H. B. No. 789, An Act creating Jasper County Road District No. 8, of Jasper County, Texas, under authority of Section 52, 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; etc.; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

Austin, Texas, May 3, 1961

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

Sir: Your Committee to whom was referred H. B. No. 789, An Act creating Jasper County Road District No. 8, of Jasper County, Texas, under authority of Section 52, 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; etc.; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

Austin, Texas, May 3, 1961

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

Sir: Your Committee to whom was referred H. B. No. 850, An Act amending Chapter 143 passed at the Regular Session of the Fifty-fifth Legislature of Texas in 1957 relating to the Athens Municipal Water Authority; providing that the territory comprising the Authority shall be confined to that which was embraced within the corporate limits of the City of Athens, Henderson County, Texas, on the 2nd day of May, 1957, (the effective date of the aforementioned Chapter 143 which created the original Authority within said limits) until hereafter enlarged as provided for in this Act; providing that no territory annexed to the City of Athens subsequent to May 2, 1957, shall hereafter be considered a part of said Authority solely by virtue of the annexation thereof to the City of Athens; etc.; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

SENT TO GOVERNOR

May 3, 1961

H. B. No. 189
H. B. No. 200
H. B. No. 226
H. B. No. 260
H. B. No. 312
H. B. No. 352
H. B. No. 392
H. B. No. 393
H. B. No. 394
H. B. No. 396
H. B. No. 411
H. B. No. 412
H. B. No. 431
H. B. No. 432
H. B. No. 507
H. B. No. 515
H. B. No. 516
H. B. No. 517
H. B. No. 520
H. B. No. 521
H. B. No. 546
H. B. No. 547
H. B. No. 570
H. B. No. 582
H. B. No. 591
H. B. No. 592
H. B. No. 637
H. B. No. 645
H. B. No. 660
H. B. No. 661
H. B. No. 670
H. B. No. 681
H. B. No. 689
H. B. No. 695
H. B. No. 749
H. B. No. 750
H. B. No. 789
H. B. No. 791
H. B. No. 859

FIFTY-SEVENTH DAY

(Thursday, May 4, 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:
A quorum of the House was announced present.

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

"Heavenly Father, deliver us from spending all our time on trifles. May we give our best thought and attention to the important things. Teach us to listen to the prompting of Thy Holy Spirit, thus save us from wasting time that multiplies our troubles. Guide us today and instill within us Thy peace. In Christ's Name we pray.—Amen."

Mr. Hale was granted leave of absence for today on account of illness, on motion of Mr. Bridges.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 602, By Mr. Bailey:
In Memory of Mrs. Sam A. Kimmell.

H. S. R. No. 603, By Mr. Bailey:
In Memory of Mrs. Fred Harrell.

H. S. R. No. 609, By Mr. Petty:
In Memory of Mrs. D. E. Magee.

SENATE BILLS ON FIRST READING

The following Senate Bills received from the Senate were today laid before the House, read several times and referred to the appropriate Committees, as follows: S. B. No. 551 to the Committee on Insurance.

S. B. No. 458 to the Committee on Conservation and Reclamation.
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 Messrs. Hinson, Tunnell, and Jarvis:

H. B. No. 1095, A bill to be entitled "An Act making lawful the taking and selling of catfish with certain nets in the Sabine River and its tributaries in Smith, Upshur and Wood Counties; creating a uniform commercial fishing law to conform to the counties bordering Smith, Upshur, and Wood Counties; and declaring an emergency."
Referred to the Committee on Agriculture and Fisheries.

By Mr. Hinson:

H. B. No. 1096, A bill to be entitled "An Act amending Section 1 of Chapter 266, Acts of the 56th Legislature, Regular Session, 1959, relating to the open season for squirrels in Upshur and Wood Counties; and declaring an emergency."
Referred to the Committee on Agriculture and Fisheries.

By Mr. Hinson:

H. B. No. 1097, A bill to be entitled "An Act amending Section 1 of Chapter 267, Acts of the 56th Legislature, Regular Session, 1959, relating to the open season for deer in Upshur and Wood Counties; and declaring an emergency."
Referred to the Committee on Agriculture and Fisheries.

By Mr. LaValle:

H. B. No. 1098, A bill to be entitled "An Act amending Section 4 of Chapter 427, Acts of the 54th Legislature, Regular Session, 1956, as last amended, which is codified as Section 4 of Article 3883l, Vernon's Annotated Civil Statutes, so as to provide higher compensation for county officials of certain counties with high assessed values for tax purposes; and declaring an emergency."
Referred to the Committee on Counties.

By Mr. Harrington:

H. B. No. 1099, A bill to be entitled "An Act authorizing political subdivisions to provide for Workmen's Compensation Insurance for employees; defining words and phrases; providing jurisdiction, powers, duties, and administration; and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. Latimer:

H. B. No. 1100, A bill to be entitled "An Act amending Section 14 of Chapter 159, Acts Regular Session 44th Legislature, page 318, as amended, Acts 1947, 50th Legislature, page 1059, Chapter 120, Section 3, codified as Section 14 of Article 6006, Vernon's Annotated Civil Statutes, and declaring an emergency."
Referred to the Committee on Oil, Gas and Mining.

By Mr. McGregor of El Paso:

H. B. No. 1101, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 60, Constitution of Texas, known as El Paso County Water Control and Improvement District-Westway; declaring the district a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that the district is created to serve a public use and benefit; defining powers of the district; conferring on the district the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation and no hearing on plan of taxation and adopting ad valorem plan of taxation for the district; authorizing the district certain rights, powers, and authority for and in connection with its systems, facilities and other things necessary to the fulfillment of its purposes whether within or without the boundaries of the district, and related matters; providing for governing body of the district; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and
provisions for failing to call director elections and related matters; providing for sale or exchange of bonds or refunding bonds for property acquired or in payment of contract price for work done or materials or services furnished and providing for price of bonds or refunding bonds in such exchange; providing for bonds and refunding bonds to be approved by Attorney General of Texas and registered by the Comptroller of Public Accounts and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; making bonds and refunding bonds eligible investments; making inapplicable certain provisions of Article 7880-77b, Vernon's Civil Statutes, as amended, to the District; exempting property and bonds of District from taxation and related matters; providing District shall bear the expense of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Walker:

H. B. No. 1102, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Hull Fresh Water Supply District'; prescribing its rights, powers, privileges and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; 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.

RELATIVE TO H. B. NO. 115

Mr. de la Garza moved that the Committee on State Affairs be instructed to report immediately on House Bill No. 115.

Mr. Hollowell moved to table the motion by Mr. de la Garza.

The motion to table the motion to instruct the Committee on State Affairs to report immediately on House Bill No. 115 prevailed.

RELATIVE TO H. B. NO. 484

Mr. McGregor of El Paso moved that the Committee on Congressional and Legislative Districts be instructed to report to the House immediately on House Bill No. 484.

Mr. Peary moved to table the motion by Mr. McGregor of El Paso.

A record vote was requested on the motion to table.

The motion to table the motion to instruct the Committees on Congressional and Legislative Districts to report immediately on House Bill No. 484 was lost by the following vote:

Yea—69

Bailey  Hollowell
Balmum  Johnson of Bell
Barlow  Kilpatrick
Bass  Klotz
Bayes  Lack
Buchanan  LaValle
Burgess  Leaverton
Caldwell  McCoppin
Cannon  McGregor
Carriker  McElmurry
Chapman  McIlhany
Cole of Harris  Markgraf
Cole of Houst  Moore
Collins  Mullen
Connolly  Nagele
Dewey  Oehser
Cotter  Pearcy
Crawford  Petty
De la Garza  Pieritt
Dewey  Preston
Duff, Miss  Price
Fischler  Quilliam
Floyd  Read
Forrester  Richards
Garrison  Richardson
Gladden  Roberts of Hill
Harrington  Rosson
Haynes  Sandahl
Hinshaw  Schram
The motion to instruct the Committee on Congressional and Legislative Districts to report immediately to the House on House Bill No. 473 then prevailed.

2 Jour.-5

RELATIVE TO H. B. No. 473

Mr. James moved that the Committee on Congressional and Legislative Districts be instructed to report immediately to the House on House Bill No. 473.

Mr. Pearl moved to table the motion by Mr. James.

A record vote was requested on the motion to table.

