mals west of the Pecos River; vest­
ing the Game and Fish Commission 
with full power and discretion to 
regulate the taking of wild deer in 
that area; and declaring an emer­ 
gency."

Has carefully compared same and 
finds it correctly engrossed.
NELSON COWLES, Chairman.

Austin, Texas, February 27, 1963

Hon. Byron M. Tunnell, Speaker of 
the House of Representatives.

Sir:

Your Committee on Engrossed 
Bills to whom 
was 
referred 
H. B. No.


THIRTY-SECOND 
DAY


The House met at 11:00 o'clock 
a.m., pursuant to adjournment, and 
was called to order by the Speaker.

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

Mr. Speaker        Brown of Taylor
Adams             Butler
Alarez            Calhoun
Allen             Caldwell
Arredondo         Galveston
Atwell            Carpenter
Ball              Carriker
Bancroft          Cassens
Barnes            Chapman
Bass of Bowie    Cherry
Bass of Harris   Clayton
Beckham           Cole
Berry             Collins
Birkner          Cock
Blaine            Cory
Boyden            Cottam
Bridge            Coughran
Brooks            Cowden
Brown             Cowles
Crews             McNutt
Davis             Macatee
de la Garza       Mann
Doke             Markgraf
Duggan            Miller
Dunigan           Morgan
Eckhardt          Murray
Edwards           Mutschen
Fairchild         Niemeyer
Flinn             Nix
Fletcher          Nix
Floyd             Parker
Fondren           Farmer
Foreman           Parsley
Gaertson          Pearcy
Gibbons           Peeler
Gladfend          Pendleton
Green             Petty
Green             Pickle
Grove             Price
Huffey            Quinlan
Haines of Brazos  Rapp
Hallmark          Richards
Harding           Richardson
Harling           Ritter
Harris            Roberts
Harris of Galveston  Rodgers
Harris of Dallas  Rosson
Haynes of Orange  Satterwhite
Healy             Schiller
Herndon           Segrest
Hendryx           Shannon
Hillmon           Shiple
Hollowell         Shult
Hughes            Simpson
Ishacker          Slack
Jamison           Slider
Jarvis            Smith of Bexar
Johnson of Dallas  Smith of Jefferson
Johnson of Bexar  Stewart
Kilpatrick        Stonewarez
Klager            Thompson
Knapp             Thurmond
Kolba             Townsend
Kothmann          Trager
Lack              Walker
Lattimore         Ward
Ligardes          Weldon
McClinton         Wells
McDonald          Wheeler
of Hidalgo        Whitefield
McDonald of Rusk  Wieting
McInthony         Wilson
McLaughlin

Absent—Excused
Cannon            McGregor
Rexenthal          Whaley
Houston           Woods

A quorum of the House was an­
nounced present.

The Invocation was offered by the 
Reverend I. W. Oliver, Chaplain, as 
follows:

The Invocation was offered by the 
Reverend I. W. Oliver, Chaplain, as 
follows:
March 4, 1963

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Our Heavenly Father, in our moments of weakness, may we be strong in Thy strength, as we are inspired by Thy Spirit and calmed by the assurance of Thy presence. Make us strong enough to bear the vision of the truth and to have done with all falsehood, pretense, and hypocrisy, so that we may see things as they are, and fear no more.

"Strengthen our sense of justice and our regard for the equal worth of all peoples and races in Thy sight. Increase our concern for all men everywhere until we are dissatisfied with any world that is not filled with Thy love, mercy and forgiveness. In Thy Holy Name we pray. Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Esquivel for today on motion of Mr. Gladden.

Mr. Cannon for today on motion of Mr. Thurmond.

Mr. Houston for today on motion of Mr. Stollenwerck.

Mr. McGregor for today on motion of Mr. Mann.

Mr. Woods for today and tomorrow, on motion of Mr. Bass of Harris.

Mr. Whatley was granted leave of absence for today on account of illness, on motion of Mr. Bass of Harris.

MESSAGE FROM THE SENATE

Austin, Texas, March 4, 1963

Hon. Byron Tunnell, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to S. B. No. 166 by 30 Yeas, 0 Nays.

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

H. B. No. 166, By Petty: Authorizing the Commissioners Courts of Counties within the 121st Judicial District to pay certain amounts to the District Judges; and declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.

MEMORIAL RESOLUTION ADOPTED

H. S. R. No. 219, By Banfield: In memory of Jordan Reese Farmer.

HOUSE JOINT RESOLUTION ON FIRST READING

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

By Price:

H. J. R. No. 60, A Joint Resolution "Proposing an amendment to Article I of the Constitution of the State of Texas by adding thereto a Section 3a so as to provide that equality under the law shall not be denied or abridged because of sex; providing that this section shall not affect the community property laws of the criminal laws of the state as they now exist, nor in any manner affect existing homestead rights of widows and unmarried daughters; setting an effective date; and providing for the necessary election, form of ballot, proclamation and publication."

Referred to the Committee on Constitutional Amendments.

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 Wells:

H. B. No. 653, A bill to be entitled "An Act amending Article 6820 of the Revised Civil Statutes of Texas, 1925, as amended, relating to payment from state funds of all actual and necessary expenses incurred by district judges and district attorneys when engaged in the discharge of their official duties in any county in this state other than the county
of their residence; and declaring an emergency."
Referred to the Committee on Appropriations.

By Johnson of Dallas:
H. B. No. 654, A bill to be entitled "An Act amending Section 3 and Section 5 of the Article 3.68 of the Insurance Code of the State of Texas, so as to permit the use after December 31, 1959 of the Commissioner's 1958 Standard Ordinary Mortality Table with adjustments for female risks; amending subparagraph (c) of paragraph (1) of Article 3.52, Texas Insurance Code; and sub-section (e) of Section 2 of Article 3.52, Texas Insurance Code, to permit the use of the Commissioner's 1961 Standard Industrial Mortality Table; providing a severability clause; and declaring an emergency."
Referred to the Committee on Insurance.

By Johnson of Dallas:
H. B. No. 655, A bill to be entitled "An Act repealing Articles 3.33, 3.35, and 3.37 of the Insurance Code, enacted by Senate Bill 236, Acts of the 52nd Legislature, Regular Session, 1951, Chapter 491, Page 868; and declaring an emergency."
Referred to the Committee on Insurance.

By Price:
H. B. No. 656, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to sell certain land located in Cherokee County, Texas, being a part of the Rusk State Hospital; prescribing the procedure, terms and conditions of sale; and declaring an emergency."
Referred to the Committee on State Affairs.

By Caldwell:
H. B. No. 657, A bill to be entitled "An Act creating the office of county board of school trustees in certain counties; repealing all laws or parts of laws in conflict; and declaring an emergency."
Referred to the Committee on Counties.

By Whatley:
H. B. No. 658, A bill to be entitled "An Act relating to fees to be charged by the State Board of Insurance; amending Article 4.97 of Chapter Four of the Insurance Code to provide that the State Board of Insurance shall set and collect a sales charge for making copies of any paper of record, except that the Board may make and distribute copies of papers containing rating information without charge or for such charge as the Board shall deem appropriate to administer premium rating laws by proper dissemination of rating information; and declaring an emergency."
Referred to the Committee on Insurance.

By Whatley:
H. B. No. 659, A bill to be entitled "An Act to amend Subchapter A of Chapter 5 of the Insurance Code by adding thereto a new article to be designated as Article 5.96-1, relative to automobile liability insurance and uninsured vehicle coverage and insolvent insurer protection; providing an effective date; and declaring an emergency."
Referred to the Committee on Judiciary.

By Fairchild:
H. B. No. 660, A bill to be entitled "An Act amending Article 3930, Revised Civil Statutes of Texas, 1925, as amended, so as to increase the maximum fees which may be charged by county clerks for various services; and declaring an emergency."
Referred to the Committee on Judiciary.

By Townsend and Bridges:
H. B. No. 661, A bill to be entitled "An Act amending Paragraph (c) of Subsection 7 of Section V and all of Subsection 6 of Section VIII of Chapter 75, Acts of the Regular Session of the 50th Legislature, as heretofore amended; and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

By Townsend and Murray:
H. B. No. 662, A bill to be entitled "An Act to amend Sections 140, 143, and 142, of Article XV of Chap. 431, Acts of the 50th Legislature, Regular Session, 1947, as amended by Chap. 390, Acts of the 53rd Legislature, Regular Session, 1953, re-
An Act abolishing the office of County Superintendent of Public Instruction in certain counties; providing that the county judge shall be the ex officio county superintendent; providing for the compensation for the ex officio county superintendent; and declaring an emergency.

Referred to the Committee on Municipal and Private Corporations.

By Johnson of Bexar:
H. B. No. 664, A bill to be entitled "An Act providing for verification by signed declaration of statements and reports filed with the Railroad Commission of Texas; granting the Railroad Commission of Texas authority to require the making and filing with the Commission, by persons producing, storing, transporting, re-claiming, treating, marketing, processing and in any manner handling natural oil and gas, such statements and reports if the Commission deems necessary in order to make the rules, regulations and orders for the conservation of oil and gas and to carry out its powers, and granting the Commission authority to require that any such statement or report

An Act limiting the provisions of this Act to institutions of higher learning situated in certain counties; providing that upon petition by the governing board of any such institution which is located partly in one and partly in another of two adjacent incorporated cities, the petitioned city may annex that portion of the campus which is located in the other city; providing for notice to the other city; providing for a hearing on the petition and for annexation of such territory by the petitioned city and discontinuance thereof as a part of the other city; repealing all laws in conflict; and declaring an emergency.

