The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker: Anderson
Armour: Holley
Atwell: Hooks
Baker: House
Balmann: Huebscher
Bartram: Huffman
Bass: Huffer
Bell: Hughes of Grayson
Bishop: Hughes of Dallas
Blaine: Hutchins
Blanchard: Isaacks, Miss
Bowers: Jackson
Boysen: Jamison
Brashbear: Johnson
Bratton: Jones
Bryan: Joseph
Bullock: Kelly
Burkett: Kennard
Byrd: Kennedy
Chapman: Kilpatrick
Cline: Koliba
Cloud: Koroth
Cole: Kothmann
Conley: Latimer
Cory: Laurel
Cotten: Lee
Cox of Montgomery: McGregor
Cox of Bell: of McLennan
Crosthwaite: Mcllwain
Day: Mann
De la Garza: Martin
Dewey: Matthew
Duff, Miss: Mays
Dugas: Moore of Harris
Dungan: Moore of Tarrant
Ehrle: Mullen
Elliot: Muray
Ellis: Math
Fenoglio: Oliver
Ferrell: Osborn
Ford: Parish
Foreman: Parsons
Fosworth: Patterson
Glass: Pickin
Glasing: Pool
Green: Puckett
Hale: Ramsey
Harrington: Richardson
Heath: Roberts
Hefta: Russell
Heitman: Sadler
Sandahl: Strickland
Sanders: Stroman
Schram: Sudderth
Schwartz of Galveston: Talasek
Schwartz of Washington: Thompsen
Seeliger: Tunman
Shackelford: Turman
Shannon of Braith: Watson
Shannon of Tarrant: Welch
Shaw: Wheeler
Sheridan: White
Sherrill: Wilson of Young
Slack: Wilson of Potter
Smith of Hays: Winfree
Smith of Jefferson: Wohlford
Sproll: Wooley
Springer: Yezak
Stewart: Zbranek

Absent—Excused
Holman: Freesley
McCoppin: Saul
McGregor of El Paso:

A quorum of the House was announced present.

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

"Our Heavenly Father, we appreciate more than words can express, these Representatives who are working together, whether in Committees or as a whole. These Committees have worked together hour after hour in the interest of all people. We know at this time the eyes of Texas are upon them. May our Heavenly Father join them in their efforts and desires to please Him by serving the people of Texas. Forgive the Chaplain, we pray, for his mistakes and failures of how the program of the House in action, is carried on to reach the highest standard of efficiency in service. In Christ's name we pray,—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. McGregor of El Paso for today on motion of Mr. Blaine.
Mr. Holman for today on motion of Mr. Moore of Tarrant.
January 24, 1957  HOUSE JOURNAL  171

Mr. McCoppin for today on motion of Mr. Terrell.
Mr. Premier for today on motion of Mr. Blanchard.

MESSAGE FROM THE SENATE
Austin, Texas, January 23, 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:

S. C. R. No. 13, Condemning the U. S. Labor Department for imposing new and harsh minimum acceptable standards for the housing of Mexican National Workers.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

TO NAME ELIZABETH ANN COX
AS Mascot of the House

Mr. Bryan offered the following resolution:

H. S. R. No. 51

Whereas, Elizabeth Ann, daughter of our esteemed colleague, James E. Cox and his lovely wife, Marjorie, is an eligible candidate for the office of Mascot of the Texas House of Representatives; and

Whereas, Elizabeth Ann is an outstanding young lady, six months of age, of winsome ways and a delight to her parents; and

Whereas, It is the desire of the Texas House of Representatives of the Fifty-fifth Legislature, to give honor and recognition to the children of the members of the House; now, therefore, be it

Resolved, That Elizabeth Ann be, and she is hereby named Mascot of the House of Representatives, and that her photograph be placed with the official Mascots of the House.

The resolution was referred to the Committee on Rules.

TO NAME WILLIAM JAMES WELCH
AS Mascot of the House

Mr. Lee offered the following resolution:

H. S. R. No. 53

Whereas, William James Welch, son of our esteemed colleague, Jack Welch and his lovely wife, Dimple, is an eligible candidate for the office of Mascot of the Texas House of Representatives; and

Whereas, William James is an outstanding young man, sixteen months of age, of winsome ways and a delight to his parents; and

Whereas, It is the desire of the Texas House of Representatives of the Fifty-fifth Legislature, to give honor and recognition to the children of the members of the House; now, therefore, be it

Resolved, That William James be, and he is hereby named Mascot of the House of Representatives, and that his photograph be placed with the official Mascots of the House.

The resolution was referred to the Committee on Rules.
TO NAME JOHN EDWARD LEE AS MASCOT OF THE HOUSE

Mr. Welch offered the following resolution:

H. S. R. No. 54

Whereas, John Edward Lee, son of our esteemed colleague, John R. Lee and his lovely wife, Jo Helen, is an eligible candidate for the office of Mascot of the Texas House of Representatives; and

Whereas, John Edward is an outstanding young man, four years of age, of winsome ways and a delight to his parents; and

Whereas, It is the desire of the Texas House of Representatives of the Fifty-fifth Legislature, to give honor and recognition to the children of the members of the House; now, therefore, be it

Resolved, That John Edward Lee, and his lovely wife, Jo Helen, be hereby named Mascot of the House of Representatives, and that his photograph be placed with the official Mascots of the House.

