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

H. C. R. No. 14, Inviting the Honorable Sam Rayburn to speak at a Joint Session of the House and Senate at his earliest convenience.

Respectfully,
CHARLES A. SCHNABEL,
Secretary of the Senate.

RESOLUTIONS SIGNED BY THE SPEAKER

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

H. C. R. No. 9, Requesting the Flag of Texas be placed on the flagpole at the south main entrance of the Capitol.
H. C. R. No. 11, To designate Texas Literary Week.
H. C. R. No. 12, To provide for appointment of committee to designate Poet Laureate and alternate Poet Laureate.

RESOLUTIONS RE-REFERRED

The following resolutions, heretofore referred to temporary committees, were re-referred by the Speaker to Committees, as follows:

H. C. R. No. 2, to the Committee on State Affairs.
H. C. R. No. 7, to the Committee on State Affairs.
H. C. R. No. 8, to the Committee on State Affairs.
H. C. R. No. 15, to the Committee on Agriculture.
S. C. R. No. 2, to the Committee on State Affairs.
S. C. R. No. 8, to the Committee on Municipal and Private Corporations.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 109, By Mr. Thurman: In Memory of Mrs. Bowen Pope.

H. S. R. No. 110, By Mr. Thurman: In Memory of C. E. (Charley) Gregory.

H. S. R. No. 112, By Mr. Walker: In Memory of T. F. Calhoon, Jr.

ADJOURNMENT

Mr. Dewey moved that the House adjourn until 10:30 o'clock a.m. tomorrow.

The motion prevailed.

The Benediction was offered by the Reverend Clinton Kersey, Chaplain.

In accordance with the motion to adjourn, the House at 12:20 o'clock p.m., adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORT

The Committee on Counties has filed a favorable report on S. B. No. 16.

FIFTEENTH DAY
(Thursday, February 2, 1961)

The House met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker
Burgess
Adams of Lubbock
Butler
Adams of Titus
Caldwell
Alcala
Cannon
Allen
Carriker
Andrews
Chapman
Airwell
Cole of Harris
Bailey
Cole of Hunt
Balman
Collins
Banzfield, Mrs. 
Counsel
Barlow
Cook
Barres
Cory
Bartram
Cotten
Bass
Crow
Bell
Cowles
Berry
Crais
Blaine
Crews
Boyden
Chreighton
Bridges
de la Garza
Buchanan
Dewey
February 2, 1961  HOUSE JOURNAL  211

Duff, Miss  Miller
Dungan  Moore
Eckhardt  Mullen
Ehle  Murray
Fairchild  Mutchner
Fincher  Nieuwentyt
Floyd  Nugent
Foreman  Oliver
Garrigan  Ousborn
Gibbens  Parsons
Gladden  Peacor
Glass  Peeler
Glasner  Petty
Gree  Pierratt
Grover  Pipkin
Guffey  Preston
Hale  Price
Harling  Quitman
Harrington  Rapp
Haynes  Ratliff
Hendley  Read
Hinshaw  Richards
Hollonwell  Roberts of Hill
Huebner  Roberts of Dawson
Hughes of Grayson  Ross
Hughes of Dallas  Sandahl
Isaacks, Miss  Schram
James  Shannon
Jarnigan  Shiple
Jartis  Slack
Johnson of Dallas  Smith of Bexar
Johnson of Bexar  Smith of Jefferson
Johnson of Bell  Skelton
Jones of Dallas  Smliman
Jones of Travis  Stewart
Kilpatrick  Stew of Galveston
Koliba  Strue
Korich  Thurman
Laff  Thurmood
Lary  Townsend
Latimer  Trevino
La Valla  Tunnell
Leaverton  Walker
Lewis  Ward
Longoria  Watson
McCoppin  Wells
McGregor  Wheatley
McGregor of McLennan  Whittfield
McGregor of El Paso  Wilson of Trinity
Meilhony  Wilson of Potter
Mikkola  Woods
Markgraf  Yezak
Martin  Absent

Richardson  Absent
Kennard  Stewart
Spears  of Wichita
Springer  of Dallas

The Invocation was offered by the Reverend Clinton Kersey, Chaplain, as follows:

"Someone has said:
A load is light, if you carry it right,
Though it weighs as much as a boulder.
But a tiny chip, is too much to bear.
If you carry it—on your shoulder."

May we pray, Heavenly Father, help us today that we might conduct ourselves in a way that will please Thee. May our relationship with each other be pleasing in Thy sight. Help us to work today in a way that our State will be a better and more wholesome place in which to live.

Forgive us our mistakes. In Christ's Name we pray—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Spears for today on motion of Mr. Alaniz.

The following Members were granted leaves of absence as follows:

Mr. Stewart of Wichita for today on account of illness, on motion of Mr. Harrington.

Mr. Kennard for today on account of a death in his family, on motion of Mr. Glass.

Mr. Springer for today on account of a death in his family, on motion of Mr. Ward.