Referred to the Committee on Appropriations.

By Johnson of Bexar:
H. B. No. 665, A bill to be entitled "An Act relating to the Firemen and Policemen pension fund in cities of over one hundred thousand (100,000) inhabitants, providing for eligibility of the membership in the board of trustees, increasing the maximum amount deductible, making participation compulsory within specified age limit, amending Article 6243B of the General Texas Civil Statutes as amended, amending Section 1 of Chapter 181, Acts of the Forty-third Legislature, First Called Session, 1933, as amended; and declaring an emergency."

Referred to the Committee on Highways and Roads.

By Blaine and Mann:
H. B. No. 662, A bill to be entitled "An Act relating to the Firemen and Policemen pension fund in cities of over one hundred thousand (100,000) inhabitants, providing for eligibility of the membership in the board of trustees, increasing the maximum amount deductible, making participation compulsory within specified age limit, amending Article 6243B of the General Texas Civil Statutes as amended, amending Section 1 of Chapter 181, Acts of the Forty-third Legislature, First Called Session, 1933, as amended; and declaring an emergency."

Referred to the Committee on Highways and Roads.
defined with the Commission shall be verified by a written signed declaration that said statement or report is true and that it is made under the penalties of perjury; providing that such declaration shall be in lieu of any oath or affirmation otherwise required; providing penalties for the making of false statements or reports as verified by written signed declaration as provided herein; providing that if such statement or report is false said person making such verified, written signed declaration is guilty of false swearing, and shall be punished as prescribed in the Penal Code of the State of Texas for false swearing and making other provisions relating thereto; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Cain and Duggan:
H. B. No. 667, A bill to be entitled "An Act enacting the Texas Professional Corporation Act: defining terms; providing for the contents and filing of articles of incorporation; providing that the Texas Business Corporation Act shall be applicable to professional corporations except where said Act and this Act are in conflict; providing that a professional corporation may be organized only for the purpose of rendering one specific type of professional service and services ancillary thereto; authorizing the ownership of property and the making of investments; prescribing the number and qualifications of incorporators, shareholders, officers and directors; prohibiting a professional corporation from rendering professional services except through officers, employees and agents duly licensed to render such professional service in this State; providing for the issuance and transfer of shares; providing procedures in the event of legal disqualification; governing the relationship of shareholders or their estates or legal representatives in the event of death; providing temporary services; preserving professional and confidential relationships and liabilities; defining the liability of the corporation and its shareholders; authorizing certain corporate names and prohibiting others; prescribing certain prohibited acts; providing for the filing of annual certificates and the fee therefor; authorizing and directing regulatory boards to issue certificates and fixing the maximum fee therefor; providing an effective date; and declaring an emergency."

Referred to the Committee on Judiciary.

By Gibbens:

Referred to the Committee on Revenue and Taxation.

By Cain:
H. B. No. 669, A bill to be entitled "An Act to discontinue the use of stamp metering to impress on or attach to packages of cigarettes evidence of tax payments; amending Article 1.01 of Chapter 7, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Cain:
H. B. No. 670, A bill to be entitled "An Act relating to retail sales of gasoline and other petroleum products; requiring posting of signs on the pump or dispensing device only clearly and legibly stating the price of the gasoline or petroleum product dispensed therefrom; prohibiting fraudulent or misleading practices; providing a penalty; repealing all laws or parts of laws in conflict; providing for severability; and declaring an emergency."

Referred to the Committee on Commerce and Manufactures.

By Fondren, Satterwhite, Cain and Cowden:
H. B. No. 671, A bill to be entitled
"An Act amending Section 1 of Chapter 39, Acts of the 44th Legislature, 1935, as last amended, codified as Article 4639a, Vernon's Texas Civil Statutes, by amending Section 1 thereof so that it will read as it did prior to the last amendment thereto by eliminating from the act as last amended the provisions making the judgment in divorce cases as to child custody conform to a jury's determination of custody and further eliminating the provisions permitting demand for a jury trial in child custody cases and adding a provision for payment of child support awards into the registry of the Court, unless the Court order provides otherwise, and declaring an emergency."

Referred to the Committee on Judiciary.

By Walker:
H. B. No. 672, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 75th Judicial District of Texas; providing for severability; and declaring an emergency."

Referred to the Committee on Counties.

By McIlhany:
H. B. No. 673, A bill to be entitled "An Act amending Chapter 352, Acts, Regular Session, 54th Legislature, as amended by Chapter 462, H. R. No. 750, Acts, 55th Legislature, Regular Session, pertaining to retirement age of State employees; prescribing a uniform age for retirement of State employees under the Employees Retirement System; effectuating provision of Section 41, Article 16 of the Constitution of and Section 1-a of Article V of the Constitution; and declaring an emergency."

Referred to the Committee on Judiciary.

By Brooks:
H. B. No. 674, A bill to be entitled "An Act relative to the regulation of rates for all forms of casualty insurance, including motor vehicle insurance, fidelity, surety and guaranty bonds and for all forms of fire, marine and inland marine insurance except as herein provided, and to rating organizations and repealing Article 16 of the Constitution of and Section 1-a of Article V of the Constitution of the United States; providing for severability; and declaring an emergency."

Referred to the Committee on Insurance.

By Walker:
H. B. No. 675, A bill to be entitled "An Act providing for the election of Liberty County Water Control and Improvement District Number Five directors to be held at the general election every two (2) years on the first Tuesday after the first Monday in November; providing for the term of office of such directors; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Morgan:
H. B. No. 676, A bill to be entitled "An Act to provide that before the constitutional oath of office may be administered, each member of the Legislature at the beginning of each regular session and each state-wide elected official, except members of the United States Congress shall file with the Secretary of State a sworn statement of his net worth at the time he files such statement, listing assets and liabilities; and to provide that such included official shall file with the Secretary of State a similar sworn statement not less than thirty (30) days before the expiration of his term of office; and to provide that any person who knowingly makes false information in any such sworn statement shall be punished as for perjury; and declaring an emergency."

Referred to the Committee on State Affairs.

By Stewart:
H. B. No. 677, A bill to be entitled "An Act to provide that required credits in a course or courses which place special emphasis upon the Constitution of the United States for teacher certification need not be acquired in a college or university in
Texas; amending Section 4 and Subdivision b of Section 13 of Chapter 149, Acts of the 54th Legislature, Regular Session, 1925; and declaring an emergency.

Resolved, That their pictures be placed on the picture panel of the House of Representatives and that an official copy of this Resolution be sent to each of them with the good wishes of all the Members.

The resolution was referred to the Committee on Rules.

TO GIVE THE UNIVERSITY OF TEXAS PERMISSION TO ACCEPT TITLE TO CERTAIN LAND

Mr. Koliba offered the following resolution:

H. C. R. No. 32

Whereas, The University of Texas is in need of additional facilities for the proper development of its research program; and

Whereas, The United States Department of Health, Education and Welfare is willing and has agreed to assign and transfer to the Board of Regents of The University of Texas a part and parcel of the Camp Swift Military Reservation located in Bastrop County, Texas, said tract to be transferred comprising approximately 4,000 acres in the northern part of Bastrop County on the east side of State Highway 95 between Bastrop and Elgin, for educational and research use to be designated as its Camp Swift Research Facility to fill the need for its rapidly expanding science and engineering activities; and

Whereas, Such grant will provide the needed facilities at no increased cost to the State General Revenue Fund for its maintenance and operation; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Board of Regents of The University of Texas be and it is hereby given permission to accept title from the United States Department of Health, Education and Welfare of approximately 4,000 acres of land, a part of the Camp Swift Military Reservation located in Bastrop County, Texas, as described above, for educational and research use by the University as a field research facility; provided, however, that note of the funds appropriated to any unit of The University of Texas System from the General Revenue Fund shall be used for such purposes.

Resolved, That Susan Shutt and Richard Shutt be, and they are hereby, named Mascots of the House of Representatives of the Fifty-eighth Texas Legislature, Regular Session; and, be it further

Referral to the Committee on Rules.

TO NAME SUSAN SHUTT AND RICHARD SHUTT AS MASCOTS OF THE HOUSE

Mr. Garrison offered the following resolution:

H. S. R. No. 215

Whereas, It has been learned that Susan Shutt and Richard Shutt are proper candidates for Mascots of the House of Representatives; and

Whereas, They are the bright and vivacious children of our esteemed colleague, the Honorable Herbert E. Shutt of Houston, and his lovely wife Elaine. Susan, who is eleven, was born December 26, 1951, and her brother Richard will be ten years old on April 1, 1963. Their grandparents are Mr. and Mrs. John P. Shutt of Edna, Texas, and Mr. and Mrs. Jeff Cooke of Hempstead, Texas; now, therefore, be it

Resolved, That Susan Shutt and Richard Shutt be, and they are hereby, named Mascots of the House of Representatives of the Fifty-eighth Texas Legislature, Regular Session; and, be it further

Referral to the Committee on Rules.