The resolution was referred to the Committee on Rules.

CONGRATULATING HONORABLE HOWARD LEMUEL GREEN OF FORT WORTH

Mr. Kelly offered the following resolution:

H. S. R. No. 58

Whereas, Howard Lemuel Green was born at Swenson, Stone County, Texas, January 24, 1921; and

Whereas, Howard Green, after spending the first 15 years of his life in one of the best counties of Texas (part of the 56th district); and

Whereas, This young man with such a good start became the youngest executive in professional baseball, and gained national renown in this position; and

Whereas, The good people of Tarrant County have shown fit to elect this "Stone County country boy" who moved to the "big city" and made good, to represent them in the 55th Legislature, therefore, be it

Resolved, That the House of Representatives today, Howard Green's 36th birthday, extend to him and his lovely wife, Betty, heartiest congratulations.


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

The resolution was unanimously adopted.

COMMENDING MOODY HIGH SCHOOL CIVICS CLASS FOR VISIT

Mr. Watson offered the following resolution:

H. S. R. No. 62

Whereas, The Civics Class of Moody High School accompanied by their teacher, Mr. L. H. Todd, visited the State Capitol in Austin on January 23rd; and
Whereas, These fine young Americans were on an educational tour to observe and learn the workings of their State government; and

Whereas, It is the desire of the Texas House of Representatives to commend this group on their interest; now, therefore, be it

Resolved, That we officially recognize their visit and that a copy of this Resolution be sent to them.

WATSON, JOSEPH, McGregor of McLennan.

The resolution was read and was adopted.


Mr. Johnson offered the following resolution:

H. C. R. No. 17

Whereas, The Legislature of the State of Texas does hereby unequivocally express a firm and determined resolution to maintain and defend the Constitution of the United States and the Constitution of this State against every attempt, foreign or domestic, to undermine and destroy the fundamental principles embodied in the basic law endowed by Divine Providence, the Declaration of Independence and the state and federal constitutions by which the liberties of the people and sovereignty of the states are reserved and which have so long been assured and protected; and

Whereas, The Texas Legislature expressly enunciates and declares that the powers of the federal government in all its branches and agencies are limited by the terms of the Constitution creating the federal union to which the states are parties and by the plain sense and intended construction and interpretation of its provisions; and

Whereas, The basic concept of the federal Constitution apparent upon its face is that the ratifying states, parties thereto, agreed voluntarily to delegate certain of their sovereign rights to a federal government thus constituted and that all powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the respective states or to the people; and

Whereas, The State of Texas has at no time surrendered to the federal government its right to maintain, control and support its public schools and other public facilities; and

Whereas, The Supreme Court of the United States has placed upon the Constitution interpretations having the effect of amendments thereto in violation of Article V of said Constitution, which interpretations the State of Texas emphatically disapproves; and

Whereas, Questions of contested power have arisen and powers exercised daily by the various states since the founding of our federal republic have been abrogated; recent decisions by the Supreme Court based upon a foreign and strange concept called "modern psychological knowledge" constitute a deliberate, palpable and dangerous concept of government and a dangerous attempt by the Court itself to usurp the amendatory power (that lies solely with not fewer than three-fourths of the states); and

Whereas, Such assertions upon the part of the Supreme Court ignore the plain import of the Bill of Rights as evidenced by the Tenth Amendment as well as other sections of the Constitution; and

Whereas, Failure of this state to emphasize her clearly-reserved powers could be construed as tacit consent and acquiescence in the surrender thereof; and that subservient acquiescence to palpable, deliberate and dangerous encroachment could in the end lead to the surrender of all powers reserved to the states and inevitable to the obliteration and destruction of the sovereignty of the states contrary to the concepts and ideals embodied in the sacred compact by which this union of the states was created; and

Whereas, The states have too long remained silent and watched with growing concern as the power delegated to the Congress to regulate commerce among the several states has been stretched into a power to control
Resolved, By the House of Representa­tives of the State of Texas, the Senate con­curring, That, committing the issues to the decision of the Su­preme Arbiter of destiny, the time of the Republic of Texas was es­tablished, and humbly invoking the blessings of Almighty God, as did the framers of the Constitution, and appealing to our sister states for that decision, which only they are qualified under our mutual compact to make, to join in taking appropriate steps pursuant to Article V of the Constitution by which an amendment designed to settle the issues to the decision of the Supreme Court will have been destroyed and the sovereign states established by the Constitution of the United States will have ceased to exist and the Supreme Court will have created without jurisdiction or author­ity, and declare her firm intention to take all appropriate measures honorably, legally, and constitutionally available to the State of Texas to settle all the issues to the decision of the United States, and, to the Congress of the United States their prompt and deliberate efforts to check further encroachment by the federal government and all its branches and agencies upon the re­served powers of the states; and, be it further

Resolved, That the Governor be re­quested to transmit a copy of the foregoing resolution to the Governor and Legislature of each of the other states, to the President of the United States, to each of the Houses of Congress, to Texas Representatives and Senators in Congress, and to the
January 24, 1957  

HOUSE JOURNAL 175  

Supreme Court of the United States for their information.  