MESSAGE FROM THE SENATE

Austin, Texas, February 2, 1961

Hon. James A. Turman, 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. 55, Providing for the election of trustees by majority vote and providing for a second election in the event no candidate receives such vote at first election; and declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.
HOUSE BILLS ON FIRST READING

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

By Mr. Berry:
H. B. No. 310. A bill to be entitled "An Act relating to liability insurance for peace officers and firemen of certain cities; providing for severity, and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

By Messrs. Pipkin, Murray and de la Garza:
H. B. No. 311, A bill to be entitled "An Act amending paragraph (3) of subsection (e) of Section 1 as added to Chapter 126, Acts of the 43rd Legislature, Regular Session, 1943, by Section 1, Chapter 435, Acts of the 55th Legislature, Regular Session, 1957, which is codified as paragraph (3) of subsection (e) of Section 1 of Article 2654c, Vernon's Texas Civil Statutes, by adding certain classifications pertaining to resident student status; and declaring an emergency."
Referred to the Committee on Appropriations.

By Mr. Caldwell:
H. B. No. 312, A bill to be entitled "An Act creating Brazoria County Road District No. 35 of Brazoria County, Texas under authority of Section 3, Article III, Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof; making it a body corporate and taxing district; describing the boundaries of said district and including provisions relating thereto; granting said district the authority to issue bonds and containing provisions relating to said bonds and the issuance thereof; providing that the fact that said district may overlap other road districts shall not affect said district or the powers granted by this Act; providing for the assumption of bonds of road districts included within said district; containing provisions with respect to abolishing road districts included within said district; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency."
Referred to the Committee on Highways and Roads.

By Mr. Cole of Harris:
H. B. No. 315, A bill to be entitled "An Act regulating the solicitation and collection of funds for charitable purposes; requiring registration of certain charitable organizations and professional fund raisers and solicitors; providing penalties; providing for severability; repealing all laws in conflict; and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. McGregor of El Paso and Miss Isaacks:
H. B. No. 316, A bill to be entitled "An Act amending Section 1 of Article 5.50, Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, as amended, which Section defines the conditions under which group life insurance policies may be delivered in this State, by adding a new paragraph, to be known as paragraph (5), to permit the issuance of group life insurance policies covering members of credit unions; and declaring an emergency."
Referred to the Committee on Insurance.

By Messrs. Atwell and Cowen:
H. B. No. 321, A bill to be entitled "An Act amending Section 6, 7, 9, 12, 13, 15, 17 and 19 of Chapter 179, Acts of the 54th Legislature, Regular Session, 1959, to provide for the issuance of serial numbers to certain vessels; to prescribe certain equipment; to exempt boats eight feet or under from certain requirements; to regulate certain activities; to prohibit local fees; to empower game wardens with certain authority; to provide for certain fees and partial fees with exception thereof; to provide the manner in which the Highway Department may construct and finance certain facilities; repealing Section 18 of said Act; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Mr. Cole of Hunt:
H. B. No. 329, A bill to be entitled "An Act authorizing and empower-
By Mr. Ballman:

H. B. No. 334, A bill to be entitled "An Act providing additional revenue for the support of the state government; amending Article 2905, Civil Statutes of Texas, as enacted by the Fifty-sixth Legislature, Third Called Session, 1959, Chapter 1, relating to the allocation of motor fuel (gasoline) tax; repealing Section (g) of Article 20.01 of Title 122A, Revised Civil Statutes of Texas, as enacted by the Fifty-sixth Legislature, Third Called Session, 1959, Chapter 1, Section 1, relating to a tax on cigarettes; amending Section (g) of Article 20.01 of Title 122A, Revised Civil Statutes of Texas, as enacted by the Fifty-sixth Legislature, Third Called Session, 1959, Chapter 1, Section 1, relating to the definition of 'phonographs'; amending Section (1) of Article 20.01 of Title 122A, Revised Civil Statutes of Texas, as enacted by the Fifty-sixth Legislature, Third Called Session, 1959, Chapter 1, Section 1, relating to air conditioners and component parts used in the assembly and installation of air conditioners; providing for a savings clause; providing a severability clause; repealing laws in conflict; declaring an emergency; and providing for an effective date.

Referred to the Committee on Education.

