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
Holman
Anderson Holstein
Armor Hooks
Atwell Hosey
Baker Huebner
Hallman Huffman
Hartranf HufFcr
Bass Hughes of Grayson
Bell Hughes of Dallas
Bishop Isaacks, Miss
Blaine Jackson
Blanchard Jamison
Bowers Johnson
Boysev Jones
Branham Joseph
Bristow Kelly
Bryan Kennard
Bullock Kennedy
Burkett Kilpatrick
Byrd Koliba
Chapman Korioth
Cline Kothmann
Cloud Latimer
Cole Laurel
Comley Lee
Cotten McCoplin
Cox of Montgomery McDonald
Cox of Montgomery McGregor
Day de la Garza
de la Garza McIlhany
Dewey Mann
Duff, Miss Martin
Dugas Matthew
Dungan May
Ebbe Moore of Harris
Elliott Moore of Tarrant
Ellis Mullen
Farr Munday
Ford Myatt
Foreman Oliver
Forest of Wharton
Forysth Osborn
Glass Parish
Glossing Parsons
Green Patterson
Haie Pickle
Harrington Pool
Headly Pressler
Heflin Packet
Helfman Ramsey
Hensley Richardson
Hollowell Roberts
Russell Stewart
Sadler Sherry
Sandahl Strickland
Sanders Stroman
Saul Sudderth
Schram Sutton
Schwarz Tallas
of Galveston Terrell
Schwarz Thurmood of Washington Tunnell
Seeligson Turman
Shackelford Wallace
Shannon of Brath Watson
Shannon Welch
of Tarrant Wheeler
Shaw White
Sheridan Wilson of Young
Sherrill Wilson of Potter
Slack Winstead
Smith of Hays Winkfield
Smith of Jefferson Woolsey
Spillman Yacsk
Springer Zbranek

Absent
Fenoglio
Absent—Excused
Cory Hutchins

A quorum of the House was announced present.

The Invocation was offered by the Reverend E. C. McDonald, Chaplain, as follows:

"Our Father, as we come to the devotional of the Fifty-fifth Session of the House of Representatives, we feel that each one of us is ready to assume the great responsibilities of the day, God helping us. We wish to express to you, our Father, our deepest gratitude by being permitted to associate with these men, whom we have learned to respect, honor and love because of their high ideals and lofty ambitions and a compelling desire to fulfill all that might be expected of them. In His name we pray. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of illness:

Mr. Cory for today on motion of Mr. Hale.

Mr. Hutchins for today on motion of Mr. Chapman.
MESSAGE FROM THE SENATE

Austin, Texas, January 14, 1957.

Hon. Waggoner Carr Speaker of the House of Representatives.

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

H. C. R. No. 1, Providing for per diem for the Members of the Legislature.

S. C. R. No. 3, Designating the week of March 4-9, 1957, as Public School Week in Texas.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

PROVIDING FOR JOINT SESSION TO CANVAS THE VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR

Mr. Blaine offered the following resolution:

H. C. R. No. 6

Be It Resolved by the House of Representatives, the Senate concurring, That the two Houses meet in joint session on Monday, January 14, at 10:50 a. m. to canvass the vote for Governor and Lieutenant Governor at the last general election.

The resolution was adopted without objections.

TO PROVIDE THAT THE CAPITOL GROUNDS SHALL BE CLOSED TO MOTOR VEHICLES ON INAUGURATION DAY

Mr. Saul offered the following resolution:

H. C. R. No. 7

Whereas, The movement of motor vehicles upon the Capitol Grounds, streets, and runways, on said day will be hazardous to the life and limb of the great throng assembled for said Inaugural Ceremonies; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Board of Control be and is hereby instructed to close all entrances to the Capitol Grounds to motor vehicles on January 15, 1957, except those vehicles approved by the Inaugural Committee as necessary for use in connection with said ceremony and the program following.

The resolution was adopted.

PROVIDING FOR JOINT SESSION FOR INAUGURATION CEREMONIES AND FOR CERTAIN EXPENSES INCURRED

Mr. Saul offered the following resolution:

H. C. R. No. 8

Be It Resolved by the House of Representatives, the Senate concurring, That the House and Senate meet in Joint Session for the Inauguration ceremonies for the Governor and the Lieutenant Governor in front of the Capitol on January 15, 1957, at such time as determined by the two Committees heretofore appointed to make the necessary inaugural arrangements; and

Whereas, The Joint Committee appointed pursuant to the provision of Senate Concurrent Resolution No. 1, to arrange for the Inauguration of the Governor and Lieutenant Governor, necessarily incurred certain expense arranging for said inauguration; therefore, be it further

Resolved, That the expenses thus incurred be paid out of the contingent expense of the two Houses, one-half of said expense to be paid by the House and one-half by the Senate.

The resolution was adopted.

CERTAIN CORRECTION AUTHORIZED

Mr. Saul asks unanimous consent of the House to correct the typographical error in Rule reference in the first amendment to the Rules of the
House from "Rule 22" to "Section 1 of Rule 21," which were adopted by the House on last Wednesday, January 9th. (This being the proper place for the amendment to be inserted—House Rules, pg. 318)

There was no objection offered and it was so ordered.