The motion to table the motion to instruct the Committee on Congressional and Legislative Districts to report immediately on H. B. No. 473 was lost by the following vote:

Yeas-71
Adams of Titus
Leaverton
Alamia
Longoria
Bailey
McCoppin
Baldwin
Melchany
Barlow
Markgraf
Bass
Hallett
Boyce
Niemeyer
Buchanan
Nugent
Burgess
Osborne
Burr
Perry
Cannon
Pettigrew
Carriker
Ferrill
Chapman
Fresno
Cole of Hunt
Price
Collins
Quillin
Cory
Rapp
Cotton
Richardson
Dewey
Roberts of Hill
Duff, Miss
Rosson
Dungan
Sanabia
Eckhardt
Schram
Foreman
Slider
Gladen
Smith of Jefferson
Glass
Spears
Green
Springer
Guffy
Stewart
Harrington
Grayson
Haynes
Stewart
Hinshaw
Wichita
Hollowell
Springer
Huggins
Thurman
Hull
Waco
Johnson of Bell
Ward
Jones of Travis
Watson
Kilpatrick
Wells
Koroth
Wheatley
Lacy
Yezak

Nays--72
Adams of Lubbock
Barnes
Allen
Bell
Atwell
Berry
Benfield, Mrs.
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<th>Bridges</th>
<th>Lewis</th>
<th>Harling</th>
<th>Oliver</th>
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<td>McGregor of McLennan</td>
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A record vote was requested on the motion by Mr. James. The motion to instruct the Committee on Congressional and Legislative Districts to report immediately to the House on H. R. No. 475 prevailed by the following vote:

Yea's-74

Adams of Lubbock
Cook
Allen
Cowan
Atwell
Grain
Bannfield, Mrs.
Crews
Barnes
Curington
Bartram
de la Garza
Bell
Dungan
Berry
Ehrie
Blaine
Floyd
Bridges
Garrison
Butler
Gibbens
Cole of Harris
Glasing
Connell
Grover

Nay's-70

Adams of Titus
Moberg
Alantis
Leach
Ballay
Leavernon
Ballman
Longoria
Barlow
McCoppin
Hass
McHany
Boyeen
Markgraf
Buchanan
Mullen
Burgess
Niemeyer
Calwell
Nugent
Cannon
Perry
Carriker
Perry
Chapman
Piersatt
Cole of Hunt
Collins
Collins
Cory
Cotter
Coffin
Crawford
Covles
Richardson
Dewey
Roberts of Hill
Duff, Miss
Sandahl
Eckhardt
Schrab
Foreman
Shiner
Gladden
Smith of Jefferson
Glass
Spears
Gross
Springer
Guflay
Stewart
Harding
of Galveston
Harrington
Harnes
of Wichita
Hilson
Struve
Hollowell
Thurman
Hughes
Ward
of Grayson
Watson
Johnson of Bell
Wells
Jones of Travis
Wheelwright
Kennard
Yeak
Kilpatrick
May 4, 1961

**HOUSE JOURNAL**

1715

Andrews
Fairchild
Hale
Absent
Fletcher
Osborn
Absent—Excused

Mr. James moved to reconsider the vote by which the motion to instruct the Committee on Congressional and Legislative Districts to report immediately on H. B. No. 473 prevailed and to table the motion to reconsider.

The motion to table prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 368

Mr. McCoppin submitted the following Conference Committee Report on Senate Bill No. 368:

Austin, Texas, May 2, 1961

Hon. Ben Ramsey, President of the Senate.
Hon. James A. 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. B. No. 368, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

AIKIN, HARDEMAN, DIES, MARTIN, ROBERTS.

On part of the Senate.

GEORGE W. MCCOPPIN, JAMES V. ADAMS, BOB BASS, JOE N. CHAPMAN, STEVE BURGESS.

On part of the House.

By Aikin:

S. B. No. 368, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59 of the Constitution of Texas, comprising certain territory contained in Bowie County, Texas, to be known as 'Bowie County Water Supply District' (hereinafter called district); constituting the same a governmental agency and body politic and corporate; defining the boundaries thereof and declaring that the creation of said district is essential to the accomplishments of the purposes of Section 59 of Article XVI of the Texas Constitution; providing that the purposes of the Act are to provide for construction, acquisition and operation of a water supply and waste disposal system for municipal, domestic and industrial uses; fixing the district's legal domicile; providing for a board of directors, their terms, the filling of vacancies, the selection of successors, fixing their compensation, prescribing the duties and qualifications of such directors, naming the first board of directors and fixing their respective terms, prescribing the rights, powers, privileges and duties of said district; making applicable to the district Title 52, Revised Civil Statutes, or the statutes governing districts organized under General Law pursuant to Section 59 of Article XVI of the Texas Constitution, relating to eminent domain; providing for surveys by district, exempting such surveyors from trespass and fixing penalty for anyone knowingly interfering with such surveys; providing for interbasin transfers of waters between Barkman Creek and Red River in Bowie County, Texas; providing for water and waste disposal contracts with district, priorities to water and waste disposal service and method of contracting, recording of such contracts and effect of such recording as notice there of and of rights created thereby; providing for discontinuance of water and waste disposal service and the order thereof in event of water shortage or inadequacy of facilities; providing means district may employ in securing permits to appropriate waters of Barkman Creek and Red River in Bowie County, Texas; exempting district from execution of cost or supersedeas bonds; prescribing the purposes for which indebtedness may be created and bonds of district may be issued, the method of securing the payment thereof, and the procedure and terms for the issuance and sale of such bonds; providing for the refunding of the district's indebtedness; providing for submission of bond issues to the Attorney General for approval.
and registration thereof by the Comptroller of Public Accounts; providing for the incontestability of bonds so approved and registered; exempting the district's bonds and property from taxation; providing for procedures for protection of bond holders if bonds become in default or default thereof is threatened; providing that bonds of district shall be authorized investments in certain instances and eligible to secure deposits of certain funds; prohibiting the district from levying or collecting taxes or assessments or creating any debt payable out of taxes or assessments; providing that the district shall have power to fix rates and charges for water and waste disposal service furnished; enacting provisions incident and relating to the subject; providing for liberal construction of the Act; providing a severability clause; and declaring an emergency."

Be It Enacted By The Legislature of the State of Texas:

Section 1. (a) Pursuant to authority conferred by Section 59 of Article 14 of the Constitution, there is hereby created within the State of Texas, in addition to the Districts into which the land has heretofore been divided, a conservation and reclamation district to be located wholly within Bowie County, Texas, and known as the "BOWIE COUNTY SUPPLY DISTRICT," hereinafter called "District." The boundaries thereof shall be as follows:

All that part of Bowie County, Texas, described by metes and bounds as follows, to-wit:

Beginning at the S. E. Corner of the Collin McKinney Headright Survey, Bowie County, Texas;

Thence West, following the South line of said survey 1450 feet;

Thence North, on a line parallel to and 1450 West of the East line of the Collin McKinney HRS a distance of 2627 feet;

Thence West 3567.6 feet, more or less, along the East line of the Mary Morris HRS;

Thence South 2120.2 feet, along the West line of the Mary Morris HRS to the Southeast corner of said Mary Morris HRS;

Thence West, 4177.8 feet, more or less, along the South line of the Mary Morris HRS to the Southwest corner of said Mary Morris HRS;

Thence North, 2425 feet, along the West line of the Mary Morris HRS to a point; on the East line of the John Barkman HRS and being a point on the West line of Mary Morris HRS;

Thence West, 3627.7 feet, inside the John Barkman HRS;

Thence South, 2108.2 feet; Thence West, 2391.7 feet; Thence North, 2144.4 feet; Thence West, 2859.6 feet; Thence North, 2100.8 feet; Thence East, 9876.8 feet; Thence North, 2613.6 feet, more or less, to the S. W. Corner of the Wm. C. McKinney HRS;

Thence East 4777.8 feet more or less, to the S. E. Corner of the Wm. C. McKinney HRS;

Thence North, 793 feet, more or less, along the East line of the Wm. C. McKinney HRS to a point; being also a point on the West line of the Collin McKinney HRS;

Thence East, in the Collin McKinney HRS 2627 feet, more or less, to a point in a public road;

Thence North 9 degrees 02 minutes West, 1079 feet, following the center line of the public road, to an angle point;

Thence North, following the center line of the public road, 4450 feet to a point;

Thence East, 2500 feet, more or less, to a point on the East line of the Collin McKinney HRS;

Thence South, 4119 feet along the East line of the Collin McKinney HRS to a point; being also a point on the West line of the Ashley McKinney HRS;

Thence East 4550 feet, more or less, crossing the Ashley McKinney HRS to the East line thereof; being a point in a public road;

Thence South, along the public road, following the East line of the Ashley McKinney HRS 2782 feet, to a point that bears 4764.7 feet north of the southeast corner of said Ashley McKinney HRS;

Thence West, 4550 feet, more or less, crossing the Ashley McKinney HRS to the West line thereof, being also a point on the East line of the Collin McKinney HRS;

Thence South 3647 feet, more or less, following the East line of the Collin McKinney HRS to the Southwest corner thereof, being the point of Beginning.
(b) Such district shall be and is hereby declared to be a governmental agency and a body politic and corporate with the power of governing and with the authority to exercise the rights, privileges and functions hereinafter specified. The creation of such district is hereby determined to be essential to the accomplishment of the purposes of Section 59 of Article XVI of the Constitution of Texas (to the extent hereinafter authorized) for the control, storing, preservation and distribution of the waters of Barkman Creek, its tributaries, and the water of streams which may be transferred from other watersheds into the Barkman Creek watershed, for domestic, municipal, industrial, flood control, power, and other useful purposes, including the collection, treatment and disposal of industrial or commercial wastes, whether fluids, solids or composites. (c) The district shall have no power to levy or collect taxes or assessments, or issue any bonds or create any indebtedness payable out of taxes or assessments, or in any other way pledge the credit of the state, and nothing in this Act or any other Act or law shall be construed as authorizing it to do so.