JOHNSON. CHAPMAN. ATWELL. CROSTHWAIT. PERRELL. MAYS. HUFFMAN. MARTIN. SLACK. BURKETT. POOL. HUGHES of Dallas. SUTTON. SADLER. STOREY. PUCKETT. MISS DUFF.  

The resolution was read.  

Mr. Baker requested a second reading of the resolution.  

The resolution was read the second time.  

Mr. Atwell moved that the remarks by Mr. Chapman addressing the House on H. C. R. No. 17, be reduced to writing and printed in the Journal.  

The motion by Mr. Atwell prevailed.  

Mr. Kennedy moved that H. C. R. No. 17 be referred to an appropriate committee to be selected by the Speaker.  

Mr. Huffman moved to table the motion by Mr. Kennedy.  

Question recurring on the motion by Mr. Huffman to table the motion by Mr. Kennedy to refer H. C. R. No. 17 to a committee, yeas and nays were requested.  

The motion to table was lost by the following vote:  

**Yeas—52**  

Armor Atwell Blanchard Bowers Bryan Chapman Cloud Cowen Cox of Montgomery Hooks  

**Nays—44**  


Roberts Hughes of Dallas Hutchinson Johnson McDonald McShay Mann Martin May Moore of Harris Moore of Tarrant Oliver Parsons Pool Puckett Wilson of Young Ramsey Wohlford  

Kilpatrick Koliba Koroth Kothmann Latimer Laurel Lee McGregor Mathew Mullen Murray Myatt Osborn Parish Patterson Pipkin Richardson Russell Sandahl Sanders Schram Schwartz Galveston Schwartz Washington Seeley Shannon of Erath Shannon of Tarrant  

Sheridan Sherill Spilfager Stewart Strickland Suddeth Torman Walling Watson Wheeler Winfree Woodyer Yezak Zbranek
The motion by Mr. Kennedy that H. C. R. No. 17 be referred to an appropriate committee to be selected by the Speaker prevailed.

The resolution was referred by the Speaker to the Committee on State Affairs.

REASON FOR VOTE

I voted to send the above Resolution to a committee because I think this is of utmost importance and should be studied by a committee with a view to making it as strong as possible.

HOMER L. KOLIBA, Sr.

RELATIVE TO CONDEMNING CERTAIN ACTION OF THE U. S. LABOR DEPARTMENT FOR IMPOSING CERTAIN STANDARDS IN REGARD TO THE HOUSING OF MEXICAN NATIONAL WORKERS

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

S. C. R. No. 13

Whereas, Arbitrarily, abruptly and without any prior warning, the U. S. Labor Department imposed new and harsh Minimum Acceptable Standards for the Housing of Mexican National Workers by amendments dated January 7, 1957; and

Whereas, On January 17, 1957, the U. S. Department of Labor began inspection of housing of such workers under the new standards, accompanying such inspections with the warning that compliance with the new standards must be accomplished within ten days of notice or the workers would be immediately removed; and

Whereas, Although the U. S. Labor Department had purported to adopt a policy of cooperating with state committees and other state and local groups as to the improvement of conditions for such Mexican workers but had not conferred with the Farm Labor Advisory Committee on increasing the housing standards and had not even advised such Committee of any such plans prior to imposing the new standards; and

Whereas, Those Texas employers of Mexican national agricultural workers who had, in good faith and at considerable expense, acted to comply with all standards in effect before January 7, 1957, and had based their plans of operation for the coming year on the belief that such compliance was acceptable, are now faced with extra expense or the loss of such laborers, in either event having their plans adversely affected to such an extent as to possibly mean the difference between a reasonable profit or disastrous loss; and

Whereas, The agricultural workers for whose benefit these increased standards have presumably been imposed will, in many instances, lose their employment and be summarily removed from farms and ranches where they may have worked for some time; and

Whereas, If additional improvement of housing conditions had been planned after proper consultation by the U. S. Labor Department and the Farm Labor Advisory Committee, with adequate advance notice to the employers, the employers could have adjusted their plans to meet any changed standards; now, therefore, be it

Resolved, By the Senate of the 65th Legislature of Texas, the House of Representatives concurring, that this dictatorial exercise of bureaucratic authority by the U. S. Labor Department be firmly condemned as an unwarranted and unreasonable burden on citizens whose livelihood is seriously affected thereby; and, be it further

Resolved, That copies of this Resolution be sent to the President of the United States, the United States Department of Labor, the United States Department of Agriculture, Senator Lyndon Johnson, Senator Wm. A. Blakley, Congressman J. T. Rutherford, the Governor of Texas, and the El Paso Valley Cotton Association.

The resolution was read and was adopted.
January 24, 1957

HOUSE JOURNAL

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 Messrs. McLhinney, Wohlford, Balman, Springer, Armbr, Gobert and Wilson of Potter:
H. B. No. 211, A bill to be entitled "An Act relating to agriculture and the use of natural gas on the premises from which it is produced to pump to the surface water to be used for irrigation on such premises, declaring such use to be preferred use; requiring producers of natural gas to furnish such gas for such uses upon request of the person or persons engaged in agricultural activities upon the premises from which the gas is produced; providing for payment for natural gas so used; providing for application to the Railroad Commission of Texas to determine the terms and conditions of such sales and uses; providing for promulgation of rules by the Railroad Commission, and appeals therefrom; imposing liability for damages upon owner or operator of gas well or wells who fails to comply with any duty imposed by this act; repealing all laws in conflict with this act; providing a saving or severability clause, declaring an emergency and providing an effective date."
Referred to the Committee on Conservation and Reclamation.

