickland

Lee  Sudderth
Sudderth

McDonald  Sutton
Sutton

McGregor of McLennan  Talasek
Talasek

McGregor of El Paso  Terrell
Terrell

McIlhany  Turrill
Turrill

Man
Martin
Watson

Matthew  Welch
Welch

Mays  Wheeler
Wheeler

Moore of Harris  White
White

Moore of Tarrant  Wilson of Young
Young

Mullen  Wilson of Potter
Potter

Murray  Winfree
Winfree

Myatt  Woolford
Woolford

Oliver  Wooley
Wooley

Ozborn  Yeak
Yeak

Parish  Zbranek
Zbranek

Nays—1

Stroman  Absent

Bowers  McCoppin
McCoppin

Kennedy

Absented—Excused

Bristow  Crosthwait

HOUSE BILL NO. 529 ON SECOND READING

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

H. B. No. 529, A bill to be entitled "An Act amending Article 483, Chapter 4, Revised Penal Code of the State of Texas, 1925, as amended by Acts 1951 by the 52nd Legislature making it unlawful to carry arms; enumerating the arms so prohibited; providing a penalty, therefore; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 529 by deleting the words, "or in his vehicle", in the first paragraph thereof.

The amendment was adopted.

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

Committee Amendment No. 2

Amend House Bill No. 529 so as to set out the sections thereof by placing the words "Section I" immediately before the first paragraph thereof; and "Section II" immediately before the second paragraph thereof.

The amendment was adopted.

House Bill No. 529 was then passed to engrossment.

HOUSE BILL NO. 529 ON THIRD READING

Mr. Hughes of Dallas moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 529 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson  Atwell

Armour  Baker
The Chair then laid House Bill No. 159 before the House on third reading and final passage.

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

Yea—142

Anderson Ford
Armour Forsyth
Baker Glass
Balsek Glueing
Bass Green
Bell Hartington
Bogue Heiflin
Boyd Hollowell
Boyles Heflin
Brackeen Holman
Bryant Holstein
Bullock Hooks
Burke Hossy
Byrd Huebner
Chapman Huffman
Clary Hufford
Cloud Hughes of Grayson
Cole Hughes of Dallas
Conkey Hutchins
Cory Isacks, Miss
Cook Jackson
Cowan Jamison
Cox Johnson
Day Jones
de la Garza Joseph
Dewey Kelly
Duff, Miss Kennard
Dugas Kilpatrick
Dungan Kelba
Ehrle Koroth
Elliot Kothman
Ellis Leitner
Fenoglio Laurel
Ferrall Lee
Ellick Heflin
Erle Hartington
Estrada Heflin
Elaine Heflin
Elliott Heflin
Anderson Fort
Armour Forsyth
Baker Glass
Balsek Glueing
Bass Green
Bell Hartington
Bogue Heiflin
Boyles Heflin
Boyles Holman
Bryant Holstein
Bullock Hooks
Burke Hossy
Byrd Huebner
Chapman Huffman
Clary Hufford
Cloud Hughes of Grayson
Cole Hughes of Dallas
Conkey Hutchins
Cory Isacks, Miss
Cook Jackson
Cowan Jamison
Cox Johnson
Day Jones
de la Garza Joseph
Dewey Kelly
Duff, Miss Kennard
Dugas Kilpatrick
Dungan Kelba
Ehrle Koroth
Elliot Kothman
Ellis Leitner
Fenoglio Laurel
Ferrall Lee
HOUSE BILL NO. 533 ON SECOND READING

The bill was read second time.

Mr. Elliott offered the following amendment to the bill:

Amend House Bill No. 533, Section 4, by adding the following, to be numbered section 4:

(a) "Employees now covered by a Pension System other than a system set up under the Act of 1943 amended hereby."

The amendment was adopted.

Mr. Sutton offered the following amendment to the bill:

Committee Amendment To H. B. No. 533

Amend House Bill No. 533 by adding the following section to be known as Section 23A:

"This Act shall not apply to any city which has herebefore, or may hereafter under its charter or ordinance established or operate its own pension and retirement system or systems for its municipal employees."

The amendment was adopted.

House Bill No. 533 was then passed to engrossment.

HOUSE BILL NO. 533 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. 533 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson, Bullock
Baker, Byrd
Baker, Chapman
Ballman, Cline
Ballman, Cloud
Bartram, Cole
Bartram, Conley
Bass, Cory
Bell, Cotten
Blaine, Cowan
Blanchard, Cox
Bowers, Day
Boyce, de la Garza
Boynes, Dewey
Branham, Duff, Miss

House Bill No. 533 was then passed to engrossment.
<table>
<thead>
<tr>
<th>Name</th>
<th>Absent/Excused</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dugas</td>
<td>Oliver</td>
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<tr>
<td>Dungan</td>
<td>Osborn</td>
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<tr>
<td>Ehle</td>
<td>Parish</td>
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<td>Patterson</td>
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<td>Pool</td>
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<td>Ramsey</td>
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<td>Richardson</td>
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<td>Shannon</td>
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<td>Hutchins</td>
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<td>Jackson</td>
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<td>Jamison</td>
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<td>Johnson</td>
<td>Smith of Jefferson</td>
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<td>Sutton</td>
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<td>McGregor of McLennan</td>
<td>Walling</td>
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<td>McGregor of El Paso</td>
<td>Watson</td>
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<td>Welch</td>
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<td>Wheeler</td>
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<td>Martin</td>
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<td>Martin of Young</td>
<td>Wilson</td>
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<td>Matthew</td>
<td>Wilson of Potter</td>
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<td>May</td>
<td>Winfree</td>
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<td>Moore of Harris</td>
<td>Wohlford</td>
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<td>Moore of Tarrant</td>
<td>Woolsey</td>
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<td>Murray</td>
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<td>Absent</td>
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<td>Burkett</td>
<td>McCoppin</td>
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<tr>
<td>Kennedy</td>
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</tbody>
</table>

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

Year: 143

<table>
<thead>
<tr>
<th>Name</th>
<th>Absent/Excused</th>
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<tr>
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<td>Hughes of Grayson</td>
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<td>Bass</td>
<td>Hughes of Dallas</td>
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<td>Bell</td>
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<td>Bishop</td>
<td>Jassack, Miss</td>
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<td>Dewey</td>
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<td>Martin</td>
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<td>Holman</td>
<td>Roberts</td>
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<tr>
<td>Holstein</td>
<td>Russell</td>
</tr>
</tbody>
</table>
The motion prevailed by the following vote:

Yea-142

Anderson Issaacs, Miss
Armour Jackson
Atwell Johnson
Baker Jones
Ballman Joseph
Barron Kelly
Ball Kenneth
Bishop Kilpatrick
Blairkins Rollins
Blanchard Kornoth
Bowers Kothmann
Bryan Lattimer
Brashares Laurel
Bryan Lee
Bullock McDonald
Byrd McGregor
Chapman McLean
Clay McFie
Cloud of El Paso
Cole McClary
Conley Mann
Cory Martin
Cotten Matthew
Cox Moore of El Paso
Day Moore of Tarrant
de la Garza Mullen
Hewey Murray
Huff, Miss Myatt
Dugas Oliver
Dungan Osborn
Ehle Parish
Elliot Patterson
Elliott Pipkin
Fenoglio Pool
Farrell Presler
Foreman Puckett
Forsyth Ramsey
Glass Richard
Golding Roberts
Green Russell
Hale Sadler
Harrington Sandahl
Hestly Sanders
Heflin Saul
Hensley Schram
Hullwell Schwartz
Holman of Galveston
Holstein Schwartz
Hooks of Washington
Hosey Sealson
Huebner Shackelford
Huffman Shannon of Erath
Huffor Shannon
Hughes of Grayson Tarrant
Hugie of Dallas Shaw
Hutchins Sheridan

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

H. B. No. 553, A bill to be entitled "An Act authorizing the Board of Regents of the State Teachers College to execute and deliver to the State Highway Commission a right-of-way easement for the construction and maintenance of a U. S. Highway 75 bypass loop extending along and across certain State property owned by the State of Texas for the use and benefit of Sam Houston State Teachers College; and declaring an emergency."

