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
Boyden
Brashman
Bristow
Bryan
Bullock
Burnett
Bryant
Bryan
Buell
Buck
Bullock
Hollowell
Holman
Holstein
Hanks
Hosey
Hoedemaker
Huffman
Huffer
Hughes of Grayson
Hughes of Dallas
Hutchins
Isaacks, Miss
Jackson
Johnson
Jones
Kelly
Kennett
Kennedy
Kilpatrick
Koliba
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Kothmann
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and referred to the appropriate Committee, as follows:

By Mr. Blanchard:
H. B. No. 925, A bill to be entitled “An Act authorizing and directing the execution and delivery by the Board of Directors of Texas Technological College, acting by the Chairman thereof, of a right-of-way easement of certain land in Lubbock County, Texas, to the State Highway Commission of the State of Texas, for the construction and maintenance of a State Highway across the campus of Texas Technological College, and declaring an emergency.

Referred to the Committee on State Affairs.

COMMITTEE MEETING

Mr. Wilson of Potter asked unanimous consent of the House that the Committee on Public Health be permitted to meet at this time.

There was no objection offered.

INTRODUCTION OF HOUSE BILLS

Mr. Shaw asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 926.

There was no objection offered and it was so ordered.

Mr. Bass asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 927.

There was no objection offered and it was so ordered.

Mr. Cory asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 928.

There was no objection offered and it was so ordered.

Mr. Hale asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 929.

There was no objection offered and it was so ordered.

RELATIVE TO HOUSE JOINT RESOLUTION NO. 31

Mr. Hale made the following motion:

Unanimous consent is requested to

In the language which is to be printed on the ballot, the term “County official” should be changed to read “District, County, or Preceptor official.”

There was no objection offered and it was so ordered.

RELATIVE TO HOUSE JOINT RESOLUTION NO. 32

Mr. Parsons asked unanimous consent for the House Engraving and Enrolline Clerk to correct typographical error in H. J. H. No. 22 by deleting the word “under” and inserting “within”, as it appears in “Sec. 11a”.

There was no objection offered and it was so ordered.

OATH OF OFFICE ADMINISTERED

The Speaker stated Honorable Harold H. (Hal) Coley, Representative, is elected from the 29th Representative District, to fill the unexpired term of James E. Cox, resigned, was present in the House of the Representatives, with his Certificate of Election, as follows:

STATE OF TEXAS

Secretary of State

J. ZOLAR STEAKLEY, Secretary of State, hereby certify that on the 26th day of April, 1957, a Special Election was held in Grimes and Montgomery Counties, Texas, to elect a State Representative from the 29th Representative District for the unexpired term of James E. Cox, resigned, pursuant to Proclamation No. 44-745 of Price Daniel, Governor of Texas; that in compliance with Article 8.44 V. A. T. S. Election Code (Article 128, Election Code of Texas), the Honorable Latham Boone, Jr., County Judge of Grimes County and the Honorable W. E. Weinsinger, County Judge of Montgomery County, each issued and forwarded to this office a certificate of election, which certificates are now on file in this office; and that such certificates of election show that the Honorable HAROLD H. (HAL) COLEY was elected State Representative from the 29th Representative District of Texas for the unexpired term of James E. Cox, resigned.
In Testimony Whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this 23rd day of April, A. D. 1957.

ZOLLIE STEAKLEY, Secretary of State.

Speaker Carr stated that Mr. Coley would now take the Constitutional Oath of Office.

Honorable Harold H. Coley, Representative-elect from the 29th Representative District of the State of Texas, then came forward and took the Constitutional Oath of Office as Member of the House of Representatives of the State of Texas of the Fifty-fifth Legislature, the Oath being administered by Speaker Waggener Carr.

WELCOMING STUDENTS FROM THE TWELFTH STREET ELEMENTARY SCHOOL OF TAYLOR, TEXAS

Mr. Schram offered the following resolution:

H. S. R. No. 397

Whereas, The members of the Fourth grade of the Twelfth Street Elementary School of Taylor, Texas, were guests of the House of Representatives of the Fifty-fifth Legislature on April 17, 1957; and

Whereas, These interested and ambitious students, who were on an educational tour to observe and learn the workings of their State Government, were accompanied by their teacher, Mrs. W. A. Phifer and the following mothers: Mrs. Gainor, Mrs. Anderson, Mrs. Johnson, Mrs. Baker, Mrs. Kaatz, Mrs. Walton, Mrs. Septh, Mrs. Sefek and Mrs. Nettles; and

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

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

The resolution was adopted.

WELCOMING STUDENTS FROM THE GORMAN HIGH SCHOOL, GORMAN, TEXAS

Mr. Brashear offered the following resolution:

H. S. R. No. 396

Whereas, The Junior and Senior Classes of the Gorman High School, Gorman, Texas, accompanied by their sponsors, Mrs. Underwood and Mrs. Allen, were visiting the Texas Legislature and other points of interest in the State Capitol on the 16th 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 Fifty-fifth 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 Junior and Senior class.

The resolution was adopted.

CELEBRATING THE OCCASION OF THE NINTH ANNUAL NECHES RIVER FESTIVAL

Mr. Smith of Jefferson offered the following resolution:

H. S. R. No. 399

Whereas, The ninth annual Neches River Festival will be held in the City of Beaumont, Texas, from April twenty-fifth through April twentysixth, saluting the New Port of Beaumont, Gateway to the World; and

Whereas, The City of Beaumont, Queen of the Neches River, will, during this Festival, be host to many thousands of persons from Texas and other less fortunate parts of the world; and will present entertainment by nationally known entertainers of stage, screen, and television on this festive occasion, and will present pageants, dances, boat
April 24, 1957

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Resolved, That best wishes for a most successful celebration and observation be hereby extended to the people of the City of Beaumont, Texas, and of the Neches River area, and be it further resolved, That the hearty congratulations of the House be extended to Her Majesty, the Queen of the Festival, and that a copy of this resolution, duly signed and enrolled, be sent to Dr. P. L. McDonald, the Queen’s Master of Ceremonies, for presentation to this lovely lady, who is requested to receive it in behalf of her loyal subjects of the great Neches River area of East Texas, on the occasion of the Queen’s Ball on Saturday, April twenty-seventh.

SMITH of Jefferson,
KILPATRICK
OLIVER.

The resolution was adopted.

EXTENDING AN INVITATION TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES TO ATTEND THE FIFTH INDIANOLA PILGRIMAGE

Mr. Cory offered the following resolution:

H. S. R. No. 394

Whereas, The James W. Panin Chapter of the Daughters of the Republic of Texas and the Indianola Cemetery Association have invited all Texans to the Fifth Indianola Pilgrimage;

Whereas, The Indianola Pilgrimage will be held on Sunday, May 19, 1957, at the LaSalle Monument in Indianola, Texas, at which time an interesting and historically informative program will take place along with a delicious barbecue; and

Whereas, An invitation has been extended to the House to attend the Pilgrimage; now therefore be it

Resolved, That the House of Representatives of the Fifty-fifth Legislature congratulates the James W. Panin Chapter on its outstanding patriotic spirit and expresses its appreciation for the kind invitation to attend the Fifth Indianola Pilgrimage, and be it further

Resolved, That an enrolled copy of this resolution be sent to the James W. Panin Chapter of the Daughters of the Republic of Texas.

The resolution was adopted.

TO GRANT ETHEL G. CHAPIN PERMISSION TO SUE THE STATE

Mr. Murray offered the following resolution:

H. C. R. No. 96

Whereas, Ethel G. Chapin, a single woman, is asserting title to and claims the following tract of land, situated in Cameron County, Texas, out of the Buena Vista Grant, described as follows:

Being out of the lands conveyed by E. K. Goodrich to O. C. Chapin, by Deed recorded in Vol. 127, Pages 519-520, Deed Records of Cameron County, Texas, and out of the lands conveyed by Deed from C. Endley to O. C. Chapin, recorded in Vol. 178, Pages 739-747, of the Deed Records of Cameron County, Texas, and which lands were conveyed by O. C. Chapin to Ethel G. Chapin by Deed recorded in Vol. 231, Page 374, of the Deed Records of Cameron County, Texas; and the land herein concerned and being the subject of this Resolution, being all of that portion of...
said lands standing in the name of Ethel G. Chapin, and not taken by the United States of America by final decree in Civil Action No. 142, as Tract No. 6, and the lands standing in the name of Ethel G. Chapin and excluded from condemnation in said Cause No. 142 and alleged to be the lands of Ethel G. Chapin in fee simple, and the subject of this Resolution, are described by metes and bounds as follows, to wit:—

Beginning at a point North 88 deg. 40' East 13,735 ft. from a 4 inch concrete marker located on the South line of the Goans Lake in Cameron County, Texas, said marker being located in Buena Vista Road and being North 00 deg. 06' 47" East 20,000 ft., from the Northeast corner of Block 84 and the Northwest corner of Block 85 of Skyline Gardens Subdivision in Cameron County, Texas.

Thence from said point of beginning of the Tract herein described North 88 deg. 40' East 645 ft. to a point;—

Thence North 29 deg. 38' West 1492.6 ft.;

North 42 deg. 53' West 2360 ft.;

North 34 deg. 7' West 4797 ft. to a point;

Thence South 8 deg. 29' West 1500 ft. to a point;

Thence North 42 deg. 28' West 1700 ft.;

North 36 deg. 14' West 2386 ft. to a point;

Thence North 87 deg. 10' West 1492.6 ft. to a point;—

South 36 deg. 06' West 700 ft.;

South 78 deg. 00' East 1,300 ft.;

South 00 deg. 00' East 1,200 ft.;

South 60 deg. 00' East 1,400 ft.;

South 31 deg. 00' East 3,032 ft.;

South 77 deg. 00' West 1,200 ft.;

South 60 deg. 00' West 600 ft.;

South 28 deg. 30' West 700 ft.;

South 8 deg. 00' East 1,216 ft.;

South 42 deg. 36' West 250 ft. to a point;

South 10 deg. 30' West 700 ft.;

South 38 deg. 30' East 1,200 ft.;

South 36 deg. 00' East 600 ft.;

North 25 deg. 00' East 500 ft.;

North 10 deg. 00' East 1,492.6 ft.;

North 73 deg. 30' East 600 ft.;

South 81 deg. 30' East 800 ft.;

North 43 deg. 30' East 800 ft.;

South 89 deg. 00' West 602.2 ft.;

North 6 deg. 30' East 600 ft.;

South 83 deg. 00' East 900 ft.;

South 36 deg. 30' East 560 ft.;

North 78 deg. 00' East 800 ft.;

North 4 deg. 00' West 1,599 ft.;

North 25 deg. 00' East 4,200 ft.;

North 57 deg. 00' East 200 ft.;

North 7 deg. 00' East 500 ft.;

South 37 deg. 00' East 1,100 ft.;

South 10 deg. 30' East 1,500 ft.;

South 28 deg. 00' East 1,490 ft.;


The point of beginning of this tract, said tract containing 399 acres more or less.