By Mr. McGregor of El Paso:
H. B. No. 213, A bill to be entitled "An Act amending Section 8 of Article I, Chapter 467, Acts of the 44th Legislature, 2nd Called Session, 1935 (codified as Article 666.8 of Vernon's Texas Penal Code) pertaining to liquor imports; amending Subsection (4) of Section 23a of Article I, Chapter 467, Acts of the 44th Legislature, 2nd Called Session, 1935, added by Section 31 of Chapter 448, Acts of the 45th Legislature, Regular Session, 1937, (codified as Article 665-23a(4) of Vernon's Texas Penal Code) pertaining to liquor imports; repealing laws in conflict; and declaring an emergency."
Referred to the Committee on Revenue and Taxation.

By Mr. Cox of Bell:
H. B. No. 215, A bill to be entitled "An Act authorizing the employment of special investigators for grand juries; providing the method of employment, tenure of employment and compensation; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Messrs. Slack, Thurmond and McLhinney:
H. B. No. 216, A bill to be entitled "An Act to authorize and provide for professional unit allocations for Foundations School Program Act and Fund purposes, determinable on a sparse area formula approved by the State Board of Education applicable to any school district containing one hundred (100) square miles or more and having fewer than one (1) pupil per square miles and which operates and maintains a four-year accredited high school; requiring certain considerations by the State Commissioner of Education; providing the beginning effective date of this Act; and declaring an emergency."
Referred to the Committee on Education.

By Mr. Sanders:
H. B. No. 217, A bill to be entitled "An Act amending Subdivision (2), Acts 1954, Fifty-third Legislature First Called Session, Page 3, Chapter 2, Article III, Section 1; providing for an effective date; and declaring an emergency."
Referred to the Committee on Revenue and Taxation.

By Mr. Welch:
H. B. No. 218, A bill to be entitled "An Act relating to the hunting of raccoon in Falls County and the hunting of fox and raccoon in Limestone County; prohibiting the use of devices or instruments to call or attract animals; providing a penalty for violation; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Messrs. Sanders, Myatt, Sutton, Welch, Spillman, Pipkin and McDonald:
H. B. No. 219, A bill to be entitled "An Act repealing the Securities Act..."
of Texas and the Insurance Securities Act of Texas as embraced in Articles 679 and 580 of Vernon's Civil Statutes of Texas, with savings clause as to pending proceedings; and substituting for both such acts a single act comprehensively providing for the regulation of the sale of securities and of dealers, agents and salesmen who sell securities, this new act to be known as "The Securities Act:" creating the office of Securities Commissioner; providing for a Deputy Securities Commissioner and delegation of authorities of Commissioner to him; providing for bonds for the Commissioner and the Deputy Commissioner; providing for the administration and enforcement of the act by the Securities Commissioner and the Attorney General and local law enforcement officers; defining words and phrases; listing exempt transactions and exempt securities; providing for the qualifications of securities by notification or by coordination or by application for permit and issuance of permit by Commissioner; providing for information required for issuance of permit or registration; providing for consent to service and certificate of good standing; providing for protection to purchasers of securities; outlining procedure for examination of application by the Commissioner and for granting or denying such applications, for the form and content of permits, their term, and their renewals; prohibiting the use of a permit to aid sale of securities; providing the papers filed with the Commissioner and records shall be open to inspection; providing for registration of persons selling as dealers or as agents or salesmen of dealers; method of their registration and as to bonds required of each dealer and of each agent and salesmen of each dealer; providing basis for denial, suspension or revocation of registration as a dealer or agent or salesmen; providing for issuance of registration certificates and as to their form; providing for consent to suit in this state by dealers who are foreign corporations or nonresidents; providing for annual registrations and renewals; for sales by authorized persons; providing that display or advertisement of fact of registration is unlawful; providing for the posting of certificates of authority; regulating advertising of securities; providing that the Commissioner may require the filing of lists of securities; providing for notice and hearing as to securities questioned by the Commissioners; providing for hearings by the Commissioner upon notice, upon exception by any party at interest to actions of the Commissioners; providing for revocation of registration of any dealer or agent or salesmen of any dealer upon hearing after notice; providing for notices by registered mail; providing for petition to the District Court of Travis County on complaint of any decision of the Commissioner; providing for subpoenas and other process of investigations by the Commissioner prescribing penalties for violation of the Act; providing that certified copies of papers be filed with the Commissioner, as evidence; providing for construction of the Act; providing for injunctions; providing that sales in violation of the Act are voidable and for actions by purchasers; providing for actions for commissions and as to allegations and proof of compliance with the Act; providing for payment of fees to the Commissioner; deposit thereof to the General Revenue Fund; providing as to the pleading of exemptions under the Act; providing for severability of any part of Act void or unconstitutional; declaring an emergency and providing the effective date of the Act."

Referred to the Committee on State Affairs.