By Mr. Hughes of Grayson:

H. B. No. 335, A bill to be entitled "An Act amending Article 2905, Revised Civil Statutes of Texas, 1925, as amended, to provide that the Trustees of all Independent School Districts having 150 scholastics or more shall have the power to lease real property for school purposes; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Jones of Travis:

H. B. No. 336, A bill to be entitled "An Act amending House Bill 504, Acts of the 59th Legislature, Regular Session, 1947, Chapter 55, page 84 (appearing as Article 6574B, Vernon's Annotated Civil Statutes), so as to authorize the destruction of certain public records, after reproduction, with exceptions and providing for notice to be given of such proposed destruction; making other provisions relating thereto; providing a severability clause; providing a repealing clause and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hughes of Dallas:

H. B. No. 337, A bill to be entitled "An Act amending Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended, defining terms; providing that judges of certain courts may retire at age 65 if they have served ten (10) years or more, that retirement pay shall be seventy-five percent (75%) of active pay, that such compensation shall not be reduced during his lifetime, that credit shall be given for terms of office spent in the armed forces of the United States; creating the Judicial Retirement Board, establishing its composition and powers and transferring to it records and funds pertaining to judicial retirement from the State Employees Retirement System; providing for financing of the retirement system; providing for retirement due to disability and for proof thereof; providing for payments to widows of retired judges, equalizing retirement pay of judges retiring under prior Acts; providing for the situations of judges of abolished courts, and of persons not judges on attaining age sixty-five (65), and for judges who die, resign, or terminate their service, and for judges who are impeached or removed from office; providing that such judges as they retire are ineligible to practice law; providing for assignment with their consent as
temporary active judges; providing that judges who performed extra-judicial services for counties during their active careers shall continue such services and be compensated at one-half (1/2) their active salaries thereafter; providing a severability clause; providing a repealing clause; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Latimer:
H. B. No. 343, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Abilene State School; to sell and convey same; and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Niemeyer:
H. B. No. 350, A bill to be entitled "An Act exempting Dimmit County from the Act providing for an open archery season for certain animals; amending Section 2A of Chapter 189, Acts of the 56th Legislature, Regular Session, 1959, as amended; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Messrs. Gibbens, Latimer and Bailey:
H. B. No. 351, A bill to be entitled "An Act to reorganize the Forty-second and the Ninetieth Judicial Districts of the State of Texas by removing Shackelford County from the Forty-second Judicial District; and adding Shackelford County to the Ninetieth Judicial District; and making certain other provisions relating thereto; and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Moore:
H. B. No. 352, A bill to be entitled "An Act validating Coleman County Water Control and Improvement District No. 1; validating the boundaries of said district; validating all actions, orders, or other proceedings in connection with its creation, organization and operation; validating all actions, orders or other proceedings relating to the calling, conducting and declaring the results of any confirmation election, or bond election; validating all bonds heretofore voted; validating the appointment of election of directors; providing that bonds of the district shall be authorized investments and eligible to secure deposits of public funds in certain instances; providing for the ad valorem plan of taxation; declaring all included land and property shall be benefited; declaring the district essential; enacting provisions incident and related to the subject; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Curlington:
H. B. No. 353, A bill to be entitled "An Act authorizing the Texas Youth Council to convey a certain tract of land, now a part of a tract of pasture land owned by the State of Texas and used by the Corsicana State Home, to the Corsicana Independent School District in exchange for another certain tract of land adjoining the Corsicana State Home property; prescribing conditions and requirements for the exchange of these properties; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Kennard:
H. B. No. 354, A bill to be entitled "An Act relating to independent examinations of state credit unions, regulation of their bonds, authorization of membership officers, authorization of loan officers and authorization of dividends and credits for state credit unions; amending Articles 2468, 2470, 2471, and 2483 of Vernon's Texas Civil Statutes, as amended, so as to authorize the Banking Commissioner to cause credit unions to have an independent examination by any certified public accountant or licensed public accountant, as well as one or more credit union examiners; so as to require that every person appointed or elected by any credit union to any position requiring the receipt, payment or custod of money or other personal property owned by a credit union, or in its custody or control as collateral or otherwise, give bond by a corporate surety company and to provide the Banking Commissioner to regulate such bonding; to provide for appointment of a membership off-
cer who may be authorized by the board of a state credit union to approve applications for membership under such conditions as the board may prescribe, with a certain limit; to authorize the credit committee of a state credit union to appoint one or more loan officers and delegate to him or them the power to approve loans up to a certain limit; a record of whose action shall be furnished to the credit committee within seven (7) days of action thereupon; and to provide that dividend credit for a month may be accrued on shares which are or become fully paid up during the first ten days of that month; providing for severability; and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Butler:

H. B. No. 355, A bill to be entitled "An Act to repeal Chapter 53, Acts of the 42nd Legislature, 1931, compiled as Article 2372c, Vernon's Texas Civil Statutes, relating to the use of road machinery in conservation of agricultural soils; and declaring an emergency."

Referred to the Committee on Counties.

By Messrs. Richardson, Harding, Gladden, and Cowen:

H. B. No. 356, A bill to be entitled "An Act amending Article 2135 of the Revised Civil Statutes of Texas, 1925, as amended, to provide an exemption from jury service for veterinarians; and declaring an emergency."

Referred to the Committee on Judiciary.

