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

Sir: Your Committee on Enrolled Bills to whom was referred H. C. R. No. 17, requesting the Postmaster General of the United States to issue a suitable commemorative stamp honoring Big Bend National Park.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

SENT TO GOVERNOR

March 6, 1963

H. B. No. 7.

H. B. No. 10.

H. B. No. 233.

H. B. No. 235.

H. B. No. 239.

H. C. R. No. 17.

THIRTY-FOURTH DAY
(Wednesday, March 6, 1963)

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

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

Mr. Speaker                              Caldwell
Adams                                  Canales
Alamia                                 Cannon
Allen                                  Carpenter
Artiedgo                                Carrickers
Atwell                                 Cavness
Ball                                    Chapman
Barnes                                 Cherry
Bass of Bowie                           Clayton
Bass of Harris                          Cole
Beckham                                 Collins
Berry                                   Cook
Birksker                                Cory
Blaine                                  Cotton
Boycey                                  Coughran
Bridges                                 Cowden
Brooks                                  Cowles
Brown                                   Cran
of Galveston                           Cruz
Brown of Taylor                         Davis
Butler                                  de la Garza
Cain                                    Doke
Duggan                                  Mann
Duggan of Edinburg                      Markgraf
Dickard                                 Miller
Edwards                                 Morgan
Eveling                                  Moyer
Fairchild                                Murray
Finney                                  Muschler
Fletcher                                 Nussley
Floyd                                   Nugent
Foutz                                    Parker
Foreman                                 Farmer
Garrison                                Parsley
Gibbons                                  Pearcy
Gladden                                 Peterson
Gose                                      Petty
Groover                                  Pipkin
Guffey                                  Price
Haines of Brownsville                   Quilliam
Halbrook                                Rapp
Harding                                  Richards
Harling                                  Richardson
Harris                                   Ritter
of Galveston                            Roberts
Harris of Dallas                        Rodrigues
Hays of Orange                          Rosson
Healy                                    Satterwhite
Hefton                                   Schiller
Hefferny                                 Segret
Hineson                                  Shannon
Hughes                                   Shipley
Issacso                                 Shutt
Jamison                                  Simpson
Jarvis                                   Slater
Johnson of Dallas                       Sider
Johnson of Bexar                        Smith of Bexar
Kilpatrick                               Smith of Jefferson
Klager                                   Steward
Knap                                    Hollenweck
Kolbha                                   Thompson
Koehlmann                               Thurmond
Lack                                     Townsend
Lattimore                                Trager
Ligardia                                 Walker
McClintion                               Ward
McDonald                                 Weldon
of Hidalgo                               Wells
McDonald of Rock Island                  Whaley
McGregor                                 Wheeler
Mcallan                                  Whitefield
McLaughlin                               Witting
McNutt                                   Wilson
Macatee                                  Woods
Absent—Excused                          Banfield
Youcas                                  Houston
Hollowell                                Houston

A quorum of the House was announced present.

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

“Our Heavenly Father, we pause in silence that we might hear Thy
voice above the confusion of this world. Thou hast said that Thy ways are not our ways and that Thy ways are higher than ours, therefore we pray that Thy will might be done as we wait in Thy presence to learn of Thee, Thy will for our lives this day.

"We confess that in the conceit of our self-sufficiency, too often we have turned, with our burning thirsts, to the broken cisterns of worldly wisdom and our own sophisticated cleverness.

"As we rise above the divisive prejudices of embittered days, may we be the hearers and doers of Thy word and Thy will.

"For we offer this prayer in our Redeemer's name.—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Hollowell for today on motion of Mr. Petty.

Miss Banfield was granted leave of absence for today, on account of illness, on motion of Mr. Barnes.

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

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 227, By Collins: In memory of Mrs. Leona Mae Sharrott.

H. S. R. No. 229, By Hughes: In memory of Mr. Ben W. Wiseman.

ADDRESS BY THE HONORABLE O. H. "IKE" HARRIS

On motion of Mr. Shannon, the following remarks by the Honorable O. H. "Ike" Harris, made in addressing the House on today honoring the men who fell at the Alamo on March 6, 1836, were ordered printed in the Journal:

ADDRESS BY O. H. "IKE" HARRIS ON MARCH 6, 1963

Mr. Speaker, Members of the House, ladies and gentlemen. On this day in 1836, 127 years ago, 186 Texians died to preserve the freedom and independence of the Republic of Texas.

After twelve days under the siege guns of Santa Anna and grossly outnumbered, these gallant men fell. Under the leadership of William Travis, Jim Bowie and David Crockett these 186 died, but they preserved time for Sam Houston to muster his forces. Many say that but for the gallant stand of these men Texas would not have prevailed in the war with Mexico.

So that as it may, they are a shining light to my freedom and yours. May this House be reminded on this day that we, too, can preserve the freedom of Texas.

So, I ask that we honor those men who fell at the Alamo on March 6, 1836.

HOUSE JOINT RESOLUTIONS ON FIRST READING

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

By Lack, Haynes of Orange and Rapp:

H. J. R. No. 62, A Joint Resolution "Proposing an amendment to Section 30 of Article XVI of the Constitution of the State of Texas to provide that the Railroad Commission shall be composed of five (5), rather than three (3), commissioners, prescribing the form of ballot and providing for the necessary proclamation and publication."

Referred to the Committee on Constitutional Amendments.

By Haynes of Orange, Lack, Collins, Corrigan, Hinson and Weldon:

H. J. R. No. 63, A Joint Resolution "Proposing an amendment to Article XVI of the Constitution of the State of Texas by adding a new Section 67 to provide the Legislature with the authority to establish the duration of undeveloped mineral estates."

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 Glenn, Fairchild, Harding,
Ligarde, Lattimore, Feeler, Parker, McIlhaney, Chapman, Johnson of Dallas, Satterwhite, Knapp and Mann:

H. B. No. 707, A bill to be entitled "An Act providing a divorced person with a right of action against a former spouse for the commission of inten
tional torts upon the claimant during their marriage; providing for the
running of the Statute of Limitations upon the commission of such
tortious act; and declaring an emergency."
Referred to the Committee on Judiciary.

By Cavness:
H. B. No. 708, A bill to be entitled "An Act authorising any city, town or
village to pay all or any portion of the premium for certain group
insurance contracts covering its employees; amending the Insurance
Code of the State of Texas (Chapter 491, Acts of the 52nd Legisla
ture, Regular Session, 1951) as last amended by adding a new Article to
be known as Article 3.51-1; providing for severability; and declaring
an emergency."
Referred to the Committee on Insurance.

By Brown of Galveston:
H. B. No. 709, A bill to be entitled "An Act repealing Article 4607 of the
Revised Civil Statutes of Texas, 1917."
Referred to the Committee on State Affairs.

By Brown of Galveston:
H. B. No. 710, A bill to be entitled "An Act repealing Section 9 of Chap
ter 171, Acts of the 47th Leg., 1931, which is codified in Vernon's Texas
Civil Statutes as Article 46a."
Referred to the Committee on State Affairs.

By Brown of Galveston:
H. B. No. 711, A bill to be entitled "An Act repealing Article 493 and
Article 493 of the Penal Code of Texas."
Referred to the Committee on State Affairs.