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

HOUSE BILL NO. 553 ON THIRD READING

Mr. Huffor moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 553 be placed on its third reading and final passage.

1 Jour.-53
The Chair then laid House Bill No. 553 before the House on its third reading and final passage.

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

Year—142

Absent
Burkett
Kennedy
Absent—Excused
Bristow
Crosthwalt
The Chair then laid House Bill No. 553 before the House on its third reading and final passage.

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

Year—142

Absent
Anderson
Armour
Cartwell
Baker
Baltman
Bartram
Bass
Bell
Bishop
Blalock
Blanchard
Boyson
Braheer
Bryan
Bullock
Burkett
Byrd
Chapman
Clene
Cloud
Cole
Conley
Cory
Cotten
Cowen
Cox
Day
de la Garza
Dewey
Duff, Miss
Duggs
Dungan

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

Committee Amendment No. 1

Amend House Bill No. 614 by striking out all below the enacting clause and substituting therefor the following:

Section 1. It shall be unlawful to take or catch oysters from the public waters of Chambers and Galveston Counties for the market from the first day of April to the first day of November.

Sec. 2. In the public waters of Chambers and Galveston Counties, no person, firm or corporation shall drive or use in any one boat more than one oyster dredge which shall not exceed thirty-six (36) inches in width across the mouth and shall not have a capacity in excess of two baskets.

Sec. 3. During the open season herein provided, it shall only be lawful to take or catch oysters from the public waters of Chambers and Galveston Counties from sunrise to sunset.

Sec. 4. No person, firm or corporation shall have on board any commercial fishing boat, barge, float, or other vessel while in the public waters of Chambers County more than fifty (50) barrels of oysters, which shall be culled oysters of legal size. If a boat is pulling or towing another boat or boats, then such towing and towed boats combined shall not have aboard more than fifty (50) barrels of oysters, culled and of legal size. An 'oyster barrel' is equivalent to three (3) bushels.

Sec. 5. Any person violating any of the provisions of this Act shall be fined not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00).

Sec. 6. The fact that the provisions of this Act are urgently needed to preserve and protect the oyster supply in the waters of Chambers and Galveston Counties, Texas, 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 this Act take effect and be in force from and after its passage, and that it be so enacted.

The amendment was adopted.

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

Committee Amendment No. 2

Amend H. B. 614 by striking all above the enacting clause and inserting in lieu thereof the following:

"An Act concerning the taking of oysters from the waters of Chambers and Galveston Counties, Texas, providing a penalty and declaring an emergency."

The amendment was adopted.

House Bill No. 614 was then passed to engrossment.

HOUSE BILL NO. 614 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. 614 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—115

Anderson  Fenselio
Armbr  Ford
Atwell  Foreman
Bairman  Forsyth
Bass  Glass
Bell  Glasing
Bishop  Green
Blaine  Hale
Bianchard  Harrington
Boozer  Heath
Boyson  Hefflin
Brashear  Heasley
Bryant  Hollowell
Byrd  Holman
Chapman  Holstein
Chiles  Hooks
Cloud  Hogg
Cotley  Hone
Cotten  Huff
Cowen  Hughes of Grayson
Cox  Hughes of Dallas
Day  Hutchins
de la Garza  Isaac, Miss
Dewey  Jackson
Duff, Mills  Jamison
Dugas  Johnson
Dungan  Jones
Ehrle  Joseph
Ellis  Kelly
The Chair then laid House Bill No. 614 before the House on third reading and final passage.

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

Yeas—131

Yeas—131

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

Yeas—131
April 10, 1957  HOUSE JOURNAL  1669

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

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

Mr. Matthew moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 618 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—142

Anderson Hutchinson
Anders Jackson
Armor Isaacks, Miss
Atwell Johnson
Avery Jumans
Baker Jumans
Ballon Jones
Bartram Jones
Bell Joseph
Bishop Kelly
Blinn Kilkpatrick
Bliss Kilpatrick
Bowers Koehn
Bowen Koehn
Brashear Latimer
Bray Laurel
Bullock Lee
Byrd of McLennan
Chapman McDonald
Cloud McGregor
Cole El Paso
Colley Melibany
Cory Mann
Cotter Martin
Cowen Matthew
Cox Maya
Day Moore of Harris
De la Garza Moore of Tarrant
Dewey Mullin
Duff Murrill
Dugas Myatt
Duncan Oliver
Drye Oehorn
Elliot Parish
Ellis Parsons
Fennel Patterson
Ferrel Pool
Ford Primer
Fordman Premier
Foryth Puckett
Glass Ramsey
Glasing Richardson
Green Roberts
Hale Russell
Harrington Saders
Hasty Sandall
Hefflin Sanders
Hershey Saul
Holloway Schram
Holman Schwartz
Holstein Galveston
Hooks Schwartz
Howe of Washington
Huscher Seeligson
Huffman Shackelford
Huffor Shannon
Hughes of Washington
Hughes of Dallas
Hughes of Dallas of Tarrant

Nay—7

Baker Mann
Cole Winfree
Cory
Elliot

Absent

Bowers McCoppin
Kennedy

Absent—Excused

Bristow Crosthwait

HOUSE BILL NO. 618 ON SECOND READING

The motion prevailed by the following vote:

Yea—142

Anderson Hutchinson
Anders Jackson
Armor Isaacks, Miss
Atwell Johnson
Avery Jumans
Baker Jumans
Ballon Jones
Bartram Jones
Bell Joseph
Bishop Kelly
Blinn Kilkpatrick
Bliss Kilpatrick
Bowers Koehn
Bowen Koehn
Brashear Latimer
Bray Laurel
Bullock Lee
Byrd of McLennan
Chapman McDonald
Cloud McGregor
Cole El Paso
Colley Melibany
Cory Mann
Cotter Martin
Cowen Matthew
Cox Maya
Day Moore of Harris
De la Garza Moore of Tarrant
Dewey Mullin
Duff Murrill
Dugas Myatt
Duncan Oliver
Drye Oehorn
Elliot Parish
Ellis Parsons
Fennel Patterson
Ferrel Pool
Ford Primer
Fordman Premier
Foryth Puckett
Glass Ramsey
Glasing Richardson
Green Roberts
Hale Russell
Harrington Saders
Hasty Sandall
Hefflin Sanders
Hershey Saul
Holloway Schram
Holman Schwartz
Holstein Galveston
Hooks Schwartz
Howe of Washington
Huscher Seeligson
Huffman Shackelford
Huffor Shannon
Hughes of Washington
Hughes of Dallas
Hughes of Dallas of Tarrant

Nay—7

Baker Mann
Cole Winfree
Cory
Elliot

Absent

Bowers McCoppin
Kennedy

Absent—Excused

Bristow Crosthwait

HOUSE BILL NO. 618 ON THIRD READING

Mr. Matthew moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 618 be placed on its third reading and final passage.
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The Chair then laid House Bill No. 618 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

**Yea—142**

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The Chair then laid House Bill No. 649 before the House on its second reading and passage to engrossment, H. B. No. 649, A bill to entitled "An Act amending Article 1185 and Article 1191 of the Revised Civil Statutes of Texas, 1929, to permit consolidation of adjoining and contiguous cities and towns; defining
April 10, 1957  HOUSE JOURNAL  1671

the term "Consolidation"; providing for the qualification of Electors; and declaring an emergency."