By Messrs. Gladden and Spears:

H. B. No. 357, A bill to be entitled "An Act requiring that motor vehicle bodily injury or property damage liability contracts or policies include provisions for payment of damages to the insured caused by the use or operation of uninsured motor vehicles, and making provisions relative to maintenance of legal actions, payment of claims, and related matters; defining 'insured,' 'uninsured motor vehicle,' and certain other terms; requiring certain fees for the registration of uninsured motor vehicles; prescribing penalties for giving certain false evidence in connection with registration; providing for revocation of registrations and suspension of driver's licenses under certain conditions; providing for collection and disposition of the fees, and creating the Uninsured Motorists Fund; providing for supervision, control and expenditure of the Fund; requiring certain payments to insurance companies writing motor vehicle bodily injury and property damage liability insurance and, based thereon, certain reductions in the rate applicable to uninsured motorists endorsements or provisions; authorizing the State Board of Insurance to fix rates for the coverage required by this Act and empowering it to issue rules and regulations for carrying out the duties imposed on it by this Act; making an appropriation; providing for severability; providing the effective date, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Pearcy:

H. B. No. 360, A bill to be entitled "An Act amending Chapter 1 of H. B. No. 11, Chapter 12, Acts of the 56th Legislature, Third Called Session, providing for simultaneously filing reports and paying the tax on or before May 1 of each year; dispensing with the requirement of filing reports in duplicate; authorizing exchange of information with other states and Federal Govern-
ment; repealing all laws in conflict; and declaring an emergency."
Referred to the Committee on Revenue and Taxation.

By Messrs. Piptsin, Murray and Rapp:
H. B. No. 361, A bill to be entitled
"An Act providing a procedure for service of process on certain non-residents involved in accidents or collisions involving water craft; and declaring an emergency."
Referred to the Committee on Judiciary.

By Mr. McGregor of El Paso, Miss Isaac, and Messrs. Rosen, Mullen, Bailey, Parsons, Trevino, Richarda, Butler, Hinson, Steward of Galveston, C. E. W. N., Richardson, McCopps, Dewey, Floyd, Harrington and Caldwell:
H. B. No. 362, A bill to be entitled
"An Act establishing a new minimum retirement benefit for teachers, providing survivor benefits for teachers accepting retirement prior to September 1, 1957, and declaring an emergency."
Referred to the Committee on Education.

By Mr. Hughes of Grayson:
H. B. No. 363, A bill to be entitled
"An Act to abolish the requirement of unanimous concurrence of the jurors in civil actions and to restore the Constitutional provision permitting nine members of a jury, concurring in civil causes to render a verdict; providing that the verdict shall be rendered by less than the whole number of the jury, it shall be signed by every member of the jury concurring in it; repealing all laws and rules in conflict herewith; requiring verdicts in all criminal cases by unanimous concurrence of all jurors; and declaring an emergency."
Referred to the Committee on Judiciary.

By Mr. Townsend:
H. B. No. 364, A bill to be entitled
"An Act limiting the provisions of this Act to the County of Gillespie, making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any antlerless deer, wild turkey, quail, or fish in said county; and declaring an emergency."
Referred to the Committee on Revenue and Taxation.
February 2, 1961

By Mr. Guffey:

H. B. No. 367, A bill to be entitled
"An Act amending Article 7064, Re­
vised Civil Statutes of Texas, 1925, as last amended, Article 7064a, Re­
vised Civil Statutes of Texas, 1925, as added by Section 5(b), Article 4, Chapter 455, Acts of the 44th Legis­
lature, Third Called Session, 1936, as last amended; and Section 1, Chapter 519 of Acts of the 51st Legislature (codified as Article 4769, Vernon's Texas Civil Statutes) as last amended, to provide an increase of tax on insurance premiums; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Garrison:

H. B. No. 368, A bill to be entitled
"An Act barring the collection of those taxes delinquent prior to and including December 31, 1939; amend­ing Section 1, Chapter 128, Acts of the 44th Legislature, Regular Ses­sion 1935, as amended; providing for an effective date; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Messrs. Cowen, Shannon and Green:

H. B. No. 369, A bill to be entitled
"An Act amending Chapter 9, Ar­ticle 9.14, of House Bill No. 11, as passed by the 54th Legislature, Third Called Session, to provide for refund of motor fuel taxes paid by a transit company on motor fuel used or con­sumed, or to be used or consumed, except the one-fourth (1/4) of the taxes which is allocated to the Avail­able School Fund, by the Constitu­tion of the State of Texas; and amending Article 10.03, subdivision (2) of Chapter 10 of House Bill No. 11, as passed by the 54th Legisla­ture, Third Called Session, to pro­vide for refund of special fuel taxes paid by a transit company on special fuel used or consumed, or to be used or consumed, except the one-fourth (1/4) of the taxes which is allocated to the Available School Fund, by the Constitution of the State of Texas; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Caldwell:

H. B. No. 370, A bill to be entitled
"An Act providing that in all coun­ties having a population of not less than 75,000 inhabitants nor more than 85,000 inhabitants according to the last preceding Federal cen­sus, a biennial audit shall be made of all county books, records, and accounts of district, county and pre­cinct officials, agents or employees including all governmental units of the county, hospitals, farms, and other institutions of the county and all matters pertaining to the fiscal affairs of the county; providing the method of contracting for the bien­nial audit report and payment there­for; providing that annual independ­ent audits may be made in lieu of biennial audits; providing that this audit shall be in addition to the audit reports of the regular county auditors or other special audit re­ports that are made pursuant to Ar­ticles 1428, 1441, and 1441c of Ver­non's Civil Statutes; providing that the first audit shall be made in 1961 and completed prior to December 31, 1961; and a biennial audit shall be made every two years thereafter on the odd numbered years and com­pleted not later than December 31 of such year; providing for a re­pealing clause; and declaring an emergency."