Whereas, The State of Texas, in asserting claim to said land and has included it in Tracts Nos. 649 and 841 on Sheet No. 5 of Maps of a part of Lasuna Madre in Cameron County, showing Subdivision for mineral development as same was set forth by Isaac O. Gilles, Commissioner of the General Land Office, on August 10, 1899; and,

Whereas, Ethel G. Chapin, alleges that she owns a fee simple title to said land and a valid controversy exists between her and the State of Texas as to the ownership of said lands and the right of the parties therein; and,

Whereas, The said Ethel G. Chapin, without permission from the Legislature, is unable to litigate her claim against the State of Texas and it is desired by Ethel G. Chapin to have authority to litigate title and rights in and to said land as between herself on the one hand and the State of Texas on the other; therefore, be it

Resolved by the House of Representatives and the Senate of the State of Texas, as the Senate of this State, that said Ethel G. Chapin, a single woman, is hereby granted permission to determine the validity of the title to said tract of land and whether or not the State of Texas, or the said Ethel G. Chapin, is the owner in fee simple of said land.

It is especially understood that the purpose of this Resolution is to grant the said Ethel G. Chapin, her heirs and assigns, permission to sue the State of Texas, and nothing herein shall be construed as an admission of liability upon the State and the facts upon which the prospective Plaintiff shall seek to recover must be proven as in any other case, if not agreed
TO GRANT THE CENTER LAND COMPANY, INC. PERMISSION TO SUE THE STATE

Mr. Baker offered the following resolution:

H. C. R. No. 97

Whereas, Martin Nadelman alleges that he is the president of Center Land Company, Inc., a corporation duly organized under the laws of the State of Texas, with principal office at 615 Medical Towers Building, Houston, Texas; and

Whereas, Martin Nadelman alleges that the said Center Land Company, Inc., has a claim against the State of Texas based on the following alleged facts: On or before March 18, 1957, the Corporation filed its Franchise Tax Return with the Secretary of State, Austin, Texas, and that this tax return was based upon the operations for the year ended December 31, 1956; that this Franchise Tax Return indicated a tax liability of Five Thousand Ten Dollars and Seventy-five Cents ($5,010.75), and that this amount was paid to the Secretary of State; that at the time this Franchise Tax Return was prepared, the corporation was unaware of the existence of opinion no. 0-1755 of the Attorney General of the State of Texas, which says that a corporation having no gross receipts for the entire accounting year, pays only the minimum tax and is not to be taxed on the total tangible capital. That had the corporation been aware of this Attorney General opinion, it would have filed a Franchise Tax Return and would have paid a minimum of only Twenty-five Dollars ($25): now, therefore, be it

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

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

The resolution was referred to the Committee on State Affairs.

MESSAGE FROM THE SENATE

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

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

H. C. R. No. 74, Suspending the Joint Rules of the two Houses for the purpose of permitting the two Houses to meet and consider bills on local and uncontested bite Calendars at any time during the remaining part of this session.

S. B. No. 145, Amending the marketing of brake fluids in the State of Texas, granting certain powers to the Public Safety Director in connect...
tion therewith; providing penalties for the violation of this Act; providing for the combined use of brake fluid held or sold in violation of the Act; and declaring an emergency.

S. B. No. 444. Requiring every report, annual report, return, declaration, statement, or other document required to be made by any person, firm, association, company, corporation or other insurance organization under any provision of the Insurance Code to be verified by written declaration under penalties of perjury; etc., and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

EXPRESSING OPINION OF THE LEGISLATURE IN REGARD TO STATE BUILDING COMMISSION ACQUIRING CERTAIN LAND

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

S. C. R. No. 67

Be it resolved, By the Senate of the State of Texas, the House of Representatives concurring, that it is the sense of the Legislature that the State Building Commission cease and desist from any further plans or purposes to acquire the property bounded on the south by East 14th Street, on the east by San Jacinto Street, on the north by East 15th Street, and on the west by Brazos Street, and being more particularly described as being all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 and the south one-half of Lots 11 and 12, all in Block 171, Original City of Austin, Travis County, Texas, as per map or plat on file in the General Land Office, Austin, Texas; and be it further

Resolved, That the owners of said property be encouraged to use and develop said property.

The resolution was referred to the Committee on Public Lands and Buildings.

RELATIVE TO THE CARE, CUSTODY AND CONTROL OF THE SAN JACINTO MUSEUM

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

S. C. R. No. 69

Whereas, The San Jacinto Museum of History Association, under contract with the Board of Control, has had the care, custody and control of the San Jacinto Memorial Monument and Tower on the San Jacinto Battlefield since the Memorial Tower was opened to the public on April 21, 1939; and

Whereas, This arrangement for the operation of this historical monument has been most satisfactory to the State; and

Whereas, It is desirable that this arrangement be continued; now, therefore be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, that the State Board of Control be authorized to enter into a contract with the San Jacinto Museum of History Association whereby the care, custody and control of the San Jacinto Memorial Monument and Tower will continue in the San Jacinto Museum of History Association until otherwise provided by the Legislature; and be it further

Resolved that such contract and operation shall be under the same terms and conditions as heretofore provided in previous resolutions of the Legislature.

The resolution was referred to the Committee on Public Lands and Buildings.

PROVIDING FOR AN INTERIM GENERAL INVESTIGATING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. Dewey offered the following resolution:

H. S. R. No. 400

Whereas, It is essential in a democratic form of government that faith and confidence must be encouraged and established by government officials as a prerequisite to the continuance of a democracy; and
Whereas, it is desirable for the House of Representatives of the State of Texas, through an interim committee, to have the means of continuing investigations authorized and initiated during the Regular Session of the 55th Legislature and to consider and make reports upon any other matters which the Committee, herein provided, deems as of such importance to the House and to the State as to require consideration and report; and

Whereas, it has been the custom of the House of Representatives and the Senate, respectively, to set up their own investigating committees to be available during the interim between regular sessions to investigate any and all matters coming to their attention over which they deem their jurisdiction to extend and which seem of significance from the point of view of the Legislature and the people of Texas; and

Whereas, The members of the House of Representatives desire to be fully and accurately informed as to the operations of the various governmental entities of the State of Texas, and its political subdivisions; and

Whereas, It is for the best interests of the people of the State of Texas that the House of Representatives create a Committee with the powers hereinbefore set forth in order to make available to the 55th and 56th Legislatures full information on such matters as should rightfully be brought to the attention of the Texas Legislature: now, therefore

Be it resolved by the House of Representatives of the State of Texas:

Section 1. That a General Investigating Committee of the House of Representatives be, and the same is hereby authorized and provided to consist of five (5) members to be appointed by the Speaker of the House of Representatives. The Speaker of the House of Representatives shall appoint the Chairman of said Committee, and the Committee shall select from among its members a Vice-Chairman and a Secretary. Said Committee shall meet, organize, and promulgate the rules and procedure by which it shall function, including the times and places when and where it shall meet, between the date of adoption of this resolution and the date of the convening of the Regular Session of the 56th Legislature; and it shall have full authority to continue or initiate any and all inquiries and hearings into matters pertaining to the State Government and any agency or subdivision of Government within the State of Texas, the expenditure of public funds, and all other matters and things considered by said Committee to be needed for the information of the Legislature for the welfare and protection of the citizens of the State of Texas. Any vacancy on said Committee shall be filled by appointment by the Speaker of the House of Representatives.

Section 2. The rules of procedure of the House of Representatives, the rules of evidence and procedure in civil and criminal cases, so far as considered applicable, and such other rules and regulations as may be adopted by the Committee, shall govern the hearings and affairs of the Committee.

Section 3. The Committee shall keep a record of its proceedings, and it shall have the power to hold such meetings as it may deem necessary. The Committee shall also have power to issue process to witnesses, at any place in this State, to compel their attendance, and the production of all books, records, and instruments, to issue attachments where necessary to obtain compliance with subpoenas or other process, which may be addressed to and served by either the Sergeant-at-Arms appointed by the said Committee or by any peace officer of this State; and to cite for contempt, and cause to be prosecuted for contempt, anyone disobeying the subpoena or other process lawfully issued by it. The Committee may, by the same manner as provided by general law and Article 5429a of Vernon's Civil Statutes of the State of Texas, serve the Committee shall issue, in the name of the Committee, such subpoenas as a majority of the Committee may direct. The Committee is hereby authorized to request the assistance of the State Auditor's Department, the Texas Legislative Council, the Department of Public Safety, the Attorney General's Department and all other State agencies and officers, and it shall be the duty of said departments, agencies,
Committee eball files of every and officers to assist the Committee when requested to do so. The Committee shall have the power to inspect the records, documents and files of every State department, agency, and office, and of all municipal, county, or other political subdivisions of the State, and to examine into their duties, responsibilities and activities.

Section 4. Witnesses attending proceedings of said Committee under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this State.

Section 5. Three or more members of the Committee shall constitute a quorum for the transaction of business, and the Chairman or other presiding officer of the Committee shall have power to administer oaths and affirmations.

Section 6. The Committee shall have authority to employ and compensate assistants to assist in any investigation, to assist in any audits, and to assist in any legal matters where, for any reason, it is necessary to obtain such services in addition to the services of the State Auditor, the Texas Legislative Council, and the Attorney General's Department; and it may employ and compensate clerks, stenographers, and other employees in order to conduct investigations and hearings and to make proper records thereof.

Section 7. The Committee shall make such reports to the Members of the 55th Legislature and to the 56th Legislature as it may deem necessary and appropriate.

Section 8. Members of the Committee shall be reimbursed for their actual and necessary expenses incurred while engaged in the work of the Committee and while traveling between their places of residence and the places where meetings of the Committee are held. Compensation of the Committee's employees, expenses paid for members of the Committee, and all other expenses of the Committee, shall be paid out of the appropriation for mileage and per diem and contingent expenses of the 55th Legislature. All payrolls and traveling expense vouchers shall be approved by the Chairman of the Committee and the Speaker of the House of Representatives before payment.

The resolution was adopted.

TO GRANT NASH GASOLINE COMPANY PERMISSION TO SUE THE STATE

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

H. C. R. No. 45, Granting Nash Gasoline Company permission to sue the State.

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

The resolution was read.

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

Committee Amendment No. 1

Amend H. C. R. 45 by striking the last Resolving Clause and inserting in lieu thereof the following:

"Resolved, That the sole purpose of this Resolution is to grant permission to the aforesaid Nash Gasoline Company 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 it seeks to recover must be proved in court as in other civil cases."

The amendment was adopted.

The resolution was adopted.

TO GRANT ANASTACIO VARGAS PERMISSION TO SUE THE STATE

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

H. C. R. No. 46, Granting Anastacio Vargas permission to sue the State.

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

Mr. Burkett offered the following Committee Amendment to the resolution:
Committee Amendment No. 1 To H. C. R. 54

Amend H. C. R. 54 by striking the last resolving Clause and inserting in lieu thereof the following:

"Be it Further Resolved that the sole purpose of this Resolution is to grant permission to the aforesaid Anastacio Vargas 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 he seeks to recover must be proved in court as in other civil cases."

The amendment was adopted.

The resolution was adopted.

TO GRANT R. OLSEN OIL COMPANY PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time, H. C. R. No. 64, Granting R. Olsen Oil Company permission to sue the State.

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

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

Committee Amendment No. 1 To H. C. R. 64

Amend H. C. R. 64 by striking the next to the last Resolving Clause and inserting in lieu thereof the following:

"Resolved, that the sole purpose of this Resolution is to grant permission to the aforesaid R. Olsen Oil Company 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 they seek to recover must be proved in court as in other civil cases."