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

HOUSE BILL NO. 649 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. 649 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:

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<th>Yeas</th>
<th>Noes</th>
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The Chair then laid House Bill No. 649 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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HOUSE BILL NO. 669 ON SECOND READING

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

H. B. No. 669, A bill to be entitled "An Act authorizing Municipalities to expend money for planning their future growth and development; and, authorizing certain Municipalities to contribute money for joint planning with other Municipalities, upon equal representation from each of such Municipalities; stating the effect of this act on other laws; providing the effective date of this act; providing a savings clause."

The bill was read second time.

Mr. Day offered the following amendment to the bill:

Amend House Bill 669 by striking all below the enacting clause and substituting in lieu thereof the following, to-wit:

Section 1. Each City (including Home Rule Charter Cities, towns, or villages incorporated under the laws of this State, or by Special Act or Charter) is hereby authorized, by ordinance duly passed, to expend public funds from the Municipal Treasury for compiling statistics, conducting studies and formulating plans relative to the future growth and development of such Municipality or Municipalities.

Section 2. Municipalities located or situated in whole or in part within an area wherein the sphere of soning influence of such Municipality is adjacent or contiguous to the other may contribute, and/or expend, public funds from the Municipal Treasury, to a joint planning commission for the joint planning of the growth and development of two or more of such Municipalities that are located or situated in whole or in part within the sphere of influence of such planning commission.

Section 3. Municipalities affected by this act shall, if they adopt the provisions hereof, by the governing bodies of each of such Municipalities appoint an equal number of representatives...
April 10, 1957

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(natives, from each of the Municipalities affected hereby, to a joint planning commission, and it shall be the duty of such joint planning commission to meet and determine the sphere of influence of such planning commission which they shall describe by metes and bounds in writing and cause the same to be placed upon a map and the same shall be recorded for record with the County Clerk of the county within which such Municipalities are located or situated.

Section 4. The duties, powers and authorities of such joint planning commission, so appointed by the governing body of such Municipalities, shall be as follows, as authorized by ordinances duly passed within each of such Municipalities, to-wit:

(a) To employ engineers, clerks, secretaries, field personnel, and administrative personnel as are necessary to formulate, prepare, and design an organized Master Plan for the area as designated.

(b) To prepare, formulate, and design an organized Master Plan for the area which such members represent, including, but not limited to, highway design, street layout, park layout, schooling areas, residential areas, business areas, commercial areas, industrial areas, and water reservoir areas, for the orderly growth of the area, such plan must be approved by each of the Municipalities within the area.

(c) To make aerial photographs, land surveys, and topography studies to facilitate such planning.

(d) To keep and maintain a complete record of all activities, meetings, expenditures, and plans.

(e) To submit regular reports of income, expenditures, accounts, and progress reports to each Municipality represented.

(f) All records, minutes, books, accounts and meetings shall be open to the public for attendance and/or examination.

(g) To prepare and submit to each Municipality represented an annual audit of all accounts, expenditures, funds and monies coming into the hands of said joint planning commission.

(h) To make all reports, accounts, and records as may be required by each of the Municipalities represented, by ordinance or resolution duly passed.


(1). To perform such duties and functions as may be required by each of the Municipalities represented, by ordinance or resolution duly passed where the same is approved by a majority of the governing bodies of such Municipalities as represented and where such is not inconsistent with the purposes of this act.

Section 5. The authority granted and conferred in Sections 1 and 2 of this act is cumulative of all other existing authority of Municipalities to expend public funds from the Municipal Treasury for the purpose or purposes of Municipal planning and this act shall not be construed to limit such authority in any manner.

Section 6. If any section, subsection, clause, sentence, phrase, or word of this act is for any reason held void or unconstitutional by a court of competent jurisdiction, the unconstitutionality thereof shall not affect the validity of the remaining sections, subsections, sentences, clauses, phrases, or words which are constitutional and would have been effective at the time of the final passage of this act.

Section 7. This act shall become and be effective after the expiration of ninety days from final adjournment of the 55th Legislature, 1957, Regular Session.

The amendment was adopted.

Mr. Bass offered the following amendment to the bill:

Amend the Caption to H. B. No. 660 by adding the following in lieu thereof, to-wit:

An Act authorizing municipalities within an area wherein the sphere of zoning of such Municipalities is adjacent or contiguous to another; authorizing Municipalities to expend public funds for planning future growth and development; authorizing Municipalities to contribute public funds for the joint planning of the area of such Municipalities, upon equal representation from each of such mun-
cipalities; setting forth the powers and duties of such area planning commission; authorizing the creation of an area planning commission; stating the effect of this Act on other laws; providing the effective date of this Act; and providing a savings clause.

The amendment was adopted.

Mr. Bass offered the following amendment to the bill:

Amend H. R. No. 660 by adding a new section to be numbered "Section 11" as follows, to-wit:

"Section 11. The fact that there is now no authority for joint planning of municipalities, 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."

The amendment was adopted without objection.

House Bill No. 660 was then passed to engrossment.

HOUSE BILL NO. 660 ON THIRD READING

Mr. Bass moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 660 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—143

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The Chair then laid House Bill No. 660 before the House on third reading and final passage.

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

Yeas—142

Anderson
Armor
Atwell
Baker
Ballman
Bartram
Ba.II\nman
Bartram
Bass
Bell
Bishop
Blair
Blanchard
Boyan
Brashear
Bryan
Bullock
Burdett
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Cowen
Crain
de la Garza
Dewey
Duff, Miss
Dugan
Duncan
Ehrle
Elliott
Elms
Ponilofo
Perrell
Ford
Foreman
Foryst
Glass
Glueing
Green
Hale
Harrington
Healy
Hefflin
Hensley
Hollowell
Holman
Holstein
Hooks
Hosey
Huebner
Huffman

Seeligson
Sutton
Shackelford
Talbot
Shannon of Braz
Terry
Shannon of Tarrant
Turrent
Shaw
Turman
Sheridan
Walling
Sherrill
Watson
Smith of Hays
Wheeler
Smith of Jefferson
White
Sphon
Wilson of Young
Spring
Wilson of Potter
Stewart
Winfrey
Stowe
Wolfe
Strickland
Woodley
Sroman
Yestak
Sudduth
Zbranek

Absent

Bowers
McCoppin

Kennedy

Absent—Excused

Bristow
Crothwait

HOUSE BILL NO. 718 ON SECOND READING

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

H. B. No. 718, A bill to be entitled "An Act providing for an open season when it shall be lawful to hunt, take or kill squirrel in San Jacinto County, Texas; fixing a penalty for the violation thereof; repealing all laws in conflict; and declaring an emergency."

