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**MEMORANDUM**

DATE: April 6, 2000  
SUBJECT: Open Range Law  
FROM: Robert Klaeger  
TO: County Commissioners and Sheriff's Office

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There appears to be confusion regarding whether or not Burnet County has an open range law in effect. On June 23, 1953 the Commissioners Court passed two separate proclamations, based on Stock Law Election Results, that stated that "it shall be unlawful to permit to run at large in the county, horses, mules, jacks, and cattle," and "hogs, sheep and goats." Attached hereto is a copy of the Commissioner Court records for your review.

If anyone has any questions, please advise.



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MINUTES OF COMMISSIONERS COURT, JUNE TERM, 1953

THE STATE OF TEXAS } BE IT REMEMBERED that on this the 8th day of June, 1953, there  
COUNTY OF BURNET } came on to be holden a term of the Commissioners Court of Burnet,  
County, Texas,, a regular term of the Court at the County Court House, with the following  
members present: Hon. H. P. Stockton, County J<sub>u</sub>dge, Presiding; A. F. Foster, Commissioner  
Pre. No. 1; C. S. Morris, Commissioner Pre. No. 2; Grady A. Williams, Commissioner Pre.  
No. 3; J. P. Singleton, Commissioner Pre. No. 4; and Louis S. Chamberlain, County Clerk;  
when the following business was transacted:

1. James C. Sawyer, County Agent, Monthly R<sub>e</sub>port, approved.
2. Dawn H. Duncan, H. D. Agent, Monthly R<sub>e</sub>port approved.
3. Lucy Lamon, County Treasurer, Monthly Report of Claims R<sub>e</sub>gistered, approved.
4. Jake Clements, Justice of Peace, Pre. No. 1, Monthly Report, approved.
5. Jack L. Duddleson, " " " 4, " " approved.

TUESDAY JUNE 23, 1953

Court met as board of Equalization. For transaction of business see Board of Equalization  
Minutes.

STOCK LAW ELECTION PRECEEDINGS

For detail votes see Volume 3, page 92

ORDER DECLARING RESULTS --HOG, SHEEP AND GOAT ELECTION

THE STATE OF TEXAS

COUNTY OF BURNET On this the 23 day of June, 1953, the Commissioners' Court of  
Burnet County, Texas, convened in regular session at the regular meeting plac<sup>e</sup> in the  
Courthouse in Burnet, Texas, with the following members present, to-wit:

- H. P. Stockton, County Judge,
- A. F. Foster, Commissioner Precinct No. 1,
- C. S. Morris, Commissioner Precinct No. 2,
- Grady A. Williams, Commissioner Precinct No. 3,
- J. P. Singleton, Commissioner Precinct No. 4,
- Louis S. Chamberlain, County Clerk,

and the following absent: None

constituting a quorum, and among other proceedings passed the following order:

There came on to be considered the returns of an election held in said county on  
the 20th day of June, 1953, to determine whether or not hogs, sheep and goats shall be  
permitted to run at large in said County, and it appearing that said election was in  
all respects legally held and that said returns were duly made, and that there were  
cast at said election 307 valid and legal votes, of which number there were cast:

FOR THE STOCK LAW	218 votes	AGAINST THE STOCK LAW	89 votes
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IT IS THEREFORE FOUND, DECLARED AND SO ORDERED by the Commissioners' Court of Burnet  
County, Texas, that a majority of the freeholders and qualified voters in said County,  
voting at said election voted For said proposition.

The above order being read, it was moved and seconded that same do pass. Thereupon,  
the question being called for, the following members of the court voted AYE: A. F. Foster  
C. S. Morris, Grady A. Williams, J. P. Singleton and the following voted NO: None

PASSED, APPROVED AND ADOPTED, this the 23 day of June 1953,

H. P. Stockton  
County Judge, Burnet, County, Texas

A. F. Foster  
Commissioner Precinct No. 1

C. S. Morris  
Commissioner Precinct No. 2

Grady A. Williams  
Commissioner Precinct No. 3

J. P. Singleton  
Commissioner Precinct No. 4

PROCLAMATION - - HOG, SHEEP AND GOAT ELECTION

THE STATE OF TEXAS

COUNTY OF BURNET                   Whereas, an election was duly and legally held in Burnet County Texas, on the 20 day of June, 1953, to determine whether or not hogs, sheep and goats shall be permitted to run at large in said county; and

Whereas the returns of said election were duly and legally made and on the 23 day of June, 1953, the Commissioners' Court of said County considered the several returns and canvassed the same and by order duly entered declared that a majority of the freeholders and qualified voters in said county, voting at said election, voted for said proposition;

Now, therefore, I H. P. Stockton, in my capacity as County Judge of Burnet County, Texas do hereby issue this proclamation declaring the result of said election.