Referred to the Committee on Counties.

By Messrs. McLimany, Burgess, Chapman, Hinson, Struve, Buchanan, Carriker, Townes, Black, Cory, Glass, Johnson of Bell, Thurman and Pfiester:

H. B. No. 371, A bill to be entitled
"An Act providing for the appropri­ation of funds for soil conservation districts, regulating management and the expenditure thereof; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Lack:

H. B. No. 372, A bill to be entitled
"An Act amending the last para­graph of Sec. 12 of Art. 8306 of the Revised Civil Statutes of Texas as amended by the Acts of 1957, 55th Legislature, Ch. 397, so as to provide the method of computing compensation benefits accruing to injured workmen who have sustained partial loss of the use of a member as set out under the scheduled in­juries enumerated in Art. 8306, Sec. 13 with limitations on the amount
By Mr. Lack:

H. B. No. 373, A bill to be entitled "An Act amending Art. 326k-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by District Attorneys in judicial districts containing two or more counties, fixing the maximum salary to be paid such stenographers, providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district, permitting such Commissioners Courts of each county to increase the salary permitted by this Act when the needs of the stenographer requires it and the financial condition of the counties in such district will permit it, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Spears:

H. B. No. 374, A bill to be entitled "An Act relating to the authorized investments of life insurance companies, and in particular repealing inconsistent provisions of Article 3.39 and Article 3.34 of the Insurance Code of the State of Texas, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Connell:

H. B. No. 375, A bill to be entitled "An Act imposing a luxury Sales and Use Tax, as defined; prescribing the administration; the method of enforcement and collection; and providing for the disposition of revenues; repealing all laws in conflict; providing for severability; providing an effective date; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

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

By Mr. Sandahl:

H. J. R. No. 40, A Joint Resolution "Proposing an amendment to Section 46 of Article IV of the Constitution of the State of Texas to delete the provision limiting the territorial jurisdiction of Notaries Public to the county for which appointed and to authorize the Legislature to prescribe their jurisdiction."

Referred to the Committee on Constitutional Amendments.

RESOLUTION SIGNED BY THE SPEAKER

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

H. C. R. No. 14, Inviting the Honorable Sam Rayburn to address a Joint Session.

TO NAME MICHAEL MILLER AND CELESTE ELEANOR HOLT AS MASCOTS OF THE HOUSE

Mr. Cole of Harris offered the following resolution:

H. S. R. No. 120

Whereas, Michael Miller and Celeste Eleanor Holt are proper candidates for Mascot of the House of Representatives; and

Whereas, They are the children of our fellow Member, W. H. Miller and his lovely wife, Eleanor, of Houston, District 2, Place 5; and

Whereas, It is the desire of the House to give honor and recognition to the children of the Members of the House; now, therefore, be it

Resolved, That Michael Miller and Celeste Eleanor Holt are declared Mascots of the Fifty-seventh Legislature and their pictures be placed in the panel with Members of the House.
The resolution was referred to the Committee on Rules.

TO NAME J. COLLIER ADAMS, JR., AND GARY RUBEN ADAMS AS MASCOTS OF THE HOUSE

Mr. Watson offered the following resolution:

H. S. R. No. 123

Whereas, J. Collier Adams, Jr., born June 28, 1952, and Gary Ruben Adams, born October 13, 1953, are proper candidates for Mascots of the House of Representatives; and

Whereas, They are the lovely children of our fellow Member, J. Collier Adams and his charming wife, Barbara, of Lubbock, District 97; and

Whereas, It is the desire of the House to give honor and recognition to the children of the Members of the House; now, therefore, be it

Resolved, That J. Collier Adams, Jr., and Gary Ruben Adams be declared Mascots of the Fifty-seventh Legislature and that their pictures be placed in the panel with Members of the House.

The resolution was adopted.

