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<th>Mr. Speaker</th>
<th>Hensley</th>
<th>Puckett</th>
<th>Springer</th>
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<td>Armor</td>
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<td>Sadler</td>
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<td>Sanders</td>
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<td>Blaine</td>
<td>Hughes of Grayson</td>
<td>Seeligson</td>
<td>Welch</td>
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<td>Blanchard</td>
<td>Hughes of Dallas</td>
<td>Shackelford</td>
<td>Wheeler</td>
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<td>Innacks, Miss</td>
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<td>Jackson</td>
<td>Shaw</td>
<td>Wilson of Potter</td>
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<td>Bratow</td>
<td>Jamison</td>
<td>Sheridan</td>
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<td>Bryan</td>
<td>Johnson</td>
<td>Sherrill</td>
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<td>Bullock</td>
<td>Jones</td>
<td>Slack</td>
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<td>Burnett</td>
<td>Joseph</td>
<td>Smith</td>
<td>of Hays</td>
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<td>Byrd</td>
<td>Kelly</td>
<td>Smith of Jefferson</td>
<td>Zbranek</td>
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<td>Chapman</td>
<td>Kennard</td>
<td>Anderson</td>
<td>Spilman</td>
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<td>Cline</td>
<td>Kennedy</td>
<td>A quorum of the House was announced present.</td>
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<td>Cloud</td>
<td>Kilpatrick</td>
<td>The Reverend Josef A. Barton of the Brethren Church of Nelsonville, Texas, offered the Invocation, as follows;</td>
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<td>Cole</td>
<td>Koliba</td>
<td>&quot;Our God, as we begin this new day of deliberation in our responsibilities for the welfare of the people of our state, we pause before Thee, that Thy spirit may descend upon us and dwell within us. Help us, O Lord, to know what it means to be poor in spirit - to mourn - to be meek - to hunger and thirst for righteousness - to be merciful - to be pure in heart - to be peacemakers - to stand persecution for the sake of righteousness - and to be reviled and persecuted for Your sake. We ask only the wisdom to make laws that shall inspire the law abiding citizens and shall bring a change of heart in others. Be with us in this House, we pray, in the name of Him whom we praise for His great service to us all, namely, Jesus Christ.—Amen.&quot;</td>
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<td>Conley</td>
<td>Korsch</td>
<td>LEAVES OF ABSENCE GRANTED</td>
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<td>Cory</td>
<td>Kohmann</td>
<td>The following Members were granted leaves of absence on account of illness:</td>
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<td>Cotten</td>
<td>Latimer</td>
<td>Anderson</td>
<td>Spilman</td>
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<td>Cowan</td>
<td>Laurel</td>
<td>A quorum of the House was announced present.</td>
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<td>Cox of Montgomery Law</td>
<td></td>
<td>The Reverend Josef A. Barton of the Brethren Church of Nelsonville, Texas, offered the Invocation, as follows;</td>
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<td>Cox of Bell</td>
<td>McCoppin</td>
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<td>Day</td>
<td>McGregor</td>
<td>LEAVES OF ABSENCE GRANTED</td>
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<td>de la Garza</td>
<td>McElhaney</td>
<td>The following Members were granted leaves of absence on account of illness:</td>
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<td>Dewey</td>
<td>McGreggor</td>
<td>Andersen</td>
<td>Spilman</td>
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<td>Doff, Miss</td>
<td>McElhaney</td>
<td>A quorum of the House was announced present.</td>
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<td>Durbin</td>
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<td>Dunlap</td>
<td>Main</td>
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<td>Duhon</td>
<td>Martin</td>
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<td>Dunlap</td>
<td>Martin</td>
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<td>Duke</td>
<td>Mathew</td>
<td>Andersen</td>
<td>Spilman</td>
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<td>Dunlap</td>
<td>May</td>
<td>A quorum of the House was announced present.</td>
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<td>Durling</td>
<td>Moore of Harris</td>
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<td>Edwards</td>
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<td>Eula</td>
<td>May</td>
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<td>Ewing</td>
<td>Mozelle</td>
<td>The following Members were granted leaves of absence on account of illness:</td>
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<td>Ferrell</td>
<td>Murray</td>
<td>Andersen</td>
<td>Spilman</td>
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<td>Myers</td>
<td>A quorum of the House was announced present.</td>
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<td>Ferris</td>
<td>Oliver</td>
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<td>Glaze</td>
<td>Parish</td>
<td>LEAVES OF ABSENCE GRANTED</td>
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<td>Green</td>
<td>Parsons</td>
<td>The following Members were granted leaves of absence on account of illness:</td>
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<td>Hale</td>
<td>Patterson</td>
<td>Andersen</td>
<td>Spilman</td>
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<td>Harrington</td>
<td>Patterson</td>
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<td>Prewial</td>
<td>The following Members were granted leaves of absence on account of illness:</td>
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FOURTEENTH DAY
(Wednesday, January 30, 1957)