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

HOUSE BILL NO. 718 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. 718 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Anderson
Bartram
Armor
Bass
Atwell
Bell
Baker
Blair

Huffor
Hughes of Grayson
Hughes of Dallas
Hutchins
Isaacks, Miss
Jackson
Johnson
Jones
Kelly
Kilpatrick
Kolba
Koroth
Kothmann
Lazimer
Lee
McDonald
McGregor
McGregor
McGregor
Mollahan
Mann
Martin
Matthew
Mays
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parish
Parsons
Patterson
Pipkin
Pool
Pressler
Puckett
Ramsey
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schram
Schwartz
Schwartz
of Galveston
of Washington
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The Chair then laid House Bill No. 718 before the House on third reading and final passage.

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

\[ \text{Yea-141} \]
The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 736, A bill to be entitled "An Act concerning Purchasing Agents of counties that have a population of 100,000 or more, amending Section 1, of Chapter 9, Acts of the 46th Legislature, 1939, Regular Session, Special Laws, as amended, providing that the Purchasing Agent is entitled to a salary between five thousand ($5,000) and ten thousand ($10,000) Dollars, and providing, that the Purchasing Agents Assistant is entitled to a salary between twenty-five hundred ($2,500) Dollars and five thousand ($5,000), and declaring an emergency."

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

Mr. Kennard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 736 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142


Abst

Armbrister  McCoppin  Kennedy  Crosswait

ABSENT—Excused

HOUSE BILL NO. 736 ON THIRD READING

The motion prevailed by the following vote:

Yeas—142

Anderson  Harrington  Armbrister  Healy  Atwell  Heflin  Atwood  Hensley  Ballman  Hollowell  Barta  Holman  Bartholomew  Bass  Holstein  Bell  Hocks  Bell  Hooton  Bishop  Hooper  Blaine  Hooper  Blanchard  Bland  Bonds  Hughes  Bloodworth  Byrd  Bloodworth  Bloodworth  Chapman  Cline  Cloud  Cole  Conley  Cox  Cory  Corrigan  Corbin  Cox  Cox  David  de la Garza  Deyo  Duff, Miss  Dugas  Duncan  Ehring  Elliott  Ellis  Ennis  Ennis  Perret  Ford  Furguson  Ghising  Green  Hale
The Chair then laid House Bill No. 736 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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HOUSE BILL NO. 738 ON SECOND READING

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

H. B. No. 738, A bill to be entitled "An Act providing for a referee for Juvenile Courts in counties having a population of 806,700 or more; authorizing the appointment of a Juvenile Court referee; providing for the qualifications of such referee; providing for compensation for such referee; and making other provisions in regard thereto; and declaring an emergency."

The bill was read second time.

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

Amend House Bill No. 738 by striking out all below the enacting clause and inserting in lieu thereof, the following:

Section 1. There is hereby created the Office of Referee for the Juvenile Courts in Counties having a population of 806,700 or more according to the last Federal census. The Referee shall be appointed by the Judge of the Juvenile Court with the approval of the Commissioner of Courts of such counties. He shall receive compensation as the Commissioner's Court of such counties shall fix as his salary and shall be paid out of the officer's salary fund of such counties. He shall serve from date of appointment after the effective date of this act until the 31st of December, 1958; thereafter he shall serve for a term of two years and shall be subject to removal for cause by the Judge of the Juvenile Court with the approval of the Juvenile Board of such counties. He shall be an attorney licensed to practice law in this State and shall be a citizen of this State.

Section 2. Whenever the Judge sitting as a Juvenile Court shall deem it advisable, he may refer to the Referee any case before him involving children alleged to be dependent, neglected, or delinquent, or any other matter where the Juvenile Court is given exclusive jurisdiction, for hearing evidence and making findings of fact thereon, and for formulating conclusion of law, and for recommending Judgment to be entered in such cases. The order of reference may specify or limit the powers of the Referee and may direct him to report only upon particular issues, or to do, or perform particular acts; or to receive and report on evidence only; and may fix the time and place for beginning and closing hearings, and for filing reports. Subject to the limitations and specifications stated in the order, the Referee shall have the power to regulate all proceedings in every hearing before him and to do all acts and take all measures necessary and proper for the efficient performance of his duties under the order, including the ordering of investigations by the probation office, or the probation department of such counties. He may require the production of evidence before him, upon all matters embraced in the reference, and he may rule upon the admissibility of evidence unless otherwise directed by the order of reference. He shall have the authority to issue summons for the appearance of witnesses, and swear said witnesses for said hearing and he may, himself, examine them. And said witness appearing before him and being duly sworn shall be subject to the penalties of perjury. He may conduct the hearing in an informal manner, subject to the order of reference. If the witnesses after being duly summoned, shall fail to appear, or, having appeared, shall refuse to answer questions, such officer shall have the power to issue attachment against such witnesses, and to fine and imprison them in like manner as the district and county courts are empowered to do in like cases.

The court may confirm, modify, correct, reject, reverse, or recommence the report for further information. After it is filed, as the court may deem proper and necessary in the particular circumstances of the case. Where judgment has been recommended, the court at its discretion may approve the recommendation of the Referee and render judgment, or may disapprove the recommendation and hear further evidence before rendition of judgment.

Section 3. Prior to the hearings by the Referee the parties at interest, parties defendant or parties respondent, shall be given due notice of the time and place of said hearing for...
Section 4. In any proceeding where the trial before a jury may be demanded, the Referee shall refer the case back to the court for a full hearing before the court and jury according to the usual rules of the Court in such cases.

Section 6. The District Attorney shall prosecute or defend all cases involving children alleged to be dependent, neglected, or delinquent referred to the Referee by the Judge of the Juvenile Court.

Section 6. The District Attorney shall have the authority to assign the regular court reporter of the court to make a record of all proceedings before the Referee where deemed necessary.

Section 7. The fact the calendar is very crowded 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 that this rule be 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. 738 was then placed on its third reading and final passage.

The motion prevailed by the following vote:

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| Wilson of Potter | 1680 HOUSE JOURNAL

at least two whole days exclusive of the day of notice and the day of hearing. In case of a hearing involving a juvenile alleged to be delinquent, said juvenile under consideration shall be present at said hearing, together with his parent or guardian, or person having custody.
April 10, 1957  HOUSE JOURNAL 1681

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<td>Bristow</td>
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<td>Crosthwait</td>
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HOUSE BILL NO. 739 ON SECOND READING

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

H. B. No. 739, A Bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, of the Texas Constitution, to be known as "Harris County Easter Oaks Water and Sewer Districts"; defining the boundaries of the District; conferring upon the District the rights, powers, privileges and duties of the General Laws of Texas governing water control and improvement districts where not in conflict with this Act; providing for the governing body of the District; providing for the issuance of negotiable interest bearing bonds and refunding bonds secured by ad valorem taxes, net revenues or by both ad
valorem taxes and net revenues; providing for bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for incontestability and negotiability of such bonds and refunding bonds; adopting the ad valorem plan of taxation for said District; making bonds of the District eligible for investments, and exempting the property of the district and the bonds of the District from taxation; providing certain matters pertaining to eminent domain; authorizing contracts for purchase of water or water supply; finding of benefits to land and property in the District; enacting other provisions related to the subject; providing a severability clause; and declaring an emergency."