By Lattimore:

H. B. No. 678, A bill to be entitled "An Act amending Article 2428 of the Revised Civil Statutes of Texas, 1925, as amended to increase the juror's fee in Justice of the Peace Courts from One Dollar ($1) to Three Dollars ($3) in each civil case; increasing the amount jurors in Justice of the Peace Courts may receive in any one day in civil cases; increasing the amount jurors in Justice of the Peace Courts may receive in any one day in civil cases; and declaring an emergency."

Referral to the Committee on Judiciary.

WHEREAS, They are the bright and vivacious children of our esteemed colleague, the Honorable Herbert E. Shutt of Houston, and his lovely wife Elaine. Susan, who is eleven, was born December 26, 1951, and her brother Richard will be ten years old on April 1, 1963. Their grandparents are Mr. and Mrs. John P. Shutt of Edna, Texas, and Mr. and Mrs. Jeff Cooke of Hempstead, Texas; now, therefore, be it

Resolved, That Susan Shutt and Richard Shutt be, and they are hereby, named Mascots of the House of Representatives of the Fifty-eighth Texas Legislature, Regular Session; and, be it further

Referral to the Committee on Rules.

Resolved, That their pictures be placed on the picture panel of the House of Representatives and that an official copy of this Resolution be sent to each of them with the good wishes of all the Members.

The resolution was referred to the Committee on Rules.

TO NAME SUSAN SHUTT AND RICHARD SHUTT AS MASCOTS OF THE HOUSE

Mr. Garrison offered the following resolution:

H. S. R. No. 215

Resolved, That Susan Shutt and Richard Shutt be, and they are hereby, named Mascots of the House of Representatives of the Fifty-eighth Texas Legislature, Regular Session; and, be it further
The resolution was referred to the Committee on State Affairs.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 214, By Petty: To congratulate Dr. John Dupre on his selection as "Man of the Year for 1962" for the Levelland area.

RELATIVE TO PRINTING OF DAILY HOUSE JOURNALS

The Speaker laid before the House, as postponed business, the following resolution:

H. S. R. No. 206, Relative to the printing of daily House Journals.

The resolution was considered on February 27 and further consideration was postponed until 10:00 o'clock a.m. today.

The resolution was adopted.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

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

S. B. No. 62, "An Act amending Chapter 12, Acts of the 53rd Legislature, Third Called Session, 1959, relating to the Jackson County Flood Control District by adding a new section thereto authorizing the District to exercise all powers, rights, privileges, and functions which are now, or hereafter may be, conferred by General or Special Law upon Water Improvement Districts and Water Control and Improvement Districts created pursuant to Section 59 of Article XVI of the Constitution of Texas; and declaring an emergency."

S. B. No. 124, "An Act amending Article 1738 of the Revised Civil Statutes of 1925, as amended, providing for the transfer by the Supreme Court of cases from one Court of Civil Appeals to another; and declaring an emergency."

S. B. No. 144, "An Act creating a conservation and reclamation district under Article XVI Section 59 of the Constitution of Texas comprising certain territory contained in Bosque County, Texas, to be known as Lakeside Water Supply District, constituting the same a governmental agency and body politic and corporate and a municipal corporation; defining the boundaries thereof and finding that all land and property therein will be benefited and that no election shall be necessary to confirm the organization of the District; prescribing the rights, powers, privileges and duties of said District; and incorporating the General Laws pertaining to water control and improvement districts not in conflict or inconsistent with the provisions of this Act; prohibiting the levy of taxes by the District; providing for a Board of Directors, their terms, the filling of vacancies, the election of successors, and prescribing the duties and qualifications for such Directors; prescribing the purpose for which bonds may be issued; the methods of securing the payment and the procedure for the issuing of such bonds; exempting the District's bonds from taxation; providing that the District shall have the power to fix rates and charges for services furnished; providing for a District Depository and the methods of its selection; making applicable to the District Title 22, Revised Civil Statutes of Texas, as amended, relating to eminent domain; and providing that the cost of relocation, razing, removal, or changing the grade or altering the construction of any highway, railroad, electric transmission line or telegraph properties and facilities shall be borne by the District; providing that bonds of the District shall be authorized investments in certain instances and shall be eligible to secure the deposit of certain funds; declaring the District essential; enacting provisions incidental and relating to the subject; providing a severance clause; and declaring an emergency."

S. C. R. No. 25, Requesting the Governor to return S. B. No. 171 to the Senate for correction.
ADDRESS BY THE HONORABLE RONALD ROBERTS

On motion of Mr. Wells, and by unanimous consent of the House, the following remarks by the Honorable Ronald Roberts, made in addressing the House on today on personal privilege, were ordered printed in the Journal:

March 4, 1963

Mr. Speaker, Members of the House: By now, I am sure that most of the Members have seen some of the press coverage on the topic to which I wish to address myself, and my purpose this morning will be to elaborate on that coverage and point out the seriousness of the situation. This topic concerns the Gentleman from McKinney and his recent report on the Dallas Textbook Committee Hearing. As most of you know, I, too, was a Member of that Committee, and, unfortunately, a very serious problem affecting all of us has now arisen out of the Dallas Hearing held last June. That particular hearing, I might add, was initiated by the gentleman from McKinney and held in the absence of the other four Members of the Committee. By that time the three other Committee Members and I felt that the series of hearings that had been held in several of the major cities throughout the State had gotten completely out of hand and were beginning to take on the characteristics of a political sideshow. The Chairman, however, saw fit to go to Dallas and hold the hearing despite the pleadings and requests of the other Committee Members. Now let me relate the record of that and other hearings in past history and today I will not deny that the Gentleman from McKinney and myself disagreed on many points throughout the course of those hearings. But, to me, these differences were primarily of a philosophic nature—differences of approach and method. Never did I feel any personal animosity toward him and even today I do not believe that he holds any personal grudges against me.

I mention all of the foregoing as background hoping that you will understand that it is indeed difficult for me to speak on this subject this morning and unfortunate that I should be the one to disclose this matter to you. You may ask, then just exactly why am I bringing this issue to your attention, and certainly this is a fair question. I am speaking to you this morning because I can no longer contain my feelings and conceal information about an existing state of affairs which has gone far beyond the bounds of dignity and responsibility, especially the responsibility of a Member of this honored House. To remain silent any longer would mean that I, too, would be violating the duties and responsibilities of my office. To remain silent would mean that I would be guilty of covering up and disguising the seriousness of the situation. I think that after I finish today, we all will be in agreement that there are a number of questions which should be answered and met with clarity and truth.

Before attempting to raise these unanswered questions I would like to say that I stumbled onto my information quite by accident. There was no premeditated plot on my part to pillage the prestige and reputation of the Gentleman from McKinney.

I did not set out on a planned course of deceit. Even now I am neither attempting to rain down the fires of political destruction on any Member of this House, nor am I trying to implicate in any way other Members of the Textbook Committee who we know as fine and conscientious men. I only seek the truth as a protector of the public interest which I am sworn to uphold. Therefore, I would repeat, re-emphasize, and strongly accept the accidental nature of my findings.

Now the next question is, what are those findings? Let me relate them to you. One day last month a close friend came to me and told me that a recent copy of the New Orleans Independent American had carried a story describing the Dallas Textbook Hearing and that a copy of the proceedings could be obtained by writing the Gentleman from McKinney, P. O. Box 169. The story went on to say that the report contained much valuable information for people interested in textbook investigations and, furthermore, that the Gentleman from McKinney had had those reports printed at his expense. Being a Member of the Committee, I was eager to find out...
in what form this had been pub-
lished. At the time I thought that
the Gentleman from McKinney had
found a commercial publisher for
his report since the story did state
that the price was Two Dollars
($2.00) per copy. Considering our
past differences, I thought that he
would be a bit reluctant to sell me
a copy. So, at my request a friend
wrote to the given address and re-
quested a copy, enclosing a personal
check for the stated price. Up to
this time I had not questioned
or even doubted the sincerity of the
Gentleman from McKinney in this
matter. It was only when my friend
received this copy that I became
suspicious. At this point, I might add
that the publication in question is
not, I repeat, not the Gentleman
from McKinney's Committee Report.
The publication in question is sepa-
rate and independent from the Com-
mittee Report that he will make
public in a short while. I am quite
sure that there was a great deal
of testimony which the other Mem-
ers would have preferred to make
public, but chose not to do so. In-
stead, each Committee Member in-
corporated his findings into one re-
port.

Let me continue on with my se-
quencing of events. I personally ex-
amined the copy which my friend had
purchased and found that it bore
an extremely close resemblance to
the reports that are published here
in the House Printing Shop. Only
at this time did I begin to search
further into the matter. I went
down to the House Printing Shop
and showed the officers in charge
the copy which the Gentleman from
McKinney had mailed to my friend.
They said that it definitely was a
copy which had been produced in
the house printing office at taxpay-
er's expense. From there I went to
the Contingent Expense Office and
learned that the Gentleman from
McKinney had requested and received
two separate and different printings
—one in September and the other
in February of this year. In Septem-
ber, there were 500 of these reports
printed and in February 389 were
printed. Being extremely suspicious
by this time, I later obtained my
friend's canceled check and noted
to my surprise and disappointment
that it had been indorsed on the back
by the Gentleman from McKinney.

After gaining this information, I
kept it to myself for a period of
approximately one week while I
sought the advice of close friends.
During this week, on the night of
February 27, the Gentleman from
McKinney approached me on the
House floor and wanted to know if
there was anything on which I wished
to confer with him. I told him there
was. In the course of our conver-
sation which followed, he brought to
my attention that he had personally
financed a good part of the Dallas
Hearing in June and that he had re-
ceived certain contributions to
help defray his expenses. Further-
more, he told me that in the pre-
paration of this report he had to
hire a secretary to type his manu-
script and that other additional ex-
penses were incurred. After telling
me this, we parted. Surely this is not
to be the Gentleman's excuse. Surely
this is not to be his reason for
duplicating the taxpayer's expenses,
for this has absolutely nothing to do
with the question of whether these
reports were printed at State expense
and then placed on sale at Two Dol-
ors each.

Also, what about these so-called
“contributions?” It would seem that
a person seeking contributions, first,
would not allow a story to appear in
a political publication stating that
he had books for “sale,” and, second-
ly, would not accept money from a
person without telling him to what
he was contributing. Certainly my
friend who purchased a copy of the
Dallas Report did not have any idea
that he was helping to defray the
costs of that hearing by contributing
Two Dollars. My friend was only
buying a book, a book later deter-
mixed to have been printed at
State expense.

Lastly, I would point out that the
Gentleman from McKinney was not
the only Committee Member who in-
curred personal expenses in the pre-
paration of his report. The other Mem-
ers also spent a great deal of time
and money in preparing their indi-
vidual reports. These expenses of
the other Members, I might add,
have not to my knowledge been de-
frayed by “contributions.”

On the day following my conver-
sation with the Gentleman from Mc-
Kinney, I went to the Department
of Public Safety and later in the day
carried the matter to the Speaker
to seek his advice and counsel. I wanted him to know that certain questions had to be answered and that it was for this matter to be thoroughly aired.

In summary, Members, what have we found? It would seem that all evidence and facts point to the conclusion that the Gentleman from McKinney—the Chairman of the recent Textbook Investigating Committee—has printed, at taxpayer's expense, a report on the June Hearing in Dallas and has been selling these reports for Two Dollars a copy.

Certainly the Gentleman from McKinney should be given, and undoubtedly will be given, an opportunity to help us clear up any misstatement of fact or misunderstanding. With that in mind, Members, I would ask for your closest attention as I shall raise some searching questions which I think merit the attention of this House. (1) Were copies of this report actually sold for Two Dollars a copy? (2) Were these copies printed at State expense as the records of the Contingent Expense Office so indicate? (3) There is the question of the New Orleans newspaper story stating that copies were being sold for Two Dollars each. Is this true? (4) Finally, if these copies were being sold, why was money being accepted as payment for them?

Members, I think we can all agree these serious questions stand in need of straight-forward answers and I would suggest two possible courses of action: First, that the Gentleman from McKinney open his bank records in order to determine whether or not these copies printed at taxpayer's expense were actually being sold. Secondly, I am here this morning for the purpose of seeking the advice of the entire House on this matter which should be of grave concern to all of us. In this light, I would suggest as my second recommendation that an Investigating Committee composed of Members of this House examine the above described activities of the Gentleman from McKinney and for this purpose I am having drawn up and intend to introduce a resolution calling for this investigation.

In closing let me say that I hope this House will approach the matter as objectively as possible and that we may all go forward with a unity of purpose in pursuing the common good. I hope that we may always endeavor to deserve the faith, trust and confidence of the people of Texas. Members, I thank you for your time. As I intend to act so further in this matter, I shall patiently await the decision of this body.

ADDRESS BY THE HONORABLE W. T. DUNGAN

On motion of Mr. Johnson of Dallas, and by unanimous consent of the House, the following remarks by the Honorable W. T. Dungan, made in addressing the House on today on personal privilege, were ordered printed in the Journal:

Mr. Speaker—Fellow Members of the House

I haven't asked for this privilege in 4 years. The last time was to answer a charge of lying. This time the charge is stealing. It's passed the mud-slinging era and reached the brick-throwing stage now, and I'm going to let fly some.

If the member making these charges had been here 4 years ago he might have hesitated before doing what he did. He has had ample opportunity during the past year to know that I won't be pushed around without doing some pushing myself. Now I'm pretty good-natured and don't go around looking for trouble, but I'm beginning to see red. About this time last year I headed a delegation of House Members on a visit to Buitlito, Mexico. At the dinner given us by Governor Madera I sat next to him at the head table and as I looked at his pretty red-headed daughter, Dora, and other blonde Mexicans, I said, "Governor, you Spanish and we Irish have something in common." He didn't hesitate—he said, "Yea, we both love to fight." My Irish is coming to the surface.

When I returned home late Friday night, my wife was real upset. She had been receiving calls from the Press and had heard over the news that charges had been filed against me with Col. Garrison. I told her not to get excited. If Col. Garrison wanted me, he could find me and I would be available.

In reply to charges of a member of this House that I sold him a book printed at state expense, I submit the following statement. I haven't
The Dallas hearing was held as scheduled with the secretary, my self and several members of the House from Dallas and the State Senator present, also about 250 people and some 27 witnesses. All testimony of the Dallas hearing was recorded and taken to the next meeting of the committee in Austin on June 25, 1962. I offered to play the records of the Dallas hearing but the committee wasn't interested. A taped record of this closed meeting is available if needed.

Three of the members seemed to have met and agreed what to do beforehand. They voted to have the Sergeant at Arms remove all persons from the hearing room, then voted to stop all hearings of the committee, to consider the Dallas hearing illegal and not include it in the committee report, stop all spending, but still voted to write letters to the 15 members of the State Textbook Committee and the 30 who had served the last two years asking for ideas and suggestions on improving textbooks. They voted to turn over all records of the committee to the Sergeant at Arms and have him reproduce all testimony which had been assembled by the secretary and make copies for all members of the committee in spite of the fact that all of the reports were not in shape to reproduce. Walter Schaefer was a good soldier. He did his best under the circumstances.

The secretary became ill and left the next day, and I was left the task of carrying on the work of the committee myself. I wrote the 45 letters and later made copies of all replies received and mailed them to the other members of the committee. This was all done at my own expense. The committee had been receiving a large volume of mail and I continued to receive mail all the remainder of the year including books, pamphlets, publications of all kinds, with the request to return much of it. I still get quite a bit of mail on this subject and imagine I will get more when the committee report is released.

I talked with Speaker Turman about the committee and he has assured me each time that he was not responsible for interfering with the committee work, and his letter of July 10, 1962 verifying this is reproduced in the back of the Dallas report. I still do not know why the committee members stayed away from the Dallas hearing, tried to stop
it, and voted to close the committee, nor do I know who was behind their actions. If they could be induced to talk about me, it would be very interesting information. It might be well worth the time of the committee to make that hearing public information. I still had the tapes, so I hired help to transcribe all the testimony, type it, correct it, and get it in shape to print. I also secured the permission in writing of all who appeared to publish their testimony. The cost of all this was considerably more than I anticipated.

After three members of the committee voted to consider the Dallas hearing illegal, I personally paid all expenses of the hearing including $125.00 advanced to the committee secretary to pay her expenses on the trip to Dallas. Below is a fairly accurate list of my expenses in holding and publishing the report on the Dallas hearing and subsequent expenses:

1. Secretary's expenses $125.00
2. Rent on tape recorder for transcribing 50.00
3. Tape bought 10.60
4. Clerical help in transcribing, typing and preparing manuscript and binding 360.00
5. Printing 165.00
6. Travel and car expense including 5 trips to Austin and return 250.00
$666.60

This did not include envelopes, postage, mailing, extra telephone calls and my time. If I figured my time at anything at all, the above cost figure should be doubled. Speaker Turman knew I was printing a textbook as he was quoted by the Texas Observer after the meeting which closed the committee, I still had some pride left and the determination to do something about it.

I lost a crop and plenty of business while working on this matter. After the committee expense allowance was cut off, I received some help from 3 other House Members and 2 other interested persons. Over 300 copies of the report were mailed to members of the 67th and 58th Legislatures, to news media, Chambers of Commerce, business people and other interested people at no charge. I talked the matter over with friends, including members of the House, and to help out on the expense it was suggested I accept contributions from persons wanting copies of the hearing and the amount of $2.00 was fixed as the approximate cost plus mailing. I did not place any ads of any kind but suppose someone did who thought they were doing me a service. It is entirely possible that a copy of the report was mailed to this Representative's secretary by someone helping me. I do not know for sure but one thing I'm sure of is I didn't make any money out of the matter, and didn't expect to, though I could ill afford the loss I was taking. I did make a lot of good friends and some deadly enemies who would do anything to discredit me, as they are afraid of being exposed for what they are and what they are trying to do.

I will give you a few facts on this Representative's record as a committee member. He opposed the hearings from the start and did about everything possible to disrupt the proceedings, intimidate and harass the witnesses he opposed, and would get mad and walk out when I overruled him. After the second meeting he wrote a letter to the Beaumont Enterprise stating that "the witnesses appearing before the textbook committee are far more dangerous than communists." Now, how could he make such a comparison unless he has first-hand knowledge of communism. His letter received much more prominence on the editorial page. He never sat through any of the hearings. He stayed only a part of
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the first day of a 2-day hearing in San Antonio, and he couldn't stand any further expense and asked that I pay for the full hearing. As far as I was concerned, I was just doing what I was supposed to do. He was not concerned about the cost of the hearing, but only about the fact that it was being held in San Antonio.

I have been deeply concerned about the Socialists and Communists who are running the state and nation. I don't propose to sit idle, but instead doing something about it. I hope many of you feel the same way.

I guess I can say I told you so. Four years ago I co-authored a resolution condemning Fidel Castro and warning that he was aligning with the Communists. Everybody forgot it but Homer Koliba who reproduced it 2 years ago. I am warning you again that we have Communists much closer than you think.
er than Cuba. It was rather odd when the admitted former communist appeared before the Education Committee that not one of the liberals asked him a question. Some of you were present 2 years ago in State Affairs when I asked a witness if he was or had ever been a member of the Communist Party. He invoked the 5th amendment and left Austin shortly thereafter. I knew his record. He admitted to Rep. Pearcy that he had attended communist meetings.

Now, I have been accused of being politically ambitious and some of my legislation politically motivated. Such isn't so. I have turned down several opportunities to run for higher office, and I may quit this one if a chairman of a certain committee keeps changing the rules to kill legislation in which I am interested. However, I don't give up easily.

Now, Mr. Speaker, if this House decides to have another Textbook Committee, I'm not asking for the job, as I got enough experience to last for awhile; but if I'm needed, so help me God, I'll give it another round. But please don't put me on the 5th amendment.

Mr. Birkner was granted leave of absence for the remainder of the day on account of illness, on motion of Mr. Cotten.

The Speaker laid before the House, as postponed business, on its passage to engrossment, H. B. No. 48, relating to the Motor Vehicle Safety-Responsibility Act.

Mr. Slider offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend House Bill No. 48 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1, Subsection 10 of Section 1 of Article I of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"10. 'Proof of Financial Responsibility.' Proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and in the amount of Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one accident."

Sec. 2. Subsection (b) of Section 2 of Article II of the Texas Motor Vehicle Safety-Responsibility Act is
amended to read hereafter as follows:

"(b) Any order or act of the Department, under the provisions of this Act, may be subject to review within ten (10) days after notice thereof by appeal to the County Court at law at the instance of any party in interest and in the county wherein the person aggrieved by such order or act resides, or if there be no County Court at law therein, then in the County Court of said county, or if there be no County Court having jurisdiction, then such jurisdiction shall be in the District Court of said County, and such court is hereby vested with jurisdiction, and such appeal shall be by trial de novo. The court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the Department; however, the appeal shall not operate as a stay of any such order or decision of the Department of Public Safety where the appellant was involved in an accident involving a motor vehicle which he was operating if he was charged with a violation of any of the laws of the State of Texas or any of its political subdivisions, and said charge is pending at the time the appeal from an order or decision of the Department of Public Safety is filed unless the appellant shall file proof of financial responsibility as a condition precedent to the obtaining of said order or decision of the Department, shall contain information to enable the Department to determine whether the requirements for the deposit of security under Section 4 are inapplicable by reason of the existence of insurance or other exceptions specified in this Act. Any written report of accident in accordance with Section 44, Chapter 121, Acts of the 51st Legislature, Regular Session, 1947, as last amended by Chapter 363, Acts of the 53rd Legislature, Regular Session, 1953, compiled as Article 6761d, Section 44, Vernon’s Texas Civil Statutes, if actually made to the Department, shall be sufficient provided it also contains the information required herein. The Department may rely upon the accuracy of the information unless and until it has reason to believe that the in-
formation is erroneous. If such operator be physically incapable of making such report, the owner of the motor vehicle involved in such accident shall, within ten (10) days after learning of the accident, make such report. The operator or the owner shall furnish such additional relevant information as the Department shall require.

Sec. 4. Section 5 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 5. (a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death, or damage to the property of any one of at least One Hundred Dollars ($100), the Department does not have on file evidence satisfactory to it that the person who would otherwise be required to file security under Subsection (b) of this section has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the Department shall determine the amount of security which shall be sufficient in its judgment, and in no event less than Fifty Hundred Dollars ($500), to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such operator or owner.

(b) The Department shall, within sixty (60) days after the receipt of such report of a motor vehicle accident, suspend the license and all registrations of each operator and owner of a motor vehicle in any manner involved in such accident, and if such operator or owner is a nonresident the privilege of operating a motor vehicle within this state, and the privilege of the use within this state of any motor vehicle owned by him, unless such operator, owner or bond with respect to his operation of motor vehicles not owned by him;

3. To such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the Department covered by any other form of liability insurance policy or bond; or

4. To any person qualifying as a self-insurer under Section 34 of this Act, or to any person operating a motor vehicle for such self-insurer.

No such policy or bond shall be effective under this section or under Section 7 unless issued by an insurance company or surety company authorized to write motor vehicle liability insurance in this state, except that if such motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy, or the most recent renewal thereof, such policy or bond shall not be effective under this section unless the insurance company or surety company if not authorized to do business in this state shall execute a power of attorney authorizing the Department to accept service on its
behalf of notice or process in any action upon such policy or bond arising out of such accident; providing, however, every such policy or bond is subject if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than Ten Thousand Dollars ($10,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one accident."

5. Wherever the word "bond" appears in this section or this act, it shall mean a bond filed with and approved by the Department of Public Safety.

Sec. 5. Section 6 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 6. The requirements as to security, proof of financial responsibility and suspension in Section 6 shall not apply:

1. To the operator or the owner of a motor vehicle involved in an accident wherein no injury or damage was caused to the person or property of any one other than such operator or owner;

2. To the operator or the owner of a motor vehicle legally parked at the time of the accident;

3. To the owner of a motor vehicle at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such motor vehicle without such permission; nor

4. If, prior to the date that the Department would otherwise suspend privilege and registration of nonresident's operating privilege under Section 5, there shall be filed with the Department evidence satisfactory to it that the person, who would otherwise have to file security and proof has been released from liability or been finally adjudicated not to be liable or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments, with respect to all claims for injuries or damages resulting from the accident."

Sec. 6. Section 7 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 7. The license and registration and nonresident's operating privilege suspended as provided in Section 5 shall remain so suspended and shall not be renewed nor shall any such license or registration be issued to such person until:

1. Such person shall deposit and file or there shall be deposited and filed on his behalf the security and proof required under Section 5 and under this section, or

2. Two (2) years shall have elapsed following the date of such accident and evidence satisfactory to the Department has been filed with it that during such period no action for damages arising out of the accident has been instituted, provided such person files proof of financial responsibility; or

3. Evidence satisfactory to the Department has been filed with it of a release from liability, or a final adjudication of non-liability, or a duly acknowledged written agreement, in accordance with Subdivision 1 of Section 6; provided, however, in the event there shall be any default in the payment of any installment under any duly acknowledged written agreement, then, upon notice of such default, the Department shall forthwith suspend the license and registration of nonresident's operating privilege of such person defaulting which shall not be restored unless and until:

(a) Such person deposits and thereafter maintains security as required under Section 6 in such amount as the Department may then determine and files proof of financial responsibility; or

(b) Two (2) years shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this state, provided such person gives proof of financial responsibility."

Sec. 7. Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:
Act is amended by adding thereto a new section to be known as Section 7A, which shall read as follows:

"Reinstatement—Fees

Sec. 7A. Whenever a license or registration, or nonresident's operating privilege is suspended and the filing of proof of financial responsibility is, under this article, made a prerequisite to reinstatement thereof, or to the issuance of a new license or registration, no such license or registration, or nonresident's operating privilege shall be reinstated or new license or registration shall be issued unless the licensee or registrant or nonresident shall be paid by any person regardless of the number of licenses and registrations to be reinstated or issued to such person in connection with such payment.

The fees paid pursuant to this section shall be used by the Department to administer the provisions of this article.

Sec. 8. Subsection (c) of Section 3 of Article III of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows:

"(c) Upon receipt of such certificate that the operating privilege of a resident of this state has been suspended or revoked in any such other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident or to the proof of financial responsibility, under circumstances which would require the Department to suspend a nonresident's operating privilege had the accident occurred in this state, the Department shall suspend the license and all the registrations of such resident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state relating to the deposit of security and proof of financial responsibility."

Sec. 9. Section 9 of Article III of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows:

"Sec. 9. The security required under this article shall be in such form and in such amount as the Department may require but in no case less than Five Hundred Dollars ($500) nor in excess of the limits specified in Section 8 in reference to the acceptable limits of a policy. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while such deposit is in the custody of the Department or the State Treasurer of the State of Texas, the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons; provided, however, that a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident and the same motor vehicle.

The Department may reduce the amount of security ordered in any case within six (6) months after the date of the accident if, in its judgment, the amount ordered is excessive. In case the security originally ordered has been deposited the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith, notwithstanding the provisions of Section 10."

Sec. 10. Section 10 of Article III of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows:

"Sec. 10. Security deposited in compliance with the requirements of this article shall be placed by the Department in the custody of the State Treasurer and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made, or damages arising out of the accident in question in an action at law, begun not later than two (2) years after the date of such accident, or within two (2) years after the date of deposit of any security under Subdivision 3 of Section 7, or to the payment in settlement, agreed to by the depositor, of a claim or claims arising out of such accident. Such deposit or any balance thereof..."
shall be returned to the depositor or his personal representative when evidence satisfactory to the Department has been filed with it that there has been a release from liability, or a final adjudication of nonliability, or a duly acknowledged agreement in accordance with Subdivision 4 of Section 6, or whenever, after the expiration of two (2) years from the date of the accident, or within two (2) years after the date of deposit of any security under Subdivision 5, of Section 7, the Department shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid."

Sec. 11. Section 11 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 11. Neither the report required by Section 4, the statement, whether filed or not, required by Section 17A, the action taken by the Department pursuant to this article, the findings, if any, of the Department upon which such action is based, nor the security or proof of financial responsibility filed as provided in this article shall be referred to in any way, nor be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages."

Sec. 12. Subsection (c) of Section 12 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"(c) 'The clerk of the court, or the judge of a court which has no clerk, in which any conviction for violation of a motor vehicle law is rendered, or in which a person charged with violation of a motor vehicle law has forfeited bail, shall forward immediately to the Department a certified copy of the judgment, order or record of other action of the court. If any person has pleaded guilty to any offense the conviction for which the Department is required to suspend or revoke the license of such person, the clerk or judge shall forward immediately a certified copy showing that such plea has been taken. This copy shall be prima facie evidence of the conviction, plea or other action stated. Where a person is convicted of any traffic violation coming within the provisions of Section 17A or has forfeited bail on such a charge, the clerk or judge, as the case may be, shall forward to the Department a report thereof which shall include information as to whether or not there was in effect at the time of the violation a motor vehicle liability policy or bond or other form of liability insurance policy or said person was self-insured with respect to the operation of the motor vehicle involved. The Department shall prepare a memorandum showing the duty of the clerk or court under this subsection including a list of those offenses the conviction for which the Department is required to suspend or revoke the license of any person and a copy of such memorandum shall be mailed by the Department, on or before January 1, 1964, to every court having original jurisdiction of any offense which involves a report to the Department under this subsection.'"

Sec. 13. Subsection (a) of Section 13 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"(a) Upon the receipt of a certified copy of a judgment, the Department shall forthwith suspend the license and all registrations and any nonresident's operating privilege of any person against whom such judgment was rendered except as herein- or otherwise provided in this section and in Section 16 of this Act."

Sec. 14. Section 15 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 15. Judgments herein referred to shall, for the purpose of this Act only, be deemed satisfied:
1. When Ten Thousand Dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;
2. When, subject to such limit of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one person, the sum of Twenty Thousand Dollars ($20,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to
or death of two (2) or more persons as the result of any one accident; or
3. When Five Thousand Dollars ($5,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident;

Provided, however, payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section."

Sec. 16, Section 17 of Article IV of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows:

"Sec. 17. (a) Whenever the Department, under any law of this state, suspends or revokes the license of any person upon receiving record of a conviction or a forfeiture of bail, the Department shall also suspend the registrations for all motor vehicles registered in the name of such person, and whenever the Department shall receive record of a plea of guilty to any offense the conviction for which the Department is required to suspend or revoke the license of any person, the Department shall immediately suspend the registrations for all motor vehicles registered in the name of such person, except that the Department shall not suspend any such registrations unless otherwise required by law. If such person has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by such person.

(b) Whenever the Department under any law of this state, suspends or revokes the license of any person upon receiving record of a conviction or suspends the registrations of any person upon receiving record of a plea of guilty, and such person was not the owner of the motor vehicle used at the time of the violation resulting in the conviction or the plea of guilty, the Department shall also suspend the license and all registrations in the name of the owner of the motor vehicle so used, if such vehicle was operated with such owner’s permission or consent at the time of the violation unless such owner has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by any such person.

(c) Licenses and registrations suspended or revoked under this section or under Section 17A shall remain suspended or revoked and shall not at any time thereafter be renewed nor shall any license be thereafter issued to such person, nor shall any motor vehicle be thereafter registered in the name of such person until permitted under the Motor Vehicle Laws of this state and not then unless and until he shall give and thereafter maintain proof of financial responsibility.

(d) If a person is not licensed, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for (or pleads guilty to any such offense) any offense requiring the suspension or revocation of license, or for operating a motor vehicle upon the highways without being licensed to do so, or for operating an unregistered motor vehicle upon the highways, no license shall thereafter be issued to such person and no motor vehicle shall continue to be registered or thereafter be registered in the name of such person until he shall give and thereafter maintain proof of financial responsibility.

(e) Whenever the Department suspends or revokes a nonresident’s operating privilege by reason of a conviction, forfeiture of bail or a plea of guilty, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility.”

Sec. 16, Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new section to be known as Section 17A which shall read as follows:

"Sec. 17A. Other Convictions—Statement Required—Financial Responsibility. (a) Within sixty (60) days after the receipt by the Department of a record of a second conviction payment of fine, or forfeiture of bond in any court in this
state of any moving traffic violation of the State of Texas or any political subdivision thereof, other than a conviction to which Section 17 applies, the Department shall, unless the record shows that the person so convicted was at the time of the offense in compliance with subdivision (1) of this subsection (a) or that the owner of the motor vehicle used was at the time of the offense in compliance with subdivision (2) of this subsection (a), send a notice to such person requiring him to file within ten (10) days a statement in writing showing:

1. That he had in effect at the time of the violation a motor vehicle liability policy or bond applicable to the motor vehicle then used, or to its operation, or that he was in the judgment of the Department, then covered by any other form of liability policy or bond or had qualified as a self-insurer under Section 24, or

2. That the owner of the motor vehicle used at this time of the violation a motor vehicle liability policy or bond applicable to the motor vehicle then used, or that such owner was in the judgment of the Department, then covered by any other form of liability policy or bond, or had qualified as a self-insurer under Section 24, and that the motor vehicle was then being operated with the owner's permission or consent, or

3. That he has in effect at the time the statement is executed a motor vehicle liability policy or bond or has qualified as a self-insurer under Section 24.

(b) Upon a third or subsequent conviction, payment of fine, or forfeiture of bond, within twelve (12) months of an offense to which subsection (a) of this section applies, where the person convicted was not at the time of such third or subsequent violation, in compliance with subdivisions (1) or (2) of subsection (a) of this section, such person shall, in lieu of filing the statement required under subsection (a) of this section, file proof of financial responsibility.

(c) In the event that any such person does not, within ten (10) days after notice, file the statement required under subsection (a), or proof of financial responsibility if subject to subsection (b), the Department shall suspend the license and all registrations of such person, and his nonresident operating privilege, if he is a nonresident, until he files the statement required under subsection (a) or, if subject to subsection (b), until he files proof of financial responsibility.

(d) The Department may rely upon the accuracy of information as to insurance contained in conviction of records, or in writing statements required by this section unless and until it has reason to believe that such information is erroneous.

Sec. 17. Subsections (a) and (b) of Subsection (a) of Section 21 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act are amended to read hereafter as follows:

"Sec. 21. (a) A motor vehicle liability policy as said term is used in this Act shall mean an owner's or operator's policy of liability insurance, certified as provided in Section 19 or Section 20 as proof of financial responsibility, and issued, except as otherwise provided in Section 20, by an insurance company duly authorized to write motor vehicle liability insurance in this state, to or for the benefit of the person named therein as insured.

(b) Such owner's policy of liability insurance:

1. Shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby to be granted; and

2. Shall pay on behalf of the insured named therein and any other person, as insured, using any such motor vehicle or motor vehicles with the express or implied permission of each named insured, all sums which the insured shall become legally obligated to pay as damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows: Ten Thousand Dollars ($10,000) because of bodily injury or death of one person in any one accident and, subject to said limit for one person, Twenty Thousand Dollars ($20,000) because of
bodily injury to or death of two (2) or more persons in any one accident, and Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one accident." Sec. 18. Section 28 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 28. Whenever any proof of financial responsibility filed under the provisions of this Act no longer fulfills the purposes for which required, the Department shall for the purpose of this Act, require other proof as required by this Act and shall suspend the license and all registrations or any nonresident’s operating privilege pending the filing of such other proof."

Sec. 26. Section 29 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 29. The Department shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the Department shall direct and the State Treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this Act as proof of financial responsibility, or the Department shall waive the requirement of filing proof, in any of the following events:

1. At any time after five (5) years from the date such proof was required when, during the five-year period preceding the request, the Department has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration or nonresident’s operating privilege of the person by or for whom such proof was furnished; or
2. In the event the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle; or
3. In the event the person who has given proof surrenders his license and registration to the Department;

Provided, however, that the Department shall not consent to the cancellation of any bond or the return of any money or securities upon a liability covered by such proof if such bond or certificate of insurance has been fully in effect at least five (5) years preceding the request, and that the Department shall not consent to the cancellation of any bond or certificate of insurance, nor shall the Department suspend the license or operate the motor vehicle after such bond or certificate of insurance has been fully in effect at least five (5) years preceding the request, for damages, including bodily injury, loss of use, personal property, or death of any person, or for destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after such bond or certificate of insurance has been fully in effect at least five (5) years preceding the request, and that the Department shall not consent to the cancellation of any bond or certificate of insurance, nor shall the Department suspend the license or operate the motor vehicle after such bond or certificate of insurance has been fully in effect at least five (5) years preceding the request, for bodily injury, loss of use, personal property, or death of any person, or for destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after such bond or certificate of insurance has been fully in effect at least five (5) years preceding the request."
evidence thereof in the absence of evidence to the contrary in the records of the Department.