CONGRATULATORY RESOLUTION ADOPTED

H. S. R. No. 116

Whereas, On December 2, 1960, in the foreign state of Oklahoma, in the oily city of Tulsa, there was born, one James Robinson Cannon, son of Mr. and Mrs. James E. (Buck) Cannon; and

Whereas, This fine young man was blessed by being the nephew of Representative Joe Cannon and his wife, Alice Jean; and

Whereas, Such a relationship as this and such a potential as James Robinson Cannon has to date exhibited, certainly make him eligible to fulfill a destiny that only great and noble Texans may realize; and

Whereas, This youth is the grandson of valiant and respected citizens of the Lone Star State, Mr. and Mrs. James Barnett Cannon and Mr. and Mrs. C. A. Robinson; and

Whereas, The fact that this innocent young man had no choice as to his birthplace, and that his remaining an Oakie would cause constant embarrassment to his Texas relatives; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-seventh Legislature declares James Robinson Cannon to be an Honorary Texan, and wishes him a good life of leather breeches and buckshot, bronco busting on Old Paint, and a pot of pintos at chow always.

The resolution was adopted.

PROPOSED AMENDMENT TO THE RULES

Mr. Harrington offered the following resolution:

H. S. R. No. 106

Be It Resolved That Section 13 of Rule 23 be amended by adding the following paragraph thereto:

"Each conference committee on the part of the House shall prepare and submit in writing to Members of the House, along with the conference report on any bill or resolution, a complete and detailed explanation showing the matter or matters in disagreement as reflected in the House and Senate versions and the manner in which the difference or differences have been resolved by the conference committees as shown in its report."

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

MESSAGE FROM THE SENATE

Austin, Texas Feb. 2, 1961

Honorable James A. Turman, Speaker of the House of Representatives:

Sir: I am directed by the Senate to inform the House that the Sen-
ate has adopted the Conference Committee report on S. C. R. No. 7 by Viva Voce vote.

Respectfully submitted,
CHARLES A. SCHNABEL,
Secretary of the Senate.

TO GRANT PERMISSION TO SU.

lllr. Gladden offered the following resolution:

H. C. R. No. 21
Suit Against State--Tom D. Tay­
or, Dr. William M. Crawford, C. L. Meserole, and Robert C. Green.

Whereas, Tom D. Taylor, Dr. William M. Crawford, C. L. Meserole, and Robert C. Green, all residents of Tarrant County, Texas, allege that each and all of them have suf­fered damages to lands owned by them, and will continue to suffer damages to such lands, as a result of the following:

1. The construction of that portion of Interstate Highway 35W (also known as U. S. Highway 81) lying North of East Lancaster Street in Fort Worth, Tarrant County, Texas, also known as the "North-South Freeway" in Fort Worth, Tar­rant County, Texas.

2. The digging of ditches, cuts, and pits on such lands.

3. The placing of pipes and sewers on and under such lands.

4. The piling of dirt, rock and other debris on such lands.

5. The removal of rock, gravel and soil from such lands.

6. The accumulation of water, pol­luted water, and other unsanitary materials on such lands.

7. The creation of a nuisance.

8. The natural drainage being changed so as to make such lands subject to flood.

9. Trespassing on such lands.

Such lands are in Tarrant County, Texas, and are the lands described in deed dated December 7, 1966, recorded in Vol. 5567, page 385, Deed Records, Tarrant County, Texas, from Maurice A. Harkins to Tom D. Taylor, William M. Crawford, Robert C. Green, and C. L. Meserole, and in deed dated November 29, 1967, recorded Vol. 5164, page 227, from Maurice A. Harkins to Wil­liam M. Crawford, Robert C. Green, and C. L. Meserole, reference being here made to both of said deeds for descriptive purposes.

Whereas, They allege further facts and circumstances in connection with the above listed acts or omissions, all of which are asserted to constitute the basis of a cause of action against the State of Texas and the Texas Highway Department;

and

Whereas, They desire to bring suit against the State of Texas and the Texas Highway Department, as well as others for the damages allegedly suffered by them; now, therefore be it

Resolved, By the House of Rep­resentatives of the State of Texas, the Senate concurring, that Tom D. Taylor, Dr. William M. Crawford, C. L. Meserole, and Robert C. Green are collectively, and each of them separately is, hereby given permis­sion to sue the State of Texas and the Texas Highway Department in any Court of competent jurisdiction to determine whether or not there is liability on the part of the State of Texas or the Texas Highway Depart­ment as a result of the above described alleged damages and further to determine what damages, if any, they are, or either of them is, en­titled to recover from the State of Texas or the Texas Highway Depart­ment. Such suit or suits may be filed at any time within two years from the date this resolution takes effect and not thereafter. In case suit is filed, service of citation or any other necessary processes shall be had upon the Chairman of the Texas Highway Commission and the At­torney General of Texas. The case shall be tried as provided by law for other civil cases and either of the parties shall have the right of appeal. It is understood that no ad­mission of liability by the State of Texas or the Texas Highway Depart­
ADOPTION OF CONFERENCE COMMITTEE REPORT ON S. C. R. NO. 7

Mr. Huebner moved that all the necessary rules be suspended for the purpose of taking up and considering at this time the Conference Committee Report on S. C. R. No. 7.

The motion prevailed by the necessary two-thirds vote.