**DESIGNATING PUBLIC SCHOOLS WEEK IN TEXAS**

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

S. C. R. No. 3

Whereas, Public Schools Week in Texas has become an outstanding annual event since its inauguration six years ago; the increasing interest and participation of schools, patrons and parents throughout the State is tangible evidence that the people generally are glad to take advantage of this special opportunity to give due recognition to the importance of a good, free public school system; and

Whereas, The Constitution of Texas, in the first section of the Article pertaining to education states that, "A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people of Texas, it shall be the duty of the Legislature of the State to establish and make suitable provisions for the maintenance of a system of public free schools"; and

Whereas, The 55th Session of the Texas Legislature desires to re-emphasize the sentiments of the framers of the Constitution and to express its belief that a sound and adequate system of public education requires the active interest and support of all of our people; and

Whereas, The State Board of Education, by resolution, has officially designated the week of March 4-9, 1957, as Public Schools Week in Texas, and respectfully urges every citizen of this State to visit a public school during this period.

The resolution was read and was adopted.

(While the House, upon the direction of Speaker Carr, stood at ease temporarily, Mr. Moore of Tarrant occupied the Chair)

(Speaker in the Chair)

**MESSAGE FROM THE SENATE**

Austin, Texas, January 14, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

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

H. C. R. No. 6, Providing for a Joint Session on January 14, 1957, at 10:50 a.m.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

**COUNTING THE VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR**

In accordance with the provisions of S. C. R. No. 1 and H. C. R. No. 6 providing for a Joint Session of the House and Senate on today, for the purpose of counting the votes for the Governor of Texas and the Lieutenant Governor of Texas cast at the last General Election, held on November 6, 1956, the Honorable Senators were announced at the Bar of the House.

The Honorable Senators were admitted and occupied seats provided for them.

Senator Crawford C. Martin was escorted to a seat on the Speaker's rostrum.

Senator Martin called the Senate to order and stated that a quorum of the Senate was present.

Speaker Carr called the House of Representatives to order and stated
that a quorum of the House was present.

Speaker Carr stated that the House and Senate were in Joint Session for the purpose of counting the votes for Governor of Texas and Lieutenant Governor of Texas cast at the last General Election, held on November 6, 1956.

The following Senators were appointed on the part of the Senate to count the votes: Senators Moffett, Krueger, Ratliff, Secret, and Martin.

The following Members were appointed on the part of the House to count the votes: Messrs. Blaine, Healy, Conley, Day, and Ferrell.

The Joint Tellers were announced present.

Speaker Carr made the following announcement:

"As provided in the Constitution and Laws of Texas, as Speaker of the House of Representatives, I now officially turn over to the Joint Committee, theretofore appointed, the official returns of the last General Election for Governor and Lieutenant Governor, said returns having been turned over to me by the Secretary of the State of Texas."

The Joint Tellers, on the part of the House and the Senate then proceeded to count the votes cast for the Governor of Texas and the Lieutenant Governor of Texas in the last General Election.

The Speaker stated that if there were no objections the Joint Session would stand at ease pending the counting of the votes.

There was no objection and it was so ordered.

(While the House stood at ease pending the counting of the votes, Messrs. Moore of Harris, Zbranek, Pool, and Korioth occupied the Chair, respectively.)

(Speaker in the Chair)

The Speaker called the Joint Session to order at 1:14 o'clock p.m.

The counting of the votes having been completed, the Honorable Waggoner Carr, Speaker of the House of Representatives, stated to the Joint Session that the Joint Tellers had completed the count of the votes and that the Joint Session was now ready to receive the result and the report of the Joint Tellers.

Senator Moffett, on the part of the Senate of Texas, and Mr. Blaine, on the part of the House of Representatives of Texas, submitted the following report which was read to the Joint Session of the House and the Senate:

Austin, Texas, January 14, 1957

Honorable Crawford Martin,
Acting President of the Senate

Honorable Waggoner Carr,
Speaker of the House of Representatives

Sirs: We, the Joint Committee of Tellers appointed by the presiding officers of the Senate and House of Representatives to canvass the votes cast at the last general election held in the State of Texas on November 6, 1956, for Governor and Lieutenant Governor of the State of Texas as shown by returns delivered to us by the Secretary of State, beg leave to report that we have performed that duty and that the result of our canvas is as follows:

There were cast for Governor:

Price Daniel, Democratic
Party 1,350,736

William R. Bryant, Republican
Party 261,283

W. Lee O'Daniel
Party 110,232

Others 1,838

There were cast for Lieutenant-Governor:

Ben Ramsey, Democratic
Party 1,447,266

Others 234

Your attention is called to the fact that no official election returns were received by the Secretary of State from the following counties: Anderson, Angelina, Aransas, Bailey, Bexar, Brewster, Childress, Cooke, Haskell, Jeff Davis, Kinney, Menard, Morris, Nacogdoches, Navarro, Orange, Pecos, Randall, Sterling, Terry, Titus, Upshur, Wise.

However unofficial returns to the Secretary of State from these counties...
January 14, 1957

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APPENDIX

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, January 10, 1957

Honorable Waggoner Carr, Speaker of the House of Representatives

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 5, Inviting General Melvin J. Mass to address a Joint Session of the Senate and House of Representatives, to be held in the Hall of the House of Representatives at 11:30 a.m. Thursday, January 17, 1957.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas. January 14, 1957

Honorable Waggoner Carr, Speaker of the House of Representatives

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 6, Providing for a Joint Session.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas. January 14, 1957

Honorable Waggoner Carr, Speaker of the House of Representatives

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 7, Relative to closing of the Capitol grounds for Inauguration Ceremonies.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas. January 14, 1957

Honorable Waggoner Carr, Speaker of the House of Representatives

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 8, Providing for a Joint Session for the Inauguration Cere-
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<th>HOUSE JOURNAL</th>
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<td>monies and for certain expenses incurred for Inauguration. Has carefully compared same and finds it correctly engrossed. HERMAN YEZAK, Chairman.</td>
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<td>REPORT OF THE COMMITTEE ON ENROLLED BILLS</td>
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<td>Austin, Texas, January 10, 1957</td>
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<td>Honorable Waggoner Carr, Speaker of the House of Representatives.</td>
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<td>Sir: Your Committee on Enrolled Bills to whom was referred H. C. R. No. 2, Providing for Joint Session to hear a message by the Honorable Allan Shivers, Governor of Texas.</td>
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<td>Has carefully compared same and finds it correctly enrolled. W. C. SCHWARTZ, Chairman.</td>
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<td>SENT TO GOVERNOR</td>
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Mr. Blanchard offered the following resolution:

H. S. R. No. 20, In Memory of Honorable George S. Berry.

Whereas, On July 1, 1955, the State of Texas lost one of its most distinguished and honored citizens with the untimely passing of the Honorable George S. Berry; and

Whereas, Mr. Berry was a Member of the House of Representatives from Lubbock, Texas, representing the Ninety-seventh District in the Fifty-third and Fifty-fourth Sessions of the Texas Legislature; and

Whereas, He served well and faithfully his District and his State. His absence is keenly felt by the membership of the Legislature, for he gave freely of his advice and counsel; and

Whereas, He was born in Tolar, Hood County, Texas, September 15, 1898, the youngest child of Mr. and Mrs. F. M. Berry. He spent his early years in Graham, Young County, and in Fort Worth; and

Whereas, He volunteered for military service in 1918 and served in the Signal Corps. He attended Texas Christian University and received his law degree at Cumberland University, Lebanon, Tennessee; and

Whereas, Mr. Berry practiced law and was elected Mayor of Newcastle. He served as County Attorney of Young County and as Assistant District Attorney of the Thirtieth Judicial District. He opened a law office in Lubbock in 1929 with Judge Victor H. Lindsey. Mr. Berry was assistant Attorney General of Texas under the Hon. Gerald Mann, working with problems concerning education; and

Whereas, On May 31, 1927, he married Miss Velma Wellesman, County Superintendent of schools, Young County, Texas. To this union were born three children, a daughter, Mrs. Ludonna Berry Burnham, Graham; twin sons, George William, a graduate student at the University of Texas, and Alfred Milton, deceased; and

Whereas, Mr. Berry was a devoted father and loving husband. He was serving as a Deacon and member of the Board of Trustees and a Sunday School teacher in the First Baptist Church of Lubbock, Texas, at the time of his untimely death. He served on the board of the Salvation Army 17 years and as a captain of Company "A" Texas Defense Guard, Lubbock. He devoted great time and effort to the Masonic Lodge, Kiwanis Club, Chamber of Commerce, Lubbock Club, Lubbock Country Club, Knights of Pythias, the Farm Bureau, and the Lubbock Bar Association and the State Bar of Texas. He was president of the Ropesville State Bank; and

Whereas, Mr. Berry was a charter member of the Blackstone Post of the American Legion, Fort Worth. He served as a Post Commander at Lubbock, Texas. He was Division Commander and Judge
Advocate of Texas. In 1948 he served as State Commander of the American Legion; and

Whereas, His memory has been honored by having a new post in Lubbock, Texas, being named the George S. Berry Post of the American Legion, Department of Texas; and

Whereas, He is survived by his widow, two children, and three grandsons; and

Whereas, It is the desire of the House of Representatives to pay tribute to the useful and worthy life of the Honorable George S. Berry; now, therefore, be it

Resolved, That an enrolled copy of this resolution be forwarded to his family with our heartfelt sympathy; and, be it further

Resolved, That a page be set aside in the House Journal in his memory and that when the House adjourns this day it do so in loving respect to him.

BLANCHARD, ROBERTS, OSBORN, SAUL, CARL, Speaker, LEE, WILSON of Potter, BOWERS.


Mr. Blanchard was recognized by the Chair and read the resolution to the House.

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

The resolution was unanimously adopted by a rising vote.

(60)