By Brown of Galveston:
H. B. No. 712, A bill to be entitled "An Act repealing Section 6 of Chap
ter 428, Acts of the 50th Leg., 1947, which is codified as Article
46b-1 in Vernon's Texas Civil Statutes."
Referred to the Committee on State Affairs.

By Rapp:
H. B. No. 713, A bill to be entitled "An Act amending Section 1 of Chap
ter 247, Acts of the 56th Legislature, 1959, to prohibit the use of bait
trawls in the tidal waters of Wilkney County west of Padre island with a
mesh size less than one and one-fourth (1 1/4) inch stretch between
the knots; amending Section 2 of said Act to change the period of
time during which Black Drum Fish may be taken from such waters with
nets under permit, and to limit such netting to the portion of such waters
lying east of the Intracoastal canal; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Niemeyer:
H. B. No. 714, A bill to be entitled "An Act requiring any person who
sells products or services, offers for sale or solicits orders for such pro
ducts or services, at a private residence to obtain a permit from the
sheriff of the county where such solicitations or sales are made; pro
viding certain exemptions from such permit requirements; prescribing the
fee for the permit and use thereof by the sheriff's department; provid
ing penalties for violations; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Stollenwerk:
H. B. No. 715, A bill to be entitled "An Act amending Section 48 of the
Election Code of the State of Texas (Article 5.16 of Vernon's Texas
Election Code) so as to require all qualified voters, who are ex
empted by law from the payment of a poll tax, to obtain an exemption
certificate."
Referred to the Committee on Privileges, Suffrage and Elections.

By Crain:
H. B. No. 716, A bill to be entitled "An Act providing for the creation
of Archer County Hospital District with the boundaries of such District
coterminous with the boundaries of Archer County, Texas, pursuant to
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authority granted by Section 9, Article IX, of the Constitution of the State of Texas, providing for an election on the question of the creation of such District and the levy of a tax, not to exceed seventy-five cents ($0.75) on One Hundred Dollar ($100) valuation, for the support and maintenance of said District and the payment of any bonds issued by it; providing for the assumption by said District of outstanding bonded indebtedness; providing said District with power to issue bonds for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes and for the refunding of such bonds; providing a governing body for such District and for the sale of the bonds and for the refunding of such bonds; providing a governing body for such District and for the sale of such bonds; providing for the sale of bonds for hospital purposes by Archer County or any city located therein; enacting other provisions incidental and germane to the purposes of such Act; providing a severability clause; and declaring an emergency.”

Referred to the Committee on Counties.

By Wells:

H. B. No. 717, A bill to be entitled “An Act enabling each county to create a County Hospital Authority with taxing power; defining terms used in the Act; prescribing the procedure to be followed in creating such Authorities, the method of appointing directors and election of officers, their powers and duties, restricting the territory of an Authority to boundaries of the County creating it; providing for the issuance of Authority’s revenue bonds after notice and opportunity for referendum election; prescribing the details for issuance, approval and sale of such bonds and the use to be made of the proceeds; providing for selection of depositaries; exempting Authority’s property from taxation; conferring the power of eminent domain; providing for investment of funds; conferring the power to accept donations; prescribing a severability clause; providing bonds issued by the Authority shall be lawful investments and security for deposits in certain instances; enacting other provisions related to the subject; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Segret:

H. B. No. 718, A bill to be entitled “An Act prohibiting the sale of trading stamps or the furnishing or selling of trading stamps without first obtaining a license to do so; providing for issuance of the license by county clerks; prescribing the fee and other terms of the license; providing a penalty for violation of this Act; and declaring emergency.”

Referred to the Committee on Revenue and Taxation.

By Bass of Bowie:

H. B. No. 719, A bill to be entitled “An Act providing for the regulation of motor vehicle driving schools; setting forth procedures therefor; providing for certain penalties; and declaring an emergency.”

Referred to the Committee on Commerce and Manufactures.

By Roberts:

H. B. No. 720, A bill to be entitled “An Act creating a conserving district under Article XVI, Section 59, of the Constitution comprising certain territory contained in Hill County, Texas, to be known as ‘City of Hillsboro Water and Sewer Authority,’ for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing, transporting, and distributing the same and providing plans and facilities for the collection, transportation, processing, disposal and control of all domestic, industrial and communal wastes; providing for confirmation of authority by election; providing for a Board of Directors for the government of said Authority; authorising the Authority to do all things necessary to the exercise of the powers herein granted; authorising the issuance of bonds and providing for payment and security thereof; making applicable to the District Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain general laws relating to Water Control and Improvement Districts; prescribing other powers of the Authority; pro-
H. B. No. 721, A bill to be entitled "An Act amending Article 923a, P. C., 1926, relating to Importation of wild birds and animals; and declaring an emergency." Referred to the Committee on Game and Fisheries.

H. B. No. 722, A bill to be entitled "An Act amending Article 913, P. C., 1925, relating to the taking of fish and wildlife for propagation, zoological gardens, or scientific purposes; and declaring an emergency." Referred to the Committee on Game and Fisheries.

H. B. No. 723, A bill to be entitled "An Act amending Section 3 of Chapter 208, Acts of the 57th Legislature, R. S., 1961, relating to transplanting deer; and declaring an emergency." Referred to the Committee on Game and Fisheries.

H. B. No. 724, A bill to be entitled "An Act making unlawful the taking, killing or disturbing of sea turtles or their eggs; and declaring an emergency." Referred to the Committee on Game and Fisheries.

H. B. No. 725, A bill to be entitled "An Act providing for the reverter of mineral estates to the surface owner of record, his heirs or assigns, where there has been neither production, use nor development for ten (10) years; and declaring an emergency." Referred to the Committee on Judiciary.

H. B. No. 726, A bill to be entitled "An Act providing for the rendition and assessment of any undeveloped mineral estate situated in this state for ad valorem tax purposes; providing for the valuation of such mineral estates at not less than Five Dollars ($5.00) per acre; and declaring an emergency." Referred to the Committee on Oil, Gas and Mining.

H. B. No. 727, A bill to be entitled "An Act authorizing the commissioners courts of Castro, Hale and Whisher Counties to pay the District Judge of the 64th Judicial District compensation in addition to the compensation paid by the state; and declaring an emergency." Referred to the Committee on Counties.

H. B. No. 728, A bill to be entitled "An Act amending Section 1, Chapter 493, Acts of the Fifty-second Legislature, 1951, as amended, prescribing the deer season in Harrison County; providing that deer with pronged horns and other deer as permitted by the Game and Fish Commission may be killed in Harrison County; and declaring an emergency." Referred to the Committee on Game and Fisheries.

H. B. No. 729, A bill to be entitled "An Act providing for employment of one juvenile officer to serve any or all counties within the 69th Judicial District, and establishing means for fixing and paying the salary and expenses of such juvenile officer; providing that any school district, city or town within the 69th Judicial District may participate in using the services of such juvenile officer by meeting certain conditions; and declaring an emergency." Referred to the Committee on Counties.

H. B. No. 730, A bill to be entitled "An Act providing that no state-supported medical school shall refuse enrollment to any applicant who has a scholastic average of 2.0, or better, from any accredited school, and who meets all other scholastic prerequisites for admission to such schools; and declaring an emergency."
Referred to the Committee on State Affairs.