Mr. Huebner submitted the following Conference Committee Report on Senate Concurrent Resolution No. 7:

Austin, Texas, February 1, 1961

Honorable Ben Ramsey, President of the Senate.

Honorable James Turman, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. C. R. No. 7, have met and have under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

MARTIN,

AIKIN,

HARDEMAN,

CREIGHTON,

KAZEN,

On the part of the Senate.

HUEBNER,

PRESTON,

PIERATT,

COLLINS,

SMITH of Jefferson.

On the part of the House.

CONFERENCE COMMITTEE REPORT

S. C. R. No. 7

Whereas, It is provided by prior law that after the completion of the Supreme Court Building and the removal of the offices of the Supreme Court, the Court of Criminal Appeals and the Attorney General, the space vacated in the State Capitol should be allocated to the Legislature in accordance with its direction; now, therefore, be it

Resolved by the Senate of the State of Texas, with the House concurring, that the Senate be allocated and is hereby assigned the space formerly occupied by the Court of Criminal Appeals (on the east side of the hall), the offices of the State's Attorney and the Court of Criminal Appeals offices (on the east side of the hall), all of which are located on the third floor of the Capitol Building on the east side of the north and south wings, but not including the space formerly occupied by the Clerk of the Supreme Court, nor the consultation room formerly occupied by the Supreme Court; and be it further

Resolved, That all space on the third floor, formerly occupied by the Supreme Court, in the north and south wings' west side and including the center rooms, north and south wings, be allocated to the immediate and permanent use of the House of Representatives; and be it further

Resolved, That the office of the Commissioner of Agriculture and the office of the Board of Pardons and Paroles be removed from the Capitol Building into the State Office Building Number Two at the earliest possible date and that the space now occupied by these offices be allocated to the House of Representatives, providing, however, for the possible exchange by the Senate to the House of Representatives other comparable space for that now occupied by the Board of Pardons and Paroles; and be it further

Resolved, That that space formerly occupied by the Bureau of Labor Statistics on the fourth floor west wing and facing the main stairwell be and is hereby allocated to the use of the Governor's office; and be it further

Resolved, That the space on the first floor west wing south side formerly occupied by the Attorney General and now occupied by the State Treasurer be allocated to the use of the State Treasurer; and be it further

Resolved, That it is the intent of both the Senate and the House of
Representatives to cooperate in an endeavor to provide by any reasonable and practical means any additional space possible in the Capitol Building to the end of creating private or semi-private offices for members of the House of Representatives, and to relieve crowded conditions of certain existing Senate offices; and be it further

Resolved, That the Secretary of the Senate shall cause a copy of this resolution to be directed to the Executive Director of the Board of Control, and the said Executive Director is hereby directed to have the offices which might be now occupied on a temporary basis vacated and that the said Board of Control cooperate in the furnishing or possible reconstruction of these offices into suitable space to be occupied by the State Senate and the House of Representatives.

Mr. Huebner moved that the House adopt the Conference Committee Report on S. C. R. No. 7.

The motion prevailed.

Mr. Huebner moved to reconsider the vote by which the Conference Committee Report on S. C. R. No. 7 was adopted and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE

I wish to be shown as voting "No" on the Conference Committee Report on S. C. R. No. 7. I believe that the Supreme Court of Texas and the Court of Criminal Appeals of Texas, located in the Capitol should be preserved as Historical Shrines. These rooms, where men like Galves, Nelson Phillips, Judge Hickman, Judge Davidson, Judge Hurt and Morrow shaped the civil and criminal jurisprudence of Texas are hallowed and should not be desecrated.

JACK CONNELL

I wish to be shown as voting "No" on the adoption of the Conference Committee Report on S. C. R. No. 7.

MURRAY WATSON

TO GRANT PERMISSION TO SUE THE STATE

Mr. Oliver offered the following resolution:

H. C. R. No. 22

Resolved, That the said Lavon Lakey desires to bring suit against the State of Texas and the Texas Department of Public Safety for damages suffered by him; now, therefore be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, that Lavon Lakey is hereby given permission to sue the State of Texas and the Texas Department of Public Safety in any court of competent jurisdiction to determine whether or not there is liability on the part of the State of Texas or of the Texas Department of Public Safety as a result of this incident, and further to determine what damages, if any, he is entitled to recover from the State of Texas or the Texas Department of Public Safety. Such suit may be filed at any time within two (2) years from the date this resolution takes effect, and not thereafter. In case such suit is filed, service of citation or any other necessary process shall be had upon the Director of the Department of Public Safety and the Attorney General of the State of Texas. Either of the parties to the suit shall have the right to appeal. It is understood that no admission of liability of the State of Texas or of any fact alleged herein is made by the resolution.

The resolution was referred to the Committee on State Affairs.

SENATE BILL NO. 15 ON SECOND READING

The Speaker laid before the House on its second reading and passage to third reading.
S. B. No. 15, Fixing the compensation of the Judges of Tarrant County.