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

HOUSE BILL NO. 729 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. 729 be placed before the House on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—141**

Anderson     Armstrong     Atwell     Ballman     Bartram     Bell     Bishop     Blue     Blanchard     Bowers     Boyzman     Brahman     Bryan     Bullock     Byrd     Chapman     Cline     Cloud     Cole     Conley     Corey     Cotton     Cowl     Cox

**Nays—1**

Baker     Bristow     Burkett     Kennedy

The Chair then laid House Bill No. 729 before the House on third reading and final passage.
April 10, 1957  HOUSE JOURNAL  1683

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

Yea.s-141


Smith of Hays  Smith of Jefferson  Smith of Waco  Smith of San Antonio  Smith of Weatherford  Smith of Waller  Smith of Watson  Smith of Wilbarger  Smith of Wichita  Smith of Young

Yea.s-142

Nays-1

Baker  Absent

Bowers  McCoppin

Kennedy

Absent—Excused

Bristow  Crosthwait

HOUSE BILL NO. 759 ON SECOND READING

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

HOUSE BILL NO. 759 ON THIRD READING

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

The motion prevailed by the following vote:

Yea.s-143

Anderson  Bell  Armor  Bishop  Atwell  Blaine  Baker  Blanchard  Ballman  Bowers  Barron  Buescher  Brashear
The Chair then laid House Bill No. 759 before the House on third reading and final passage.

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

| Year | 143 |

|Anderson|Green|
|Armour|Hale|
|Atwell|Harrington|
|Baker|Healy|
|Ballman|Hefflin|
|Bartram|Hensley|
|Bass|Hollowell|
|Bell|Holman|
|Bishop|Holstein|
|Blaine|Hooks|
|Blankard|Hosey|
|BayeaH|Ransher|
|Bryant|Hufford|
|Bullock|Hughes of Grayson|
|Burr|Hughes of Dallas|
|Byrd|Hutchins|
|Chapman|James, Miss|
|Clune|Jackson|
|Cloud|Jamison|
|Cole|Johnson|
|Cooley|Jones|
|Cory|Joseph|
|Cotten|Kelly|
|Cowen|Kennard|
|Cox|Kilpatrick|
|Day|Kolles|
|de la Garsa|Koritch|
|Dewey|Kothmann|
|Deff, Miss|Lattimer|
|Dugas|Laurel|
|Dungan|Lee|
|Ehrle|McDonald|
|Elliott|McGregor|
|Ellis|McLennan|
|Fenoglio|McGregor|
|Ferrell|McKendree|
|Ford|Moffatt|
|Foreman|Morgan|
|Fort|Mitchell|
|Glass|Matthew|
|Gusdugi|Matthew|

|Bryan McGregor|
|Bullock of El Paso|
|Byrd McLlhany|
|Cline Chapman|
|Coonley Cline|
|Cety Mays|
|Cotten Mays|
|Cox of McLennan|
|Day Wilson of Young|
|Dewey Winfree|
|Duff, Miss Wohlford|
|Dungan Weller|
|Ehrle Wheeler|
|Ellis White|
Amend House Bill 761 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. That Sections 1 and 2, Chapter 291, Acts of the Fortieth Legislature, Regular Session, 1941 (Article 5254, Sections 1 and 2, Vernon's Civil Statutes) be and the same are hereby amended so that they shall hereafter read as follows:

"Section 1. The Commissioner of the General Land Office shall prepare a revision and compilation of the various volumes of the abstracts of patented, titled, and surveyed land, which have heretofore been made by this Office. The various counties of the State shall be apportioned into appropriate districts not to exceed eight (8) in number for the purpose of revising and compiling said abstracts, and all of the abstracts of each particular district shall be compiled into a separate volume. The Commissioner of the General Land Office shall retain as many complete sets of said abstract volumes as are necessary for the use of his Office, and deliver the balance of said printed volumes to the Comptroller of Public Accounts, who shall distribute to those offices of the State requiring its use, one complete set of said abstract volumes, and shall deliver to the Tax Assessor-Collector of each county a copy of the volume containing the abstracts of his county. The surplus volumes may be sold by the Comptroller to persons applying for them at a price not less than their cost to the State. The Comptroller shall pay all moneys so received into the General Revenue Fund of the State.

"Section 2. The Comptroller may cause to be printed a sufficient number of volumes to meet the demand. All such printing and binding is to be done within the State of Texas."

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

Committee Amendment No. 11

Amend House Bill 781 by striking out all above the enacting clause and substituting in lieu thereof the following:

"A BILL
To Be Entitled
An Act amending Sections 1 and 2, Chapter 291, Acts of the Forty-seventh Legislature, Regular Session, 1951; providing for revision and compilation of Abstract Volumes by the Commissioner of the General Land Office; providing for distribution of such volumes by the Comptroller of Public Accounts; providing for payment of moneys received from such sales to the General Revenue Fund; providing for the printing of a sufficient number of volumes to meet the demand; providing that such printing and binding is to be done within the State of Texas; and declaring an emergency."

The amendment was adopted.

House Bill No. 781 was then passed to engrossment.

HOUSE BILL NO. 781 ON THIRD READING

Mr. Matthew 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:

Yea—142

Anderson Bryan
Armour Bullock
Atwell Byrd
Baker Chapman
Baldwin Clines
Bartram Cloud
Bass Cole
Bell Conley
Bishop Cory
Blaine Cotten
Blanchard Cowen
Bowers Cox
Boyes Day
Brahefar de la Garza

Dewey Myself
Duff-Miss Oliver
Dugas Osborn
Dungan Parish
Ehrle Parsons
Elliot Patterson
Ellis Phipps
Fenoglio Pool
Ferrill Prewett
Ford Packet
Foreman Ramsey
Foyth Richardson
Glass Roberts
Grainger Russell
Green Sadler
Hale Sanders
Harrington Saul
Heffin Schram
Hensley Schwind
Holman Schwart
Holstein Schwart
Hooks of Galveston
Husson Schwart
Huffor of Washington
Hutcheson Shaddick
Hughes of Dallas Shaddan
Hughes of Dallaa Sherrill
Hutchins Black
Jackson Smith of Hays
Jambus Smith of Jefferson
Johnson Spilman
Jones Springfield
Joseph Stewart
Kelly Storey
Kennard Burkland
Kipatrick Stroman
Koliba Sudierth
Korithk Sutton
Kotkman Talsack
Latimer Terrell
Laurel Thurmond
Lee Tunnell
Loel Turner
McDonald Turman
McGregor Walling
McGregor of McLennan Watson
McGregor Welch
McGregor of El Paso Wheeler
McElhany White
Mann Wilson of Young
Martin Wilson of Potez
Matthew Winfree
Mays Winham
Moore of Harris Woolsey
Moore of Tarrant Yeak
Mullen Zbranek
Murray Absent
Burkett McCoppin
Kennedy
April 10, 1957

HOUSE BILL NO. 762 ON SECOND READING

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

I. H. No. 762. A bill to be entitled "An Act to authorize commissioners' courts to purchase, construct, reconstruct, remodel, improve and equip, or otherwise acquire, an office building or buildings or courts building or buildings, or jail building or buildings (in addition to the existing Courthouse and/or Jail), or an additional building or buildings in which any one or more of the county or district offices or county district courts, or certain justices of the peace courts, or where the jail, or any other facilities or functions of the county may be housed, conducted, and maintained; including the purchase and improvement of the necessary land or sites thereof, which shall be located in the county seat, providing that such building or buildings may be used to carry on other public business; authorizing commissioners' courts to lease or rent any part or parts of any such building which may
not be presently needed for the purpose authorized by this act to other persons; authorizing the issuance of negotiable bonds to accomplish the purpose authorized by this act and the levy and collection of taxes therefor; making certain incidental provisions with reference to such bonds and with reference to the issuance thereof; providing that the acquisition and use of any such building or buildings shall not change any requirement of law requiring the posting of notice at the courthouse door; providing that the provisions of this act are in addition to all the powers given by and are cumulative of all other provisions of the laws of the state of Texas on the same subject; providing a savings clause to the effect that if any provision of this act shall be held invalid, the other provisions are not affected; and declaring an emergency."