That as found and declared by the above mentioned order of the Commissioners' Court of said County there were cast at said election 307 valid and legal votes of which number 218 votes were cast "FOR THE STOCK LAW" and 89 votes were cast "AGAINST THE STOCK LAW".

I hereby find and declare that a majority of the freeholders and qualified voters in said County, voting at said election, voted for said proposition and that after the expiration of thirty days from the issuance of this proclamation it shall be unlawful to permit to run at large in this county hogs, sheep and goats.

A copy of this proclamation shall be posted at the courthouse door of this county as provided by law.

ORDERED AND ISSUED, this 23 day of June, 1953.

H. P. Stockton  
County Judge, Burnet County, Texas

ORDER DECLARING RESULTS, - - HORSES, MULES, JACKS, AND CATTLE

THE STATE OF TEXAS

COUNTY OF BURNET                   On this the 23 day of June, 1953, the Commissioners' Court of Burnet County, Texas, convened in regular session at the regular meeting place in the Courthouse in Burnet, Texas, with the following members present, to-wit:

H. P. Stockton, County Judge,  
A. F. Foster, Commissioner Precinct No. 1,  
C. S. Morris, Commissioner Precinct No. 2,  
Grady A. Williams, Commissioner Precinct No. 3,  
J. P. Singleton, Commissioner Precinct No. 4,  
Louis S. Chamberlain, County Clerk,

and the following absent; None

constituting a quorum, and among other proceedings passed the following order:

There came on to be considered the returns of an election held in said county on the 23 day of June, 1953, to determine whether or not horses, mules, jacks, and cattle shall be permitted to run at large in said County, and it appearing that said election was in all respects legally held and that said returns were duly and legally made, and that there were cast at said election 307 valid and legal votes, of which number there were cast:

FOR THE STOCK LAW   218 votes                   AGAINST THE STOCK LAW   89 votes

IT IS THEREFORE FOUND, DECLARED AND SO ORDERED by the Commissioner' Court of Burnet County Texas, that a majority of the freeholders and qualified voters in said County, voting at said election voted For said proposition.

The above order being read, it was moved and seconded that same do pass. Thereupon, the question being called for, the following members of the court voted AYE: A. F. Foster, C. S. Morris, Grady A. Williams, J. P. Singleton and the following voted NO: None.

PASSED, APPROVED AND ADOPTED, this the 23 day of June 1953.

H. P. Stockton  
County Judge, Burnet County, Texas

A. F. Foster  
Commissioner Precinct No. 1

C. S. Morris  
Commissioner Precinct No. 2

Grady A. Williams  
Commissioner Precinct No. 3

J. P. Singleton  
Commissioner Precinct No. 4

PROCLAMATION - - - HORSES, MULES, JACKS, CATTLE

THE STATE OF TEXAS

COUNTY OF BURNET Whereas, an election was duly and legally held in Burnet County, Texas on the 20th day of June, 1953, to determine whether or not horses, mules, jacks, and cattle shall be permitted to run at large in said county; and

Whereas the returns of said election were duly and legally made and on the 23 day of June 1953, the Election Board considered the several returns and canvassed the same and by order duly entered declared that a majority of the freeholders and qualified voters in said county, voting at said election, voted for said proposition;

Now, therefore, I H. P. Stockton, in my capacity as County Judge, of Burnet County, Texas do hereby issue this proclamation declaring the result of said election.

That as found and declared by the above mentioned order of the Election Board there were cast at said election 307 valid and legal votes, of which number 218 votes were cast "FOR THE STOCK LAW" and 89 votes were cast "AGAINST THE STOCK LAW".

I hereby find and declare that a majority of the freeholders and qualified voters in said county, voting at said election, voted for said proposition and that after the expiration of thirty days from the issuance of this proclamation it shall be unlawful to permit to run at large in this county, horses, mules, jacks, and cattle.

A copy of this proclamation shall be posted at the courthouse door of this county as provided by law.

ORDERED AND ISSUED, this the 23 day of June 1953.

H. P. Stockton  
County Judge, Burnet County, Texas