By Mr. Welch:
H. B. No. 129, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in Falls and Limestone Counties; amending Section 1 of Chapter 125, Acts of the 52nd Legislature, 1931, as amended, so as to make that Act applicable to Falls and Limestone Counties, and, further amending the said Chapter 125 and Section 1 thereof by transferring certain portions of Section 1 into a new section designated as Section 1a; repealing certain laws and fixing the effective date of the repeal; providing for
January 24, 1957

HOUSE JOURNAL 179

By Mr. Sherrill:
H. B. No. 223, A bill to be entitled
"An Act amending Section 20 of Senate Bill 215, Acts of the 53rd Legislature, Regular Session, 1953. Chapter 146, page 385, codified in Vernon's as Article 5577b, Vernon's Civil Statutes, relating to public grain warehouses and dealing with the storage in bulk of non-perishable grains and field seeds, so as to change the penalties provided for violations of its provisions; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Mr. Sherrill:
H. B. No. 224, A bill to be entitled
"An Act amending Section 6 of Article 1037, Revised Penal Code of the State of Texas, 1925, as amended by Senate Bill 222, Acts of the 41st Legislature, Regular Session, 1929, Chapter 303, page 676, as amended by House Bill 29, Acts of the 47th Legislature, Regular Session, 1941, Chapter 624, page 1374, as amended, relating to weights and measures so as to clarify the offense of misrepresenting the price of the commodity, thing or service sold or offered, or exposed for sale by the use of misleading price signs; providing for a severability clause; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Mr. Sherrill:
H. B. No. 225, A bill to be entitled
"An Act amending Article 69 of the Revised Civil Statutes of Texas, 1925, as amended by Senate Bill 222, Acts of the 41st Legislature, Regular Session, 1929, Chapter 303, page 676, as amended by House Bill 29, Acts of the 47th Legislature, Regular Session, 1941, Chapter 624, page 1374, as amended, relating to the sale and use of hormone type herbi-cide within the meaning of the provisions of said Act which regulates the sale and use of hormone type herbi-

severability; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Messrs. Sanders, Johnson, Sutton, Hughes of Dallas, Pool, Crosthwaite and Cottrell:
H. B. No. 221, A bill to be entitled
"An Act providing more adequate means for Eligible Cities to prevent contamination of their water supplies and the water of the Trinity River watershed, thus increasing the amount of water available for domestic and municipal use; to obtain more efficient and economical sewage transportation and disposal (including treatment), and to enable such cities to render adequate water and sewer service and to safeguard the public health; defining eligible cities as those situated wholly or partially within the boundaries of Trinity River Authority of Texas, authorizing such cities to make contracts with the Authority for performance of such services, and to make payments thereunder from the revenues of their waterworks or sanitary sewer systems, or both, prescribing alternative procedures for making such contracts, requiring an election in instances where the city's obligation to the Authority is payable wholly or partially from ad valorem taxes; prescribing further duties of eligible cities after making such contracts; requiring the Attorney General to examine such contracts and prescribing the effect of his approval; ratifying contracts between the Authority and eligible cities, heretofore made; prescribing a severability clause; enacting other provisions related to the subject and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

By Mr. Thurmond:
H. B. No. 222, A bill to be entitled
"An Act amending Section 602 of the Penal Code of this State relating to the willful desertion, negligence or refusal to support and maintain a wife or children, and raising the age of children theretunder to Eighteen (18) years of age, and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.
H. B. No. 227. A bill to be entitled "An Act amending Article 1817, Revised Civil Statutes of Texas, 1925, so as to move the Court of Civil Appeals for the Sixth Supreme Judicial District of Texas from the City of Texarkana to the City of Longview, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Storey:

H. B. No. 228. A bill to be entitled "An Act amending the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Referred to the Committee on Agriculture.

H. B. No. 229. A bill to be entitled "An Act to abolish the division and/or component parts thereof over the highways of Texas; providing a method of issuing such permits; providing a bond; providing a fee; and declaring an emergency."

Referred to the Committee on Motor Traffic.

By Miss Duff, Messrs. Sadler, Mays, Huffman and Ferrell:

H. B. No. 230. A bill to be entitled "An Act amending the Revised Civil Statutes of Texas, by adding thereunto a new Article to be numbered Article 6701 1/4 providing for the issuance of permits by the State Highway Department for the movement of over-length and over-width mobile homes and/or component parts thereof over the highways of Texas; providing a method of issuing such permits; providing a bond; providing a fee; and declaring an emergency."

Referred to the Committee on Motor Traffic.

By Mr. Cole:

H. B. No. 231. A bill to be entitled "An Act to declare the public policy of the State of Texas with respect to public education; to provide for further study and analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their aptitudes and in furtherance of social order and goodwill; pending such reconsideration to authorize districts and county Boards of School Trustees to provide for the continuation or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, goodwill and the public welfare: to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards in certain cases; and declaring an emergency."

Referred to the Committee on State Affairs.