The bill was read second time.

Mr. Russell offered the following amendment to the bill:

Amend House Bill No. 762, Sec. 2, by striking out all after "to" and inserting in lieu thereof the following:

"the State of Texas and any of its political subdivisions, and the Federal Government."

The amendment was adopted.

House Bill No. 762 was then passed to engrossment.

HOUSE BILL NO. 762 ON THIRD READING

Mr. Russell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 762 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—141


The Chair then laid House Bill No. 762 before the House on third reading and final passage.

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

Yea—142

Absent—5

Anderson          Harrington
Armor             Healy
Atwell            Hatlin
Baker             Hensely
Ballman           Hollaway
Bartram           Holman
Bass              Holstein
Bell              Hooks
Bishop            Horsey
Blalve            Huebner
Blanchard         Huffman
Boyen             Huffer
Brashear          Hughes of Grayson
Bryan             Hughes of Dallas
Bullock           Hutchins
Burkett           Iasacks, Miss
Byrd              Jackson
Chapman           Jamison
Clime             Johnson
Cloud             Jones
Coke              Joseph
Comley            Kelley
Cory              Kennard
Cotman            Kilpatrick
Cowan             Koliba
Cox               Korteth
Dewey             Latimer
De la Garza       Laurel
Dufy, M.          Lee
Dugan             McDonald
Dungan            McGregor
Ehrie             of McLemore
Elliott           McGregor
Ellis             of El Paso
Engel              McIlhany
Farrell           Mann
Ford               Martin
Foreman           Mattews
Forey             Mays
Glass             Moore of Harris
Glistening        Moore of Tarrant
Green             Mullen
Hale              Murray
Myatt             Sherrill
Oliver            Slack
Osborn            Smith of Hays
Ostens            Smith of Jefferson
Patterson         Spicman
Pipkin             Stewart
Pool              Storey
Presler          Strickland
Farkett           Stroman
Ramsey           Sudderth
Richardson       Sutton
Roberts           Talsak
Russell           Terrell
Sadler            Thumann
Sandel             Tunnell
Sanders           Turman
Saul              Welling
Schram            Watson
Schwartz          Welch
of Galveston      Wheeler
Schwartz          White
of Washington    Wilson of Young
Seeliger          Wilson of Potter
Shackelford       Winfree
Shannon of Erath  Wobford
Shannon            Woolley
of Tarrant        Yezak
Shaw             Zbranek
Sheridan

Abstent—Excluded

Bowers             McCoplin
Kennedy

Mr. Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 768 be placed on its third reading and final passage.
The motion prevailed by the following vote:  

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<td>Huffner</td>
<td>Shannon</td>
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<td>Hughes of Grayson</td>
<td>of Tarrant</td>
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<td>Hughes of Dallas</td>
<td>Shaw</td>
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<td>Hutchins</td>
<td>Sheridan</td>
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Sherrell | Tunnell |
| Black | Turman |
| Smith of Hays | Walling |
| Smith of Jefferson | Watson |
| Spliman | Welch |
| Springer | Wheeler |
| Stewart | White |
| Storey | Wilson of Young |
| Strickland | Wilson of Potter |
| Stroman | Winfree |
| Suderth | Wobiford |
| Sutton | Woolsey |
| Talasek | Yeak |
| Terrell | Zerman |
| Thurmond | |

| Absent | |
| Burkett | McCoplin |
| Kennedy | |

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>142</th>
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<tbody>
<tr>
<td>Anderson</td>
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<td>Armor</td>
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<td>Dugas</td>
<td>Johnson</td>
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<td>Duncan</td>
<td>Jones</td>
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</tbody>
</table>
Mr. Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 769 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas: 142

Anderson          Holman
Armour            Holstein
Atwell            Hooks
Baker             Horse
Ballman           Hovind
Bartram           Huff
Bass              Hughes of Grayson
Bell              Hughes of Dallas
Blake             Hutchins
Blanchard         Inge, Miss
Bowers            Jackson
Boyce             Jackson
Brashbear         Johnson
Bryan             Jones
Bullock           Joseph
Byrd              Kelly
Chapman           Killion
Cline             Kilpatrick
Cloud             Kilby
Cole              Korinth
Conley            Kothmann
Cory              Lambert
Cotten            Lee
Cox               McDonald
Cowie             McFadden
De la Garza       McLeannan
Dewey             McLaugh
Duff, Miss        McLemore
Dugan             Mann
Dunlap            Martin
Ehrle             Mathew
Ellis             Marx
Elliott           Moore of Harris
Felton            Moore of Tarrant
Ferrill           Mullen
Ford              Murray
Foreman           Mysatt
Forsyth           Oliver
Glaeser           Osborn
Green             Parish
Hale              Parsons
Harrington        Pipkin
Healy             Pool
Heflin            Pressler
Hensley           Puckett
Hollowell         Ramsey

Joseph
Kelly
Kennard
Kilpatrick
Kolbe
Korioth
Kothmann
Lathimer
Laurel
Lee
McDonald
McGregor
of McLennan
McGregor
of El Paso
Mcllhany
Max
Martin
Matthew
Mayes
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Olson
Parish
Parsons
Patterson
Peden
Pool
Puckett
Ramsey
Richardson
Rogers
Russell
Sadler
Sanah
Sadler
Saul
Hewers
Kennedy
Abs: 1
Abs: 1
Absent
Absent—Excused
Bristow
Crosshaw

HOUSE BILL NO. 769 ON SECOND READING

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

H. B. No. 769, a bill to be entitled

"An Act closing wild turkey hunting season in Lamar County until November 16, 1959; and declaring an emergency."

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

H. B. No. 769 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. 769 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas: 142

Anderson          Holman
Armour            Holstein
Atwell            Hooks
Baker             Horse
Ballman           Hovind
Bartram           Huff
Bass              Hughes of Grayson
Bell              Hughes of Dallas
Blake             Hutchins
Blanchard         Inge, Miss
Bowers            Jackson
Boyce             Jackson
Brashbear         Johnson
Bryan             Jones
Bullock           Joseph
Byrd              Kelly
Chapman           Killion
Cline             Kilpatrick
Cloud             Kilby
Cole              Korinth
Conley            Kothmann
Cory              Lambert
Cotten            Lee
Cox               McDonald
Cowie             McFadden
De la Garza       McLeannan
Dewey             McLeannan
Duff, Miss        McLemore
Dugan             Mann
Dunlap            Martin
Ehrle             Mathew
Ellis             Marx
Elliott           Moore of Harris
Felton            Moore of Tarrant
Ferrill           Mullen
Ford              Murray
Foreman           Mysatt
Forsyth           Oliver
Glaeser           Osborn
Green             Parish
Hale              Parsons
Harrington        Pipkin
Healy             Pool
Heflin            Pressler
Hensley           Puckett
Hollowell         Ramsey
The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yes—143</th>
<th></th>
<th></th>
</tr>
</thead>
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The Chair laid before the House, on the second reading and passage to engrossment,
H. B. No. 770. A bill to be entitled "An Act closing the hunting season on beaver in Lamar County until December, 1960."

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

HOUSE BILL NO. 770 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. 770 be placed on third reading and final passage.

The motion prevailed by the following vote:

Year—142


Absent—Excused

The Chair then laid House Bill No. 770 before the House on third reading and final passage.