By Heatly:

H. B. No. 731. A bill to be entitled "An Act providing that certain wills may be proved by such evidence as the presiding judge may require, where the subscribing witnesses are dead or are beyond the jurisdiction of the court; repealing laws in conflict; and declaring an emergency."

Referred to the Committee on Judiciary.

By McGrew and Johnson of Dallas:

H. B. No. 732. A bill to be entitled "An Act to regulate trade practices in connection with the requirement of property insurance by a lender or creditor as a condition precedent to granting a loan or credit."

Referred to the Committee on Judiciary.

By Arledge, Harris of Galveston and Rosson:

H. B. No. 733. A bill to be entitled "An Act amending Section 1 of Chapter 281, Acts of the 44th Legislature, Regular Session, 1935, to provide certain school districts and municipal corporations the benefit of all liens and remedies for the security and collection of taxes due them as provided in the case of taxes due incorporated cities and towns; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Hallmark:

H. B. No. 734. A bill to be entitled "An Act validating certain levies for ad valorem taxes heretofore made by the governing bodies of certain cities and towns in this State; making other provisions relating thereto; providing that this Act shall not affect any suit pending in any court of this State on the effective date of this Act; providing a severability clause; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Hendryx:

H. B. No. 735. A bill to be entitled "An Act amending Chapter 17 of Acts 3rd Called Session, 56th Legislature (codified as Chapter 17 of Title 122A Vernon's Civil Statutes) by adding thereto a new section providing that a warehouse or storage place operated by a common carrier or carrier holding a certificate or permit from the Railroad Commission shall not be considered a store or mercantile establishment under the chain store tax law, provided no sales are made therefrom by the operator except sales of goods, wares and merchandise on which the storage charges are in default, and the sale of damaged or salvaged goods arising solely from the operation of its transportation business; providing that the delivery of, sale and collection for goods, wares and merchandise (not owned by the operator) shipped through or stored with the operator of such warehouse or storage place shall be considered a sale of such by the operator; providing that the warehouses or storage places, sales and distribution described in this article are not required to pay any tax or fees levied..."
by the chain store tax act, and shall be and remain unaffected by any other provision of Chapter 17: providing that the provisions of this article shall apply only to warehouses or storage places operated by a common carrier or carrier holding a certificate or permit from the Railroad Commission of Texas; and declaring an emergency.

Referred to the Committee on Motor Traffic.

By Adams and Parsley:

H. B. No. 738. A bill to be entitled "An Act establishing, authorizing, and providing for the County Industrial Training School District," located in any county in this state having a population of not less than one hundred thousand (100,000) nor more than two hundred thousand (200,000) according to the last preceding federal census, so as to provide vocational training for residents and non-residents of such county; authorizing the election and terms in office of three (3) trustees, and authorizing them to appoint four (4) certain additional persons to serve with them on such governing board for a term of no longer than four (4) years; providing certain powers and duties of such board; authorizing the issuance of bonds and notes in the accomplishment of the district's purposes; authorizing such district to levy, assess, collect taxes; providing that the district shall be operated on its tax revenue, tuition, if any, gifts, donations, and endowments, and shall never become a charge against the state, or require appropriations therefrom; authorizing the establishment of said district and the disposition of its affairs; providing a severability clause; and declaring an emergency.

Referred to the Committee on State Affairs.

TO MEMORIALIZE THE CONGRESS

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

S. C. R. No. 26

Memorializing the Congress of the United States of America to promptly review the present Federal Cotton Price Support Program and also the present Foreign Cotton Subsidy Program, and to promptly take suitable action so that domestic mills may be on an equal basis with foreign mills in the matter of price of the raw cotton which they use, and that domestic cotton producers may continue to have suitable price support for cotton which they produce.

Whereas, The cotton industry of Texas has for many generations been the mainstay of this State's economy, bringing more gross income to the people of the State than any other farm crop and has thereby become a most important foundation upon which the prosperity of the people of this State is based; and

Whereas, In recent years various economic forces have definitely threatened the welfare of not only cotton producers in this State but all segments of the cotton producing, marketing, and spinning industries in the other states; and

Whereas, Practically all segments of the cotton industry including producers, ginners, shippers, compressors, warehousemen, oil mills, merchants, exporters and textile mills, have united in their efforts to seek a practical solution to the problem presented by dwindling cotton markets; and

Whereas, The above mentioned efforts including financial expenditures, have obtained partial but not ample results in the development of new and broadened markets for cotton and its by-products; and

Whereas, The Federal Government, in its prior attempts to revitalize the market for cotton, has inaugurated a two price system whereby foreign spinners are able to secure American cotton on a cheaper price basis than domestic cotton mills, thereby bringing unfavorable results to the operation of domestic mills which latter also have to compete with synthetic products on a lower price level; and

Whereas, The foregoing together with other economic factors have contributed and are now contributing to the shrinkage of the over-all market for cotton, which has in turn had definite, serious, and very unfavorable effects on the entire American cotton industry; now, therefore,

Be it Resolved by the Senate of the State of Texas, the House of Representatives concurring, that we do hereby respectfully but earnestly urge the Congress of the United
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States to promptly review the present Federal two price support program, with a view to providing the same assistance through a subsidy or otherwise to American cotton mills, as foreign mills now enjoy, it being our opinion that this action would bring domestic cotton to a competitive price level on world markets and also to a competitive price level with synthetics in the home market, thereby avoiding the prospect of a situation that would ultimately, seriously and perhaps permanently impair the whole economic structure of our country, and it be it further

Resolved, That a copy of this resolution be forwarded to each member of the Texas delegation in the National Congress, and to the Chairman of the Committee on Agriculture in each branch of the National Congress.

The resolution was referred to the Committee on State Affairs.

RELATIVE TO DEDICATING CERTAIN TRACTS OF LAND FOR STREET PURPOSES IN THE CITY OF AUSTIN

Mr. Ritter offered the following resolution:
Tract 2. 1.88 acres of land out of and a part of that certain tract of land out of and a part of the George W. Spear League in the City of Austin, Travis County, Texas, which certain tract of land was conveyed to the State of Texas by Warranty Deed dated July 26, 1916 of record in Volume 286 at page 320 of the Deed Records of Travis County, Texas; said 1.88 acres of land being more particularly described by metes and bounds as follows:

Beginning at the northeast corner of the herein described tract of land, same being the intersection of the present south line of West 35th Street with the east line, as fenced, of the said State of Texas tract of land;

Thence, with the east line of the herein described tract of land, same being the east line of the said State of Texas tract of land, as fenced 31° 33' 35" W 749.49 feet to a steel pin at the most southerly corner of the herein described tract of land;

Thence, with the most southerly west line of the herein described tract of land in a northerly direction with the following four (4) courses:

(1) N 66° 05' E 170.77 feet to a steel pin;

(2) N 11° 25' E 170.00 feet to a steel pin;

(3) N 02° 12' E 254.89 feet to a steel pin;

(4) N 24° 19' W 51.31 feet to a steel pin in the south line of the herein described tract of land, same being the proposed south line of West 35th Street;

Thence, with the south line of the herein described tract of land, same being the proposed south line of West 35th Street, N 76° 30' W 352.75 feet to a steel pin at the southwest corner of the herein described tract of land;

Thence, with the most northerly west line of the herein described tract of land N 15° 29' W 178.15 feet to a steel pin at the northwest corner of the herein described tract of land, same being on the present south line of West 35th Street;

Thence, with the north line of the herein described tract of land, same being the present south line of West 35th Street, S 76° 30' E 492.50 feet to the point of beginning.

Tract 3. 0.55 of one acre of land out of and a part of that certain tract of land out of and a part of the George W. Spear League in the City of Austin, Travis County, Texas, which certain tract of land was conveyed to the State of Texas by Warranty Deed dated July 26, 1916 of record in Volume 286 at page 320 of the Deed Records of Travis County, Texas; said 0.55 of one acre of land being more particularly described by metes and bounds as follows:

Beginning at the southeast corner of the said State of Texas tract, same being the southeast corner of the herein described tract of land, same being the most northerly northeast corner of Lot 2A, a Resubdivision of Lots 1 and 2, Block 4, Herman Brown Addition of record in Book 10 at Page 82 of the Plat Records of Travis County, Texas;

Thence, with the south line of the herein described tract of land, same being the south line of the said State of Texas tract of land, N 67° 45' W 82.00 feet to a point in the north line of Lot 3, Block 4, Herman Brown Addition, a sub-division of record in Book 5 at Page 3 of the Plat Records of Travis County, Texas, for the southwest corner of the herein described tract of land;

Thence, with the west line of the herein described tract of land, N 4° 31' W 658.52 feet to the most northerly corner of the herein described tract of land, same being a point in the east line, as fenced, of the said State of Texas tract of land;

Thence, with the east line of the herein described tract of land, same being the east line as fenced, of the said State of Texas tract of land, S 10° 22' E 699.00 feet to the point of beginning.

Signed: Ritter, Cavness, Foreman and Cain.

The resolution was referred to the Committee on State Affairs.

RELATIVE TO EXECUTING A LEASE TO THE CITY OF AUSTIN OF CERTAIN TRACT OF LAND

Mr. Foreman offered the following resolution:

H. C. R. No. 37

Whereas, By virtue of SCR 31,
Resolved, By The House of Representatives, The Senate Concurring:

That the Governor of the State of Texas be and he is hereby authorized to execute a lease to the City of Austin upon exactly the same terms and conditions as those contained in SCR 31 of the 54th Legislature, except that the tract of land to be leased to the City of Austin therein described shall be particularly described as follows:

Being a total of 172.391 acres of land, out of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas; being part of a 189.11 acre tract of land conveyed by the Government of the United States of America to the State of Texas by Public Law 49-84th Congress and approved June 1, 1955, according to a map or plat of said 189.11 acre tract of land based on a survey by Metcalfe Engineering Company and prepared by the Adjutant General's Department, Engineering Division, Camp Mabry, Austin, Texas, of record in Book 7 at page 157 of the Plat Records of Travis County, Texas, as being a part of that certain 80.00 acre tract of land conveyed to the State of Texas by Warranty Deed dated December 14, 1952 of record in Volume 105 at page 466 of the Deed Records of Travis County, Texas, said 172.391 acres of land being hereinafter described as No. 1 containing 113.713 acres of land and as No. 2 containing 58.678 acres of land being more particularly described by metes and bounds as follows:

No. 1. Beginning at a concrete monument at the northwest corner of the herein described tract of land, same being the most westerly northwest corner of the said State of Texas 189.11 acre tract of land, and being described as Station 14 on said Adjutant General's Department plat, which concrete monument is also on the east line of Lot 10, Block K, Balcones Park Addition, Section Five, a subdivision of record in Book 7 at Page 43 of the Plat Records of Travis County, Texas, same being the east line of the C. J. Strother Survey No. 918 and the west line of the Daniel J. Gilbert Survey No. 1, and from which point of beginning a concrete monument at the northeast corner of Lot 7, Block K, said Balcones Park Addition, Section Five, bears N 30° 15' E 261.15 feet:

Thence, S 59° 18' E at 362.23 feet passing a concrete monument, at 726.27 feet passing another concrete monument, in all a distance of 990.00 feet to a steel pin for the most northerly northeast corner of the herein described tract of land, same being described as Station 17 on a map or plat prepared by the Department of Public Works, City of Austin, Travis County, Texas, and indexed as 2-A-609.

Thence, with the following six (6) courses to the most easterly northeast corner of the herein described tract of land:

(1) E 39° 42' W 1340.00 feet to a steel pin, same being Station 18 on the said plat No. 2-A-609;  
(2) S 13° 18' E 210.00 feet to a steel pin, same being Station 19 on the said plat No. 2-A-609;  
(3) S 04° 42' W 210.00 feet to a steel pin, same being Station 20 on the said plat No. 2-A-609;  
(4) S 57° 18' E 1340.00 feet to a steel pin, same being Station 21 on the said plat No. 2-A-609;  
(5) N 60° 42' E 467.00 feet to a steel pin, same being Station 22 on the said plat No. 2-A-609;  
(6) S 57° 18' E, at 442.21 feet passing a steel pin, in all a distance of 677.21 feet to a point in the centerline of Taylor Branch, same being Station 23 on the said plat No. 2-A-609.

Thence, with the said centerline of Taylor Branch and its meanderings with the following nine (9) courses:

(1) S 28° 59' W 145.05 feet to a point;  
(2) S 67° 03' W 60.02 feet to a point;  
(3) S 20° 38' W 78.08 feet to a point;  
(4) N 35° 21' W 73.18 feet to a point;
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(8) S 79° 45' W 65.73 feet to a point;

(7) S 19° 14' E 82.12 feet to a point;

(6) S 17° 03' W 50.58 feet to a cross cut on rock;

(5) S 31° 47' W 79.43 feet to a cross cut on rock;

(4) S 00° 35' W 33.63 feet to a steel pin same being Station 24 on the said plat No. 2-A-600;

Thence, leaving the said centerline of Taylor Branch with the following ten (10) courses to the southeast corner of the herein described tract of land:

(1) S 35° 55' W 184.38 feet to a steel pin;

(2) S 33° 21' W 142.70 feet to a steel pin, same being Station 26 on the said plat No. 2-A-600;

(3) S 70° 52' W 36.44 feet to a steel pin;

(4) S 70° 50' W 104.09 feet to a point;

(5) S 48° 09' W 160.47 feet to a point;

(6) S 33° 55' W 166.98 feet to a point;

(7) S 71° 05' W 104.26 feet to a point;

(8) S 70° 06' W 162.70 feet to a point;

(9) S 67° 24' W 102.50 feet to a steel pin, same being Station 26 on the said plat No. 2-A-600;

(10) S 54° 43' W 43.75 feet to a steel pin in the south line of the aforementioned State of Texas 189.11 acre tract of land on the said plat No. 2-A-600;

Thence, with the south line of said Taylor Branch, for the southwest corner of the herein described tract of land, same being the southeast corner of the aforementioned State of Texas 189.11 acre tract of land, same being also the southeast corner of Lot 14, Block H, Balcones Park Addition, Section Six, a subdivision of record in Book 7 at Page 77 of the Plat Records of Travis County, Texas, concrete monument is also Station 1 on the said Adjutant General's Department plat;

Thence, with the east line of said Balcones Park Addition, Section Six, and the aforementioned Balcones Park Addition, Section Five, same being the west line of the aforementioned State of Texas 189.11 acre tract of land, same also being the east line of the C. J. Strother Survey No. 610 and the west line of the Daniel J. Gilbert Survey No. 8, N 35° 18' E 2765.93 feet to the point of beginning.

No. 2. Beginning at a concrete monument at the northwest corner of the herein described tract of land, same being the northwest corner of the aforementioned State of Texas 189.11 acre tract of land and the northeast corner of Colorado Foot hills, Section Two, a subdivision of record in Book 6 at Page 107 of the Plat Records of Travis County, Texas, which concrete monument is also on the south line of the aforementioned State of Texas 189.11 acre tract of land and the aforementioned Station 13 on the said Adjutant General's Department plat;

Thence, with the north line of the aforementioned State of Texas 189.11 acre tract of land, same being the north line of said Colorado Foot hills, Section Two, a subdivision of record in Book 6 at Page 101 of the Plat Records of Travis County, Texas, and Block F, Balcones Park Addition, Section Two, a subdivision of record in Book 6, at Page 90 of the Plat Records of Travis County, Texas, N 58° 83' W 1714.32 feet to a concrete monument on the north line of Lot 4, Block F, said Balcones Park Addition, Section Two, for the southwest corner of the herein described tract of land, same being the southwest corner of the aforementioned State of Texas 189.11 acre tract of land, same concrete monument being also the southeast corner of Lot 14, Block H, Balcones Park Addition, Section Six, a subdivision of record in Book 7 at Page 77 of the Plat Records of Travis County, Texas, which concrete monument is also Station 1 on the said Adjutant General's Department plat;

Thence, with the south line of said Balcones Park Addition, Section Six, and the aforementioned Balcones Park Addition, Section Five, same being the west line of the aforementioned State of Texas 189.11 acre tract of land, same also being the east line of the C. J. Strother Survey No. 610 and the west line of the Daniel J. Gilbert Survey No. 8, N 35° 18' E 2765.93 feet to the point of beginning.

No. 2 Beginning at a concrete monument at the northwest corner of the herein described tract of land, same being the northwest corner of the aforementioned State of Texas 189.11 acre tract of land and the northeast corner of Colorado Foot hills, Section Two, a subdivision of record in Book 6 at Page 107 of the Plat Records of Travis County, Texas, which concrete monument is also on the south line of the aforementioned State of Texas 189.11 acre tract of land and the aforementioned Station 13 on the said Adjutant General's Department plat;

Thence, with the north line of the aforementioned State of Texas 189.11 acre tract of land, same being the north line of said Colorado Foot hills, Section Two, a subdivision of record in Book 6 at Page 101 of the Plat Records of Travis County, Texas, and Block F, Balcones Park Addition, Section Two, a subdivision of record in Book 6, at Page 90 of the Plat Records of Travis County, Texas, N 58° 83' W 1714.32 feet to a concrete monument on the north line of Lot 4, Block F, said Balcones Park Addition, Section Two, for the southwest corner of the herein described tract of land, same being the southwest corner of the aforementioned State of Texas 189.11 acre tract of land, same concrete monument being also the southeast corner of Lot 14, Block H, Balcones Park Addition, Section Six, a subdivision of record in Book 7 at Page 77 of the Plat Records of Travis County, Texas, which concrete monument is also Station 1 on the said Adjutant General's Department plat;

Thence, with the south line of said Balcones Park Addition, Section Six, and the aforementioned Balcones Park Addition, Section Five, same being the west line of the aforementioned State of Texas 189.11 acre tract of land, same also being the east line of the C. J. Strother Survey No. 610 and the west line of the Daniel J. Gilbert Survey No. 8, N 35° 18' E 2765.93 feet to the point of beginning.
to a steel pin on a line ten (10.00) feet southerly from and parallel to an existing one-cable fence, said steel pin being Station 29 on the said plat 2-A-600;

Thence, along said line ten (10.00) feet southerly from and parallel to said one-cable fence, S 71° 10' E, at 0.24 feet passing a steel pin, in all a distance of 183.18 feet to a steel pin at the most easterly northeast corner of the herein described tract of land, same being Station 30 on the said plat No. 2-A-600;

Thence, S 24° 25' W 1147.95 feet to a steel pin, same being Station 31 on the said plat No. 2-A-600;

Thence, S 04° E 1071.26 feet to a steel pin at the southeast corner of the herein described tract of land, same being Station 32 on the said plat No. 2-A-600;

Thence, with the south line of the said State of Texas 80.00 acre tract of land as fenced, same being the south line of the herein described tract of land, same being the east lines of said Colorado Foothills, Section Two, in all a distance of 2046.42 feet to the point of beginning.

Signed: Foreman, Cavness, Cain and Ritter.

The resolution was referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUIT THIS STATE

Mr. Whitfield offered the following resolution:

H. C. R. No. 38

Whereas, On September 25, 1961, Judge of the Justice Court, Precinct 2, of Harris County, Texas, entered an order of commitment against George Rich of Houston, Harris County, Texas, and set a $5,000 bond conditioned that George Rich keep the peace; and

Whereas, George Rich states that he posted the bond by depositing $5,000 cash with a bonding agent, who, in turn, posted the $5,000 peace bond; and

Whereas, On October 12, 1962, Judge of the Justice Court, Precinct No. 3, held a hearing and declared said peace bond forfeited; and

Whereas, Appeal to the County Criminal Court at Law No. 2 was perfected, and on December 17, 1962, said Court reversed the Justice Court, and vacated and superseded its order exonerating appellant George Rich and his surety, and discharged them from further answering in the cause and ordered that all obligations created and represented by said bond were discharged and released; and

Whereas, On December 20, 1962, the Judge of said County Criminal Court at Law No. 3 issued a temporary restraining order against all persons, the Sheriff, District Attorney, and Judge of the Justice Court, Precinct No. 3, Harris County, from making any effort to execute or levy upon said fund and show cause hearing was set for December 31, 1962; and

Whereas, George Rich alleges that after being served with such restraining order, and prior to December 31, 1962, the Sheriff, District Attorney, and Judge of the Justice Court, issued an execution on the Justice Court Judgment and the
agent of the said George Rich paid the sum of $5,096.50 cash belong­ning to him to the Treasurer of Harris County, Texas; and
Whereas, George Rich of Houston, Harris County, Texas desires to bring suit against the State of Texas as the only remedy available to him for restoration of the said sum of $5,096.50; now therefore be it
Resolved by the House of Representatives, the Senate concurring, that George Rich of Houston, Harris County, Texas, be, and he is hereby granted permission to sue the State of Texas in any court of competent jurisdiction in this state to ascertain and fix the amount, if any, the State of Texas is indebted to him by rea­son of the above allegations. It is understood that the purpose of this Resolution is merely to grant per­mission to bring suit against the State of Texas, and no admission of liability on the part of the state or any fact is made by this Resolution.

The resolution was referred to the Committee on State Affairs.

CONGRATULATORY RESOLUTION
ADOPTED
H. S. R. No. 238, By Weldon, Smith of Jefferson, Parker and Kilpatrick: To commend Dr. G. M. Brassard.

PROVIDING FOR A COMMITTEE TO SELECT A POET LAUREATE AND ALTERNATE POET LAUR­EATE FOR THE STATE OF TEXAS

The Speaker laid before the House, for consideration at this time, S. C. R. No. 14, Providing for a committee to select a Poet Laureate and Alternate Poet Laureate for the State of Texas.

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

The resolution was read, and was adopted without objection.

SENATE BILL NO. 43 ON PASSAGE TO THIRD READING

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

S. B. No. 43, A bill to be entitled, “An Act amending Section 3 of Chap­ter 337, Acts of the 53rd Legislature, Regular Session, 1953, compiled as Section 3 of Article 2756c, Vernon’s Texas Civil Statutes, so as to au­thorize the State Board of Educa­tion to annex territories of military reservations to independent school districts contained wholly within military reservations which are subject to the same post or base com­mand as that of the territory being annexed; and declaring an emergen­cy.”

The bill was read second time on February 27 and further consider­ation of the bill was postponed until 11:00 o’clock a.m. today.

S. B. No. 43 was passed to third reading.

SENATE BILL NO. 6 ON SECOND READING

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

S. B. No. 6, A bill to be entitled “An Act relating to the creation of Padre Island National Seashore, and declaring an emergency.”

The bill was read second time.

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

Committee Amendment No. 1

Amend Senate Bill 6 by striking out all below the enacting clause and substituting in lieu thereof the follow­ing:

Section 1. The surface estate of that part of the following described lands situated in Kleberg, Kenedy, and Willacy Counties, Texas, to which the State of Texas has title or that have been acquired or that may become vested under any previous act or acts, shall be and are hereby established, dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be designated as the “Padre Island National Seashore” which area is described as follows:

Beginning at a point one statute mile North of the North end of North Bl. Island on the easterly line of the Intracoastal Waterway; Thence due East to a point on
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Padre Island one statute mile West of the mean high water line of the Gulf of Mexico;
Thence southwesterly paralleling the said mean high water line of the Gulf of Mexico a distance of three and five-tenths statute miles;
Thence due east to the two-fathom line on the east side of Padre Island as depicted on United States Coast and Geodetic Survey chart numbered 1286;
Thence along the said two-fathom line on the east side of Padre Island as depicted on United States Coast and Geodetic Survey charts numbered 1286, 1287 and 1288 to the Willacy-Cameron County line extended;
Thence westerly along said county line to a point 1,500 feet west of the mean high water line of the Gulf of Mexico as that line was determined by the survey of J. S. Boyles and is depicted on sections 9 and 10 of the map entitled "Survey of Padre Island made for the office of the Attorney General of the State of Texas," dated August 7 to 11, 1941, and August 11, 13, and 14, 1941, respectively;
Thence northerly along a line parallel to and 1,500 feet west of said survey line of J. S. Boyles, to a point on the centerline of the Port Mansfield Channel;
Thence westerly along said centerline to a point three statute miles west of the said two-fathom line;
Thence northerly parallel with said two-fathom line to a point on 37 degrees 20 minutes north latitude;
Thence west along said latitude to the easterly line of the Intracoastal Waterway;
Thence northerly following the easterly line of the Intracoastal Waterway as indicated by channel markers in the Laguna Madre to the point of BEGINNING.

Sec. 1a. Nothing in this Bill is intended to extend any recognition to any particular line as being the boundary line between the State owned portion of the seashore and the privately owned upland.

Sec. 2. The Legislature of the State hereby withdraws from sale the surface estates of all State owned lands in said area regardless of the public or purposes for which they are held and regardless of the instrumentality of the State for which they are held.

Sec. 3. The United States through the Secretary of the Interior is granted permission, subject to the limitations contained in this Act, to acquire the area that has been defined as Padre Island National Seashore, and the School Land Board of the State of Texas is hereby authorized and directed forthwith to execute a deed of conveyance to the United States Government conveying all of the right, title and interest of the State of Texas in the surface estate of all lands described in Section 1 hereof, subject to the exceptions and reservations hereinafter set forth, under the terms of this Act for the Padre Island National Seashore for the use of the public as a recreation area, in consideration of the United States Government agreeing to establish and maintain land described in Section 1 hereof as a National Seashore area as provided for under an Act of Congress, being Public Law 87-712 enacted by the 87th Congress of the United States and to cede to the United States Government limited jurisdiction over said lands, and including lands acquired under Section 4 hereof, in conformity with the provisions of Article 5247, Revised Civil Statutes of Texas of 1911. Said deed shall be executed by a majority of the then members of the School Land Board and shall also reserve to the State of Texas the right of exclusive jurisdiction over civil and criminal every portion of the lands described in Section 1 hereof, so that all process, civil and criminal, issuing under the authority of this State or any of the courts or judicial officers thereof, may be executed by the proper officers of the State, upon any person amenable to the same within the limits of the land constituting the "Padre Island National Seashore," as set out in Section 1 hereof, in like manner and like effect as if no such cession had taken place; and, reserving further to the State the right to levy and collect taxes on sales, use or gross receipts from sales of products or commodities upon which a tax is levied in this State, and to tax persons and corporations, their franchises, properties and incomes, on land or lands conveyed under the terms of this Act, and reserving also, to persons resi-
ing in or on any of the land or lands conveyed, the right to vote at all elections within the counties in which said lands are located, upon like terms and conditions and to the same extent as they would be entitled to vote in such counties had such lands been conveyed as aforesaid to the United States of America.

Said State land shall not be conveyed unless the entire mineral interest is reserved to the United States of America, the Secretary of the Interior, Washington, D.C., by certified mail. The Department of Interior, is hereby authorized to purchase, condemn, receive, hold and acquire title to the surface estate of any land not owned by the State of Texas or the United States in the area above described as the Padre Island National Seashore for use as a recreational park; provided that the acquisition of lands in such area shall not deprive the grantor of the right of ingress and egress for the purpose of exploring, developing, processing, storing and transporting minerals from beneath said lands and waters with the right of housing employees for such purposes. The same reservations and regulations enumerated in Section 3 thereof, relating to civil and criminal jurisdiction process, levy and collection of taxes, mineral development, and voting rights, shall apply to all lands acquired by the United States Government under this Section.

Sec. 5. The lands, spoil banks, easements or rights-of-way owned, leased, or otherwise controlled by the Willacy County Navigation District may be acquired for inclusion in Padre Island National Seashore with the consent of the District. All such lands, spoil banks, easements and rights-of-way owned, leased or otherwise controlled by the Willacy County Navigation District located in the Padre Island National Seashore shall be used solely for public purposes.
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Sec. 6. The Secretary of the Interior is requested to provide for roadways from the north and south boundaries of such public recreation area to the access highways from the Mainland to Padre Island. For the purpose of this Section, the south boundary shall be considered the Port Mansfield cut.

Sec. 7. If any State-owned lands conveyed to the Federal Government for a national seashore area pursuant to this Act are not used for such purpose within a period of ten (10) years from date of acquisition, or being so used thereafter cease to be used for the purpose of a national seashore area, then such lands not used as aforesaid shall ipso facto without further action by any parties hereto revert to the State of Texas and to the fund to which they belonged prior to the passage of this Act.

Sec. 8. The State of Texas grants to the United States Government only proprietary rights over the land described in this bill or to be acquired under the provisions of this Bill and reserves to the State of Texas exclusive criminal and civil jurisdiction over the land described in Section 1 and Section 4 of said Bill. The State of Texas reserves the right to execute all processes, both criminal and civil, necessary to carry out its civil and criminal jurisdiction over this area.

Sec. 9. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 10. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Sec. 11. The fact that the United States Congress has enacted legislation creating Padre Island National Seashore and the fact that such an area will be of great benefit not only to the people of Texas but also to the nation at large, and the fact that submerged submerged lands in this area are presently for sale to certain districts, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 1 was adopted without objection.

S. B. No. 6 was then passed to third reading.

RECORD OF VOTE

Mr. Stollenwerk requested to be recorded as voting Nay on the passage of S. B. No. 6 to third reading.

SENATE BILL NO. 17 ON SECOND READING

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

S. B. No. 17: A bill to be entitled "An Act relating to the establishment, operation and maintenance of a public fishing pier from the old causeway across Copano Bay in Aransas County; and declaring an emergency."

The bill was read second time.

Mr. Crain offered the following amendment to the bill:

Amend S. B. No. 17 by deleting the last sentence of Sec. 2 of the printed bill.

The amendment was adopted without objection.

S. B. No. 17 was then passed to third reading.

HOUSE BILL NO. 99 ON PASSAGE TO ENGROSSMENT

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

H. B. No. 99: A bill to be entitled "An Act relating to Real Estate Brokers and Salesmen; amending the Real Estate License Act, House Bill No. 17, Acts of the 46th Legislature, 1935, as amended (codified as Article 6573a, Vernon's Texas Civil Statutes); amending the Penal Code of the State of Texas by adding thereto a provision making it un-
lawful for any person to violate the provisions of the Texas Real Estate License Act or any order, permit, decision, demand or requirement of the Texas Real Estate Commission authorized by the Real Estate License Act, and providing penalty for such violation; providing for a repealing clause; providing for a severability clause; and declaring an emergency.’’

The bill was read second time on February 28 and further consideration of the bill was postponed until 10:30 o’clock a.m. today.

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

Committee Amendment No. 1
Amend Section 1 of H. B. No. 99 by adding to the second sentence of quoted Section 10 therein the following words:

‘‘and said examinations shall be held no less frequently than every sixty (60) days.’’

The amendment was adopted without objection.

Mr. Cavness offered the following amendment to the bill:

Amend House Bill 99 by deleting the last sentence of quoted Section 10 therein and substituting in lieu thereof the following:

‘‘and said examinations shall be held no less frequently than every sixty (60) days.’’

The amendment was adopted without objection.

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

Committee Amendment No. 2
Amend Section 2 of H. B. 99 by striking paragraph (c) (19) from quoted section 16 thereof.

The amendment was adopted without objection.

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

Committee Amendment No. 3
Amend Section 2 of H. B. 99 by striking from paragraph (c) (24) thereof the words ‘‘or of the law’’.

The amendment was adopted without objection.

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

Committee Amendment No. 4
Amend H. B. 99 by striking Section 6 thereof and substituting in lieu thereof the following:

‘‘Section 5. The Penal Code of the State of Texas is hereby amended by adding thereto the following provision:

Any person who shall willfully violate or fail to comply with any of the provisions of the Real Estate License Act of Texas or any order of the Texas Real Estate Commission authorized by the Real Estate License Act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine of not more than Five Hundred ($500.00) Dollars, or to imprisonment in the county jail for not more than one (1) year, or to both such fine and imprisonment.’’

The amendment was adopted without objection.

Mr. Harris of Dallas offered the following amendment to the bill:

Amend H. B. 99, page 2, lines 4 and 5 delete ‘‘or has pleaded guilty to any such offense with which he has been charged.’’

The amendment was adopted without objection.

Mr. Fletcher offered the following amendment to the bill:

Amend H. B. 99 by adding the following on line 53 of Page 1:
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"or has served a full term in the Texas Legislature."

The amendment offered by Mr. Fletcher was lost.

Mr. McDonald of Hidalgo offered the following amendment to the bill:

Amend Section 3 of H. B. 99 by adding to quoted Section 16 therein following subsection (g) on page 3 of the printed bill, a new subsection, being subsection (h), reading as follows:

"(h) a final money judgment has been rendered against such licensee resulting from contractual obligations of a licensee incurred in the pursuit of his business, and such judgment remains unsatisfied for a period of more than six months after becoming final."

The amendment was adopted.

Mr. Ligarde offered the following amendment to the bill:

Amend H. B. No. 99 by adding a new section appropriately numbered:

"Notwithstanding anything herein to the contrary, attorneys licensed under the laws of the State of Texas and administrators, executors and guardians, trustees, and receivers appointed by the Court shall not be required to comply with the provisions of this bill."

The amendment offered by Mr. Ligarde was lost.

H. B. No. 99 was then passed to engrossment.

REASON FOR VOTE
I would like to be shown present not voting, since I hold a Real Estate Brokers License, since I have a direct interest.

J. E. Ward.

MESSAGE FROM THE SENATE
Austin, Texas, March 6, 1963

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

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

S. J. R. No. 16, By Moffett: Authorizing an increase in the total amount of bonds that may be issued by the Veterans' Land Board to Three Hundred Fifty Million Dollars ($350,000,000).

S. B. No. 28, By Watson: Relating to real property; and declaring an emergency.

S. B. No. 103, By Bates: Making it unnecessary for treasurers of certain political subdivisions to make school reports to the Comptroller showing condition of indebtedness of such subdivision; and declaring an emergency.

S. B. No. 231, By Moore: Providing for additional compensation to the judge of the 85th Judicial District; and declaring an emergency.

H. C. R. No. 35, By Heatly: Inviting the Honorable John Connally, Governor of Texas, to address a Joint Session of the House and Senate of the Fifty-eighth Legislature of the State of Texas.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.

HOUSE BILL NO. 107 ON THIRD READING

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

H. B. No. 107, A bill to be entitled "An Act amending Article 680 of the Code of Criminal Procedure of Texas, 1925, to provide for alternate jurors in felony cases and for procedure in felony cases when a juror becomes unable or disqualified to continue; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 207 ON THIRD READING

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

H. B. No. 207, A bill to be entitled "An Act amending Article 480 of the Code of Criminal Procedure of Texas, 1925, to provide for alternate jurors in felony cases and for procedure in felony cases when a juror becomes unable or disqualified to continue; and declaring an emergency."

The bill was read third time and was passed.
The bill was read third time and was passed.

Mr. Johnson of Dallas moved to reconsider the vote by which H. B. No. 207 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 236 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 236, A bill to be entitled "An Act amending Section 2 of Chapter 297, Acts of the 62nd Legislature, Regular Session, 1961, as amended, relating to commercial fishing in certain counties to prohibit fishing commercially in the Angelina River of Nacogdoches County; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 262 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 262, A bill to be entitled "An Act creating the County Civil Court at Law of Bexar County, Texas; providing for the organization thereof and practice therein; fixing the jurisdiction thereof and re-enacting the jurisdiction of the County Court of Bexar County; providing for the filing of civil actions, proceedings and matters in said court, including but not limited to matters in Eminent Domain and Mental Health Matters; that all such cases shall have preference and priority over all other civil matters; providing that such court shall have no jurisdiction over any criminal action, proceeding or matter, as now vested in county courts or in county courts at law, either original or appellate; fixing the terms of said court; providing for the election of a judge of said court and prescribing his qualifications and salary or compensation to be paid to such judge and the manner of payment; providing for the appointment of a judge of said court by the County Judge of Bexar County upon the effective date of this Act and confirmation of such appointment by a majority of the county commissioners; providing for the filling of vacancies therein in like manner; etc., and declaring an emergency."