By Miss Duff, Messrs. Sadler, Ferrell, Huffman, Mays, Chapman and Martin:

H. B. No. 233. A bill to be entitled "An Act exempting from compulsory attendance at integrated schools: amending Articles 298, Texas Penal Code, 1925, and Article 6693, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Referred to the Committee on State Affairs.
January 24, 1957

By Messrs. Ferrell, Sadler, Chapman, Huffman, Mays, Martin and Miss Duff:

H. B. No. 233. A bill to be entitled "An Act requiring that public schools shall be designated by the local Board of Trustees as either "white", "negro", or "integrated" and requiring students to be assigned tentatively to the school provided for the race upon enrollment each year; regulating certain transfers and providing that no student shall be denied transfer from one school to another because of race or color; and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Huffman, Sadler, Martin, Mays, Ferrell and Miss Duff:

H. B. No. 237. A bill to be entitled "An Act providing transfer and appeals procedure for public schools in cases involving constitutional questions or a petition for transfer from schools of pupil's race into school designated for the other race, and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Martin, Huffman, Sadler, Mays, Ferrell and Miss Duff:

H. B. No. 238. A bill to be entitled "An Act creating a Joint Legislative Committee on School Assignments, regulating membership; specifying duties, authorizing employment of psychologist, sociologist and other employees, purchase of supplies, payment of expenses; appropriating funds and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Chapman, Huffman, Sadler, Mays, Ferrell, Martin and Miss Duff:

H. B. No. 234. A bill to be entitled "An Act limiting computations of average daily attendance of public school pupils for the purpose of determining the number of professional units under Article 2922-13, Vernon's Civil Statutes, specifying exceptions and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Mays, Sadler, Chapman, Huffman, Ferrell and Miss Duff:

H. B. No. 235. A bill to be entitled "An Act providing grants for educational purposes to the children of school age who are withdrawn from or withheld from public schools due to their being no separate public school provided for children of that race in the district or residence of such child, and no transfer arrangement offered to some adjoining district where a separate school for that race is located; restricting expenditures of such grants to segregated non-sectarian private schools meeting prescribed minimum standards; prescribing penalties for violation and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Sadler, Mays, Huffman, Ferrell, Martin and Miss Duff:

H. B. No. 236. A bill to be entitled "An Act authorizing and directing the Attorney General of Texas to defend certain litigation and pay the court costs, if any, incurred therein, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Russell:

H. B. No. 240. A bill to be entitled "An Act to amend Section 24 of Chapter 514 of the General and Special Laws of the Fifty-fourth Legislature,
Regular Session, 1955, to provide quarters for the Archives Division of the Texas Library and Historical Commission in the State Office Building for storage and display; repealing conflicting laws; and declaring an emergency.

Referred to the Committee on State Affairs.

By Messrs. Bass, Cline, Huebner and Day:
H. B. No. 241, A bill to be entitled "An Act prohibiting the hunting or running of deer in Brazoria County, Matagorda County, Fort Bend County and Wharton County, by the use of dogs; providing a penalty; providing a repealing clause and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Martin:
H. B. No. 242, A bill to be entitled "An Act amending Subdivisions 6 and 9, Section 35, Texas Election Code (subdivisions 6 and 9, Article 5.05, Vernon's Election Code), so as to change the time for counting absentee ballots in elections in which paper ballots are used both for absentee voting and for voting at regular polling places; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

HOUSE JOINT RESOLUTION ON FIRST READING

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

By Mr. Parsons:
H. J. R. No. 22, A Joint Resolution "Proposing an amendment to the Constitution of Texas, rendering certain public officers ineligible to be nominated or elected to any other elective public office the term of which begins before the expiration of the term which the officer then holds, without resigning from the office then held."

Referred to the Committee on Constitutional Amendments.

CO-AUTHOR OF H. J. R. NO. 13

Mr. Atwell was granted permission by the Author of H. J. R. No. 13 to sign H. J. R. No. 13 as co-author of the resolution.

(Speaker in the Chair.)

ADJOURNMENT

Mr. de la Garza moved that the House adjourn until 10:00 o'clock a.m. next Monday.

The Reverend E. C. McDonald, Chaplain, offered the Benediction, as follows:

"We are profoundly grateful our Father, for the rapid advance the House is making in solving the problems which faced them at the beginning of this 85th Session of the House. May our heavenly Father continue to give them vision and intelligence to solve, to the profit and satisfaction of their constituency at home. In the name of Him who joins in every good work we undertake in His name, Christ our Lord.—Amen."

The motion by Mr. de la Garza prevailed and the House accordingly, at 11:11 o'clock a.m., adjourned until 10:00 o'clock a.m. next Monday.

APPENDIX

REPORTS OF THE COMMITTEE ON ENROLLED BILLS
Austin, Texas, January 24, 1957

Honorable Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 9, inviting Dr. W. R. White, President of Baylor University, to address a Joint Session of the Legislature.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Chairman.

SENT TO GOVERNOR
January 24, 1957
H. C. R. No. 9.
In Memory of

Mrs. Lee J. Rountree

Mr. Dewey offered the following resolution:

H. S. R. No. 55 In Memory of Mrs. Lee J. Rountree.

Whereas, The City of Bryan and the State of Texas lost an esteemed citizen in the passing of Mrs. Lee J. Rountree on December 5, 1956; and

Whereas, Mrs. Rountree led a successful and useful life, always contributing her leadership in Bryan and Brazos County, extending to the State of Texas, itself, as a Member of the House of Representa­tives; and

Whereas, She began her long civic career in 1923 upon the death of her husband, Col. Lee J. Rountree, a Representative of the House, who was stricken while addressing this Body. She succeeded to his place and served ably, being re-elected Representative in her own right and was Editor of the Bryan Daily Eagle from 1933 to 1956; and

Whereas, Mrs. Rountree contributed great sums to community projects and took an ardent interest in civic affairs. She was a life long member of the Methodist Church, a Charter member of the East Texas Chamber of Commerce, first county chairman for the National Foundation for Infantile Paralysis, honorary member of Delta Kappa Gamma, and a faithful member of the Order of the Eastern Star; and

Whereas, She was the first woman elected President of the Texas Editorial Association and served as vice-president of the National Editorial Association; and

Whereas, Mrs. Rountree is survived by two sisters; Mrs. Alice Garrett of El Paso, and Mrs. W. M. Kelly of Waco; one brother, T. F. Mitchell of Houston; two nieces and one nephew; and

Whereas, The House of Representatives wishes to pay tribute and express its sincere sympathy to her family with a copy of this Resolution; now, therefore, be it

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

The resolution was unanimously adopted by a rising vote.
In Memory of

Honorable Jesse Gary Minkert

Mr. Dewey offered the following resolution:

H. S. R. No. 66, In Memory of Honorable Jesse Gary Minkert.

Whereas, The City of Bryan and the State of Texas lost an esteemed citizen and a most able lawyer in the passing of Honorable Jesse Gary Minkert of Bryan, Texas on March 24, 1966; and

Whereas, Jesse Gary Minkert, had contributed liberally, in fact most generously, of his time and talent in serving the County of Brazos and thereby, the State of Texas, as justice of the peace, county surveyor, county attorney, and county judge during the 61 years he practiced law; and

Whereas, He served ever and faithfully his country and his state, his absence will be keenly felt for he gave freely of his advice and counsel to those who needed it; and

Whereas, He was the oldest native born citizen of Bryan, having lived in this city for 87 years; and

Whereas, He was a devoted and loving father, he was an active member of the First Baptist Church, the Brazos County Bar Association and the Odd Fellows Lodge and served these organizations faithfully; and

Whereas, He is survived by three daughters, Mrs. Dan Hudson of Bryan, Mrs. John Montgomery of Bryan, Mrs. J. H. Caddess of Dacca, East Pakistan, two sons Gary Minkert of Bryan, and W. F. Minkert of Bay City, and 11 grandchildren and 4 great grandchildren; and

Whereas, It is our desire to recognize his public service and offer our deepest sympathy to the members of Jesse Gary Minkert family at his passing and that copies of this Resolution be forwarded to his family by the House of Representatives; and

Whereas, Resolved that a page of the House Journal be set aside as a memorial to Jesse Gary Minkert.

The resolution was unanimously adopted by a rising vote.
In Memory of

Dr. Sam E. Thompson

Mr. Burkett offered the following resolution:

H. S. R. No. 57, In memory of Dr. Sam E. Thompson.

Whereas, On the 12th day of January, 1956, the community of Kerrville and Kerr County lost one of its most prominent and beloved citizens in the passing of Dr. Sam E. Thompson; and

Whereas, Dr. Thompson was born on a farm in northern Louisiana on May 24, 1871. He entered Medical School at Louisville, Kentucky, in 1901 and graduated in 1904. He practiced medicine in El Dorado, Arkansas, until illness caused him to quit work in 1911; and

Whereas, In that year he went to San Angelo, Texas for his health. His recovery was slow but steady and finally complete; and

Whereas, He was appointed medical director of our State Tuberculosis Sanatorium at Carlsbad, near San Angelo, in 1913, where he stayed four (4) years; and

Whereas, He increased his knowledge of tuberculosis and devoted his entire time to the treatment of this disease; and

Whereas, On August 13, 1914, he married the former Annie Lee Pinson of El Dorado, Arkansas, and moved to Kerrville, Texas in 1917, and established the "Thompson Sanatorium" for the treatment and study of tuberculosis; and

Whereas, During the next twenty (20) years, thousands of people from all over the United States went to the Thompson Sanatorium with hope and left in a few months with regained health; and

Whereas, During this same time, he not only contributed to the growing knowledge of how to handle tuberculosis, but he brought credit to his profession and honor to himself. He was a prominent member of his county medical society; served three consecutive terms as president of the Southwest Texas District Medical Society; was delegate to the American Medical Association for twelve years; and was elevated to the three highest positions offered by the Texas Medical Association, namely, president for 1924-25, chairman of the Board of Trustees, and member emeritus. He was a diplomat of the American Board of Internal Medicine and a life member of the American College of Physicians, American College of Chest Physicians, and American Medical Association of Vienna. He was a charter member of the Southern Medical Association; an honorary member of the Mexican Medical Association of Military Affairs; and one of the organizers of the International Postgraduate Assembly of San Antonio; and

Whereas, He attended clinics in New Orleans, New York, Saranac Lake and in Europe, and is listed in Who's Who in America since 1928, and has received many other honors; and

Whereas, Although his profession kept him very busy, he always found the time for other services to his fellow men. He was a past
exalted ruler of the Elks, the first president of the Rotary Club of Kerrville, and served as District Governor of the 47th district of Rotary International; and

Whereas, During World War II he served his nation without remuneration as chairman of the Eighth Corps Area of Procurement and Assignment of Physicians; and

Whereas, In 1937 he sold his Sanatorium to the State of Texas and later donated his medical library to the Memorial Library of the Texas Medical Association and bequeathed to this Memorial Library the sum of $20,000.00 for acquisition of medical books and journals; and

Whereas, Dr. Thompson willed the bulk of his estate—approximately a $500,000.00 gift—for use as loans to worthy medical students at the University of Texas Medical Branch; and

Whereas, Many persons have been and will be aided financially by Dr. Thompson, in their battle for health and education; and

Whereas, Dr. Thompson is survived by his wife, Annie Lee Pinson Thompson of Kerrville, Texas; and

Whereas, It is the desire of the House of Representatives to express their profound grief over the loss of this great Texan, and to honor him for his outstanding achievements in the field of medicine, and now, therefore be it

Resolved, That we express to the members of his family, our sincere sympathy and that a copy of this resolution be sent to each of them, and, be it further

Resolved, That a page in the House Journal be dedicated to the memory of Dr. Sam E. Thompson, and when the House of Representatives adjourn today, it do so in honor of Dr. Sam E. Thompson.


On the motion of Mr. Burkett 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.
In Memory of

Mrs. Mary Louise Lewis

Mr. Osborn offered the following resolution:

H. S. R. No. 59, In Memory of Mrs. Mary Louise Lewis.

Whereas, On January 16, 1957, the State of Texas lost a worthy and respected citizen in the passing of Mrs. Mary Louise Lewis; and

Whereas, Mrs. Lewis was born Mary Louise Billing, on March 11, 1878, in Navarro County. She was the daughter of Edwin and Mary Billing. She was married on December 25, 1898, to Lowery S. Lewis. They lived in Meridian until his death in 1934. She had made her home in Needmore and Muleshoe since 1936. She was a faithful member of the Methodist Church; and

Whereas, She is survived by five sons, Dr. A. E. Lewis and Barry Lewis of Muleshoe; Fred Lewis of Fort Worth; L. H. Lewis and G. C. Lewis of Needmore; three daughters, Mrs. Elmer Moore of Lubbock; Mrs. Ray Ross of Carthage; Mrs. J. G. Cooper of Lockhart; three sisters, Mrs. Bertha Jones and Mrs. Dora Matthews of Valley Mills; Mrs. Homer Darby of Waco; two brothers, Fred and Louis Billing of Valley Mills; fourteen grandchildren; and seven great-grandchildren; and

Whereas, In the Book of Saint John in the Holy Bible is the comforting promise, "Peace I leave with you, my peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid"; now, therefore, be it

Resolved, That the Texas House of Representatives wishes to express its sympathy with a copy of this Resolution, that a page of the House Journal be set aside in memory of Mrs. Lewis, and that when the House adjourns this day it do so in loving respect to her.

The resolution was unanimously adopted by a rising vote.
In Memory of

Mrs. W. R. Sowder

Mr. Osborn offered the following resolution:

H. S. R. No. 60, In Memory of Mrs. W. R. Sowder.

Whereas, On January 13, 1957, the State of Texas lost a worthy and respected citizen in the passing of Mrs. W. R. Sowder; and

Whereas, In the Book of Saint John in the Holy Bible is the comforting promise, "In my Father's house are many mansions: if it were not so, I would have told you"; and

Whereas, This good woman's life was exemplary of the courage that shows itself in gentleness, true wisdom that shows itself in simplicity, and a Christian faith that finds its expression in righteousness; and

Whereas, Mrs. Sowder is survived by her husband; three daughters, Mrs. Neva Kelly of Compton, California; Mrs. Ruth Clampit of Idaho; Mrs. Mae Clark of Maple; three sons, J. M. and R. E. Sowder of Baileyboro, and J. H. Sowder of Goodland; twenty-five grandchildren; and twenty-one great-grandchildren; and

Whereas, The Texas House of Representatives wishes to pay tribute and express its sincere sympathy with a copy of this Resolution; now, therefore, be it

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

The resolution was unanimously adopted by a rising vote.
In Memory of

Mr. B. N. Graham

Mr. Osborn offered the following resolution

H R No. 41, In Memory of Mr. B. N. Graham

Whereas, On January 10, 1957, the State of Texas lost an esteemed citizen in the passing of Mr. B. N. Graham; and

Whereas, Mr. Graham was an active leader in civic, social and religious activities in his beloved community. He was a faithful worker in the Methodist Church. He was a Mason all his adult life; and

Whereas, This pioneer educator, businessman, and city and county official spent his life in service to others. He gained the respect of all his business associates and friends; and

Whereas, He was born in Celeste in Hunt County. He and his good wife had celebrated their forty-fourth wedding anniversary on December 11, 1944. He moved to Lovina in 1914 and to Farwell in 1918. He had served as superintendent of schools in several area towns before he settled in Parmer County. He served as county and district clerk before he entered the insurance business. He served as secretary of the Farwell Waterworks System; and

Whereas, He is survived by his widow; three sons. Ben of Sumatra; John of Lubbock; Howard of Pampa; two daughters, Mrs. Raymond Ross of Morton; and Mrs. William Thornton of Novina; and twelve grandchildren; and

Whereas, The Texas House of Representatives wishes to pay tribute and express sympathy with a copy of this Resolution; now, therefore, be it

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.

The resolution was unanimously adopted by a rising vote.