The amendment was adopted.

The resolution was adopted.

VOTE RECORDED

By unanimous consent of the House, Miss Duff was granted permission to be recorded as voting "nay" on the passage of H. B. No. 122.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9

The Speaker laid before the House, as postponed business on its passage, 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 third time on April 11, and further consideration of same postponed until today.
Mr. Shaw moved that further consideration of S. J. R. No. 9 be postponed until May 1, at 10:30 o'clock a. m.

There was no objection and it was so ordered.

SENATE BILL NO. 324 ON PASSAGE TO THIRD READING

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

S. B. No. 324, Providing that no person shall acquire by descent or distribution, or by will any interest in the estate of another for whose death such person has been convicted of murder with malice aforethought; and declaring an emergency.

The bill having been read second time on April 17, and further consideration of same postponed until today.

Mr. de la Garza offered the following Committee Amendment to the bill:

Committee Amendment No. 1

Amend Senate Bill No. 324, Section 1 by changing the period at the end thereof to a semi-colon and adding the following:

Provided, however, no conveyance of real estate to a purchaser without actual or constructive notice, nor any lien created to a bona fide lender without notice, shall be invalidated or affected hereby.

The amendment was adopted.

Senate Bill No. 324 was then passed to third reading.

SENATE BILL NO. 324 ON THIRD READING

Mr. Walling moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 324 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—117

Anderson            Baas
Armour              Bell
Atwell             Bishop
Ballman            Blaine
Blanchard       Blum
Bowens            Boyse
Brabear           Britow
Bullock           Byrd
Chapman           Cline
Cloud             Cole
Cosley            Cory
Cowen             Cox
Cromwell         Day
de la Garza       Dugas
Dungan           Ehrie
Ellis             Fegnolino
Foreman          Forth
Forsyth          Glass
Green             Hale
Heasty           Head
Hefflin          Henchey
Henderson        Hollowell
Holliman         Hooks
Honey            Huebner
Huffman          Huffman
Huftr             Hughes of Grayson
Hughes of Dallas  Hutchins
Isaacks, Miss    Jackson
Ives             Johnson
Joseph           Joseph
Kelly             Kennedy
Kennard          Kennedy
Kenney           Kilpatrick
Koliba          Korticth
Kottmann         Kothmann
Latimer          Latimer
Lee              Lebeaux
McConpins        McDonald
McGregor of McLennan
McGregor of El Paso
McIlhany
Mann
Martin
Mays
Moore of Harris
Moore of Tarrant
Murray
Myatt
Oliver
Osborn
Parish
Parsenn
Patterson
Pool
Pressler
Puckett
Roberts
Sanderson
Saul
Schramp
Schwartz
of Galveston
Seelinger
Shannon of Erath
Shannon
of Tarrant
Shaw
Sheridan
Sherrill
Shack
Smith of Hays
Smith of Jefferson
Spelman
Springer
Stewart
Storey
Strickland
Sutton
Terrell
Thurmond
Turman
Watson
Welch
Wheeler
White
Wilson of Young
Wilson of Potter
Winfree
Woolford
Woolsey
Yesak
Ebranek

Nays—7

Burkett
Cotten
Dawey
Johnson
Matthew
Sadler
Stroman
April 24, 1957

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Absent

Baker
Bartram
Bryan
Coley
Duff, Miss
Elliott
Ferrell
Ford
Glasing
Harrington
Holstein
Johnson
Littlejohn
Mullen
Ramsey
Richardson
Sandahl
Schwarze
Shackelford
Small
Sudderth
Walling

The Speaker then laid Senate Bill No. 252 before the House on third reading and final passage.

The bill was read third time and was passed.

SENATE BILL NO. 252 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as postponed business, on its passage to third reading, S. B. No. 252, Prohibiting littering upon certain public places; and declaring an emergency.

The bill having been read second time on April 17 and further consideration of same postponed until today.

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

Committee Amendment No. 1

Amend Senate Bill No. 252 by striking all below theheading clause and substituting in lieu thereof the following, to wit:

Section 1. That House Bill No. 598, Chapter 182, Page 328, Acts of the 50th Legislature, Regular Session, 1947, Codified as Article 696 a, Penal Code of the State of Texas, be amended by amending subsection (a) of Section 1, so that the same shall hereafter read as follows:

"Section 1. (a) The term "refuse" shall include garbage, rubbish, and all other decaying and non-decaying waste, including vegetable, animal and fish carcasses, except sewage and body wastes, but in excluding industrial by-products, and shall include all such substances from all public and private establishment and from all residences."

Section 2. That House Bill No. 598, Chapter 182, Page 328, Acts of the 50th Legislature, Regular Session, 1947, Codified as Article 696 a, Penal Code of the State of Texas, be amended by amending subsection (b) of Section 1, so that the same shall hereafter read as follows:

"Section 1. (b) The term "refuse" shall include all decaying waste, including vegetable, animal and fish carcasses of such animals and fish, except sewage and body wastes, but in excluding industrial by-products, and shall include all such substances from all public and private establishment and from all residences."

Section 3. That House Bill No. 598, Chapter 182, Page 328, Acts of the 50th Legislature, Regular Session, 1947, Codified as Article 696 a, Penal Code of the State of Texas, be amended by amending subsection (c) of Section 1, so that the same shall hereafter read as follows:

"Section 1. (c) The term "public Highway" shall mean and include the entire width between property lines of any road, street, way, thoroughfare, bridge, or park in this State, not privately owned or controlled, when any part thereof is open to the public for vehicular traffic or which is used as a public recreational area and/or over which the State has legislative jurisdiction under its police power."

Section 4. If any provision of this act or the application thereof to any person or substance shall be held to be invalid, the remainder of this act and the application of such provisions to other persons or substances shall not be affected thereby.

Section 5. The fact that the public highways of this State and the areas adjacent to them are often used as dumping grounds for refuse, garbage, rubbish and junk thus destroying much of the natural beauty of the landscape and constituting a hazard to the health and welfare of the public, 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 such Rule be hereby suspended.
and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

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

Committee Amendment No. 2

Amend Senate Bill No. 252 by striking all above enacting clause and substituting in lieu thereof the following, to-wit:

"A BILL
To Be Entitled
An Act amending Chapter 53 of the General Laws of the Fortieth Legislature, First Called Session, 1927, as amended by House Bill No. 508, Chapter 188, page 328, Acts of the 50th Legislature, Regular Session, 1947, so as to redefine the term "refuse" and "garbage" and "Public Highway," same being Section One, Subsection (a), (b), and (c) of House Bill No. 508, Chapter 188, Page 328, Acts of the 50th Legislature, Regular Session, 1947, Codified as Article 6996, Penal Code of the State of Texas; providing a savings clause; and declaring an emergency."

The amendment was adopted.

Senate Bill No. 262 was then passed to third reading.

SENATE BILL NO. 262 ON THIRD READING

Mr. Baas moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 262 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—133

Anderson ch MAN
Armstrong Blanchard
Atwell Bowers
Baker Boysen
Balman Brashear
Bartram Bristow
Baas Bryan
Ball Bullock
Bishop Byrd

Nay—1

Chapman McGregor
Clines of El Paso
Clout Mann
Cole Martin
Colley Mathews
Cory Mayo
Cotten Moore of Harris
Cox Moore of Tarrant
Crozatow de la Garza Mullen
Dewey Murray
Duffy Miss Oliver
Dugas Cohorn
Dungan Parish
Ehrie Parsons
Elliott Pipkin
Ellis Pooi
Fangio Pool
Ferrell Preaster
Foreman Richardson
Forryth Roberts
Glass Russell
Glasing Sadler
Green Sandahl
Hale Sanders
Harrington Schram
Herey Schwartz
Hensley of Galveston
Huntly Schwartz
Hollowell of Washington
Holcomb Sealsman
Holstein Shackleford
Hookes Shannon of Brath
Huber Shannon
Huey Shannon of Tarrant
Hubner Shaw
Huffman Sherrill
Huefner Smith
Hughes of Grayson Slack
Hughes of Dallas Smith of Hays
Hutchins Smith of Jefferson
Isaac, Miss Spilman
Jackson Springer
Jannerson Stewart
Johnson Strom
Jones Sutton
Joseph Terral
Kelly Thurmond
Kennard Turman
Kennedy Wallowing
Kimberly Watson
Kilka Welch
Koliba Welsh
Koroth Wheeler
Kotzmann White
Latimer Wilson of Young
Laurel Wilson of Potter
Lee Winfree
Mccoppin Wofhord
McDonald Woolsey
McGregor Yeask
of McLeann Zbranek

Sheridan
Absent
Burkett Ramsey
Coley Saul
Cowen Storey
Day Strickland
Ford Sudderth
McIlhany Talasek
Puckett Absent—Excused
Tunnell

The Speaker then laid Senate Bill No. 252 before the House on third reading and final passage.

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

Yea—136
Anderson of Hale
Armour of Harrington
Baker of Hearley
Ballman of Huston
Bartram of Hemphill
Bass of Holloway
Bell Holman
Bishop of Holstein
Blanchard Hook
Bowers Hugo
Boyden Hucaten
Bruschauer Huffman
Bristow Huffer
Bryan of Hughes of Grayson
Bullock of Hughes of Dallas
Byrd of Hutchins
Chapman of Isaacs, Miss
Cline of Jackson
Cloud Jamison
Cole Johnson
Coley Jones
Conley Joseph
Cory Kelly
Cotten Kenneth
Cox Kennedy
Crawford Kilpatrick
Day Koliba
De la Garza of Klename
Dewey Kothmann
Duff, Miss Lalimer
Dugan Laurel
Duncan Lee
Ehrle McDonald
Elliott McGreggor
Elkins of McLennan
Enesigo of Mcgreggor
Ferrell of El Paso
Foreman Mann
Forayth Martin
Glass Matthew
Glusing Maya
Green Moore of Harris

Moore of Tarrant Shannon
Mullen of Tarrant
Murphy of Tarrant
Myatt Shaw
Oliver Sherrill
Olson Black
Parrish Smith of Hays
Patterson Smith of Jefferson
Phippin Stewart
Pool Storey
Puckett Stroman
Ramsey Barton
Richardson Terrell
Russett Thurmond
Sadler Turman
Sandahl Witten
Sanders Welch
Saul Wheeler
Schram White
Schwartz of Galveston Wilson of Young
Schwartz of Winfree Wilson of Potter
Seligson of Waco
Sharp of Tarrant
Tenns of Washington
Thompson Wooley
Shannon of Eurch Zerneck

Absent
Atwell McIlhany
Blaine Ramsey
Baker of Ramsey
Bass Strickland
Bower of McLennan
Buckley Taltasek

Mr. Bass moved to reconsider the vote by which S. B. No. 252 was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 42 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 42, Changing the name of the Texas Prison System to the Texas Department of Corrections and declaring an emergency.

(Mr. Spilman in the Chair.)

The bill was read second time and was passed to third reading.
SENATE BILL NO. 42 ON THIRD READING

Mr. Wdnfree moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 42 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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In the Chair: 

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The Chair then laid Senate Bill No. 42 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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### Senate Bill No. 194 on Third Reading

The Chair laid before the House, on its third reading and final passage, Senate Bill No. 194, Prohibiting any private investigator from attempting to determine the number of paid admissions of theatres without certain authority; and declaring an emergency.