Sec. 2. Board of Directors. (a) The management and control of all the affairs of such district shall be vested in a board of five (5) directors. Each director shall serve for a term of two (2) years. Any persons shall die, become incapacitated, or otherwise not be qualified to assume his duties under this Act, the remaining directors shall appoint his successor. Succeeding directors shall be appointed as provided for in this Act.

(c) The first two named directors in Section 2(b) above shall serve for a period of one (1) year from the date of their qualification, and the following three named directors shall serve for a full term of two (2) years from the date of their qualification. Upon the expiration of the respective terms of said directors named herein, their successors, and each of them, shall be appointed to serve for a term of two (2) years. All vacancies occurring in the board of directors, except vacancies for an unexpired term, shall be filled by appointment by the State Board of Water Engineers. Any vacancy for an unexpired term shall be filled for such unexpired term by majority vote of the remaining directors.

(d) The board of directors shall elect from its number a president, a vice-president of the district, and such other officers as in the judgment of the board are necessary. The president shall be the chief executive officer of the district and the president of the board. He shall have the same right to vote as any other director. The vice-president shall perform all duties and exercise all power conferred by the Act upon the president when the president is absent or falls or declines to act. The board shall also appoint a secretary and a treasurer, who may or may not be members of the board, and it may appoint such other officers. The treasurer shall give bond in such amount as may be required by the board of directors. The condition of such bond shall be that he will faithfully account for all money which shall come into his custody as treasurer of the district.

(e) The directors shall receive as fees of office a sum not to exceed Ten Dollars ($10.00) per day for each day of service necessary to the discharge of their duties, provided such service is authorized by vote of the board of directors. They shall file with the secretary a verified statement showing the actual number of days of service for any one month on the last day of the month, or as soon thereafter as possible.
Sec. 3. The legal domicile of the district shall be Texarkana, Bowie County, Texas, where it shall maintain its principal office.

Sec. 4. The district may sue and be sued in its corporate name.

Sec. 5. District Powers.

In addition to those herein otherwise mentioned, the district shall be and is hereby authorized to exercise the following powers, rights, privileges and functions and such other powers, rights, privileges and functions as are necessary to carry out the purposes of this Act, to-wit:

(a) Adopt, use and alter a corporate seal;

(b) Make by-laws for the management and regulation of the district affairs;

(c) Appoint officers, attorneys, agents and employees, prescribe their duties and fix their compensation;

(d) Prevent or aid in the prevention of damage to person or property from the waters of Barkman Creek and Red River and their tributaries in Bowie County, Texas;

(e) To prevent or aid in the prevention of soil erosion and floods within the watershed of Barkman Creek and its tributaries, and water transferred to the Barkman Creek watershed, any other stream, for any useful purpose, and to use, distribute and subject to the provisions of Subdivision (b) of this Section, sell said water within or without the boundaries of the district upon such terms and conditions as the district may agree upon. The district is also empowered to acquire by any method in this Act authorized, and to construct and operate, or contract for the operation of, retaining and settling ponds, and all facilities and equipment necessary for relieving or minimizing waste and pollution of water before it reaches any public streams;

(f) Control, store and preserve in a natural condition the waters of Barkman Creek and its tributaries, and water transferred to the Barkman Creek watershed, any other stream, for any useful purpose, and to use, distribute and subject to the provisions of Subdivision (c) of this Section, sell said water within or without the boundaries of the district upon such terms and conditions as the district may agree upon. The district is also empowered to acquire by any method in this Act authorized, and to construct and operate, or contract for the operation of, retaining and settling ponds, and all facilities and equipment necessary for relieving or minimizing waste and pollution of water before it reaches any public streams;

(g) To enter the lands of others for the purpose of making such surveys or otherwise dispose of any property of any kind, real, personal or mixed, or any interest therein or any easements thereon, which shall not be deemed by the district necessary to the carrying on of the business of the district;

(h) To acquire by purchase, lease, gift, or in any manner (otherwise than by condemnation), and to maintain, use and operate, any and all property of any kind, real, personal or mixed, and easements thereon and thereover, or any interest therein located anywhere within or without the boundaries of the district, necessary to the exercise of the powers, rights, privileges and functions possessed by the district;

(i) To acquire by condemnation in fee simple any and all property of any kind, real, personal or mixed, or any interest therein and any easements thereon, within or without the boundaries of the district necessary to the exercise of the powers, rights, privileges and functions possessed by the district;

(j) To acquire by condemnation in fee simple any and all property of any kind, real, personal or mixed, or any interest therein and any easements thereon, within or without the boundaries of the district necessary to the exercise of the powers, rights, privileges and functions possessed by the district;

(k) To enter upon the lands of another or others for the purpose of making such surveys or otherwise dispose of any property of any kind, real, personal or mixed, or any interest therein or any easements thereon, which shall not be deemed by the district necessary to the carrying on of the business of the district;

(l) To enter upon the lands of another or others for the purpose of making such surveys or otherwise dispose of any property of any kind, real, personal or mixed, or any interest therein or any easements thereon, which shall not be deemed by the district necessary to the carrying on of the business of the district;
shall be guilty of a misdemeanor, and upon conviction may be fined in a sum not exceeding the sum of Two Hundred Dollars ($200), and each act of interference shall constitute a separate offense;

(1) To make inter-basin transfers of raw, treated or waste waters between Harkman Creek and Red River and the watersheds thereof in Bowie County, Texas:

(m) To accept grants from the United States of America, or from any corporation or agency created or designated by the United States of America, and in connection with such grant, to enter into such arrangement with the United States of America, or such Corporation or agency as the district may deem advisable; but any rights of the United States under any such arrangements shall be subordinate to the rights of the holders of any bonds issued pursuant to this Act;

(n) To enter into written contracts upon such terms as the district may agree upon with cities, towns, villages, firms, persons and corporations to supply water to and to dispose of waste to those in receipt thereof, such contracts to be recorded in writing, executed and acknowledged as is required of deeds for the conveyance of real estate in Texas; and if such contracts are in writing, executed and acknowledged as in this Subdivision required, they may be recorded in the Deed Records of Bowie County, Texas, and their recording shall be and constitute notice thereof and of the rights thereunder;

(p) In the event of a shortage of water or inadequacy of waste disposal facilities, and without liability for damages on account thereof, the district shall discontinue the furnishing of water and disposal of waste in the inverse order of the dates of such contracts so long as such shortage or inadequacy shall continue;

(q) To make and enter into all other contracts, and to execute instruments necessary to the exercise of the powers, rights, privileges and functions conferred upon said district by this Act.

(r) In the event that the district, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, rerouting or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the district. The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, rerouting, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

Sec. 6. (a) For the purpose of providing a source of water supply, and waste disposal and facilities, for cities and other users for municipal, domestic and industrial purposes, as authorized by this Act, and for the purpose of carrying out any other power or authority conferred by this
Act, the district is empowered to issue its negotiable bonds payable solely from and out of revenues of the district, as are pledged by resolution of the board of directors of said district. Pending the issuance of definitive bonds, the board may authorize the delivery of negotiable interim bonds or notes, eligible for exchange or substitution by use of the definitive bonds.

(b) Such bonds shall be authorized by resolution of the board of directors and shall be issued in the name of the district, signed by the president or vice-president, attested by the secretary, and have the seal of the district impressed thereon. They shall mature serially or otherwise in not to exceed forty (40) years and may be sold at a price and under terms determined by the board of directors to be the most advantageous reasonably obtainable, provided that the interest cost to the district calculated by use of standard bond interest tables currently in use by insurance companies and investment houses does not exceed six and one-half percent (6 1/2%) per annum, and within the discretion of the board may be made callable prior to maturity, at such times and prices as may be prescribed in the resolution authorizing the issuance of such bonds, and may be made registrable as to principal or as to both principal and interest.

(c) Bonds may be issued in more than one series, and from time to time as required for carrying out the purposes of this Act.

(d) The bonds shall be secured by a pledge of all or part of the net revenues of the district, or by the gross revenues of any one or more contracts theretofore or thereafter made, or other revenues specified by the resolution of the board of directors. Any such pledge may reserve the right, under conditions therein specified, to issue additional bonds which may be on a parity with or subordinate to the bonds then being issued. The term "net revenues" as used in this Section shall mean the gross revenues of the district after deduction of the amount necessary to pay the cost of maintaining, improving and operating the district and its properties.

(e) It shall be the duty of the board of directors to fix, and from time to time revise, the rates of compensation for water sold and disposal and other services rendered by the district which will be sufficient to pay the expenses of operating, maintaining, and improving the facilities of the district, and to pay the bonds as they mature, and the interest as it accrues, and to maintain the reserve and other funds as provided in the resolution of the board authorizing the issuance of such bonds. Provided, however, that any contract for the sale of water or for rendering disposal and other services, or both, may provide the extent and circumstances under which the rates of compensation shall be revised, in which event the first sentence of this Subsection shall not apply to such contract.

(f) From the proceeds from the sale of the bonds, the district may set aside an amount for the payment of interest expected to accrue during construction, and a reserve for interest and sinking fund, and such provision may be made in the resolution authorizing the issuance of such bonds. Proceeds from the sale of the bonds may also be used for the acquisition of property, real, personal and mixed, construction of dams, dykes, pumps, pipelines, electric service poles and lines, disposal lines, settling basins and other waste disposal facilities, and for payment of all other expenses necessarily incurred in accomplishing the purposes for which this district is created, including the expenses of the issuance and sale of such bonds.

(g) In the event of a default or threatened default in the payment of principal or interest on bonds, any court of competent jurisdiction may, upon a petition of any one or more of the outstanding bonds of the issue thus in default or threatened with default, appoint a receiver with authority to collect and receive all income of the district, employ and discharge agents and employees of the district, take charge of funds on hand, and manage the proprietary affairs of the district without hindrance by the board of directors. Such receiver may also be authorized by the court to sell or make contracts for the sale of water or water disposal services, and such contracts with the approval of the court appointing him. The court in such circumstances may vest the
receiver with such other powers and duties as the court may find necessary for the protection of the holders of such bonds.

1(c) The district is authorized to issue refunding bonds for the purpose of refunding any outstanding bonds authorized by this Act, as well as the interest thereon. Such refunding bonds may be issued to refund more than one series of outstanding bonds and combine the pledges for the outstanding bonds for the security of the refunding bonds, and may be secured by other or additional revenues. The provisions of this Act with reference to the issuance by the district of such bonds and their approval by the Attorney General and the remedies of the holders shall be applicable to refunding bonds. Refunding bonds shall be registered by the Texas Comptroller of Public Accounts upon surrender and cancellation of the bonds to be refunded, but in lieu thereof the resolution authorizing their issuance may provide that they shall be sold and the proceeds thereof, or any properties owned by the district, such bonds and the refunding bonds, Insured by the Federal Deposit Insurance Corporation, shall be deposited in the manner provided by law for the security of county funds.

1(j) The board of directors shall designate one or more banks to serve as depositories for its funds. All funds of the district shall be deposited in such depository bank or banks except that funds pledged to pay bonds may be deposited with the trustee bank named in the trust agreement. To the extent that funds in the depository banks and the trustee bank are not insured by the Federal Deposit Insurance Corporation, they shall be secured in the manner provided by law for the security of county funds.

1(k) All bonds of the district shall be and are hereby declared to be legal and authorized investments for public funds of counties, cities, towns, school districts, improvement districts, banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, administrators, executors, guardians and trustees of estates. Such bonds shall also be eligible to secure the deposit of any and all public funds of the State of Texas, and any and all public funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas, and shall be lawful and sufficient security for said deposits to the extent of their value, when accompanied by unmatured coupons appurtenant thereto.

1(l) The accomplishment of the purposes stated in this Act for the benefit of the people of this state, and for the improvement of their properties and industries, in the district, in carrying out the purposes of this Act, will be performing an essential public function under the Constitution of Texas, and said district shall not be required to pay any ad valorem or other tax or assessment on the property or any part thereof, any properties owned by said district, and the bonds issued hereunder, and their transfer and the income therefrom, including the profits made on sale thereof, shall at all times be free from taxation within this state.

Sec. 7. The district shall have exclusive power to fix rates and charges, and to determine the terms and conditions of contracts for water
and/or disposal of waste. The rates and charges for water and waste disposal shall never be substantially more than sufficient to retire its indebtedness, and to maintain the reserve prescribed in the resolution authorizing such indebtedness, and to pay the costs of improvements, extensions, operation and administration of such districts.

Sec. 8. The district is authorized to obtain permits for the appropriation of waters from Barkman Creek and Red River, or their tributaries, either directly from the Texas Board of Water Engineers, or by transfers from holders of such permits.

Sec. 9. The district shall not be required to give a cost of superceded bond, or to pay a cost deposit on any appeal from the judgment of any court of this state.

Sec. 10. The Legislature hereby declares that the enactment hereinabove is in fulfillment of a duty conferred upon it by Section 89 of Article XVI of the Constitution of Texas, wherein it is empowered to pass such laws as may be appropriate in the preservation and conservation of the natural resources of the state; that the district herein created is essential to the accomplishment of the purposes of said constitutional provision; and that this Act operates upon a subject in which the state is interested. All the terms and provisions of this Act are to be liberally construed to effectuate the purposes herein set forth.

Sec. 11. If any part, section, subsection, paragraph, sentence, clause, phrase, or word contained in this Act shall be held by the courts to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Act, and the Legislature hereby declares that it would have enacted, and does here now enact, such remaining portions despite any such invalidity.

Sec. 12. The fact that additional sources of water and waste facilities are immediately and urgently needed in the district and the area surrounding the district hereby established, 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. McCoplin moved that the House adopt the Conference Committee Report on Senate Bill No. 388.

The motion prevailed by the following vote:

Year—127

Adams of Lubbock Harling
Adams of Titus Harrington
Allan Haynes
Allen Healy
Andrews Hinson
Alwell Hollowell
Bailey Hughes
Ballman of Grayson
Banfield, Mrs. Hughes of Dallas
Barlow Jamsion
Barnes Jarvis
Bartram Johnson of Dallas
Bass Johnson of Bell
Bell Jones of Dallas
Boyens Jones of Travis
Bridges Kennard
Burgess Kilpatrick
Busier Koliba
Caldwell Koroth
Cannon Lack
Carriker Larry
Chapman of La Valle
Cole of Harris Longoria
Collins McGregor
Connell McCoplin
Cory of McLennan
Cotten of McLennan
Cowen of El Paso
Cowles McGeorge
Cowles of McLennan
Crews Markgraf
Cran of McLennan
Crews Markgraf
Cruising of El Paso
Da la Garza Martin
Dewey Moore
Duff, Miss Muñoz
Dungan Mutchler
Ehrhardt Niemeyer
Erbie Oliver
Fairchild Osborne
Fairchild of Sherman
Fletcher Parsons
Floyd Peary
Foreman Peeler
Foreman Perry
Garrison Petry
Gibbons Pitkin
Gladden Preston
Glass Preston
Glas of McClennan
Glas of McLennan
Glubing of El Paso
Gravem Quilliam
Grovey Ramey
Grover Ratliff
Harding Ratliff
May 4, 1961

H. S. R. No. 606, By Mr. Wheatley: Congratulating Mrs. M. E. Lancaster.


H. S. R. No. 610, By Mr. Bailey: Congratulating the Albany High School Lions.

PRESENTATION OF COMMISSION OF POET LAUREATE OF TEXAS

Mrs. Lorena Simon of Port Arthur, Texas, Poet Laureate of the State of Texas, was escorted to a seat on the Speaker's Rostrum. Speaker Turman recognized the Honorable Roy Harrington of Jefferson County who presented Mrs. Simon with the Commission of Poet Laureate of the State of Texas.

Mrs. Simon addressed the House expressing appreciation for being selected as the Poet Laureate of Texas.
REQUESTING HIGHWAY COMMISSION TO GRANT INCREASE IN SALARY TO HOURLY EMPLOYEES OF STATE HIGHWAY DEPARTMENT

Mr. Parsons offered the following resolution:

H. S. R. No. 604

Whereas, Senate Bill No. 1, the Appropriation Bill, has passed the House and the Senate and is in conference committee; and

Whereas, The hourly employees of the State Highway Department are not included in this raise due to the fact that these employees are governed as to salaries by the Highway Commission; and

Whereas, The hourly employees of the Highway Department are not included in House Bill No. 189, the classification act; and

Whereas, The Members of the House of Representatives desire that the hourly employees of the Highway Department receive a raise comparable to that of other State employees; now, therefore, be it

Resolved, That the House of Representatives desire that the hourly employees of the Highway Department receive a raise comparable to that of other State employees; now, therefore, be it

Resolved, That the House of Representatives desire that the hourly employees of the Highway Department receive a raise comparable to the raise granted to the other State employees by the terms of Senate Bill No. 1; and, be it further

Resolved, That a copy of this resolution be sent to each member of the Highway Commission and to D. C. Greer, State Highway Engineer.

PARSONS, COLLINS, SLIDER.

The resolution was referred to the Committee on State Affairs.

INVITATION TO MRS. MARION MILLER

Mr. Foreman offered the following resolution:

H. S. R. No. 605

Whereas, Mrs. Marion Miller, Los Angeles, California, served as an undercover agent for the Federal Bureau of Investigation. She joined the Communist Party and later reported Communist activities in the F.B.I. She wrote the revealing book, "I Was A Spy." Her heroism has been recognized by former President Dwight D. Eisenhower, Vice-President Richard Nixon, J. Edgar Hoover, the American Legion, Sons of the American Revolution and many other individuals and organizations. She has been honored for her wonderful devotion to her country through this service in the F.B.I.; and

Whereas, Mrs. Miller will speak on the adventure and intrigue of her life in Austin at the Municipal Auditorium on Tuesday, May 16, 1961; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-seventh Legislature invites Mrs. Marion Miller to speak to the House of Representatives on May 16, 1961, at 11:00 a.m.

FOREMAN, JONES of Travis, SANDAHL.

The resolution was referred to the Committee on Rules.

CONCERNING EXCISE TAXATION BY THE FEDERAL GOVERNMENT

The Speaker laid before the House for consideration at this time, H. C. R. No. 68, Concerning excise taxation by the Federal Government.

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

H. C. R. No. 68 was adopted.

RELATIVE TO AMENDING THE TEMPORARY HOUSE RULES

The Speaker laid before the House for consideration at this time, H. S. R. No. 561, Relative to amending the Temporary House Rules.

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

H. S. R. No. 561 was adopted.
RELATING TO 4-H CLUB ACTIVITIES

The Speaker laid before the House for consideration at this time, S. C. R. No. 21, Relating to 4-H Club Activities.

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

S. C. R. No. 21 was adopted.

RELATIVE TO CERTAIN STUDY REGARDING THE FINANCING OF THE FOUNDATION SCHOOL PROGRAM

The Speaker laid before the House for consideration at this time, H. S. R. No. 587, Relative to certain study regarding the financing of the Foundation School Program.

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

H. S. R. No. 587 was adopted.

REQUESTING THE TEXAS LEGISLATIVE COUNCIL TO STUDY HEALTH AND WELFARE SERVICES OF THE STATE AND THE APPOINTMENT OF AN ADVISORY COMMITTEE

The Speaker laid before the House for consideration at this time, S. C. R. No. 33, Requesting the Texas Legislative Council to study health and welfare services of the State and the appointment of an advisory committee.

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

S. C. R. No. 33 was adopted.

AMENDMENT TO H. B. NO. 107

Mr. Woods asked unanimous consent of the House to show the following amendment to House Bill No. 107 adopted in lieu of an amendment offered by Mr. Woods on yesterday and adopted on yesterday, in order to correct a reference to a section to be amended.

There was no objection offered and it was so ordered.

Amend House Bill 107 by striking all below the enacting clause and substituting therefor the following:

"Section 1. That Chapter 28, Acts of the Fifty-sixth Legislature, Regular Session, 1959, be amended so that it shall hereafter read as follows:

'Section 1. Any person retired from service under the Teacher Retirement System of Texas and receiving benefits under the System may be employed, on a part-time, day to day, basis only, as a substitute teacher in the public schools or in fully or partly State-supported institutions of higher education for a period not to exceed eighty (80) days in a single school year without affecting existing benefits under the Retirement System, including the right to receive retirement allowance. Any such person who reports for duty as a substitute teacher during any day and works any portion of the day, shall be considered to have taught one day. The substitute employment does not entitle the person to additional creditable service under the Retirement System.

Sec. 1a. Any person receiving service retirement under the Teacher Retirement System of Texas and who is over sixty-five (65) years of age may be employed as a teacher by a State-supported college or university in this State for as much as a one-third time basis, which shall in no event exceed six (6) semester hours. This employment of a person receiving service retirement shall not affect his right to continue to receive benefits under the Teacher Retirement System of Texas. However, this employment does not entitle the person to receive additional creditable service under the Teacher Retirement System of Texas and the person so employed shall not be required to make further contributions to the Teacher Retirement System of Texas.

Sec. 2. Any retired person who exceeds eighty (80) days of substitute teaching or who is again employed in any position in the public schools of Texas shall, except as provided in Section 1 above, forfeit all retirement benefits for any month in which such employment occurs.'
Section 2. The fact that the State is in urgent need of additional part-time teachers and the sixty-day period now allowed for re-employment of retired teachers during any single school year is often insufficient in communities and cities where the shortage of part-time teachers is critical creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and that 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.

AMENDMENT TO H. B. NO. 1046

Mr. Cory asked unanimous consent of the House to show the following Amendment to H. B. No. 1046 yesterday, the bill having been passed on yesterday.

There was no objection offered, and it was so ordered.

Amendment No. 1

Amend H. B. No. 1046 by deleting everything after the enacting clause and substituting in lieu thereof the following:

1. This Act shall apply only to that portion of Matagorda Island lying to the North and East of the Northeast line of the Powers and Hewston Grant No. 2 as recorded in the State General Land Office, Austin, Texas, and as shown on the map entitled "San Antonio Bay and vicinity" Aransas and Calhoun Counties, August 1, 1948. It shall be unlawful, except as provided in this Act, for any person to hunt, take, kill, or possess, or attempt to hunt, take, kill, trap or possess, or attempt to take, kill or trap any fur-bearing animal on said lands at any time; or to take, kill, trap or possess, or attempt to take, kill or trap any fur-bearing animal on said lands at any time, unless the owner of the land, or his duly authorized agent, shall give consent thereto.

Sec. 2. It shall be the duty of the Game and Fish Commission to conduct, from time to time, or continuously, scientific research investigations and studies of the supply, economic value, environment, breeding habits, and so far as possible the sex ratio of the different species of game animals, fur-bearing animals, as well as the factors affecting their increase or decrease, particularly with reference to hunting, trapping, disease, infestation, predation, agricultural pressure, population, and any and all other factors that enter into a reduction or an increase in the supply of such wildlife resources of the lands. Pursuant to and based upon such studies, said Commission shall enter its findings of fact with respect thereto, and if, in the opinion of the Commission, an open season or period of time may be set for any of the wildlife resources of said lands, said Commission shall be granted the authority, power, and duty to provide, by proclamation, rule, or regulation, from time to time, periods of time when it shall be lawful to take a portion of the wildlife resources on said lands, when its investigation and findings of fact disclose there is an ample supply of such wildlife resources that a portion thereof may be taken which will not threaten depletion or waste of such supply. It shall also, by proclamation, rule, or regulation, from time to time, provide the means and the method and place and the manner in which such wildlife resources may be lawfully taken; provided, however, that it shall be unlawful for any person to hunt, take, kill or possess, or attempt to hunt, take, or kill any game animal on said lands at any time; or to take, kill, trap or possess, or attempt to take, kill or trap any fur-bearing animal on said lands at any time, unless the owner of the land, or his duly authorized agent, shall give consent thereto.

Pursuant to and based upon such studies, said Commission shall enter its findings of fact with respect thereto, and if, in the opinion of the Commission, an open season or period of time may be set for any of the wildlife resources of said lands, said Commission shall be granted the authority, power, and duty to provide, by proclamation, rule, or regulation, from time to time, periods of time when it shall be lawful to take a portion of the wildlife resources on said lands, when its investigation and findings of fact disclose there is an ample supply of such wildlife resources that a portion thereof may be taken which will not threaten depletion or waste of such supply. It shall also, by proclamation, rule, or regulation, from time to time, provide the means and the method and place and the manner in which such wildlife resources may be lawfully taken; provided, however, that it shall be unlawful for any person to hunt, take, kill or possess, or attempt to hunt, take, or kill any game animal on said lands at any time; or to take, kill, trap or possess, or attempt to take, kill or trap any fur-bearing animal on said lands at any time, unless the owner of the land, or his duly authorized agent, shall give consent thereto.

2. The fact that the State is in urgent need of additional part-time teachers and the sixty-day period now allowed for re-employment of retired teachers during any single school year is often insufficient in communities and cities where the shortage of part-time teachers is critical creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and that 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.
or size that may be taken. Such proclamation, rule or regulation shall provide the method or means by which such numbers of such species of game animal or fur-bearing animal, or size thereof, may be killed in any area by virtue of an Act of God or from any cause or effect of over-population, that will aid in the re-establishment of normal numbers of such species.

Sec. 4. "Depletion" as used in this Act shall be construed to mean the reduction of a species below immediate reproductive potentials by any cause or as a result of over-population, or from any cause or effect of over-population, that will aid in the re-establishment of normal numbers of such species.

Sec. 5. "Waste" as used in this Act shall be construed to mean the killing of such species or sex thereof in said area by virtue of an Act of God, such as from flood, hurricane, fire or drought, or from any cause or effect of over-population, or from any cause or effect of over-population, that will aid in the re-establishment of normal numbers of such species.

Sec. 6. The Game and Fish Commission's proclamation, rule or regulation permitting the hunting or taking of antlerless deer shall not be valid until the owner, or person in charge of the land upon which antlerless deer are to be taken, shall have agreed in writing to the removal by hunting of such antlerless deer from his tract under supervision and regulation of said Commission; and to the number of antlerless deer which may be removed therefrom. No person shall, in any event, hunt or kill any antlerless deer without first having procured an antlerless deer permit issued by the Game and Fish Commission. Such antlerless deer permit shall be issued in such form and under such rules as may be prescribed by the Game and Fish Commission.

Sec. 7. Orders, rules and regulations shall be adopted by a quorum of said Commission, and only at any regular or special Commission meeting or meetings, at the date and time of which each Commissioner shall have been notified in writing by the Executive Secretary of said Commission (or his assistant in his absence), and such meetings for such purpose shall be held only in said Commissioner's office at Austin, Texas. Any person interested shall be entitled to be heard at such meetings and to introduce evidence as to immediate or preventive potentials by any cause or effect of over-population, that will aid in the re-establishment of normal numbers of such species.

Sec. 8. Orders, rules and regulations adopted by said Commission shall constitute a quorum; and provided further, that no order, rule or regulation, general or local, shall be adopted at any regular or special meeting of the Commission unless and until a quorum is present.

Sec. 9. Immediately after its adoption a copy of each order, rule or regulation adopted by said Commission shall become effective fifteen (15) days after their adoption, except in case of emergency as provided in this Act, and shall continue in full force and effect until they shall expire by their own terms, or are revoked or amended by the Commission.
The Game and Fish Commission is hereby expressly given the power and authority to review its own orders and to modify or revise the same as it shall find the facts to warrant. Any suit that may be filed to test the validity of any proclamation, order, rule, or regulation of the Commission, passed pursuant to this Act, must be brought in the county where such order is to be effective, and not elsewhere. Such suit shall be advanced by trial and determined as quickly as possible. In all such trials the burden of proof shall be upon the party complaining of such order, proclamation, rule or regulation to show it is invalid.

Sec. 12. (a) Any person who shall violate any provision of this Act, or any person who shall violate any proclamation, order, rule, or regulation issued by the Game and Fish Commission under the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not less than Ten Dollars ($10) nor more than Two Hundred Dollars ($200). For the purpose of this Act, the wildlife resources of said lands are defined to be all the game animals and fur-bearing animals of all kinds, collared peccary, commonly called javelina.

Sec. 13. For the purpose of this Act, the wildlife resources of said lands are defined to be all the game animals and fur-bearing animals of all kinds, collared peccary, commonly called javelina.

Sec. 14. All laws and parts of laws, both general and special, prescribing an open season or period of time when it shall be lawful to take or kill any of the wildlife resources of said lands, together with all laws prescribing a closed season for such killing or taking, and all laws and parts of laws, general and special, prescribing or limiting the method or means of taking in such season or parts of the wildlife resources of said lands are taken; be and the same as hereby repealed. Any and all laws, general and special, in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Sec. 15. It is hereby declared to be the legislative intent to enact each separate provision of this Act, independent of all other provisions, and the fact that any section, word, clause, sentence, or part thereof; and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause or part thereof, irrespective of the fact that any section, sentence, clause or part thereof may be declared unconstitutional.
wildlife resources of said lands from depletion and waste; and the further fact that the calendar of both houses of the Legislature are crowded, create an emergency and an imperative public necessity authorizing the suspension of the Constitution at Rule requiring bills to be read on three several days in each House; and said Rule is hereby suspended; and this Act shall be in full force and effect from and after its passage, and it is so enacted.

SENATE BILL NO. 135 ON PASSAGE TO THIRD READING

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

S. B. No. 135, Relative to creating a Juvenile Board for Galveston County, and declaring an emergency.

The bill was read second time on March 15, considered on March 29, April 12 and April 27, and further consideration was postponed until 11:00 o'clock a.m. today.

Mr. Stewart of Galveston offered the following amendment to the bill:

Amend Senate Bill No. 135 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby established a County Juvenile Board in and for the County of Galveston, to be known as the Galveston County Juvenile Board, which Board shall be composed of the County Judge, the Judges of the Juvenile and Domestic Relations Court, the Judges of the several District Courts in and for Galveston County, and eight citizen members, four (4) to be appointed by the commissioners court as being necessary in the performance of the duty of such officer. The appointment of said Juvenile Officer and Assistant Juvenile Officers shall be filed in the Office of the County Clerk of said county, and such officers shall take the oath to perform their duties and file such oaths in the office of the County Clerk of said County. The appointment of the County Judge and Domestic Relations Court may remove the Juvenile Officer or an Assistant Juvenile Officer at any time.

Sec. 2. The said Juvenile Officer and Assistant Juvenile Officers shall have the authority, powers and duties authorized by Article 1354 of the Revised Civil Statutes of Texas, 1925, and any amendments thereto.

Sec. 3. The Commissioners Court of Galveston County may appoint such automobiles for the official use of said Juvenile Officer and Assistant Juvenile Officers and provide for the expense of operating the same, as recommended by the Board.

Sec. 4. This Act shall be cumulative of existing laws; and any laws in conflict herewith are repealed to the extent of such conflict only.

Sec. 5. If any portion of this Act is held unconstitutional by a court of competent jurisdiction, the remaining portion shall, nevertheless, be valid the same as if the invalid portion had not been a part hereof.

Sec. 6. The fact that the Juvenile Board created hereunder must coincide with the creation of the Juvenile and Domestic Relations Court of Galveston County creates an emergency.

receive no compensation for their services on said Board.

Sec. 7. The Act of the Juvenile and Domestic Relations Court of Galveston County may appoint dis-
The amendment was adopted.

S. B. No. 135 was passed to third reading.

SENATE BILL NO. 135 ON THIRD READING

Mr. Stewart of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 135 be placed on third reading and final passage.

The motion prevailed by the following vote:

Year—141

Adams of Lubbock  Duff, Miss
Adams of Titus  Dungan
Allen  Ehrle
Andrews  Falchid
Atwell  Fletcher
Bailey  Floyd
Ballman  Foreman
Banfield, Mrs.  Garrison
Barlow  Gibson
Barnes  Gladden
Bartram  Glasing
Bass  Green
Bell  Grover
Blaine  Gufey
Boyce  Harding
Bridges  Haring
Buchanan  Harrington
Burgess  Haynes
Butler  Healy
Caldwell  Hinson
Canon  Hollowell
Carrier  Husher
Chapman  Hughes
Cole of Harris  Hughes of Dallas
Cole of Hunt  Hughes of Grayson
Collins  James
Connell  Jamison
Cook  Johnson of Dallas
Cory  Johnson of Dallas
Cotter  Johnson of Bexar
Cowan  Johnson of Bell
Cowles  Jones of Dallas
Cran  Jones of Travis
Crews  Knaard
de la Garza  Kilpatrick
Dewey  Koliba

Koroth  Richardson
Lack  Robert of Hill
Lary  Roberts of Dawson
La Valle  Rosas
Leaverton  Sandahl
Longoria  Schram
McCooklin  Shannons
McGregor  Shipley
McGregor  Slidell
McGregor of El Paso  Smith of Bexar
McPherson  Smith of Jefferson
Melashington  Sealson
Markgraf  Speaks
Martin  Splish
Miller  Springer
Moore  Stewart
Mullen  of Galveston
Murray  Stewart
Mutschler  of Wichita
Niemeyer  Strube
Oliver  Thurman
Osborn  Thurmond
Parsons  Townsend
Peavy  Trevino
Peeler  Tunnell
Perry  Walker
Pieratt  Ward
Phipkin  Watson
Preston  Wells
Price  Wheatley
Quilliam  Whitefield
Rapp  Wilson of Trinity
Rechiff  Wilson of Potter
Read  Woods
Richards  Yeak

Nays—2

Jarvis  Nugent

Absent

Berry  Lewis
Curtington  Rosson
Glass

Absent—Excused

Hale

The Speaker then laid Senate Bill No. 135 before the House on third reading and final passage.

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

Year—135

Adams of Lubbock  Ballman
Adams of Titus  Banfield, Mrs.
Allen  Barlow
Alantis  Barnes
Andrews  Bartram
Atwell  Bass
Bailey  Blaine
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Mr. Stewart of Galveston moved to reconsider the vote by which S. B. No. 135 was passed and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Stewart of Galveston and by unanimous consent of the House, the caption of Senate Bill No. 135 was ordered amended to conform with the body of the bill.

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Mr. Stewart of Galveston offered the following amendment to the bill:

Amend Senate Bill No. 162 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, codified as Article 1970-342, Vernon's Texas Civil Statutes, is hereby amended to read as follows:

"Sec. 1. The Probate Court of Galveston County provided by Sec. 1. Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, shall hereafter be known as the "Juvenile and Domestic Relations Court of Galveston County". The court shall have, in addition to its
cases concerning offenses by juveniles

Sec. 2. The court shall have a seal consisting of a star of five (5) points with the words "Juvenile and Domestic Relations Court, Galveston County, Texas" engraved thereon.

Sec. 3. The Juvenile and Domestic Relations Court shall have concurrent jurisdiction in the following cases:

(a) Removal of disabilities of minority and coverture, and change of name of persons.
(b) Adoptions.
(c) Delinquent, neglected or dependent child proceedings, and all jurisdiction, power and authority placed in the district or county courts under the juvenile and child welfare laws of this State; provided that in cases concerning offenses by juveniles for which they might be adjudged delinquent the court shall have jurisdiction if a tentative charge is filed by the juvenile officer and without intervention of the district attorney.
(d) Divorce and marriage annulment proceedings, including the adjustment of property rights and custody and support of minor children, alimony pendente lite and any other matters incident to divorce or annulment proceedings as well as independent actions involving child custody or support.
(e) All other cases within the jurisdiction of the district or county courts involving justiciable controversies between spouses or parents, or between them and their minor children, or between them and persons injured by the acts of such children regardless of the amount involved in controversy.

In addition, the Juvenile and Domestic Relations Court of Galveston County shall have concurrent jurisdiction, civil and criminal, over all cases over which the Juvenile and Domestic Relations Court has jurisdiction under the laws of this State, with the consent of the judge of the court concerned. All cases and matters over which the Juvenile and Domestic Relations Court and the County Court of Galveston County have concurrent jurisdiction and over which the district courts also have jurisdiction may be transferred to one of the district courts of Galveston County with the consent of the judge thereof.

Sec. 4. All cases over which the Juvenile and Domestic Relations Court has jurisdiction may be instituted or transferred to the Juvenile and Domestic Relations Court. The county judge and the district judges of Galveston County may transfer to the Juvenile and Domestic Relations Court all cases pending in their respective courts of which the court has jurisdiction, including all filed papers and certified copies of all orders theretofore entered in said cases with the consent of the judge of the Juvenile and Domestic Relations Court.

All cases and matters over which the Juvenile and Domestic Relations Court is given jurisdiction may be transferred by the judge thereof to the county or district courts having jurisdiction under the laws of this State, with the consent of the judge of the court concerned. All cases and matters over which the Juvenile and Domestic Relations Court and the County Court of Galveston County have concurrent jurisdiction and over which the district courts also have jurisdiction may be transferred to one of the district courts of Galveston County with the consent of the judge thereof.

All writs or process issued by a court prior to the time any case is transferred shall be returned and filed in the court to which the case is transferred and shall be as valid and binding upon the parties to such transferred case as though such writ or process had been issued out of the court in which transferred, and all waivers of process and other instruments executed prior to the transfer of any case shall also be as valid and binding as though executed after such transfer.

Sec. 5. The judge of the present Probate Court of Galveston County shall serve as judge of the Juvenile and Domestic Relations Court until the next general election and until his successor shall have been duly elected and qualified. At the next general election, there shall be elected in Galveston County by the qualified voters thereof a judge of the Juvenile and Domestic Relations Court, who shall be a qualified voter resident of Galveston County, well informed in the laws of the State, and a duly licensed attorney and practicing member of the Bar in this State. He shall hold office for four years.
shall have been elected and duly qualified.

Sec. 6. The judge of the juvenile and Domestic Relations Court of Galveston County shall execute a bond and take the oath of office as required by the laws of this State relating to district judges.

Sec. 7. The judge of the Juvenile and Domestic Relations Court shall be paid by the commissioners court of Galveston County a yearly salary of not less than the total compensation of the county judge of said county as may be fixed by the commissioners court. This salary shall be paid out of the general fund of the county in twelve (12) equal monthly installments.

Sec. 8. In the event of the disqualification of the judge of the Juvenile and Domestic Relations Court to try a particular case because of illness, inability, failure or refusal to hold court at any time, a special judge may be elected or appointed as provided by law relating to county courts. The special judge shall receive the same compensation as the regular judge of the Juvenile and Domestic Relations Court. Such compensation shall be deducted from the salary of the regular judge except in case of illness.

Sec. 9. The elected Judicial members of the Juvenile Board of Galveston County shall fill any vacancy in the office of the judge of the Juvenile and Domestic Relations Court by a majority vote of said members. The judge so designated shall hold office until the next general election and until his successor is elected and qualified.

Sec. 10. The judge of the Juvenile and Domestic Relations Court shall be subject to removal from office for the same reasons and in the same manner as provided by the Constitution and laws of this State for the removal of district judges.

Sec. 11. The commissioners court of Galveston County shall designate suitable quarters for the Juvenile and Domestic Relations Court at the Galveston County Courthouse and at any other place within Galveston County as may be recommended by the Juvenile Board.

Sec. 12. The judge of the Juvenile and Domestic Relations Court may appoint such juvenile officers and assistant juvenile officers for Galveston County as provided by law. The judge may also appoint a court reporter when he deems it necessary to record and preserve testimony, utilizing the services of the regular district and county court reporters when possible. The salaries and compensation of such officers and employees shall be established and paid as provided by law. Such salaries and compensation shall be paid out of the general fund of Galveston County.

Sec. 13. The county clerk of Galveston County shall serve as clerk of the Juvenile and Domestic Relations Court. He shall keep a fair record of all acts done and proceedings had in the court and shall perform generally all such duties as are required of county clerks insofar as they may be applicable to the Juvenile and Domestic Relations Court.

Sec. 14. The first term of the Juvenile and Domestic Relations Court of Galveston County shall begin on the effective date of this Act and remain in session until the first day of the following September. Thereafter, its term shall begin on the first day of September of each year and remain in session continuously to and including the thirty-first day of August of the next year.

Sec. 15. The judge of the Juvenile and Domestic Relations Court is empowered to contract for any juvenile within the jurisdiction of the court, for any necessary psychiatric services (testing, evaluation and treatment) with any county or State facility, and charges, if any, for said services shall be paid from the general fund of Galveston County.

Sec. 16. The practice and procedure, rules of evidence, selection of jurors, issuance of process and other matters pertaining to the conduct of trials and hearings in the Juvenile and Domestic Relations Court shall be governed by such laws and rules pertaining to district and county courts as may be applicable to the case before the court.

Sec. 17. In cases under its jurisdiction, the Juvenile and Domestic Relations Court and the judge therefor may issue injunctions, temporary injunctions, and restraining orders and all other writs which may be
The court may also punish for contempt under the controlling statutes and rules applicable to the case before the court.

Sec. 19. The district attorney of Galveston County or his duly and legally qualified assistant, or assistants, shall prosecute and defend all cases involving children alleged to be dependent, neglected or delinquent, or in which the probation officer, child welfare office, county health officer, or any other welfare agency is interested and shall represent the State in all such proceedings of the Juvenile and Domestic Relations Court.

Sec. 20. Appeals from judgments and orders of the Juvenile and Domestic Relations Court in cases over which the court has concurrent jurisdiction with the county court shall be as provided by the Constitution and laws of this State for appeals from county courts. Appeals in all other cases shall be to the Court of Civil Appeals of the First Supreme Judicial District, as now or hereafter provided for appeals from district and county courts.

Sec. 21. In all suits for divorce where it appears from the petition or answer that the parties have a child under the age of eighteen (18) years, and in any other case involving custody of such child, the judge of the Juvenile and Domestic Relations Court may require a juvenile officer, investigator or child welfare unit worker to make a thorough investigation as to the necessities, environment and surroundings of the child and to report in writing on these conditions to the court. The judge may also require the investigator to produce on any hearing in such cases the evidence which has been developed by the investigation.

Sec. 22. All officers, agents and employees of the Child Welfare Department, County Welfare Office, and County Health Office shall furnish such services in the line of their respective duties as are required by the Juvenile and Domestic Relations Court.

Sec. 2. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of Act are declared to be severable.

The amendment was adopted.

S. B. No. 162 was passed to third reading.

SENATE BILL NO. 162 ON THIRD READING

Mr. Stewart of Galveston moved that the constitutionality of the third reading of S. B. No. 162 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—133

Adams of Lubbock
Adams of Titus
Allen
Andrews
Aiwiail
Bailey
Ballman
Bankhead, Mrs.
Barlow
Barnes
Bartram
Bass
Bell
Blaine

Bridges
Buchanan
Butler
Caldwell
Canco
Carroll
Cole of Harris
Cole of Hunt
Collins
Cooke
Cory
Cowen
The Speaker then laid Senate Bill No. 162 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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**May 4, 1961**

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The motion to reconsider the vote by which S. B. No. 162 was passed and to table the motion to reconsider. The motion to table prevailed.

On motion of Mr. Stewart of Galveston and by unanimous consent of the House, the caption of Senate Bill No. 162 was ordered amended to conform with the body of the bill.

RECESS

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

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

Mr. Jarvis moved that the House adjourn until 11:00 o'clock a.m. next Monday.

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

The motions to adjourn were severally lost.

APPENDIX

STANDING COMMITTEE REPORTS

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

Banks and Banking: S. B. No. 197.

Congressional and Legislative Districts: H. B. No. 349.


The Committee on Oil, Gas and Mining has filed a minority favorable report on H. B. No. 1926.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 3, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 102, A bill to be entitled "An Act amending Section 2 of Chapter 103, Acts of the Forty-first Legislature, First Called Session, 1929, codified as Section 8263a of Vernon's Texas Civil Statutes, governing elections of Navigation and Canal Commissioners in certain Navigation Districts; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

H. B. No. 668, A bill to be entitled "An Act amending Section 7 of Chapter 437, page 1021, Acts of 1947, Fiftieth Legislature, Regular Session, known as Article 8161b, to increase the salaries of Commissioners of drainage districts covered by the Act to a sum not to exceed Three Hundred Fifty Dollars ($350) per month; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

H. B. No. 117, A bill to be entitled "An Act relating to the appointment, qualifications, duties and compensation of official shorthand reporters for the District Courts of the 70th and 161st Judicial Districts of Ector County, Texas; fixing maximum and minimum salaries to be paid, in addition to compensation for transcripts, statement of fact and other fees; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

H. B. No. 527, A bill to be entitled "An Act providing annual salary of Sixteen Thousand, Five Hundred Dollars ($16,500) for district attorneys of all counties of a population of not less than six hundred thousand (600,000) nor more than seven hundred thousand (700,000) according to the last preceding Federal Census; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 610, A bill to be entitled "An Act amending Section 15 of Chapter 370, Acts of the Fourtieth Legislature, Regular Session, 1927, as amended, and repealing Section 16 of Chapter 370, Acts of the Fortieth Legislature, Regular Session, 1927, to provide that certain fees collected by the Railroad Commission be deposited to the General Revenue Fund of the State; abolishing the Motor Transportation Fund; transferring the balance in that fund to the General Revenue Fund; providing an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 624, A bill to be entitled "An Act abolishing the Radio and Television Administration Fund; transferring the balance in that fund to the General Revenue Fund; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 619, A bill to be entitled "An Act amending Section 1 of Chapter 370, Acts of the Fortieth Legislature, Regular Session, 1927, as amended, and repealing Section 1 of Chapter 370, Acts of the Fortieth Legislature, Regular Session, 1927, to provide that certain fees collected by the Railroad Commission be deposited to the General Revenue Fund of the State; abolishing the Motor Transportation Fund; transferring the balance in that fund to the General Revenue Fund; providing an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 979, A bill to be entitled "An Act limiting the provisions of this Act to Trinity 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 public waters of said County by any means or method; prescribing the legislative policy with respect to the wildlife resources in said County; conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation, the taking of the wildlife resources of said County; requiring the Game and Fish Commission to make investigation with respect to the depletion and waste of the wildlife resources of said County; authorizing the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said County; defining the issuance of antlerless deer permits; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission and the effective period thereof; providing for the publication of the regulation; providing a venue for suits to test the validity of this Act or of the proclamations, rules, regulations or orders of the Commission; providing penalties; providing for the forfeiture of licenses; defining wildlife resources; repealing certain laws; prescribing a period of time within which the Game and Fish Commission may conclude its investigations, hold its hearings, and promulgate its proclamations, rules, regulations and orders; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 34, A bill to be entitled "An Act amending Acts of the Fiftieth Legislature, Regular Session, 1949 (codified as Article 641b of the Penal Code of Texas, 1935), relating to the taking of minnows and rough fish; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
H. B. No. 980, A bill to be entitled "An Act relating to the taking, possessing and transporting of minnows in certain counties; amending Chapter 121, Acts of the Forty-eighth Legislature, 1949, to permit the taking, possessing, and transporting of not more than two thousand (2,000) minnows in any one day in Trinity County; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Austin, Texas, May 3, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 981, A bill to be entitled "An Act relating to commercial fishing in certain counties; amending Section 2 of Chapter 297, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended, by removing Angelina, Nacogdoches and San Augustine Counties from the list of counties in which commercial fishing is illegal; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Austin, Texas, May 3, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 1019, A bill to be entitled "An Act relating to the appointment, qualifications, duties and compensation of official shorthand reporter for the District Court of the One Hundred Twelfth District of Texas; fixing maximum and minimum salary to be paid, in addition to compensation for transcripts, statement of facts and other fees; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 1085, A bill to be entitled "An Act relating to the authority of the Commissioners Court of any county having a population of more than twenty thousand, three hundred eighty-five (20,385) individuals and less than twenty thousand, four hundred seventy-five (20,475) individuals, according to the last preceding Federal Census, to employ a secretary to the county attorney and fixing the salary thereafter; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred
H. C. R. No. 95, welcoming the Junior Class of the United States Air Force Academy, the Falcon Football Team, faculty and staff members, and other friends of the Air Force Academy.

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. J. R. No. 11, proposing an Amendment to the Constitution of the State of Texas.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. J. R. No. 2, proposing an Amendment to the Constitution of the State of Texas.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 92, An Act amending Section 1 of House Bill No. 513, Chapter 237, Acts of the Fifty-third Legislature, Regular Session, which is codified as Section 1 of Article 725c, Vernon's Texas Penal Code, so as to provide that the indictment shall not require the naming of the specific narcotic drug; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

BILL JONES, Acting Chairman.

Austin, Texas, May 4, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 483, An Act to provide for the abolition of the office of county superintendent in certain counties of the State; providing that any remaining duties required by law shall be performed by the county judge of such county; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

BILL JONES, Acting Chairman.

Austin, Texas, May 4, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 595, An Act relating to the hunting, taking, or killing of deer and wild turkey in Throckmorton County; providing penalties; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

BILL JONES, Acting Chairman.

Austin, Texas, May 4, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 450, making it unlawful for any person to hunt, take or kill or attempt to kill by any means in Bexar and Kendall Counties any axis deer outside of property enclosed with deer-proof fencing; providing penalties; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

BILL JONES, Acting Chairman.

Austin, Texas, May 4, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 451, An Act creating juvenile boards in Comal, Hays, Caldwell, Austin and Fayette Counties; prescribing the membership and powers of the boards and providing for compensation of members; repealing conflicting laws; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

BILL JONES, Acting Chairman.

Austin, Texas, May 4, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 598, prescribing the lawful period for hunting quail in San Patricio, Victoria and Refugio Counties, Texas; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

BILL JONES, Acting Chairman.

Austin, Texas, May 4, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. B. No. 19, granting permission to Marie A. Bailey to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

BILL JONES, Acting Chairman.
The House met at 10:30 o'clock a.m., and was called to order by the Speaker.

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

"Almighty God, Creator of all things, Giver of every good gift, hear us today as we seek Thy blessing upon our deliberations. We acknowledge before Thee our shortcomings, our selfishness, our stubbornness and our pride. Forgive us wherein we have come short of Thy will for us and for our State. Give us clean hearts and a right spirit that we may do better and be better. In Jesus' Name.—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Lary for today on motion of Mr. Shannon.

Mr. Cole of Harris for today on motion of Mr. Grover.

Mr. Whitfield for today on motion of Mr. Grover.

Mr. Moore for today on motion of Mr. Harding.

Mr. Adams of Titus for today on motion of Mr. Collins.

Mr. Gearing for today on motion of Mr. Johnson of Bell.

Mr. Chapman for today on motion of Mr. Oliver.

Mr. McCoppin for today on motion of Mr. Spellman.

Mr. Ehrie was granted leave of absence for today to attend a funeral, on motion of Mr. Healy.

Mr. Petty was granted leave of absence for today on account of illness in his family, on motion of Mr. Osborn.

MESSAGE FROM THE SENATE

Austin, Texas, May 5, 1961
Hon. James A. Turner, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on S. B. No. 865 by the following vote:

28 yeas, 0 nays.

I am directed by the Senate to inform the House that the Senate concurred in House amendments to S. B. 881 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 819 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 240 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 119 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 392 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 21 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 865 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. C. A. No. 19 by viva voce vote.

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

H. B. No. 1049, Validating creation of all school districts; and declaring an emergency.

S. C. A. No. 84, Resolved by the Senate of the State of Texas, with the