The bill was read second time.

Mr. Cowen offered the following amendment to the bill:

Amend Senate Bill No. 15, Section 1, Line 39 by deleting the word "shall" and substituting the word "may."

The amendment was adopted.

Senate Bill No. 15 was then passed to third reading.

SENATE BILL NO. 15 ON THIRD READING

Mr. Gladden moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Adams of Lubbock

Absent

Dungan | Johnson of Dallas |
Healey | Roberts of Dawson |
Hughes | Smith of Jefferson |
|       | of Grayson |

Absent—Excused

Kennard | Stewart |
Spears  | Spring |

The Speaker then laid Senate Bill No. 15 before the House on third reading and final passage.
The bill was read third time and was passed by the following vote:

- **Yea:** 131

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**Relative to Senate Bill No. 101**

Mr. Bartram asked unanimous consent of the House that the vote by which Senate Bill No. 101 was passed on yesterday be reconsidered.

There was no objection offered and it was so ordered.

**To Request the Senate to Return S. B. No. 101 to the House**

Mr. Hale offered the following resolution:

H. C. R. No. 23

Be it resolved by the House that the Senate be requested to return to the House, Senate Bill 101 for further consideration.

The resolution was read and was adopted.

**Memorial Resolutions Adopted**

H. S. R. No. 117. By Mr. Collins: In Memory of Carlton Emory Adams.
H. S. R. No. 118, By Mr. Mullen: In Memory of Jeff Joseph Allen.

H. S. R. No. 121, By Mr. Roberts of Dawson: In Memory of Judge R. A. (Bob) Mosley.

H. S. R. No. 119, By Mr. McCoppin: In Memory of Henry W. Stillwell.

H. S. R. No. 124, By Mr. Dewey: In Memory of Dr. Frank Cleveland Bolton.

ADJOURNMENT

Mr. de la Garza moved that the House adjourn until 11:00 o'clock a.m., next Monday.

The motion prevailed.

The Benediction was offered by the Reverend Clinton Kersey, Chaplain.

In accordance with the motion to adjourn, the House at 11:44 o'clock a.m., adjourned until 11:00 o'clock a.m. next Monday.

APPENDIX

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 2, 1961

Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 9, Providing for the placing of the Flag of Texas on the existing flagpole at the south main entrance to the Capitol building during the session of the Legislative Body, and directing the State Board of Control to raise and lower same.

Has carefully compared same and finds it correctly enrolled.

James V. Adams, Chairman.

Austin, Texas, February 2, 1961

Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 13, commending the Federal Power Commission for conducting a hearing in Texas and commending Public Officials of the State of Texas for their willingness to protect the interests of the State, its citizens, and the economy of Texas therein.

Has carefully compared same and finds it correctly enrolled.

James V. Adams, Chairman.

Austin, Texas, February 2, 1961

Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 14, inviting the Honorable Sam Rayburn to speak to a Joint Session of the House and Senate at his earliest convenience.

Has carefully compared same and finds it correctly enrolled.

James V. Adams, Chairman.
SIXTEENTH DAY
(Monday, February 6, 1961)
The House met at 11:00 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
Adams of Lubbock
Adams of Titus
Allen
Allen
Atwell
Ballman
Barfield, Mrs.
Barlow
Barros
Bartram
Bass
Bell
Berry
Blaine
Boyd
Bridges
Buchanan
Burgess
Butler
Calhoun
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Cory
Cotten
Cowen
Crow
Curiston
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt

Longoria
McCoppin
McGregor
McGregor
McLamb
McNiece
Miller
Miller
Moore
Mullen
Murray
Mutchler
Niemeyer
Nugent
Oliver
Osburn
Owens
Peary
Peeler
Petty
Pieratt
Pipkin
Preston
Price
Quilliam
Reed
Richards
Richards
Robert of Hill
Robert of Dawson
Rosene
Rozak

Roane
Sandahl
Schram
Schram
Shipley
Short
Sidler
Smith of Bexar
Smith of Jefferson
Snelson
Spears
Spilman
Springer
Stewart
Stewart
Stewart
Strom
Thurman
Thurmond
Townsend
Trevino
Tunnell
Walker
Ward
Watson
Wells
Wheeler
Whitfield
Wilson of Trinity
Wilson of Potter
Woods
Yeak

Bailey

Absent—Excused

Fairchild

McGregor

of El Paso

A quorum of the House was announced present.
The Invocation was offered by the Reverend Clinton Kersey, Chaplain, as follows:

"Heavenly Father, we come before Thy Throne of Grace this morning thankful for the victories of life that we have been privileged to enjoy. Help us today to use those victories for the uplifting of ourselves and our fellow man. Give us vision and courage for our labors of this day. Comfort those with sickness of body or spirit. Forgive us our mistakes and failures. In Christ's Name.—Amen."

LEAVES OF ABSENCE GRANTED
The following Members were granted leaves of absence on account of important business: