H. B. No. 140

ENROLLED

AN ACT

appropriating money for the support of the Judicial, Executive, and Legislative Branches of the State Government, and for State aid to designated public junior colleges for the two-year period beginning September 1, 1955, and ending August 31, 1957; authorizing and prescribing conditions, limitations, rules, and procedures, for allocating and expending the appropriated funds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE I - JUDICIARY

Section 1. The following sums, or as much of them as may be necessary for the objects and purposes shown, are appropriated from the General Revenue Fund or from such other sources as may be specified, for the expenses of the Judiciary and of judicial service units of this State for the years shown:

		For the Years Ending August 31, 1956	August 31, 1957
	COURTS OF CIVIL APPEALS		
	First District - Galveston		
	For salaries and wages --		
1.	Judges, 3 at $12,000 (S)	$ 36,000	$ 36,000
2.	Clerk	6,120	6,120
3.	Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,600	7,178	7,178
	Subtotal, salaries and wages	$ 49,298	$ 49,298
	For other expenses --		
4.	Other Operating Expense	2,000	2,000
	Total, First District	$ 51,298	$ 51,298

		For the Years Ending August 31, 1956	For the Years Ending August 31, 1957
(COURTS OF CIVIL APPEALS, continued)			
	Second District - Fort Worth		
	For salaries and wages --		
1.	Judges, 3 at $12,000 (S)	$ 36,000	$ 36,000
2.	Clerk	5,520	5,520
3.	Deputy Clerk, and/or Secretary and/or Stenographer, 2 NTE $3,156	5,978	5,978
4.	Porter or Librarian	1,884	1,884
	Subtotal, salaries and wages	$ 49,382	$ 49,382
	For other expenses --		
5.	Other operating expense	2,000	2,000
	Total, Second District	$ 51,382	$ 51,382
	Third District - Austin		
	For salaries and wages --		
1.	Judges, 3 at $12,000 (S)	36,000	36,000
2.	Clerk	5,520	5,520
3.	Deputy Clerk	3,756	3,756
4.	Porter or Librarian	1,884	1,884
	Subtotal, salaries and wages	$ 47,160	$ 47,160
	For other expenses --		
5.	Other operating expense	2,675	2,675
	Total, Third District	$ 49,835	$ 49,835
	Fourth District - San Antonio		
	For salaries and wages --		
1.	Judges, 3 at $12,000 (S)	36,000	36,000

	For the Years Ending August 31, 1956	August 31, 1957
(COURTS OF CIVIL APPEALS, continued)		
2. Clerk	$ 5,520	$ 5,520
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,156	5,978	5,978
4. Porter or Librarian	1,884	1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382
For other expenses --		
5. Other Operating Expense	2,000	2,000
Total, Fourth District	$ 51,382	$ 51,382
Fifth District - Dallas		
For salaries and wages --		
1. Judges, 3 at $12,000 (S)	36,000	36,000
2. Clerk	5,520	5,520
3. Deputy Clerk, and/or Secretary and/or Stenographer, 2 NTE $3,156	5,978	5,978
4. Porter or Librarian	1,884	1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382
For other expenses --		
5. Other operating expense	2,000	2,000
Total, Fifth District	$ 51,382	$ 51,382
Sixth District - Texarkana		
For salaries and wages --		
1. Judges, 3 at $12,000 (S)	36,000	36,000
2. Clerk	5,520	5,520
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,156	5,978	5,978

	For the Years Ending August 31, 1956	August 31, 1957
(COURTS OF CIVIL APPEALS, continued)		
4. Porter or Librarian	$ 1,884	$ 1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382
For other expenses --		
5. Other operating expense	2,000	2,000
6. Southwestern Reporter	690	---
Total, Sixth District	$ 52,072	$ 51,382
Seventh District - Amarillo		
For salaries and wages --		
1. Judges, 3 at $12,000 (s)	36,000	36,000
2. Clerk	5,520	5,520
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,156	5,978	5,978
4. Porter or Librarian	1,884	1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382
For other expenses --		
5. Other operating expense	1,550	2,000
Total, Seventh District	$ 50,932	$ 51,382
Eighth District - El Paso		
For salaries and wages --		
1. Judges, 3 at $12,000 (s)	36,000	36,000
2. Clerk	5,520	5,520
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,156	5,978	5,978
4. Porter or Librarian	1,884	1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382

	For the Years Ending August 31, 1956	August 31, 1957
(COURTS OF CIVIL APPEALS, continued)		
For other expenses --		
5. Other operating expense	$ 2,000	$ 2,000
Total, Eighth District	$ 51,382	$ 51,382
Ninth District - Beaumont		
For salaries and wages --		
1. Judges, 3 at $12,000 (S)	36,000	36,000
2. Clerk	5,520	5,520
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,156	5,978	5,978
4. Porter or Librarian	1,884	1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382
For other expenses --		
5. Other operating expense	2,000	2,000
Total, Ninth District	$ 51,382	$ 51,382
Tenth District - Waco		
For salaries and wages --		
1. Judges, 3 at $12,000 (S)	36,000	36,000
2. Clerk	5,520	5,520
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,156	5,978	5,978
4. Porter or Librarian	1,884	1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382
For other expenses --		
5. Other operating expense	2,000	2,000
Total, Tenth District	$ 51,382	$ 51,382

	For the Years Ending August 31, 1956	August 31, 1957
(COURTS OF CIVIL APPEALS, continued)		
Eleventh District - Eastland		
For salaries and wages --		
1. Judges, 3 at $12,000 (S)	$ 36,000	$ 36,000
2. Clerk	5,520	5,520
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE $3,156	5,978	5,978
4. Porter or Librarian	1,884	1,884
Subtotal, salaries and wages	$ 49,382	$ 49,382
For other expenses --		
5. Other operating expense	2,000	2,000
Total, Eleventh District	$ 51,382	$ 51,382

SUPREME COURT OF TEXAS

For salaries and wages --		
1. Judges, 9 at $15,000 (S)	$ 135,000	$ 135,000
2. Clerk of Supreme Court, Librarian and Services to State Bar	7,220	7,220
3. Chief Deputy Clerk	5,064	5,064
4. Deputy Clerks, NTE $4,212	8,424	8,424
5. Deputy Clerk and Secretary to Board of Law Examiners	5,232	5,232
6. Administrative Assistant	5,724	5,724
7. Briefing Attorneys, NTE $3,540	10,620	10,620
8. Secretaries to the Judges of the Supreme Court, NTE $3,540	24,780	24,780
9. Assistant Librarian	3,900	3,900

		For the Years Ending August 31, 1956	August 31, 1957
(SUPREME COURT OF TEXAS, continued)			
10.	Porter and Court Messenger	$ 2,250	$ 2,250
11.	Porters, NTE $1,884	3,768	3,768
	Subtotal, salaries and wages	$ 211,982	$ 211,982
	For other expenses --		
12.	Travel	500	500
13.	Other operating expense	10,500	10,500
	Total, Supreme Court of Texas	$ 222,982	$ 222,982

COURT OF CRIMINAL APPEALS

	For salaries and wages --		
1.	Judges, 3 at $15,000 (S)	$ 45,000	$ 45,000
2.	Commissioners in aid to Court, 2, (S)	30,000	30,000
3.	Clerk of the Court	6,500	6,500
4.	Secretary-Bailiff	4,140	4,140
5.	Secretaries, NTE $3,540	14,160	14,160
6.	Porter and Vault Custodian	1,950	1,950
	Subtotal, salaries and wages	$ 101,750	$ 101,750
	For other expenses --		
7.	Other operating expense	3,000	3,000
8.	Law Books only	1,000	---
	Total, Court of Criminal Appeals	$ 105,750	$ 104,750

		For the Years Ending August 31, 1956	August 31, 1957
	STATE PROSECUTING ATTORNEY BEFORE COURT OF CRIMINAL APPEALS		
	For salaries and wages --		
1.	State's Attorney	$ 8,400	$ 8,400
2.	Clerk-Secretary	3,540	3,540
	Subtotal, salaries and wages	$ 11,940	$ 11,940
	For other expenses --		
3.	Other operating expense	630	630
	Total, State Prosecuting Attorney	$ 12,570	$ 12,570
	APPELLATE COURT REPORTS		
	For salaries and wages --		
1.	Reporter, Court of Criminal Appeals	5,328	5,328
2.	Reporter, Supreme Court	4,776	4,776
3.	Secretary	3,180	3,180
	Subtotal, salaries and wages	$ 13,284	$ 13,284
	For other expenses --		
4.	Other operating expense, including printing and binding of court reports	13,000	Unexpended Balance
	Total, Appellate Court Reports	$ 26,284	$ 13,284
	TEXAS COMMISSION ON UNIFORM STATE LAWS		
1.	Contribution on behalf of the State of Texas to the National Conference of Commissioners on Uniform State Laws	1,500	1,500
2.	For the printing of the Texas Commissioner's report and for travel expenses of members of the Texas Commission	1,500	1,500
	Total, Texas Commission on Uniform State Laws	$ 3,000	$ 3,000

	For the Years Ending August 31, 1956	August 31, 1957
JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT		
1. Salaries of 140 District Judges and Criminal District Judges at $9,000 where District Courts existed under laws in effect on March 14, 1954. (a)	$ 1,260,000	$ 1,260,000
2. Salary of the District Judge of the Special Criminal District Court of Dallas County or the Criminal District Court No. 3 of Dallas County if Senate Bill No. 127, Acts 54th Legislature becomes a law.	9,000	9,000
3. Salary of the District Judge of the Special 37th District Court or the Special 37th District Court created as a permanent District Court if Senate Bill No. 395, Acts 54th Legislature becomes a law.	9,000	9,000
4. Salary of the District Judge of the Special Criminal District Court of Bexar County or the criminal District Court No. 2 of Bexar County if Senate Bill No. 395, Acts 54th Legislature becomes a law.	9,000	9,000
5. Salary of the District Judge of the Special Second District Court or the 145th Judicial District Court if Senate Bill No. 426, Acts 54th Legislature becomes a law.	9,000	9,000
6. Salary of the District Judge of Special Ninth Judicial District Court or Second Ninth Judicial District Court if Senate Bill No. 273, Acts 54th Legislature becomes a law.	9,000	9,000
7. Salary of the District Judge of the Special 25th Judicial Court or the Second 25th Judicial District Court if Senate Bill No. 362, Acts 54th Legislature becomes a law.	9,000	9,000

		For the Years Ending August 31, 1956	August 31, 1957
(JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT, continued)			
8.	Salary of the District Judge of the Special District Court of Midland County or the 142nd District Court if Senate Bill No. 173, Acts 54th Legislature becomes a law.	$ 9,000	$ 9,000
9.	Salary of the District Judge of the temporary 151st Judicial District Court or the permanent 151st Judicial District Court if Senate Bill No. 236, Acts 54th Legislature becomes a law.	9,000	9,000
10.	Salary of the District Judge of the temporary 152nd Judicial District Court or the permanent 152nd Judicial District Court if Senate Bill No. 236, Acts 54th Legislature becomes a law.	9,000	9,000
11.	Salary of the District Judge of the Special 138th District Court or the permanent 138th Judicial District Court if Senate Bill No. 392, Acts 54th Legislature becomes a law.	9,000	9,000
12.	Salary of the District Judge of the Special 139th District Court or the permanent 139th Judicial District Court if Senate Bill No. 392, Acts 54th Legislature becomes a law.	9,000	9,000
13.	District Judges Expenses in Districts composed of two or more counties where District Courts existed under laws in effect on March 14, 1954.	40,050	40,050
14.	District Judges expenses for the Special Second District Court or the 145th Judicial District Court if Senate Bill No. 426, Acts 54th Legislature becomes a law.	450	450

		For the Years Ending August 31, 1956	August 31, 1957
(JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT, continued)			
15.	District Judges expenses for the Special Ninth Judicial District Court or the Second Ninth Judicial District Court if Senate Bill No. 273, Acts 54th Legislature becomes a law.	$ 600	$ 600
16.	District Judges Expenses for the Special 25th Judicial District Court or the Second 25th Judicial District Court if Senate Bill No. 382, Acts 54th Legislature becomes a law.	600	600
17.	District Judges expenses for the Special 138th District Court or the permanent 138th Judicial District Court if Senate Bill No. 392, Acts 54th Legislature becomes a law.	300	300
18.	Special District Judges' salaries and Regular District Judges' expenses when holding court out of their districts.	10,000	10,000
	Subtotal, District Judges	$ 1,411,000	$ 1,411,000
19.	Salaries of 53 District Attorneys at $5,620 where District Courts existed under laws in effect on March 14, 1954.	$ 297,860	$ 297,860
20.	Salary of the District Attorney of the Special District Court of Midland County or the 142nd Judicial District Court if Senate Bill No. 173, Acts 54th Legislature becomes a law.	5,620	5,620
21.	Salary of District Attorney of 105th District (Nueces).	6,620	6,620
22.	Salary of District Attorney of 34th District (El Paso).	6,620	6,620
23.	Salary of District Attorney of 53rd District (Travis)	6,620	6,620

		For the Years Ending August 31, 1956	August 31, 1957
(JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT, continued)			
24.	Assistant District Attorney of the 53rd Judicial District (Travis County)	$ 4,440	$ 4,440
25.	District Attorneys expenses in Districts composed of two or more counties where District Courts existed under laws in effect on March 14, 1954.	32,350	32,350
	Subtotal, District Attorneys	$ 360,130	$ 360,130
26.	Apportionment to counties where county officers are paid salaries (Chap. 465, Sec. 6(a), 2nd Called Session, Acts 44th Legislature (Art. 3912e, V.A.C.S.). Should any county by election of the Commissioners Court, change from a salary to a fee basis during this biennium, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for paying fees and costs of sheriffs and other county officials.	$ 585,192	$ 585,192
27.	Apportionment to counties where county officers are paid salaries and where there is a Criminal District Attorney or County Attorney performing the duties of District Attorney (as per sub-section B, Section 13, and Section 15, Subsection A, of Chapter 465, Section 6(a), 2nd Called Session, Acts 44th Legislature), or in counties having a Criminal District Court where the office of Criminal District Attorney has been abolished and the Constitutional office of District Attorney for such Criminal District Court created (as per House Bill 561 of the 53rd Legislature, Regular Session).	163,409	163,409

	For the Years Ending August 31, 1956	August 31, 1957
(JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT, continued)		
28. Fees and costs paid to sheriffs, attorneys, and clerks in felony cases, and fees of county judges, county attorneys, justices of peace, sheriffs and constables in examining trials where indictments are returned. Should any county, by election of the Commissioners Court, change from a fee basis to a salary basis during this biennium, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for, Apportionment to counties where County Officers are paid salaries.	$ 25,000	$ 25,000
Subtotal, County Officers	$ 773,601	$ 773,601
29. Expenses of attached witnesses, witness fees and mileage allowed witness in felony cases where the witness lives outside the county where the case is being tried.	$ 50,000	$ 50,000
30. Transcript fee to official court reporters as provided by Chap. 465, Sec. 5, Acts 52nd Legislature (Art. 759-A, Sec. 5, V.A.C.C.P.)	400	400
31. Traveling expenses of judges of Courts of Civil Appeals when sitting in other districts.	1,800	1,800
32. An appropriation to pay deficiency certificates issued for witness fees earned as per Article 1036, V.C.C.P. for the States' fiscal year ending August 31, 1953, Appropriation Number R-141, the amount of	1,098	- - -
Total, Judiciary Section - Comptroller's Department	$ 2,598,029	$ 2,596,931

For the Years Ending
August 31, 1956 August 31, 1957

(JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT, continued)

In the event any of the eleven courts created or extended by Acts of the Special Session of the 53rd Legislature are further extended or made into permanent courts by Acts of the 54th Legislature, any unexpended balances of moneys appropriated by the Acts of the Special Session of the 53rd Legislature creating such court is hereby reappropriated for the payment of salaries or expenses for the District Judge or District Attorney of that Court for the fiscal year ending August 31, 1955.

JUDICIARY - SPECIAL PROVISIONS

Sec. 2. No funds appropriated in this Article for travel may be used to pay any expense of traveling outside the boundaries of the State of Texas, except the actual expenses of the State's Attorney when it is necessary that he appear before any court in behalf of this State and the actual expenses of the Chief Justice of the Supreme Court or his designated Associate Justice. For such out-of-State travel, permission by the Attorney General shall not be required.

Sec. 3. The term "Other Operating Expense" as used in this Article shall only include the expenditure items under the 2200, 2400, 3100, 3300, 4100 and 5200 code groups, as shown in the State Comptroller's standard classification of accounts as revised to September 1, 1954.

Sec. 4. No court or judicial unit specified in this Article shall incur an obligation in excess of the amounts appropriated to

(JUDICIARY - SPECIAL PROVISIONS, continued)

it for the respective objects or purposes named. In the event this provision is violated, the State Auditor shall certify the fact and the amount of over-obligation to the Comptroller, and the Comptroller is authorized to deduct an amount or amounts equivalent to such over-obligation from the salary or other compensation due the responsible disbursing or requisitioning officer or employee. This provision is specified pursuant to Section 10, Article 16, of the Constitution of Texas.

Sec. 5. It is the duty of the Appellate Courts and judicial agencies of the State, annually and within sixty (60) days after the close of the State's fiscal year, to make a sworn statement to the Governor and to the Legislative Council of all amounts received and expended by each court or judicial agency. A report from each court shall be filed annually for the calendar year with the Governor, and a copy thereof with the Legislative Council, showing the total number of cases filed in each court during the year, the number of cases transferred to and from such court, the number of cases disposed of with proper sub-classification as to the manner of disposition, such as by dismissal, final judgment, reversal, and affirmance; and any other statistical data which may be required by the Governor or the Legislative Council.

RECAPITULATION - JUDICIARY ARTICLE

	For the Years Ending August 31, 1956	For the Years Ending August 31, 1957
Courts of Civil Appeals		
First District, Galveston	$ 51,298	$ 51,298
Second District, Fort Worth	51,382	51,382
Third District, Austin	49,835	49,835
Fourth District, San Antonio	51,382	51,382
Fifth District, Dallas	51,382	51,382
Sixth District, Texarkana	52,072	51,382
Seventh District, Amarillo	50,932	51,382
Eighth District, El Paso	51,382	51,382
Ninth District, Beaumont	51,382	51,382
Tenth District, Waco	51,382	51,382
Eleventh District, Eastland	51,382	51,382
Supreme Court	222,982	222,982
Court of Criminal Appeals	105,750	104,750
States Prosecuting Attorney	12,570	12,570
Appellate Court Reports	26,284	13,284
Texas Commission on Uniform State Laws	3,000	3,000
Judiciary Section - Comptroller	2,598,029	2,596,931
Combined Grand Totals, Judiciary	$ 3,532,426	$ 3,517,088