The bill was read third time.

Mr. Blanchard moved that further consideration of Senate Bill No. 194 be postponed until April 25, at 10:30 o'clock a.m.

There was no objection offered and it was so ordered.

### Committee to Escort Former Speakers of the House

The Chair announced the appointment of the following Committee to escort the former Speakers of the House to seats arranged for them, as follows:


### Committee to Escort Speaker Carr and Family

The Chair announced the appointment of the following Committee to escort Speaker Carr and his family to the Speaker's Rostrum:

- Messrs. R. H. Cory, Chairman; Jack Welch, W. S. Heflin, J. T. Ellis, Jr.
(Mr. Spilman in the Chair.)

HONORING SPEAKER WAGGONER CARR AND FAMILY AND PRESENTATION OF GIFTS

Honorable Wade Spilman, who was in the Chair, stated that today had been designated as Speaker's Day.

The Chair requested the Clerk to read H. B. No. 373, previously offered by Mr. Dewey, designating April 24, as Speaker's Day.

The former Speakers present were escorted to seats arranged for them by the Committee appointed to do so.

Speaker Carr and family were escorted to seats on the Speaker's Rostrum.

The Chair presented Honorable Ben Ferrell who introduced Speaker Carr and members of his family, as follows:

Mr. and Mrs. Vincent Carr, parents of the Speaker.

Mr. and Mrs. H. C. Storey, parents of Mrs. Ernestine Carr.

Mr. and Mrs. J. C. Pollard, Jr., and children, sister and brother-in-law of Mrs. Ernestine Carr.

The Chair recognized Honorable Max Smith of Hays County who introduced former Speakers who were present, as follows:


Honorable Max Smith then introduced the wives of the former Speakers who were present.

The Chair presented Honorable R. H. Cory who, on behalf of the Members of the House, presented Mrs. Waggoner Carr with a war rape.

Honorable Joe Ed Winfree was then recognized and introduced David Carr, son of Speaker and Mrs. Carr; Mrs. Ernestine Carr, wife of Speaker Carr, and introduced Honorable Waggoner Carr, Speaker.

Honorable Alonso Jamison, Jr., was recognized and presented Speaker Carr with a scroll officially recording him as Speaker of the House of Representatives of the Fifty-fifth Legislature.

Honorable Joe Chapman was recognized and presented Mrs. Carr, on behalf of the Members, with a gas range.

Honorable Harold Parish was recognized and presented Speaker Carr, on behalf of citizens of the 35th Representative District, with a rifle and a scope.

Honorable W. S. Heath was recognized and, on behalf of the Members, presented David Carr with two model airplanes.

Honorable J. T. Ellis, Jr. was recognized and presented Speaker Carr, on behalf of citizens of South Texas, with fishing equipment.

Honorable Joe Pool was recognized and on behalf of the Members of the House, presented Speaker and Mrs. Carr with a five-piece Samsonite Luggage set.

Honorable Wade Spilman then presented Speaker Carr with a framed copy of the address made by himself in nominating Mr. Carr for the office of Speaker.

Honorable H. J. Blanchard was recognized and, on behalf of the Members, presented Speaker and Mrs. Carr with gift certificates from Souvenir's.

Mr. Spilman then presented Speaker Carr, who addressed the House.

HOUSE BILL ON FIRST READING

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

By Mr. Stewart:

H. B. No. 330, A bill to be entitled "An Act providing for the creation of a County Probation Department in and for Wichita County, Texas; providing for the appointment of a Chief Probation Officer, and such assistant proba-
tion Officers as are determined to be necessary, by the Wichita County Juvenile Board; providing for the fixing of salaries for all personnel of the Wichita County Probation Department by the Wichita County Juvenile Board; providing for the term of appointments of the Chief Probation Officer and his assistants; providing for the certification of expenses incurred by all Wichita County probation officers, by the Juvenile Board; providing for the raising of funds for operation of the Wichita County Probation Department by Wichita County Commissioners Court in accordance with the needs as determined by the Wichita County Juvenile Board; providing for surety fidelity bond by probation officers and other personnel; providing for operation, supervision and control of homes, schools, farms, institutions and other facilities used in the training, education, detention, support or correction of juveniles; providing foster home care for juveniles; providing for acceptance of any grant or device of land or gift or bequest or donation for juvenile program; providing for assessment of court costs in divorce cases for maintenance of child support office and the administration of such funds collected by the Wichita County Juvenile Board; providing for the assessment of court costs for adoption investigation service and the administration of such funds collected by the Wichita County Juvenile Board; providing for investigation of cases involving custody of children; providing for the preparation of records of cases handled by the Probation Department; repealing conflicting laws; and declaring an imperative public necessity for suspension of the constitutional rule requiring bills to be read on three several days in each House.

Referred to the Committee on Counties.

RECESS

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

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

The motion by Mr. Dewey prevailed.

The House accordingly, at 12:05 o'clock p.m., took recess until 2:30 o'clock p.m. today.

AFTERNOON SESSION

The House met at 1:30 o'clock p.m. and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Austin, Texas, April 24, 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. 216. Authorizing the State Building Commission to lease existing buildings situated on property acquired prior to the effective date of this Act by the State Building Commission; and declaring an emergency.

S. B. No. 47. Concerning the Liquidation, rehabilitation, and conservation of insurers; providing general and exclusive procedures for such functions; authorizing the Board of Insurance Commissioners to initiate such proceedings and the appeal therefrom; and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

VOTES RECORDED

By unanimous consent of the House, Mr. Joseph was granted permission to be recorded as voting "yea" on the adoption of the Conference Committee Report on H. J. R. No. 3 on April 23, 1957.

By unanimous consent of the House, Mr. Schwartz of Galveston was granted permission to be recorded as voting "yea" on the motion to table the Amendment offered by Mr. Lee to H. B. No. 103, on April 23, 1957.

By unanimous consent of the House, Mr. Schwartz of Galveston was granted permission to be recorded as voting "yea" on the motion to table the Amendment offered by Mr. Lee to H. B. No. 103, on April 23, 1957.

The House accordingly, at 12:05 o'clock p.m., took recess until 2:30 o'clock p.m. today.
to table the Amendment offered by Mr. McDonald to H. B. No. 103, on April 23, 1967.

By unanimous consent of the House, Mr. Schwartz of Galveston was granted permission to be recorded as voting "yes" on the passage of H. B. No. 103 on engrossment on April 23, 1967.

By unanimous consent of the House, Mr. Schwartz of Galveston was granted permission to be recorded as voting "yea" on the first motion to place H. B. No. 103 on third reading and final passage on April 23, 1967.

SENATE BILL NO. 49 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 49, Relating to the selection of jurors by the jury wheel system in certain counties; and declaring an emergency.

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

SENATE BILL NO. 49 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. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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The Speaker then laid Senate Bill No. 49 before the House on third reading and final passage. The bill was read third time and was passed.

Mr. Jackson moved to reconsider the vote by which S. B. No. 49 was passed and to table the motion to reconsider.

The motion to table prevailed.

COMMITTEE MEETING

Mr. Jones asked unanimous consent of the House that the Committee on Public Lands and Buildings be permitted to meet at this time.

There was no objection offered.

SENATE BILL NO. 220 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 220, Providing for Social Security coverage of certain County School employees; and declaring an emergency.

The bill was read second time.

(Mr. Matthews in the Chair.)

Senate Bill No. 220 was then passed to third reading.

SENATE BILL NO. 220 ON THIRD READING

Mr. Kelly moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 220 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—126

Anderson  Blaine
Armour  Blanchard
Baker  Bowers
Ballman  Boyden
Bartram  Brashear
Baum  Britton
Bell  Bullock
Bishop  Byrd

Nays—3

Chapman  Martin
Cline  Mayo
Cloud  Moore of Harris
Cole  Mullen
Coley  Murray
Conley  Myatt
Cory  Olver
Coz  Osborn
Crouchwait  Parish
Day  Parsons
De La Garza  Patterson
Dewey  Pipkin
Du F. Miss  Prendergast
Dungan  Puckett
Elliott  Richardson
Ellis  Russell
Fenoglio  Sadler
Ford  Sands
Foreman  Sanders
Garza  Schram
Glass  Schwartz
Green  Schwart
Hale  Seeligson
Healey  Shackelford
Hollowell  Shannon of Erath
Holman  Shannon
Holstein  Tarrant
Hooks  Tshawn
Hooey  Shank
Huscher  Sherrill
Huffman  Slack
Huffor  Smith of Hays
Hubbard of Grayson  Smith of Jefferson
Hutchins  Spillman
Isaacs, Miss  Sprigger
Jackson  Stewart
Jamison  Storey
Jones  Strickland
Joseph  Strom
Kennard  Sudderth
Kelly  Sutton
Kennedy  Talasek
Kilpatrick  Terrell
Kolb  Thurmond
Koloth  Watson
Kothmann  Welsh
Latimer  Wheeler
Lee  White
McCoppin  Wilson of Young
McDonald  Wilson of Potter
McGregor  Wintree
of McLean  Wohlford
McGregor  Woolley
of El Paso  Yenak
Melhany  Zbieron
Mann

Nays—3

Cotten  Moore of Tarrant
Johnson
The bill was read third time and was passed by the following vote:

Mr. Slack moved that further alteration of Senate Bill No. 347 be

<table>
<thead>
<tr>
<th>In The Chair</th>
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The bill was read third time and was passed by the following vote:

- Ayes—130
- Noes—0

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- Anderson
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- Ballew
- Green
- Bartram
- Hale
- Base
- Healy
- Bell
- Hearnes
- Bishop
- Hollowell
- Blaine
- Holman
- Blanchard
- Holkien
- Bowens
- Hooks
- Boyton
- Hoey
- Brashar
- Hooper
- Byrom
- Huffman
- Bryan
- Huffer
- Bullock
- Hughes of Grayson
- Byrd
- Hutchinson
- Chapman
- Isaacs, Miss
- Cline
- Johnson
- Cloud
- Jones
- Cole
- Joseph
- Magee
- Kelly
- Conlee
- Kennedy
- Cory
- Kennedy
- Cotman
- Kilpatrick
- Cox
- Korieth
- Crosthwait
- Kothmann
- Day
- Latimer
- de la Garza
- Lee
- Duff, Miss
- McCoppin
- Dugas
- McDonald
- Dungan
- McGregor
- Erlele
- of McLennan
- Elliott
- McGregor
- Ellis
- of El Paso
- Fensong
- Meltany
- Ford
- Mann
- Foreman
- Martin
- Mayes
- Shaw
- Moore of Harris
- Moore of Tarrant
- McLennan
- Mullen
- Black
- Murray
- Smith of Hays
- Mynatt
- Smith of Jefferson
- Oliver
- Spligman
- Osborn
- Springer
- Parish
- Stewart
- Parsons
- Storey
- Patterson
- Strickland
- Pipkin
- Stroman
- Presser
- Suderth
- Pickett
- Sutton
- Richardson
- Talasek
- Russell
- Terry
- Sander
- Thurmond
- Sanders
- Turman
- Saul
- Walsh
- Schram
- Wheeler
- Schwartz
- White
- of Galveston
- Wilson of Young
- Schwartz
- Wilson of Potter
- Sanders
- of Washington
- Seeligson
- Winfree
- Shackelford
- Wooford
- Shannon
- Year
- of Erath
- Shannon
- of Tarrant
- Wheeler
- of Dallas
- Walling
- Jackson
- of Tarrant
- Wheaton
- of Potter
- Winfree
- Wolkiford
- Whitney
- Woodsey
- Shannon of Erath
- Year
- in The Chair |
| Matthew |
| Absent |
| Atwell |
| Jamison |
| Burkett |
| Kolba |
| Cowen |
| Laurel |
| Dewey |
| Pool |
| Ferrell |
| Ramsey |
| Harrington |
| Roberts |
| Hughes of Dallas |
| Walling |
| Jackson |
| Absent—Excused |
| Heflin |
| Tunnell |

SENATE BILL NO. 247 ON SECOND READING

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

- S. B. No. 247, Relating to lease of State lands for oil, gas and mineral production; and declaring an emergency.
- The bill was read second time.
- Mr. Slack moved that further consideration of Senate Bill No. 247 be
April 24, 1957  HOUSE JOURNAL  2097

postponed until April 25, 1957 at 2:15 o'clock p.m.

There was no objection offered and it was so ordered.

COMMITTEE MEETING

Mr. Moore of Tarrant asked unanimous consent of the House that the Committee on Highways and Roads be permitted to meet at this time.

There was no objection offered.

SENATE BILL NO. 348 ON SECOND READING

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

S. B. No. 348, Relating to the prospecting of State lands for certain minerals, and declaring an emergency.

The bill was read second time.

Mr. Slack moved that further consideration of Senate Bill No. 348 be postponed until April 25, 1957 at 2:15 o'clock p.m.

There was no objection offered and it was so ordered.

SENATE BILL NO. 379 ON SECOND READING

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

S. B. No. 379, Relating to the redefining the term “distributor” and the term “first sale” of motor fuel, etc.; and declaring an emergency.

The bill was read second time.

Mr. Slack moved that further consideration of Senate Bill No. 379 be postponed until April 25, 1957 at 2:15 o'clock p.m.

There was no objection offered and it was so ordered.

SENATE BILL NO. 379 ON THIRD READING

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

S. B. No. 379, Relating to the redefining the term “distributor” and the term “first sale” of motor fuel, etc.; and declaring an emergency.

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

SENATE BILL NO. 379 ON THIRD READING

Mr. Strickland moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 379 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—127

Anderson  Ballman
Armor  Bartman
Baker  Bass

Bell  Lattimer
Bishop  Laye
Blaine  Lee
Branagh  Mc-Coppin
Bowers  Mc-Donald
Bosshard  McGregor
Brashar  Mc-George
Bridg  of El Paso
Bryant  McElroy
Bullock  Mem
Bumplock  Martin
Byrd  Mays
Chapman  Moore of Harris
Cline  Muslen

Coley  Mays, Miss
Conley  Murray
Cory  Myatt
Cox  Oliver
Croothwait  Parish
Day  Parsons
de la Garza  Patterson
Dew  Phipps
Duff, Miss  Pool
Dugan  Presier
Ehrle  Peckall
Elliott  Richardson
Ellis  Russell
Everett  Sadler
Fenoglio  Sandahl
Ferrell  Sanders
Finley  Shaw
Ford  Shaw
Foreman  Sherrill
Forrest  Smith of Hays
Fowles  Smith of Jefferson
Fuentes  Smith of San Angelo
Futrell  Smith of San Angelo
Gallegos  Simpson
Hafner  Smithson of Erath
Hale  Shannon of Erath
Healy  Shannon of Tarrant
Hensley  Shaw
Hollowell  Shaw
Holiman  Shaw
Holtstein  Shaw
Hooks  Shaw
Hosey  Steed
Huebner  Stoker
Huffman  Storey
Huffer  Story
Hughes of Grayson  Stewart
Hughes of Dallas  Storey
Hutchins  Strickland
Huskers, Miss  Sudderith
Jackson  Tabor
Jamison  Tallack
Johnson  Terrell
Jones  Thurmond
Joseph  Turman
Kelly  Watson
Kennard  Welch
Kennedy  Wheeler
Kilpatrick  White
Kilpatrick  Wilson of Potter
Koliba  Woolsey
Kornfield  Yezak
Kothmann  Zbranek
The Chair then laid Senate Bill No. 379 before the House on third reading and final passage.

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

**Yeas—133**

Anderson  
Armor  
Baker  
Ballman  
Bartram  
Bass  
Bell  
Bishop  
Blake  
Blanchard  
Bowers  
Boyson  
Brashar  
Britow  
Bryan  
Bullock  
Byrd  
Chapman  
Cline  
Cloud  
Coley  
Conley  
Cory  
Cotten  
Cox  
Crostwhait  
Day  
de la Garza  
Dewey  
Duff, Miss  
Dugas  

**Nays—6**

Cotten  
Moore of Tarrant  
Moore of Young  
Sheridan  
In The Chair  
Matthew  

Absent—Excused

Atwell  
Burkett  
Cowen  
Dugas  
Harrington  
Osborn  
Ramsey  

Heflin  
Tunnell  

Mr. Strickland moved to reconsider the vote by which S. B. No. 379 was passed and to table the motion to reconsider. The motion to table prevailed.
MESSAGE FROM THE SENATE
Austin, Texas, April 24, 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. 428, Relating to the filing with an approval by the Board of Insurance Commissioners of all policy forms, endorsements, and riders based on any life, accident, health, accident and health or hospitalization insurance company, doing business in this state; and declaring an emergency.

S. B. No. 45, Making it a misdemeanor, punishable by fine, for any male minor between 14 and 17 years of age or any female minor between 14 and 18 years of age to drive or operate a motor vehicle while under the influence of intoxicating liquor or in such a way as to violate any traffic law of this state; and declaring an emergency.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

MESSAGE FROM THE SENATE
Austin, Texas, April 24, 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 on the House amendments to Senate Bill No. 308 and requests the appointment of a Conference Committee to adjust the differences between the two Houses:

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

Senators: Moffett, Hanley, Rogers, Ratliff, Smith.

Respectfully Submitted,
CHARLES SCHNABEL,
Secretary of the Senate.

MESSAGE FROM THE SENATE
Austin, Texas, April 24, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives:

H. B. No. 165, Prohibiting the making or filing of false, misleading, or unfounded reports to any governmental agency in this State and for the purpose of interfering with the operation of such governmental agency or with the intent to mislead or蒙ant any officer of such agency; and declaring an emergency.

H. B. No. 25, Authorizing cities to hold an election to authorize the use of proceeds of sale of bonds for other purposes where the purpose for which the bonds were sold has been accomplished by other means or been abandoned; and declaring an emergency. (With Amendments)

H. B. No. 822, Amending the Code of Criminal Procedure so as to provide for the appointment of counsel to represent an indigent accused; and the counsel so appointed shall have at least ten (10) days to prepare for trial; and declaring an emergency.

H. B. No. 392, Amending the Texas Board of Chiropractic Examiners Act giving the Board greater authority to eliminate malpractice; increasing the per diem of members of the Board; and declaring an emergency.

H. B. No. 521, Centering upon the Game and Fish Commission regulatory authority over wildlife resources in Hardin, Freestone, Orange, and Jefferson Counties; and declaring an emergency.

H. B. No. 985, Creating a conservation and reclamation district to be known as "Jefferson County Fresh Water Supply District No. 2"; and declaring an emergency.

H. B. No. 420, Providing additional compensation for deputy sheriffs so as to make its provisions applicable to deputies, assistants and clerks of any district, county or precinct officer; and declaring an emergency.

H. B. No. 875, Restoring criminal jurisdiction in the County Court of Glasscock County; and making other provisions relating thereto; and declaring an emergency.
H. B. No. 171, Providing that the Judge of the Court of Domestic Relations of Hutchinson County, Texas, shall receive such compensation as allowed other District Judges by the laws of this State; and declaring an emergency.

H. B. No. 102, Relating to residence of persons in military service stationed at military installations in the State of Texas for the purpose of filing divorce suits; and declaring an emergency.

H. B. No. 718, Providing for an open season when it shall be lawful to hunt, take or kill squirrel in San Jacinto County, Texas; and declaring an emergency.

H. B. No. 582, Authorizing the Board of Regents of State Teachers Colleges to deliver to the State Highway Commission a right-of-way easement; and declaring an emergency.

H. B. No. 893, Regulating the manner of taking fish in Victoria, Jackson, and Calhoun Counties; and declaring an emergency.

H. B. No. 874, Constituting a local law for the maintenance of the public roads and highways in San Patricio County; and declaring an emergency.

H. B. No. 623 Authorizing cities to sell facilities of municipal fish markets and properties appurtenant thereto; and declaring an emergency.

H. B. No. 736, Concerning salary of purchasing agents of counties that have a population of 100,000 or more; and declaring an emergency.

H. B. No. 649, Permitting consolidation of adjoining and contiguous cities defining the term “consolidation”; and declaring an emergency.

H. B. No. 774, Changing the terms of court of the 6th Judicial District composed of the counties of Lamar and Fannin; and declaring an emergency.

H. B. No. 770, Closing the hunting season on beaver in Lamar County until December, 1965; and declaring an emergency.

H. B. No. 768, Pertaining to a squirrel law for Lamar County; and declaring an emergency.

H. B. No. 749, Closing wild turkey hunting season in Lamar County until November 15, 1965; and declaring an emergency.

H. B. No. 427, Authorizing and directing the Game and Fish Commission to publish information; authorizing sale of publications at not to exceed cost; and declaring an emergency. (With Amendment)

H. B. No. 659, Providing for a cost increase on civil cases to benefit the County Law Library Fund; and declaring an emergency. (With Amendment)

H. B. No. 725, Providing for a reference for Juvenile Courts in counties having a population of 80,000 or more; and declaring an emergency. (With Amendment)

H. B. No. 269, Validating with certain exceptions, previous annuities by cities of less than 100,000 population, of water control and improvement districts, etc., and assumption of their properties, debts, bonds and obligations; and declaring an emergency.

S. C. R. No. 41, Granting permission for Anastacio Vargas to sue the State of Texas.

S. C. R. No. 62, Granting permission for James Barton Brown to sue the State of Texas.

S. C. R. No. 60, Creating a special committee of fifteen (15) members to study the problems and needs of the State's older citizens, and to make specific legislative recommendations on same to the next Legislature.

S. C. R. No. 66, Granting permission to Sammie E. Glass and William B. Glass to sue the State of Texas.

S. C. R. No. 57, Granting permission for M. G. Selman and Jim H. Gordon to sue the State of Texas to recover State's older citizens' properties.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

SENATE BILL NO. 412 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,
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S. B. No. 412, Relating to the ap­
pointment, salary, etc. of certain bail­
iffs: and declaring an emergency.

The bill was read second time.

Mr. Bass moved that further con­
sideration of Senate Bill No. 412 be
postponed until May 1, at 10:00
o'clock a. m.

There was no objection offered and
it was so ordered.

SENATE BILL NO. 450 ON
SECOND READING

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

S. B. No. 450, Authorizing the crea­
tion of Public Hospital Districts by the
Commissioners Courts; and declaring
an emergency.

The bill was read second time.

Mr. Day offered the follow­
ing amendment to the bill:

Amendment No. 1

Sen the Senate Bill No. 450 by add­
ing the following clause after the fig­
ures “($25,000,000.00)”, on line 51,
page 2 of the printed bill, to-wit:

“within a county having an assessed
valuation of not less than Two Hun­
dred Million Dollars ($200,000,000).”

The amendment was adopted.

Senate Bill No. 450 was then pass­
ed to third reading.

SENATE BILL NO. 450 ON
THIRD READING

Mr. Bass moved that the constitu­
tional rule requiring bills to be read
on three several days be suspend­
ed and that Senate Bill No. 459 be placed
on its third reading and final passage.

The motion prevailed by the follow­
ing vote:

Yeas—120

Anderson  Bishop  Bullock
Armour  Blanchard  Byrd
Baker  Bowers  Chapman
Ballman  Boysen  Cleve
Bartram  Bradbury  Cloyd
Bass  Browning  Cory
Bishop  Bryan  Cox
Crooks  Day  de la Garza
Ewing  Dinges  Dunnigan
Elliott  Ellis  Fenoglio
Foreman  Forry  Glass
Glamag  Green  Hale
Hall  Healy  Hendley
Hennessy  Hollinwax  Holman
Holstein  Hooks  Honey
Hoffman  Huffman  Hughes of Grayson
Hutcheson  Jackson  Johns
Joseph  Kelly  Keagy
Kendall  Kennedy  Keliehr
Kuhla  Kelly  Kothmann
Koonrad  Koch  LaLimer
Laurel  Lee  Linfield
Littlefield  Loving  Lockett
Lowe  Lucas  Lucas
Lucas  Luebke  Lucier
McCollins  McDonald  McGrew
McGregor  of El Paso  McInerny
McManus  Mann  Martin
Manley  Mayes  Moore of Harris
Moore of Tarrant  Mullen
Murray  Myatt  Oliver
Osborn  Parish  Patterson
Pipes  Pool  Prewett
Richards  Roberts  Russell
Sandahl  Sanders  Saul
Schram  Schwartz  Schreiner
of Galveston  of Washington
Shackelford  Shannon of Brazoria
Shannon of Tarrant  Sherrill
Smith of Harris
Smith of Jefferson  Springer
Stewart  Stewart  Stroman
Stinson  Talasek  Terrell
Thurmond  Tidwell  Tolman
Tomlinson  Watson  Welch
Wheeler  White  Wilson of Young
Wilson of Potter  Winfree
Woolley  Yeak  Zbranek

Nays—6

Burkett  Parsons  Cotten
Coch  Shaw  Johnson
## 2102 HOUSE JOURNAL

### In The Chair

Matthew

Present—Not Voting

Hughes of Dallas

Absent

Atwell  Sadler
Bell     Seeligson
Cowen    Slack
Erhle    Smith
Ford     Storey
Harrington  Strickland
Huebner  Sudderth
Jamison  Wallyng
Kimsey   Wohlford

Absent—Excused

Heflin  Tunnell

The Chair then laid Senate Bill No. 450 before the House on third reading and final passage.

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

**Yea—130**

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### Mr. Bass moved to reconsider the vote by which S. B. No. 450 was passed and to table the motion to reconsider.

The motion to table prevailed.

NOTICE GIVEN

Mr. Heflin gave Notice that he would on tomorrow call from the
April 24, 1957

MESSAGE FROM THE SENATE

Austin, Texas, April 24, 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 on the local, uncontested calendar:

H. B. No. 535. Transferring a certain tract of land located on Brazos Island in Cameron County from the General Land Office to the Texas State Parks Board; and declaring an emergency.

H. B. No. 581. Relating to pink bollworm control; authorizing the commissioner of agriculture to designate the date or election and polling places where the cotton growers of this State shall have the opportunity to approve or reject the provisions of such Act; and declaring an emergency.

H. B. No. 865, Conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation the taking of the wildlife resources of Dimmit and Zavala Counties; and declaring an emergency.

H. B. No. 878. Creating a County Court at Law No. 2 for Lubbock County, Texas, and making other provisions relative thereto; and declaring an emergency.

H. B. No. 431. Closing the season for hunting wild turkeys in Colorado, Cherokee and Nacogdoches Counties for a period of two (2) years; and declaring an emergency.

H. B. No. 435. Relating to the hunting of deer in Sabine and Nacogdoches Counties; and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

H. B. No. 103. A bill to be entitled "An Act providing for the allocation of one percent (1%) of the total Permanent School Fund to the Available School Fund in compliance with Article 7, Section 5 of the Texas Constitution; and declaring an emergency."

The bill was read third time.

Mr. Sanders raised a point of order on further consideration of H. B. No. 103 at this time on the ground that it violates Rule 9a of the Joint Rules in that it makes an appropriation.

(Speaker in the Chair.)

The Speaker deferred ruling on the point of order until a later time.

MOTIONS TO ADJOURN AND RECESS

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

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

The motion to adjourn was lost. The motion to recess was lost.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following Message from the Governor:

Austin, Texas, April 24, 1957

To the Members of the Fifty-fifth Legislature:

I am returning unsigned Senate Bill 95, which provides for professional unit allocations to certain sparsely settled school districts.

The reason for my not signing this bill is that it is exactly the same measure as House Bill 216 which was passed at an earlier date and which I have already signed.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.

HOUSE BILL NO. 535 ON SECOND READING

Mr. de la Garza moved that all the necessary rules be suspended for the
purpose of taking up and considering at this time, House Bill No. 558.

The motion prevailed by the necessary two-thirds vote.

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 558, A bill to be entitled "An Act authorizing the appointment of a water master in any suit to determine the right of one hundred or more parties to divert or use water of a surface stream in which such rights are asserted to divert or use such water in four or more counties; prescribing the power, duties and authority of the water master; providing the jurisdiction, power and authority of the court in such cases; providing for the employment of necessary deputies and assistants; providing their duties, powers and authority; providing for the compensation of the water master and his office; providing the jurisdiction, power and authority of the court in such cases; providing for the employment of necessary deputies and assistants; providing their duties, powers and authority; providing for the compensation of the water master and other employees provided for in the Act; providing for the assessment of cost of services of the water master and his office; providing for the payment of such costs and making other provisions relating thereto; providing a severability clause; providing this Act be cumulative and declaring an emergency."

The bill was read second time.

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

Amend H. B. No. 558 by inserting between the word "suit" and the word "to" in line one of Section One (1) the following: "where the State of Texas is a party and the purpose of the suit is".

The amendment was adopted.

House Bill No. 558 was then passed to engrossment.

HOUSE BILL NO. 558 ON THIRD READING

Mr. de la Garza moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 558 be placed on third reading and final passage.

The motion prevailed by the following vote:

<table>
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<th>Year</th>
<th>Number</th>
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<td>1872</td>
<td>125</td>
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The Speaker then laid House Bill No. 558 before the House on third reading and final passage.

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>117</th>
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The bill, as passed, was ordered to be engrossed and read for the final time.

Mr. de la Garza moved to reconsider the vote by which H. B. No. 558 was passed and to table the motion to reconsider.
The motion to table prevailed.

On motion of Mr. Spilman and by unanimous consent of the House, the Capitol of House Bill No. 598 was ordered amended to conform with the body of the bill.

MESSAGE FROM THE SENATE

Austin, Texas, April 24, 1945

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 on the local, uncontested calendar:

H. B. No. 436. Fixing the open season for squirrels in Sabine County and prescribing a penalty for violation; and declaring an emergency.

H. B. No. 418, Repealing the requirement that the State Auditor make a financial statement on August 31 of each biennium; and declaring an emergency.

H. B. No. 418. Repealing the requirement that the State Auditor make a financial statement on August 31 of each biennium; and declaring an emergency. (With Amendment)

H. B. No. 342, Allowing elections to be held in McMullen and Comal Counties to determine whether cattle shall be permitted to run at large; and declaring an emergency.

H. B. No. 192, Permitting the use of shrimp trawls in certain waters in Jackson County and Calhoun County when used for the purpose of taking shrimp for bait; and declaring an emergency.

H. B. No. 618, Constituting a local law for the maintenance of the public roads and highways in DeWitt County; and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE BILL NO. 808 ON SECOND READING

Mr. Walling moved that all the necessary rules be suspended for the purpose of taking up and considering at this time, House Bill No. 808.

The motion prevailed by the necessary two-thirds vote.

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

H. B. No. 808, A bill to be entitled "An Act amending Chapter 178, Acts of the 49th Legislature, Regular Session, 1945, (codified in Vernon’s Civil Statutes), so as to regulate the construction and operation of swimming pools and bath houses; authorizing the Texas State Board of Health to adopt rules and regulations covering public health engineering aspects of swimming pool design, water treatment, recirculation, distribution and safety features; defining terms; providing minimum standards of sanitation and health protection relating to swimming pools and bath houses; making other provisions necessary to public health in regard to the design, construction, maintenance and operation of swimming pools and bath houses; defining swimming pool, providing a severability clause and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 808 by striking out all below the enacting clause and substituting therefor the following:

"Section 1. Subdivision (m) of Section 1 of Chapter 178, Acts of the 49th Legislature, Regular Session, 1945, (codified in Vernon’s Civil Statutes), is hereby amended so as to read hereafter as follows:

"(m) Swimming Pool: The term ‘swimming pool’ shall mean any body of water maintained expressly for public recreational purposes, swimming and similar aquatic sports and shall include public bathing suit change rooms, bath houses and all swimming pools that are entirely artificial in construction and are at any time open to the public; including commercial pools, real estate and community pools, pools in hotels, resorts, auto camps, motels, apartments, clubs and in private and public schools. Swimming pools shall not include private pools maintained by individuals for the use of their families and friends."

"Sec. 2. Section 15 of Chapter 178, Acts of the 49th Legislature, Regular Session, 1945, (codified in..."
April 24, 1957

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Veron\'s as Section 15 of Article 4477-1, Vernon\'s Civil Statutes, is hereby amended so as to read hereafter as follows:

Sec. 15. (a) It shall be unlawful for any person, firm, partnership, corporation, public or private, or other business entity or political subdivision of the State to operate a swimming pool, as defined, without first securing a license to operate such swimming pool, as defined, from the Texas State Department of Health. Such license shall be valid for one year from the date of issuance and shall be renewed on expiration. Application for a license, or for the renewal of a license, shall be made to the Texas State Department of Health in writing on forms to be prescribed by that department. The application shall set forth the name of the applicant, whether a person, firm, partnership, corporation, public or private, or other business entity, or political subdivision of the State; the address of the applicant, the location of the swimming pool as defined, for which the license is sought; and such other relevant information as the Department may require. An application for a license, or for the renewal of a license shall be accompanied by a license fee of Twenty-five Dollars ($25.00).

(b) All moneys collected by the Texas State Department of Health, from license fees imposed under this section shall be deposited in the State Treasury every thirty (30) days, as collected, to the credit of a special fund known as Swimming Pool Inspection Fund and all expenditures from this fund shall be on warrant issued by the State Board of Health on warrants issued by the State Comptroller for the purposes and in the amounts set by the Legislature in appropriation bills. Provided, however, that during the biennium beginning September 1, 1957 the State Department of Health shall have power and authority to expend such moneys as may accrue to the Swimming Pool Inspection Fund for the administration and enforcement of this section.

(c) Every person, firm, partnership, corporation, public or private, or other business entity or political subdivision of the State operating a swimming pool, as defined, shall provide and maintain water of such physical and bacteriological quality for swimming purposes which will reduce to a practical minimum any possibility of drowning or transmission of communicable diseases. Minimum standards of water quality are prescribed as follows:

1) Bacteriological: 
   Not more than fifteen per cent of the samples, collected at any considerable period of time, when inoculated for 24 hours at 37 degrees C. on standard nutrient agar, shall contain more than 200 bacteria per ml., nor shall show positive (confirmed) test in any of five 10 ml. portions of water at any time when the pool is in use. All primary fermentation tubes showing gas should be confirmed.

2) Physical: 
   At all times when the pool is in use, the water shall be sufficiently clear to permit a black disc six inches in diameter on a white field, when placed on the bottom of the pool at the deepest point, to be clearly visible from the sidewalks of the pool at all distances up to ten yards measured from a line drawn across the pool through the disc. Visible filaments, matter and sediment should be removed daily. The physical quality of the swimming pool water shall also be maintained so as to prevent irritation of eyes, ears, skin or other discomforts to bathers, and algal growths shall be controlled so as to minimize accident hazards.

3) Chemical: 
   (a) All swimming pools, as defined, shall be designed, constructed and operated so as to minimize to a practical minimum any possibility of injury to bathers or spectators by falls, collision, impact, contact or other manner.

   (b) Every person, firm, partnership, corporation, public or private, or other business entity or political subdivision of the State operating a swimming pool, as defined, will provide adequate means for bather supervision, including employment of an adequate number of qualified life guards and competent operating personnel, the provision of essential first aid medical supplies and equipment, the designation of responsibilities for bather supervision and the rendering of first aid measures and also the responsibilities of swimming pool managers in complying with these specific statutes:
(1) Lifeguards:
Any person, firm, partnership, corporation, public or private, or other business entity or political subdivision of the State operating a swimming pool, as defined, shall provide for one or more lifeguards to be on duty at the pool side at all times when the pool is open and in use by the public, other than paying guests at motels, hotels, apartment houses, auto camps and tourist courts. Lifeguards employed at public swimming pools in Texas must have completed a standard course of instruction in life saving and water safety, equivalent to that offered by the American Red Cross or the Y.M.C.A. They must in fact hold a current certificate of such compliance. Lifeguards shall wear distinguishing suits or emblems so that they may be easily identified by persons using the swimming facilities.

(2) First Aid Supplies:
First aid medical supplies and equipment shall be provided in accordance with practices recommended by the Texas State Department of Health.

(3) Management Responsibilities:
Any person, firm, partnership, corporation, public or private, or other business entity or political subdivision of the State operating a swimming pool, as defined, shall be responsible for establishing administrative procedures covering the supervision to insure the provision of an adequate safety program at the swimming pool under their supervision and also establish the responsibility and authority of the individual designated to render first aid, if such aid is indicated.

(4) To assure compliance with the objectives of this Section the Texas State Board of Health is authorized and directed to adopt reasonable rules and regulations or administrative procedures covering the following:

(1) Rules and regulations covering the public health engineering aspects of swimming pool design, water treatment, recirculation and its distribution, or the construction of bath houses, as well as the swimming pool appurtenances involving the elimination of safety hazards. Also it is prescribed that such rules and regulations include those features of swimming pool operations which would safeguard life, safety and welfare of swimming pool patrons and spectators.

(2) Preparation, Submission and Approval of Plans and Specifications for Swimming Pools. All plans and specifications covering the construction of new swimming pools or the rehabilitation of existing swimming pools shall be submitted to the Texas State Department of Health for review and approval prior to the initiation of construction. The preparation, submission and approval of these plans and specifications is to be in accordance with administrative procedures adopted by the Texas State Board of Health.

(g) The Texas State Board of Health may revoke the license of any person, firm, partnership, corporation, public or private, or other business entity or political subdivision of the State operating a swimming pool, as defined, in this State, after public hearing if it finds that such person, firm, partnership, corporation, public or private, or other business entity or political subdivision of the State has violated any provision of this section or any rule or regulation promulgated by the State Board of Health under the authority of this section.
Within thirty (30) days after the decision of the Texas State Board of Health revoking a license to operate a swimming pool, the affected licensee may appeal such decision or order to the district court of the county in which his swimming pool is operated, or is proposed to be operated, or to the district court in Travis County. Such action shall have precedence over all causes on the docket of a different nature and shall be tried and determined as other civil causes in such court, and the trial in said court shall be de novo. Either party to said action may appeal to the appellate court having jurisdiction over said cause, and said action so appealed shall have precedence in said appellate court over all causes of a different nature theretofore pending; provided that, if the trial of the issue is in sessions, at the time such action occurs, the suit may be tried during such term and stand ready for trial after ten (10) days notice. In all trials under this Section the burden of proof shall rest on the plaintiff who must show...
by a preponderance of the evidence that the decisions, orders and acts complained of are unreasonable and unjust to him. The Texas State Board of Health shall not be required to give an appeal bond in any case appealed to an appellate court. No injunction shall be granted against any order of the Board unless it shall clearly appear that irreparable injury will be done the complaining party if the injunction is not granted."

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

"Sec. 4. The fact that the present laws are inadequate to protect the public health and safety creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Walling moved that further consideration of House Bill No. 385 be postponed until April 26, at 11:00 o'clock a.m.

There was no objection offered and it was so ordered.

MESSAGE FROM THE SENATE
AUSTIN, TEXAS, APRIL 24, 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. 781, Providing a new law for Somervell County; and declaring an emergency.

H. B. No. 331, Authorizing the Board for Texas State Hospitals and Special Schools to sell certain land located in Wichita County; prescribing the procedures, terms and conditions of sale; and declaring an emergency.

H. B. No. 330, Repealing the Penal Code of Texas which makes it unlawful to injure or kill bats; and declaring an emergency.

H. B. No. 189, Providing for the payment of an increased pension to Confederate Veterans; and declaring an emergency.

H. B. No. 88, Providing for voluntary treatment and commitment of narcotic drug addicts in State Hospitals under the jurisdiction of the Board for Texas State Hospitals and Special Schools; and declaring an emergency.

H. B. No. 418, Providing for the creation of the Texas National Guard Armory Board so as to change the membership of the Board; providing present members of the Board shall continue to serve as members for the remainder of their term of office; and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE BILL NO. 914 ON SECOND READING
Mr. Blanchard moved that all the necessary rules be suspended for the purpose of taking up and considering at this time, House Bill No. 914.

The motion prevailed by unanimous consent.

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

H. B. No. 914. A bill to be entitled "An Act authorizing Chapter 249, Acts of the 53rd Legislature, Regular Session, 1953, so as to eliminate the present requirement that charges and rates for water furnished cities and towns of the District shall be uniform regardless of the distance from the source, and to provide that such charges and rates and any penalties to be imposed in connection therewith shall be fixed by the Board of Directors; ratifying, confirming and validating (a) the District and its organization; (b) all acts and proceedings heretofore accomplished by its Board of Directors; (c) all elections heretofore held and bonds heretofore voted
In the District; (d) all water supply contracts heretofore authorized and executed on behalf of the District; and declaring an emergency.

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

### HOUSE BILL NO. 914 ON THIRD READING

Mr. Blanchard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 914 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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The Speaker then laid House Bill No. 914 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 Speaker then laid House Bill No. 914 before the House on third reading and final passage.

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

Mr. Spilman asked unanimous consent of the House that the Committee on Conservation and Reclamation be permitted to meet at this time.

There was no objection offered.

MOTIONS TO RECESS AND ADJOURN

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

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

The motion to adjourn was lost.

The motion to recess was lost.

COMMITTEE MEETING

Mr. Moore of Tarrant asked unanimous consent of the House that the Committee on Highways and Roads be permitted to meet at this time.

There was no objection offered.

MESSAGE FROM THE SENATE

Austin, Texas, April 24, 1957

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

Sirs: I am directed by the Senate to inform the House that the Senate has passed the following on the local, uncontested calendar:

H. B. No. 523, Providing that both males and females who are otherwise qualified, shall constitute the militia and be subject to military duty; and declaring an emergency. (With Amendment.)

H. B. No. 495, Including the Veterans Administration and the Administrator of Veterans Affairs in the exemption from security and bond requirements in action brought in the courts of this State; and declaring an emergency. (With Amendment.)
H. B. No. 615. Closing the season from hunting wild deer in Chambers County for five (5) years; providing a penalty for violation; and declaring an emergency.

H. B. No. 616. Closing the season for hunting alligators in Chambers County for five (5) years; providing a penalty for violation; and declaring an emergency.

H. B. No. 614. Concerning the taking of oysters from the waters of Chambers and Galveston Counties, Texas; providing a penalty; and declaring an emergency.

H. B. No. 470. Amending the Penal Code of the State of Texas so as to set out expressly that it is unlawful to injure or destroy public property of the State of Texas or its political subdivisions without the consent of the person in charge of such property; and declaring an emergency.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE BILL NO. 317 ON SECOND READING

Mr. Strickland moved that all the necessary rules be suspended for the purpose of taking up and considering this bill, House Bill No. 317.

The motion prevailed by the necessary two-thirds vote.

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

H. B. No. 317, A bill to be entitled "An Act amending section 3 (e) of acts of the 46th Legislature, 1937, chapter 276, page 556, as amended, (compiled as Article 8280-119, section 3 (e) Vernon's Texas Civil Statutes), by re-enacting said Section 3 (e) of said act unchanged except for the addition of the specific power, in addition to those already conferred, to the San Antonio River authority to take land used or dedicated for cemetery purposes when necessary or convenient to the exercise of its powers and functions by condemnation in the manner provided by general law upon a showing that it is necessary to take property used for cemetery purposes or that it is necessary or convenient to take property merely dedicated for cemetery purposes; providing for the severability of the provisions hereof and that if any portion of this act is held invalid it shall not affect the validity of the remainder hereof; repealing laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. No. 317 by striking out all of Section 1 and adding in lieu thereof the following:

Section 1. Section 3 (e) of acts of the 46th Legislature, 1937, chapter 276, page 556, as amended (Art. 8280-119, Section 3 (e), Vernon's is hereby amended to read as follows:

"Sec. 3 (e) to acquire by purchase, lease, gift, or in any other lawful manner and to maintain, use, and operate any and all property of any kind, real, personal, or mixed, or any interest therein, within or without the boundaries of the District, necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it by this Act, in the manner provided by General Law with respect to condemnation, at the option of the District, in the manner provided by the Statutes relative to condemnation by Districts organized under General Law pursuant to Section 59 of Article 16 of the Constitution of the State of Texas, the power to condemn lands not heretofore used, but merely dedicated, for cemetery purposes is hereby fully and specifically conferred, in addition to the existing power to so condemn such land, if any, without any limitation except that in the case of land which is actually being used for such purpose it must be shown and found in the course of the condemnation proceedings with respect thereto, which shall be conducted in the manner provided by General Law, that there is a practical necessity to take such land in order to exercise the powers and fulfill the functions of the District, and, further, in the case of land merely dedicated for cemetery purposes, that such land, even though not therefore necessary, will at least
be convenient and useful to the District in the exercise and fulfillment of its said powers and functions. Provided further, that when lands actually in use as cemetery lands with graves thereon be condemned as provided above, said graves shall be removed to appropriate locations, if requested by heirs of the deceased at the expense of the condemning authority.

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

Amend Committee Amendment No. 1 to H. B. No. 317 by adding at the end of Section 1, the following:

"Providing, however, that the condemnation powers herein granted insofar as cemetery lands are concerned, will be applicable only to Bexar, Wilson, Karnes and Goliad Counties."

The amendment was adopted.

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

Amend H. B. No. 317 Committee Amendment No. 1, Section 3(e), page 2, line 5 by striking out the words, "or without."

The amendment was adopted.

Committee Amendment No. 1 as amended was adopted.

House Bill No. 317 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 317 ON THIRD READING

Mr. Strickland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 317 be placed on its third reading and final passage.

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

Year—91

Anderson
Bartram
Bell
Bishop
Blaine
Blanchard
Bowers

Moore of Harris
Moore of Tarrant
Mallory
Murray
Oliver
Osborn
Parsons
Patterson
Pool

Yeas—91

Baker
Baldwin
Bass
Bays

Present—Not Voting

Byrd
Day
Dugas
Dungan

Byrd
Day
Dugas
Dungan

Anderson
Bartram
Bell
Bishop
Blaine
Blanchard
Bowers

Moore of Harris
Moore of Tarrant
Mallory
Murray
Oliver
Osborn
Parsons
Patterson
Pool

Yeas—91

Baker
Baldwin
Bass
Bays

Present—Not Voting

Byrd
Day
Dugas
Dungan

Byrd
Day
Dugas
Dungan
Mr. Strickland moved to reconsider the vote by which H. B. No. 317 was passed to engrossment and to table the motion to reconsider. The motion to table prevailed.

On motion of Mr. Strickland and by unanimous consent of the House, theCaption

By Mr. Shaw:
H. B. No. 2114, A bill to be entitled "An Act amending Acts 1954, 63rd Legislature, Chapter 362; amending Acts 1949, 51st Legislature, as herein are particularly described and defined; providing for the seizure and destruction of any fishing gear or device found in said waters, or on the land within the defined areas unattended or in possession or being used in violation of any of the provisions of this Act; providing a saving, repealing and emergency clause. Referred to the Committee on Game and Fisheries."

By Mr. Bass:
H. B. No. 927, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 5 of Article XVI, Constitution of Texas, to be known as "East Brazoria County Navigation District": prescribing its rights, powers, privileges, duties, functions, and authority; 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 Messrs. Parish and Cory:
H. B. No. 928, A bill to be entitled "An Act pertaining to the use and possession of fishing gear and devices for taking fish or shrimp in the tidal waters of Mosquito Bay and contiguous and connecting waters and in the Gulf of Mexico and along the Gulf Beach within a radius of one mile from the mouth of Cedar Bayou where it enters the Gulf, in Aransas and Calhoun Counties of the State of Texas, comprising the Mosquito Bay-Cedar Bayou Closed Area Sanctuary, as herein are particularly described and defined; providing for the seizure and destruction of any fishing gear or device found in said waters, or on the land within the defined areas unattended or in possession or being used in violation of any of the provisions of this Act; providing a saving, repealing and emergency clause. Referred to the Committee on State Affairs."

By Messrs. Woolsey, Hale, Forsyth and Glazier:
H. B. No. 929, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 5 of Article XVI, Constitution of Texas, to be known as "North Galveston County Navigation District": prescribing its rights, powers, privileges, duties, functions, and authority; 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.
laws in conflict herewith; and declaring an emergency."  
Referred to the Committee on Counties.  

By Mr. Coley:  
H. B. No. 931, A bill to be entitled "An Act fixing the open and closed seasons for squirrels in Montgomery County, Texas; providing a penalty for violation; repealing conflicting laws; and declaring an emergency.  
Referred to the Committee on Game and Fisheries.  

SENATE BILLS ON FIRST READING  
The following Senate Bills received from the Senate were today laid before the House read severally first time and referred to the appropriate Committee, as follows:  
S. B. No. 316 to the Committee on Public Lands and Buildings.  
S. B. No. 444 to the Committee on Insurance.  
S. B. No. 145 to the Committee on Criminal Jurisprudence.  
S. B. No. 97 to the Committee on Insurance.  
S. B. No. 438 to the Committee on Insurance.  
S. B. No. 45 to the Committee on Criminal Jurisprudence.  

BILLS AND RESOLUTION 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 bills and resolution:  
H. B. No. 188, An Act relating to licensing of persons to practice law in this State; amending Acts, 1943, Forty-eighth Legislature, page 397, Chapter 248, Section 1, codified as Article 207A of the Revised Civil Statutes of Texas, providing that law licenses shall be granted to law school graduates upon separation from military service under certain circumstances without requirement of passage of the State Bar Examination and setting out the conditions thereon; further providing for issuance of law licenses without requirement of passage of the State Bar Examination to persons meeting certain conditions of military service, service in the Texas Legislature, membership in the Bar of another state, and residence in Texas; providing for issuance of law licenses to persons now in active military service or entering active service prior to November 1, 1957, and meeting certain conditions relative to such service, graduation from an approved law school, character requirements, residence, and application for license; providing a repealing clause; providing a severability clause; and declaring an emergency.  

H. B. No. 878, An Act creating a County Court at Law No. 2 for Lubbock County, Texas, and making other provisions relative thereto; and declaring an emergency.  

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; etc., and declaring an emergency.  

S. C. R. No. 50 To grant Ben E. Wade permission to sue the State.  

HOUSE BILL NO. 418 WITH SENATE AMENDMENTS  
Mr. Smith of Hays called up with Senate Amendments for consideration at this time.  
H. B. No. 418, A bill to be entitled An Act repealing Section 4 of Chapter 206, General Laws of the Forty-second Legislature, Regular Session, 1931, (Article 689a-3, Vernon's Texas Civil Statutes); and declaring an emergency.  
Mr. Smith of Hays moved that all the necessary Rules be suspended for the purpose of considering in the Senate Amendments to H. B. No. 418.  
The motion prevailed without objection.
Floor Amendment to H. B. No. 418

Amend H. B. No. 418 by striking out all of the whereas clauses following the Caption and before the enacting clause.

Amend Caption to conform to body of bill.

RECESS

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

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

The motion to adjourn was lost.

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

"Our Father, we thank Thee for the privilege enjoyed this morning, of meeting the distinguished Speakers of the House in the years past, together with our present Governor, Honorable Price Daniel. We join these men and women of the House of Representatives and their helpers in honoring our Speaker, Mr. Waggoner Carr. We feel that we have one of the best Speakers the House has ever had; a Christian Statesman, amiable in disposition, firm in decisions as they relate to right against wrong. We lift our voices in Thanksgiving to God for the privilege of working with him and these other men and women of the House, together with their helpers. In His Name.—Amen."

The motion to recess prevailed.

The House accordingly, at 5:01 o'clock p. m., took recess 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:


Constitutional Amendments: H. J. R. No. 45.


Public Health: H. B. No. 511.

Public Lands and Buildings: S. C. R. No. 67.

Representation Before the Legislature: S. B. No. 237.


REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 23, 1967

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 103, A bill to be entitled "An Act providing for the allocation of one per cent (1%) of the total Permanent School Fund to the Available School Fund in compliance with Article 7, Section 5 of the Texas Constitution for the fiscal years beginning September 1st of the years 1967, 1968 and 1969; and declaring an emergency," has carefully compared same and finds it correctly engrossed.

HERMAN YERAK, Chairman.

Austin, Texas, April 23, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.
April 24, 1957

HOUSE JOURNAL

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 315, A bill to be entitled
"An Act making it unlawful for any public official or public employee, or
any agent or person acting in behalf of such public official, to remove, seize, or impound or cause to
be removed, seized, or impounded any motor vehicle without due process of law or without the permission of the lawful owner of the vehicle, with certain exceptions; declaring that the violation of this Act shall be a misdemeanor punishable by fine; providing the owner of a motor vehicle which is removed in violation of this Act shall not be charged a wrecker fee or any other fee for such removal; providing a penalty for such violation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
HERMAN YEZAK, Chairman.
Austin, Texas, April 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. J. R. No. 31, Proposing an Amendment to the Constitution of Texas to provide that all county officials for whom four-year terms of office were authorized in 1954 must resign such office prior to announcing for a different office when more than one (1) year remains unserved of the term for which they were elected, and providing for the filling of such vacancies in the manner now provided by law.

Has carefully compared same and finds it correctly engrossed.
HERMAN YEZAK, Chairman.

Sir: Your Committee on Engrossed Bills to whom was referred
H. J. R. No. 32, Requesting the Texas Legislative Council to make a study concerning all physically handicapped persons in Texas, both children and adults, as to the number of such persons, treatment facilities available, and possibilities for their vocational training or rehabilitation.

Has carefully compared same and finds it correctly engrossed.
HERMAN YEZAK, Chairman.

Sir: Your Committee on Engrossed Bills to whom was referred
H. C. R. No. 64, Granting R. Olsen Oil Company permission to sue the State.

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 Enrolled Bills to whom was referred H. B. No. 188, An Act relating to licensing of persons to practice law in this State; amending Acts, 1943, Forty-eighth Legislature, page 397, Chapter 268, Section 1, codified as Article 307A of the Revised Civil Statutes of Texas, providing that law licenses shall be granted to law school graduates upon separation from military service under certain circumstances without requirement of passage of the State Bar Examination and setting out the conditions thereon; further providing for issuance of law licenses without requirement of passage of the State Bar Examination to persons meeting certain conditions of military service, membership in the Texas Legislature, membership in the Bar of another State, and residence in Texas; further providing for issuance of law licenses to persons now in active military service or entering active service prior to November 1, 1957, and meeting certain conditions relative to such service, graduation from an approved law school, character requirements, residence, and application for license; providing a repealing clause; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

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

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 391, An Act amending Chapter 218, Acts 1949, Fifty-first Legislature, as amended by Chapter 304, Acts 1951, Fifty-second Legislature, providing for two-year terms of Park Commissioners of eligible counties and adding a new section providing that any bonds issued under said Chapter shall be authorized by the Commissioners Court of the county; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

AMOS A. MARTIN, Vice Chairman.

SENT TO THE GOVERNOR
April 24, 1957

H. B. No. 188.

H. B. No. 391.

FIFTY-NINTH DAY
(Continued)
(Thursday, April 25, 1957)

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

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

"Lord Jesus, Thou hast promised to give us the Holy Spirit, if we are willing to open our hearts and let Him in. Make us willing now, that things of eternal significance may begin to happen here. We know down deep in our hearts, that without Thee we can do nothing, but with Thee we can do all things. Let us not be frightened by the problems that confront us; but rather give Thee thanks that Thou hast matched us with this hour. May we resolve, God helping us, to be part of the answer, and not part of the problem. For Jesus sake—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Tunnell for today on motion of Mr. Ferrell.

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

Mr. Harrington for today on motion of Mr. Green.

Mr. Crosswhait for today and remainder of week on account of death in family, on motion of Mr. Watson.