Whenever any person whose proof has been cancelled or returned under Subdivision 3 of this section applies for a license or registration within a period of five (5) years from the date proof was originally required, any such application shall be refused unless the applicant shall re-establish such proof for the remainder of such five-year period."

Sec. 21. Section 21 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended to read as follows:

"Sec. 21. Any Person whose license or registration shall have been suspended as herein provided, or whose policy of insurance or bond, when required under this Act, shall have been cancelled or terminated, or who shall neglect to furnish other proof upon request of the Department shall immediately return his license and registration to the Department. If any person shall fail to return to the Department the license or registration as provided herein, the Department shall forthwith direct any peace officer to secure possession thereof and to return the same to the Department, and the Department shall send a certified copy of the act or order therefor in the absence of evidence to the contrary in the records of the Department. The sheriff or his deputy shall immediately upon receipt of the certified copy secure possession of the license or registration and return the same to the Department. The Director of the Department of Public Safety or a person designated by him shall file a complaint in any court of competent jurisdiction under Subsection (d) of Section 32 against any person who he has reason to believe has willfully failed to return license or registration as required herein."

Sec. 22. Subsection (b) of Section 22 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended to read as follows:

"(b) Any person who gives information required in a report or otherwise as provided for in Section 4, knowing or having reason to believe that such information is false, or who shall forge or, without authority, sign any evidence of proof of financial responsibility or who files or offers for filing any such evidence of proof knowing or having reason to believe that it is forged or signed without authority, or who intentionally gives to any court false information as to the existence of insurance at the time of the traffic violation coming under Section 17A, or who intentionally gives false information in a statement required by Section 17A, or who intentionally fails to file a report within the time required by Section 17A, shall be fined not more than One Thousand Dollars ($1,000) or imprisoned for not more than one year, or both.

Sec. 23. Section 23 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new subsection to be known as (f) which shall read as follows:

"(f) Any person who is required to maintain proof of financial responsibility under this Act and who, during the period financial responsibility is required to be maintained, drives any motor vehicle owned by him upon any highway or knowingly permits any motor vehicle owned by him to be operated by another upon any highway, except as permitted under this Act, when proof of financial responsibility is in force, shall be fined not more than Five Hundred Dollars ($500) or imprisoned not exceeding six (6) months, or both.

Sec. 24. Section 24 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new subsection to be known as (g) which shall read as follows:

"(g) Any case now or hereafter pending on the docket of any court involving prosecution under any provision of this Act shall be given precedence on the docket of such court and prosecution shall proceed with all due diligence."

Sec. 25. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.
Sec. 26. The fact that many innocent victims of traffic accidents are unable to obtain adequate compensation for injuries and damages due to the financial inability of the responsible party to respond to the accident 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 this Rule is hereby suspended, and this Act take effect and become operative as from and after its passage, and it is so enacted.

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

Amend Committee Amendment No. 1 to House Bill No. 48 by striking quoted Subsection (b) of Section 2 and substituting in lieu thereof the following:

"(b) Any order or act of the Department, under the provisions of this Act, may be subject to review within thirty (30) days after notice thereof, or thereafter for good cause shown, by appeal to the County Court at Law at the instance of any party in interest and in the county wherein the person aggrieved by such order or act resides, or if there be no County Court at Law therein, then in the County Court of said county or in the District Court of said county, or if there be no County Court having jurisdiction, then such jurisdiction shall be in the District Court of said county, and such court is hereby vested with jurisdiction, and such appeal shall be by trial de novo. An appeal may act as a stay of any order or act of the Department provided the parties to the original incident which are named by the Department of Public Safety in its suspension order are served with process either in person or through the Secretary of State, in the instance of out of state parties. Such hearing shall not determine the common law tort right of the said parties but shall determine the desirability of the execution of the said order of suspension. Failure of the state or at least one of the parties to respond shall operate as a stay of execution of the order of the Department of Public Safety unless and until Parties to the incident shall reduce their claim to judgment of a Court of Competent Jurisdiction and file same with the Department of Public Safety. Such suit must be filed within two years of the date of the original accident in order to invoke the authority of the Department of Public Safety as prescribed in this Act. In the event the state or at least one of the parties responds the court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the Department."

Mr. Fairchild moved to table the above amendment offered by Mr. Whitfield to Committee Amendment No. 1, and the motion to table prevailed.

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

Amend House Bill No. 48 by striking the first sentence of quoted subsection (b) in Section 2, and substituting in lieu thereof the following:

"Any order or act of the Department, under the provisions of this Act, may be subject to review within thirty (30) days after notice thereof, or thereafter for good cause shown, by appeal to the County Court at Law at the instance of any party in interest and in the county wherein the person aggrieved by such order or act resides, or if there be no County Court at Law therein, then in the County Court of said county, or if there be no County Court having jurisdiction, then such jurisdiction shall be in the District Court of said county, and such court is hereby vested with jurisdiction, and such appeal shall be by trial de novo."

Mr. Fairchild moved to table the above amendment offered by Mr. Whitfield, and the motion to table was lost.

The amendment offered by Mr. Whitfield was then adopted without objection.

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

Amend Committee Amendment to House Bill 48 by striking out on line 39, page 1, after the word "de novo" all of the following wording there-
after through line 48 up to and including the word "stay" on said line and substitute in lieu thereof the following: The appeal shall operate as a stay of any such order or decision of the Department of Public Safety where the appellant was involved in an accident involving a motor vehicle which he was operating and such stay shall remain with forth effect until said appeal shall have been disposed on the merits.

Mr. Fairchild moved to table the above amendment offered by Mr. Alaniz, and the motion to table prevailed.

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

Amend Committee Amendment No. 1 to H. B. No. 48 by substituting the figure $250.00 for the figure $500.00 on lines 42 and 51, page 2 of said committee amendment No. 1 and by substituting the figure $250.00 for the figure $500.00 on line 51 of page 4 of same.

Mr. Fairchild moved to table the above amendment offered by Mr. Rosson, and the motion to table was lost.

The amendment offered by Mr. Rosson was then adopted.

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

Amend Committee Amendment No. 1 to H. B. No. 48, Section 4, Page 2 of the printed bill by substituting the figure $10.00 in the place of $25.00 on each lines 21 and 23 of said Committee Amendment No. 1.

The above amendment offered by Mr. Rosson was adopted.

Mr. Rosson moved that the Journal show that the above amendment be to line 28, page 4 instead of lines 21 and 23 thereof.

There was no objection offered and it was so-Ordered.

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

Amend Committee Amendment No. 1 to H. B. No. 48, Subsection 1 of Section 1, Subsection 10 by striking the words "Ten Thousand Dollars ($10,000.00)" on line 24, page 1, and inserting therefor, the words "Twenty Thousand Dollars ($20,000.00)" and insertion thereof the words "Two Hundred Dollars ($200)."

The above amendment offered by Mr. Pearcy was adopted without objection.

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

Amend Committee Amendment No. 1 to H. B. No. 48, Section 1, Subsection 10 by striking the words, "Ten Thousand Dollars ($10,000.00)" on line 24, page 1, and inserting therefor, the words, "Five Thousand Dollars ($5,000.00)" and on line 28 the words, "Twenty Thousand Dollars ($20,000.00)" and insert therefor,
the words, "Ten Thousand Dollars ($10,000.00)" and amounts in any other portion of this bill to make it conform to this amendment.

Mr. Fairchild moved to table the above amendment offered by Mr. Harding and the motion to table prevailed.

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

Amend Committee Amendment No. 1 to H. B. 48, Section 12, on Page 5 of the printed bill, lines 42 through 46, by striking the sentence beginning with the word "if" on line 42 and by striking the last sentence of said section beginning on line 54.

Mr. Fairchild moved to table the above amendment offered by Mr. Pearcy and the motion to table prevailed.

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

Amend Committee Amendment No. 1 to H. B. 48, Sec. 16 line 17, on Page 7 of the printed bill by striking the words "any moving traffic violation," and inserting in lieu thereof the words "speed laws or the reckless and careless driving laws."

Mr. Fairchild moved to table the above amendment offered by Mr. Pearcy and the motion to table prevailed.

Mr. Whitfield moved the previous question on the passage of H. B. No. 48 to engrossment and the motion was seconded.

The motion for the previous question prevailed.

A record vote was requested on the adoption of Committee Amendment No. 1.

Committee Amendment No. 1, as amended, was adopted by the following vote:

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Committee Amendment No. 1, as amended, was adopted by the following vote:
March 4, 1963

HOUSE JOURNAL
469

Johnson of Bexar  Richard
Kilpatrick  Robert
Krause  Rodrigues
Lack  Slack
McDonald  of Rusk
McDonald  Townsend
Mutschler  Weldon
Pendleton  Wilson
Rapp  
Absent
Smith of Jefferson
Absent—Excused
Birnkr  McGregor
Esquivel  Whately
Houston  Woods

H. B. No. 48 was then passed to
engrossment.

Mr. Fairchild moved to reconsider
the vote by which H. B. No. 48 was
passed to engrossment and to table
the motion to reconsider.

The motion to table prevailed.

RECORD OF VOTE

Mr. Cotten requested to be record-
ed as voting No on H. B. 48 on
which there was no record vote.