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

Year—142

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

H. B. No. 820, A bill to be entitled "An Act authorizing the appointment of an assistant district attorney for the district attorneys of the 42nd Judicial District, composed of the Counties of Taylor, Callahan and Shackelford, and the 104th Judicial District, composed of the Counties of Fisher, Jones and Taylor; prescribing his qualifications, duties, and salary; providing for expenses of the assistant district attorney; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

Mr. Sudderth offered the following amendment to the bill:

Amend H. B. 820 by striking out all of Section 1 and substituting in lieu thereof the following:

"Section 1. The district attorney for the 42nd Judicial District and the District Attorney of the 104th Judicial District, with the consent of the District Judges of the 42nd Judicial District and the 104th Judicial District respectfully, and of the commissioners' courts in each of the counties comprising the 42nd and 104th Judicial Districts, are hereby authorized to appoint an assistant district attorney for the district attorneys of such districts."

The amendment was adopted.

Mr. Sudderth moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 820 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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An Act regulating fishing in the waters of that portion of Galveston Bay lying within Chambers, Galveston, and Harris Counties, Texas, north of a line extending from San Jacobo Point to Smith Point, Texas; providing that it shall be unlawful for any person to place, set, drag, use, or have in his possession, in or on any of said waters any seine, net, trawl, trap, or other device for the purpose of catching fish or shrimp, other than the ordinary pole and line, casting rod and reel, artificial bait, trot line, net line, or gig and light for taking flounders, except as otherwise provided in this Act; providing that it shall not be unlawful to use in said waters, for the purpose of catching bait, a cast net, minnow seine, or bait shrimp trawl; providing it shall not be unlawful to have in possession a seine, net, trawl, trap, or other device prohibited from being used in said waters for the purpose of catching fish or shrimp, when the same is on board a vessel when such vessel is at port or in a channel in said waters en route to or from the Gulf of Mexico or other waters where it is lawful to use the same; providing for the seizure and destruction of any seine, net, trawl, trap, or other device found in said waters in violation of this Act; fixing a penalty for the violation of any provision of this Act; providing a saving clause; repealing all other laws and parts of laws in conflict herewith; and declaring an emergency.

The bill was read second time.

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

Amend House Bill No. 835 by striking out all below the enacting clause and substituting therefor the following:

"Section 1. It shall be unlawful for any person to place, set, drag, use, or have in his possession, in or on any of the waters of that portion of Galveston Bay and Trinity Bay lying within Chambers and Harris Counties, Texas, north of a line extending from Eagle Point to Smith Point, any set net, or gill net, trap or similar device for the purpose of catching fish. Provided it shall be lawful to use drummets nets which shall not exceed a length of 1200 feet and shall have at least a three and one-half inch stretch mesh.

Section 2. Provided, it shall be lawful from September 1 through December 31, inclusive, to take or catch shrimp in said waters provisioned that the shrimp trawl shall not exceed 65 feet in width measured on the cork line and provided further that said trawl shall have at least a one and three-fourth inch stretch mesh, including the bag. It shall be lawful for any person to use in said waters a cast net, a minnow seine or a bait shrimp trawl for the purpose of catching bait,"
provided that such shrimp trawl shall have at least a one and three-fourth inch stretch mesh, including the bag, Any person other than a bait dealer catching such shrimp shall not have in his possession or on board any boat or other device, in or on any of the waters, any amount of shrimp in excess of one quart with heads attached, and it shall be unlawful for any person to have in his possession or on board any boat or other device, in or on any of the waters, any amount of shrimp in excess of 150 pounds with heads attached. Such bait dealer must at all times have on board a live bait box to keep bait shrimp alive. As used herein "bait dealer" means a person who has an established place of business which sells and offers for sale bait.

Section 3. Provided, it shall not be unlawful to have in possession a seine, net, trawl, trap, or other device prohibited from being used in said waters for the purpose of catching fish or shrimp, when the same is on board a vessel when such vessel is at port or in a channel in said waters while en route to or from the Gulf of Mexico or other waters where it is lawful to use such seine, net, trawl, trap, or other device for the purpose of catching fish or shrimp.

Section 4. When any officer of this State finds any seine, net, trawl, trap, or other device in or on any of the waters of that portion of Galveston Bay and Trinity Bay lying within Chambers and Harris Counties, Texas, north of a line extending from Eagle Point to Smith Point, where the same is prohibited from being used or possessed for the purpose of catching fish or shrimp, and such officer finds that the same is being used or possessed in violation of the provisions of this Act, it shall be the duty of such officer to seize and hold such seine, net, trawl, trap, or other device, and the Court shall direct the Sheriff or Constable to post a copy of said affidavit in the Courthouse for a period of ten (10) days, at the expiration of which period the Court shall proceed to hold a hearing thereon, and, if upon a hearing the Court shall determine that such seine, net, trawl, trap, or other device so seized was used in violation of the provisions of this Act, said Court shall enter an order directing the immediate destruction of the same by the officer holding the same, and such officer shall immediately destroy such seine, net, trawl, trap, or other device, by the officer holding the same, and
sequent conviction for violation of any provision of this Act, such person shall be punished by a fine of not less than Seventy Dollars ($70) nor more than Two Hundred and Fifty Dollars ($250), and, upon such second or subsequent conviction, any fishing license or permit issued to such person under any of the provisions of Title 13 of the Penal Code of Texas, shall be automatically cancelled and such license or permit shall not be entitled to receive another such license or permit for one (1) year from the date of such conviction.

Sec. 6. If any part, section, subsection, paragraph, sentence, clause, phrase, or word contained in this Act shall be held by the Court to be invalid, such holding shall not affect the validity of the remaining portion of the Act; and the Legislature hereby declares that it would have passed such remaining portion despite such invalidity.

Sec. 7. All other laws and parts of laws in conflict herewith are hereby expressly repealed, to the extent of such conflict only.

Sec. 8. The fact that the present laws for the protection, preservation, conservation, and propagation of the State's fish reserves in the waters of the portion of Galveston Bay and Trinity Bay lying within Chambers and Harris Counties, Texas, north of a line extending from Eagle Point to Smith Point; fixing a penalty for the violation of any provision of this Act; providing a saving clause; repealing all other laws and parts of laws in conflict; and declaring an emergency.

The amendment was adopted.

House Bill No. 836 was then passed to engrossment.

HOUSE BILL NO. 836 ON THIRD READING

Mr. Kilfoyle moved that the constitutional rule requiring bills 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.

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

Amend the amendment to H. B. No. 835, Sec. 2, by striking out the words "two quarts" and inserting in lieu thereof the words "two quarts."

The amendment to the amendment was adopted.

The Committee Amendment as amended was adopted.

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

Committee Amendment No. 3

Amend House Bill No. 835 by striking out all above the enacting clause and substituting therefor the following:

"A BILL

To Be Entitled

An Act regulating fishing and shrimping in the water of Galveston Bay and Trinity Bay lying within Chambers and Harris Counties, Texas, north of a line extending from Eagle Point to Smith Point; fixing a penalty for the violation of any provision of this Act; providing a saving clause; repealing all other laws and parts of laws in conflict; and declaring an emergency."

The amendment was adopted.