The amendment was adopted without objection.

H. B. No. 267 was then passed.

HOUSE BILL NO. 271 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 271, A bill to be entitled "An Act creating a special court for Taylor County, Texas, to be known as the Taylor County Court of Domestic Relations, fixing its jurisdiction; conforming the jurisdiction of other courts thereto; providing the qualifications, and the manner of selection, tenure, and compensation of the Judges; providing for a Sheriff and District Clerk and County Attorney or District At-
torney to serve such Court; providing grounds for removal of the Judge, providing the procedure therein; providing for investigation and evidence in child custody matters; fixing the terms of such Court; providing for appeals, providing for a seal and a Court Reporter, secretary, and investigator, Court Interpreter, repealing all laws in conflict, containing a saving clause; and declaring an emergency.

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

Yeas—141

Adams
Albritt
Allen
Arledge
Atwell
Ball
Barnett
Bass of Bowie
Bass of Harris
Beckham
Berry
Birkner
Blaine
Boysen
Bridges
Brooks
Brown of Galveston
Brown of Taylor
Buchanan
Butler
Cato
Caldwell
Canales
Cannon
Carpenter
Carriker
Carmans
Chapman
Cherry
Clayton
Cole
Collins
Cory
Cotera
Coughran
Cowan
Cowles
Craig
Craws
Davis
de la Garza
Dike
Dugan
Dugan
Ehrhardt
Edwards
Eight

Markgraf
Satterwhite
Miller
Schleiter
Morgan
Segrest
Moyer
Shannon
Murray
Shupley
Muschler
Simpson
Nieman
Slak
Nugent
Sluder
Parker
Smith of Jefferson
Parmer
Stovall
Pearcy
Thompson
Peeler
Thurmond
Pendleton
Townsend
Perry
Trager
Pipkin
Ward
Quilliam
Wells
Rapp
Wharton
Richardson
Wheeler
Ritter
Whitfield
Roberts
White
Rodriguez
Wilson
Ross
Woods

Nay—1

Agnus

Nay—1

Abbs

Shutt

Macatee

Shutt

Smith of Bexar

Absent—Excused

Banfield

Holloway

Houston

House Bill No. 274 on Third Reading

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

H. B. No. 274. A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Butterfield Water Control and Improvement District, located in El Paso County, Texas; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; defining powers of District; conferring on District the rights, powers, privileges, authority and duties of the General Laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting
same by reference; providing for no
election for confirmation and no
hearing for exclusions and no
hearing on plan of taxation and adopting
the ad valorem plan of taxation for the
District; authorizing District certain
rights, powers and authority for and
in connection with its systems, fa-
cilities and other things necessary
to the fulfillment of its purposes
whether within or without the bound-
aries of the District, and related
matters; providing for governing
body of District; providing for
governing body of District; providing for
qualifications and bonds of Directors;
naming first Board of Directors;
providing for terms and election of
Directors and provisions for falling
to call Director elections and related
matters; providing Directors to fill
vacancies; etc., and declaring an
emergency.

The bill was read third time and
was passed.

HOUSE BILL NO. 286 ON THIRD
READING

The Speaker laid before the House,
on its third reading and final pass-
age,
H. B. No. 286, A bill to be entitled
"An Act fixing the maximum salary
for the County Road Engineer in
certain counties; repealing all laws
in conflict herewith; and declaring an
emergency."

The bill was read third time and
was passed.

HOUSE BILL NO. 290 ON THIRD
READING

The Speaker laid before the House,
on its third reading and final pass-
age,
H. B. No. 290, A bill to be entitled
"An Act fixing the salaries to be
paid certain officials, appointed offi-
cials and employees in certain coun-
ties; repealing all laws in conflict herewith; and declaring an emer-
gency."

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

Year—127

Adams        Adams        Alaviz        Aireige        Atwell        Ball         Barnes
Basg of Bowie Basg of Harris Beckham Berry Birrner Blaine
Boyres        Koliba        Brooks        Lick          Brown        Lattimore      Butler        McDonald
of Galveston  Ligardu        of Taylor      McBltm      of Hidalgo

The bill was read third time and
was passed.
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NAYS-1

Harris of Dallas
Present-Not Voting

Isaacks
Absent

Allen  Macatee
Cook  Shutt
Crews  Smith of Bexar
Kilpatrick

Absent-Excused

Banfield  Houston
Hollowell

HOUSE BILL NO. 295 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 295, A bill to be entitled "An Act authorizing creation of a county-wide hospital district in Stonewall County, to be known as the Stonewall County Hospital District; providing for an election in Stonewall County to create a county-wide hospital district; providing for the levy of a tax for the district for the purpose of maintaining and operating the district, paying indebtedness assumed by such district and bonds issued by the district; providing for the issuance of bonds by the district for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes and for any and all such purposes and for refunding bonds and prescribing limitations on such power; etc.; and declaring an emergency."

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

Yeas-142

Abstentions

Carpenter  Ligarde
Carriker  McClinton
Cassess  McDonald
Chapman  of Hidalgo
Cherry  McDonald of Rusk
Clayton  McGregor
Collins  McLain
Cory  McSutt
Cottam  Mann
Coughran  Marksgraf
Cowden  Miller
Cowles  Morgan
Crain  Moyle
Craves  Murray
Davis  de la Garza
Dawson  Niemeyer
Dawson  Nuzent
Duggan  Parker
Dungan  Farmar
Dickert  Pender
Eckhardt  Pearcy
Eskild  Poisner
Finney  Pett
Fletcher  Dyka
Floyd  Prince
Fowlers  Quillian
Garrison  Rap
Gibbons  Richardson
Glaudon  Ritter
Green  Roberts
Green  Rodriguez
Grover  Rouch
Guffy  Satterwhite
Hallmark  Schlicher
Halling  Shanahan
Harding  Shapley
Haring  Shutt
Harris  Smith
Harr of Galveston  Snell
Harris of Dallas  Hilder
Hayes of Orange  Smith of Jefferson
Healy  Stewart
Hefley  Stith
Hendryx  Thompson
Hinson  Thurmond
Hollowell  Townsouth
Hughes  Trauger
Isaacks  Walker
Jamison  Ward
Jaxson  Weldon
Johnson of Bexar  Wells
Kilpatrick  Whatley
Klapow  Wheeler
Knapp  Whitefield
Koliba  Wicke
Kothmann  Wilson
Lack  Woods
Lattimore  Absent

Cook  Macatee
Johnson of Dallas  Segrest
The Speaker, before the House, on its third reading and final passage, H. B. No. 300, a bill to be entitled "An Act providing a penalty for the operation of certain aircraft while intoxicated or under the influence of intoxicating liquor; and declaring an emergency."

The bill was read third time and was passed.

ADJOURNMENT

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

The motion prevailed.

The Benediction was offered by the Reverend I. W. Oliver.

In accordance with the motion to adjourn, the House, at 12:07 o'clock p.m., adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Banks and Banking: H. B. No. 19.

Commerce and Manufacturers: H. B. No. 876.


Insurance: H. B. No. 876.

Judiciary: H. B. No. 81, H. B. No. 392.

THIRTY-FIFTH DAY

(Thursday, March 7, 1963)

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