REASON FOR VOTE

I have voted against H. B. 48
because I understood the bill
would not be up for action until Wednes-
day, March 5th. I feel more time
and consideration should be allowed
concerning this important piece of
legislation affecting the insurance
laws of our state.

Respectfully,
Bill Rapp.

REASON FOR VOTE

Reasons for voting No on H. B.
48 on adoption of Committee Amend-
ment.

This bill in my opinion would
extend the hand of bureaucratic gov-

erment closer into the personal
lives of our fellow Texans. It would
raise insurance rates in this state.

It will not protect the persons who
are injured because this will not in-
sure that motorists carry liability in-
surance to protect the injured party
or the public, it will only punish
the person who has already caused
an injury and will not compensate
the injured party.

This bill will allow rights to be
taken away from persons without the
traditional concept of trial by jury
and that any citizen is presumed
innocent until proven guilty beyond
a reasonable right.

This will allow a bureaucrat, in
Austin in the Dept. of Pubilc Safety
to take away valuable rights that
heretofore were litigated in the
Courts.

This bill violates the double jeop-
dardy theory that our founding fathers
inserted in both our State and Federa-
al Constitutions by allowing a citi-
zen that is found guilty in a criminal
case and still be subject to double
punishment as provided in this Act.

This bill violates the due process
clause of our Constitution by allow-
ing a bureaucrat in the Dept. of Pub-
lic Safety to take away rights of citi-
zens without the benefit of trial
by jury or counsel.

John C. Alaniz,
Jake Johnson of Bexar.

MESSAGE FROM THE SENATE

Austin, Texas, March 4, 1963
Hon. Byron Tunnell, Speaker of the
House of Representatives,

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

S. C. R. No. 27, By Parkhouse:
Commending the American Legion
for choosing Dallas for its National
Convention of 1964.

S. B. No. 88, By Richter, et al:
Creating the Governor's Committee
on Education Beyond the High School
for the study of the needs of public
and private education beyond the
high school; and declaring an emer-
gency.

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

BILLS AND A RESOLUTION
SIGNED BY THE SPEAKER

The Speaker signed in the pre-
sence of the House, after giving due
notice thereof and their captions
had been, read severally, the follow-
ing enrolled bills and a resolution:

H. B. No. 7, "An Act repealing
Chapter 26, Acts of the Fifty-sixth
Legislature, Second Called Session,
1959, as amended by Chapter 59, Acts of the Fifty-seventh Legislature, First Called Session, 1961 (compiled as Article 2829-243 of Vernon's Texas Civil Statutes), relating to the Palo Duro River Authority; and declaring an emergency."

H. B. No. 15, "An Act amending Section 2 of Chapter 333, Acts of the Forty-second Legislature, Regular Session, 1931, as amended by Section 1, Chapter 49, Acts of the Forty-third Legislature, Regular Session, 1933 (compiled as Section 2, Article 1605a, Vernon's Texas Civil Statutes) so as to raise the maximum amount allowed to be spent by the County Commissioners Courts on office buildings or jails from One Hundred and Fifty Thousand Dollars ($150,000) to Two Hundred Thousand Dollars ($200,000) in cities other than the county seat; and declaring an emergency."

H. B. No. 233, "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 18th Judicial District of Texas; providing for severability; and declaring an emergency."

H. B. No. 235, "An Act authorizing the Commissioners Courts of Counties within the 121st Judicial District to pay certain amounts to the District Judge of such District to defray certain necessary expenses; providing for severability; and declaring an emergency."

H. B. No. 239, "An Act providing that it shall be lawful to take or kill collared peccary or javelina in Brooks and Karnes Counties at any time; making it unlawful to take or kill or have in possession any collared peccary or javelina for purposes of barter or sale, or to sell or offer for sale any collared peccary or javelina; providing penalties for violations; and declaring an emergency."

H. C. R. No. 17, Relative to requesting issuance of a commemorative stamp honoring Big Bend National Park.

HOUSE BILL NO. 59 ON THIRD READING

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

H. B. No. 59, A bill to be entitled "An Act amending Subdivision 84 of Article 193, Title 2, Revised Civil Statutes of the State of Texas, 1925, as amended, to change the terms of the District Court of the 84th Judicial District, and to give the Judge discretion as to the number of sessions he holds in any county of the district during any term; continuing all process, bonds and recognizances, and all grand and petit juries of the old terms; repealing all laws in conflict, and declaring an emergency."

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

Yeas—134

Adams    Fletcher
Allen     Floyd
Allen     Fondren
Arledge   Foreman
Atwell    Garrison
Bailey    Gibbons
Bandfield Gladden
Barnes    Glenn
Bass of Bowie Green
Bass of Harris Grover
Beckham   Haines of Brazos
Berry     Hallmark
Blaine    Harding
Boykin    Harris
Brookes   of Galveston
Brown of Taylor Harris of Dallas
Butler    Haynes of Orange
Cain      Healty
Caldwell  Hefston
Canales   Hendrix
Cannon    Hinson
Carpenter Hollowell
Carriker  Hughes
Carwens   Imbsaks
Chapman   Jamison
Cherry    Jarvis
Clayton   Johnson of Dallas
Cole      Kilpatrick
Collins   Klagge
Corry     Knapp
Cotton    Koliba
Coughran  Kohlmann
Cowden    Lack
Crawford  Latimore
Crain     Ligade
Crews     McClintock
Davis     McDonald of Hidalgo
De la Garza
Doke      McDonald of Rusk
Duggan    Mclanahan
Duncan    McLaughlin
Edhardt   Macatee
Edwards   Mann
Fairchild Markgraf
Finney    Miller

470
The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 95, A bill to be entitled "An Act amending Subdivision 94 of Article 199, Title 8, Revised Civil Statutes of the State of Texas, 1925, as amended, to change the terms of the District Court of the 84th Judicial District, and to give the judge discretion as to the number of sessions he holds in any county of the district during any term; continuing all process, bonds and recognizances, and all grand and petit juries of the old terms; repealing all laws in conflict; and declaring an emergency."

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

APPENDIX

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

Agriculture: H. B. No. 369.
Conservation and Reclamation: H. B. No. 566.

RECORD OF THE COMMITTEE ON ENGROSSED BILLS
Austin, Texas, February 28, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 59, A bill to be entitled "An Act amending Subdivision 94 of Article 199, Title 8, Revised Civil Statutes of the State of Texas, 1925, as amended, to change the terms of the District Court of the 84th Judicial District, and to give the judge discretion as to the number of sessions he holds in any county of the district during any term; continuing all process, bonds and recognizances, and all grand and petit juries of the old terms; repealing all laws in conflict; and declaring an emergency."

Has carefully examined same and finds it correctly engrossed.

NELSON COWLES, Chairman.
In Memory of The Honorable

Clarence E. Farmer

Mr. Shannon offered the following resolution:

H. S. R. No. 218, In Memory of The Honorable Clarence E. Farmer.

Whereas, It is with nostalgia and regret that this House of Representatives takes note of the passing of a great man and of a breed of man that has long since vanished from American politics; and

Whereas, Clarence E. Farmer, who called himself "The Old War­horse of Politics," dropped dead while pleading for his favorite cause—what he believed to be the welfare of his beloved Democratic Party—before the Tarrant County Commissioners Court, Thursday, February 21, 1963; and

Whereas, Mr. Farmer had been a Member of the Texas House of Representatives of the Forty-second, Forty-fourth, Forty-fifth and part of the Forty-sixth Legislatures, but he enlivened the political scene most of the eighty-seven years of his life; and

Whereas, Mr. Farmer was a fixture in Texas politics, a pleader for causes in which he believed, the epitome of the politician long parodied in cartoon and theater. He was a man of rugged individual­ism, the exhorter and impassioned orator. His pauses were long and his aphorisms pungent; and

Whereas, At the same time he was well-loved and admired because he was a man of conviction. This was no cynical Madison Avenue "image." He ran for many political offices and upon one occasion filed for the office of Governor. Success or failure to him did not matter; to him issues were more important than personal aggrandizement; and

Whereas, Mr. Farmer came to Texas from Virginia. As a child he lived in Denton and moved to Fort Worth in 1892. He had a bachelor of science degree from Valparaiso University in Indiana and a law degree from Vanderbilt University at Nashville; and

Whereas, Sorrow attends the passing of this man who endeared himself while he harangued. Mourners at his funeral services Sat­urday, February 23, besides his family, which includes his wife, Mrs. Ruth Trimble Farmer; three daughters, Mrs. Evangeline Emory of Austin, Mrs. Juanita Freeman of Moline, Illinois, and Mrs. Ruth Arnett of East Orange, New Jersey, were a host of political "enemies," yet all of them friends. Honorary pallbearers were members of the Commissioners Court, the Tarrant County delegation to this House of Representatives, Judges of county, district, and appellate courts, a Congressman and a host of prominent Texans; now, therefore, be it...
Resolved, That the House of Representatives of the Fifty-eighth Legislature of the State of Texas pays tribute to this great advocate of an era now closed, and expresses deep regret that his ringing voice no longer will be heard in the halls of government; and, be it further

Resolved, That copies of this Resolution be sent to his family, and that when the House adjourns this day it do so in memory of, and in respect for, Clarence E. Farmer.

Signed: Shannon, Finney, Gladden, Green, Richardson, Farmer and McLaughlin.

The resolution was read, and was adopted by a rising vote.

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