Mr. Kilfoyle offered the following amendment to the bill:
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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The Chair then laid House Bill No. 835 before the House on third reading and final passage.
The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 236. A bill to be entitled "An Act to amend Section 8 of Chapter 503, Acts of the 42d Legislature, 1931, as amended by Chapter 156, Acts of the 44th Legislature, 1935, relating to the Probation Department and the County Juvenile Board and their duties and authorities in counties having a population in excess of 350,000 inhabitants according to the last preceding or any future Federal Census where it appears from the petition or otherwise that the parties to such suit have a child or children under sixteen (16) years of age. It shall be the duty of the Probation Department subject to the direction of the Court to make a complete and thorough examination into the merits of the claim for divorce and to report its findings to the Court in connection therewith and to make a thorough and complete investigation as to the necessities of the child or children and the disposition that should be made of such child or children and to make report thereof to the Court prior to the trial of such case, and if desired by the Court, produce such evidence as may have been developed in connection with such matters on the trial of such case. The County Juvenile Board in counties having a population of over three hundred and fifty thousand (350,000) inhabitants according to the last preceding or any future Federal Census is hereby authorized to appoint a supervising head of county institutions having to do with juveniles, dependent and delinquent and dependents of such county which said supervising head of county institutions may be the county probation officer of said county who, if appointed, may receive a stipulated salary in addition to his salary as county probation officer; providing a severability clause; and declaring an emergency." The bill was read second time.

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

Committee Amendment No. 1

To H. B. No. 236

Amend House Bill No. 236 by striking out Section 1, thereof and substituting in place thereof the following:

"Section 1. Section 8 of Chapter 503, Acts of the 42d Legislature, 1931, as amended by Chapter 156, Acts of the 44th Legislature, 1935, is amended to read:

"Sec. 8. In all suits for divorce in counties having a population in excess of three hundred and fifty thousand (350,000) inhabitants according to the last preceding or any future Federal Census where it appears from the petition or otherwise that the parties to such suit have a child or children under sixteen (16) years of age. It shall be the duty of the Probation Department subject to the direction of the Court to make a complete and thorough examination into the merits of the claim for divorce and to report its findings to the Court in connection therewith and to make a thorough and complete investigation as to the necessities of the child or children and the disposition that should be made of such child or children and to make report thereof to the Court prior to the trial of such case, and if desired by the Court, produce such evidence as may have been developed in connection with such matters on the trial of such case. The County Juvenile Board in counties having a population of over three hundred and fifty thousand (350,000) inhabitants according to the last preceding or any future Federal Census is hereby authorized to appoint a supervising head of county institutions having to do with juveniles, dependent and delinquent and dependents of such county which said supervising head of county institutions may be the county probation officer of said county who, if appointed, may receive a stipulated salary in addition to his salary as county probation officer; providing a severability clause; and declaring an emergency."
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county poor farms and old folks' homes. Said supervising head of the county institutions is hereby authorized and required to direct the policies and conduct of such institutions under the supervision and direction of the County Juvenile Board. The heads of various institutions shall be authorized to select such other employees for their institutions as may be determined or needed by the County Juvenile Board, at such salary as may be fixed by said County Juvenile Board, and such salaries are to be subject to the approval of the County Commissioners Court.

The amendment was adopted.

House Bill No. 836 was then passed to engrossment.

HOUSE BILL NO. 836 ON THIRD READING

Mr. McDonald moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 836 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—141
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Hughes of Dallas
Hughes of Grayson
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HOUSE BILL NO. 893 ON SECOND READING

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

H. B. No. 893, A bill to be entitled ‘An Act regulating the manner of taking fish from the waters of Lavaca Bay, Baffin Lake, Mesquite Creek, Florida City, Galveston City, Red Fish Lakes and Oyster Beds in Victoria, Jackson and Calhoun Counties; prohibiting the use of certain devices and providing a penalty for violation; repealing conflicting laws; and declaring an emergency.’

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

HOUSE BILL NO. 893 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. 893 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:

Year—142
Mr. Blanchard moved that the House adjourn until 10:00 o'clock a.m. tomorrow.

The motion to adjourn until 10:00 o'clock a.m. tomorrow was lost.

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

"Now may the grace of the Lord Jesus Christ, and the love of God, and the communion of the Holy Spirit be with you all, both now and forever more.—Amen"

The motion to adjourn until 10:00 o'clock a.m. tomorrow prevailed.

The House accordingly, at 9:46 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Agriculture: H. B. No. 226 and H. B. No. 642.


April 10, 1957

House Journal 1705


Game and Fisheries: S. B. No. 351.

The following Committees have filed adverse reports on bills, as follows:


Reports of the Committee on Engrossed Bills

Austin, Texas, April 8, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 231, A bill to be entitled "An Act to declare the public policy of the State of Texas with respect to public education; to provide for further study and analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their attitudes and in furtherance of social order and good will, pending such reconsideration to authorize district and county Boards of School Trustees to provide for the continuation or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, good will and the public welfare; to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards in certain cases; providing that nothing in this Act shall affect any action heretofore taken by any school district in this State covering the subject matter of this Act; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 85, Suspending Joint Rules to permit the House to set a local and uncontested bill calendar on Wednesday, April 10, 1957.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.
Mr. Shackelford offered the following resolution:
H. S. R. No. 856, In Memory of Mrs. Ann Barnes Cade.

Whereas, On April 1, 1897, the town of Chester and the State of Texas lost an esteemed citizen in the passing of Mrs. Ann Barnes Cade; and

Whereas, Mrs. Cade was a lifelong resident of Chester and the daughter of one of the pioneer families there; and

Whereas, She was an early leader in the state and nation of the League of Women Voters, and served as a state officer for many years; and

Whereas, She was conspicuous for her services and leadership in the Methodist Church and was a life member of the WSCS of the Church; and

Whereas, She gave further evidence of her interest in and dedication to the work of the Church by her generous donations to Lon Morris College and the Methodist Home in Waco; and

Whereas, The House of Representatives of the State of Texas wishes to pay tribute to the wonderful life of this fine woman; now, therefore, be it

Resolved, That the sincere sympathy of the Members of the House of Representatives of the State of Texas be extended to her husband, Dr. L. R. Cade, as a token of our respect and sympathy.

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

H. S. R. No. 356, In Memory of Alex Morton Smith.

Whereas, On April 7, 1957, the City of Gainesville and the State of Texas lost an esteemed citizen in the passing of Alex Morton Smith; and

Whereas, He was born in Gainesville on November 7, 1903. He married Miss Louise Shriner on December 6, 1926. A son, Daniel Montague, was born on October 17, 1927, and a second son, Jerry Green, was born on August 17, 1928. His widow and two sons survive him; and

Whereas, He served as managing editor, editor and city editor of the Gainesville Daily Register. He wrote "The First 100 Years in Cooke County," published by the Naylor Company. He served as county chairman of the Democratic party and was a member of the Fifth Ward Democratic Executive Committee; and

Whereas, He was a faithful member of the Whaley Memorial Methodist Church. He served as master councilor of the DeMolay lodge and as a member of Trinity-Patrick lodge, Knights of Pythias, Bondur Temple, Dramatic Order, Knights of Khorassan, and Gainesville lodge, B. P. O. Elks. As a member of Kiwanis club he served in Gainesville and district offices. He was president of the Junior Chamber of Commerce; and

Whereas, He joined others in founding the Gainesville Community Circus and was nationally known for his work with circus people; and

Whereas, This good man's life of service brings to mind the comforting promise in the Book of Saint Matthew in the Holy Bible, "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.

Resolved, That the House of Representatives of the Fifty-fifth Legislature pays tribute to Alex Morton Smith; that a page in the House Journal be set aside in his memory; and that when the House adjourns this day it do so in loving respect to him.

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

The resolution was unanimously adopted by a rising vote.