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 Hensley
Armor Hollowell
Atwell Holman
Baker Holstein
Ballman Hocks
Bartram Honey
Base Huebner
Belt Huffman
Bishop Huffor
Blaine Hughes of Grayson
Blanchard Hughes of Dallas
Bowers Hutchins
Boyce Innacks, Miss
Brashear Jackson
Britow Jamison
Bryan Johnson
Bullock Jones
Burnett Joseph
Byrd Kelly
Chapman Kennard
Cline Kennedy
Cloud Kilpatrick
Cole Koliba
Conley Korsch
Cory Kohmann
Cotten Latimer
Cox of Montgomery Law
Cox of Bell McCoppin
Crowther McDonald
Day McGregor
de la Garza of McLennan
Dewey McGreggor
Doff, Miss of El Paso
Dunham McElhaney
Dunlap Main
Duhon Martin
Elliott Mathew
Ellis May
Engelbrecht Moore of Harris
Ferrell Moore of Tarrant
Ford Mozelle
Foreman Murray
Forrest Myers
Glass Oliver
Glaze Osborn
Green Parish
Hale Parsons
Harrington Patterson
Hasty Pipkin
Hefflin Pool
Heflin Prewial

LEAVES OF ABSENCE GRANTED

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

Anderson Spilman
A quorum of the House was announced present.

The Reverend Josef A. Barton of the Brethren Church of Nelsonville, Texas, offered the Invocation, as follows;

"Our God, as we begin this new day of deliberation in our responsibilities for the welfare of the people of our state, we pause before Thee, that Thy spirit may descend upon us and dwell within us. Help us, O Lord, to know what it means to be poor in spirit - to mourn - to be meek - to hunger and thirst for righteousness - to be merciful - to be pure in heart - to be peacemakers - to stand persecution for the sake of righteousness - and to be reviled and persecuted for Your sake. We ask only the wisdom to make laws that shall inspire the law abiding citizens and shall bring a change of heart in others. Be with us in this House, we pray, in the name of Him whom we praise for His great service to us all, namely, Jesus Christ.—Amen."
Mr. Anderson for today on motion of Mr. Jones.

Mr. Spilman for today on motion of Mr. de la Garza.

Mr. Bowers and Mr. Erhle were granted leave of absence for yesterday on account of important business, on motion of Mr. Moore of Tarrant.

MESSAGE FROM THE SENATE
Austin, Texas, January 30, 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. 11, Granting permission to the Bi-Stone Fuel Company to sue the State.

S. C. R. No. 12, Granting permission to Midway Gas Company to sue the State.

S. B. No. 58, Relating to the salaries of all State officers and employees, excluding District Judges; specifically providing for the compensations to be paid clerks of the Courts, and declaring an emergency.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

RESOLUTION SIGNED BY
THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and its caption had been read the following enrolled resolution:

H. C. R. No. 16, Inviting Dr. William C. Menninger to address a Joint Session of the Legislature.

TO NAME ADRIENNE, JEFFREY PAUL AND JOHN BEN BLANCHARD AS MASCOTS OF THE HOUSE

Mr. Lee offered the following resolution:

H. S. R. No. 75

Whereas, Adrienne, Jeffrey Paul, and John Ben, children of our esteemed colleague, H. J. Blanchard and his lovely wife, Mary, are eligible candidates for the office of Mascots of the Texas House of Representatives; and

Whereas, Adrienne, age 7, Jeffrey Paul, age 4 and John Ben, age 6 months, are outstanding children, of winsome ways and a delight to their 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 Adrienne, Jeffrey Paul and John Ben be and are hereby named Mascots of the House of Representatives, and that their photographs be placed with the official Mascots of the House.

The resolution was referred to the Committee on Rules.

TO NAME DIANA MARIE FOREMAN AS MASCOT OF THE HOUSE

Mr. Sandahl offered the following resolution:

H. S. R. No. 77

Whereas, We find Diana Marie Foreman, age six years, to be a proper candidate as Mascot for the House of Representatives; and

Whereas, This charming young lady is the daughter of the Honorable and Mrs. Wilson Foreman, of Austin, Texas; now, therefore, be it

Resolved, That Diana Marie Foreman be declared a Mascot of the House of Representatives of the Fifty-fifth Legislature, and that she have her picture placed on the picture panel with the Members of the Fifty-fifth Legislature; and, be it further

Resolved, That a copy of the Resolution be sent to this young lady, and this House now go on record as extending to her its best wishes for her happiness during her entire life.

SANDAHL, JONES.

The resolution was referred to the Committee on Rules.

TO NAME ANNETTE DENISE FOREMAN AS MASCOT OF THE HOUSE

Mr. Sandahl offered the following resolution:
H. S. R. No. 78
Whereas, We find Annette Denise Foreman, age four years, to be a proper candidate as Mascot of the House of Representatives; and
Whereas, This charming young lady is the daughter of the Honorable and Mrs. Wilson Foreman, of Austin, Texas; now, therefore, be it
Resolved, That Annette Denise Foreman be declared a Mascot of the House of Representatives of the Fifty-fifth Legislature; and, be it further
Resolved, That a copy of the Resolution be sent to this young lady and this House now go on record as extending to her its best wishes for her happiness during her entire life.

SANDAHL, JONES.

The resolution was referred to the Committee on Rules.

TO NAME BONNIE SUE FOREMAN AS MASCOT OF THE HOUSE
Mr. Sandahl offered the following resolution:

H. S. R. No. 79
Whereas, We find Bonnie Sue Foreman, age two years, to be a proper candidate as Mascot for the House of Representatives; and
Whereas, This charming child is the daughter of the Honorable and Mrs. Wilson Foreman, of Austin, Texas; now, therefore, be it
Resolved, That Bonnie Sue Foreman be declared a Mascot of the House of Representatives of the Fifty-fifth Legislature, and that she have her picture placed on the picture panel with the Members of the Fifty-fifth Legislature; and, be it further
Resolved, That a copy of the Resolution be sent to this young lady and this House now go on record as extending to her its best wishes for her happiness during her entire life.

SANDAHL, JONES.

The resolution was referred to the Committee on Rules.

TO NAME LARRY SPRINGER AS MASCOT OF THE HOUSE
Mr. Stewart offered the following resolution:

H. S. R. No. 80
Whereas, Larry Springer, being nine years of age, is an outstanding candidate for the office of Mascot of the House of Representatives where his father, Ted B. Springer, is serving the State with honor and distinction and representing the people of Potter, Randall, Carson, and Armstrong Counties; and
Whereas, Larry Springer, reflects the fine qualities of his father and the poise and charm of his mother, and is the pride and joy of his paternal grandparent, Mr. B. D. Springer of Houston, Miss., and his maternal grandparents, the J. S. Siddens of Fortuna, New Mexico; and
Whereas, It is the desire of the Texas House of Representatives of the Fifty-fifth Legislature to recognize and honor these qualities the world has come to expect of young Texans; now, therefore, be it
Resolved, That Larry Springer, be, and he is hereby named Mascot of the House and that his photograph be placed with the official Mascots; and, be it further
Resolved, That a copy of this Resolution be mailed to this young Texan under the official seal of the House, and like copies be sent to his grandparents and parents; and, be it further
Resolved, That this House go on record as extending to Larry Springer its best wishes for his happiness and success throughout his entire lifetime.

The resolution was referred to the Committee on Rules.

CONGRATULATING DR. JAMES A. TURMAN
Mr. Dugas offered the following resolution:

H. S. R. No. 83
Whereas, One of our distinguished colleagues is to be singularly honored today; and
Whereas, He has struggled valiantly and overcome many obstacles without swerving from his goal; and
Whereas, He is serving his district and the State of Texas with honor and distinction; and

Whereas, Today, January 30, 1957, is the culmination of a long sought goal, the Doctor of Education Degree; and

Whereas, This fine young man will continue to strive forward in the field of education and in service to his State; now, therefore, be it

Resolved, That the House of Representatives today honor Doctor James A. Turman of Gober, Texas, by paying a rising tribute to him and acclaiming James A. Turman as an example of the young Texan who takes advantage of the many wonderful opportunities available in this fair State and in this glorious Nation to make of himself a better citizen.


The resolution was read.

A rising ovation was given Mr. Turman.

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

The resolution was unanimously adopted.

RECOGNIZING THE VISIT OF STEPHENIA FOSTER

Mr. Fenoglio offered the following resolution:

H. S. R. No. 72

Whereas, Stephenia Foster, accompanied by her lovely mother and her charming father, Mr. and Mrs. Preston Foster, gave the people of Texas great pleasure with her golden voice in the Texas House of Representatives in Austin on January 16, 1957; and

Whereas, This pretty girl and her talented family contributed to the success of the inaugural festivities honoring Governor Price Daniel and Lieutenant Governor Ben Ramsey; now, therefore be it

Resolved, That the Texas House of Representatives express its sincere appreciation and that Daniel C. Davis, Miss Foster’s dear friend and admirer, be permitted to forward this Resolution to her with our wish for her success and happiness.

The resolution was read and was adopted.

CONGRATULATING MESSRS. LOUIS E. ZIESER, MANUEL L. GARZA AND ED SLAUGHTER FOR BEING SELECTED AS MAN OF THE YEAR BY THE CITY OF WESLACO, IN HIDALGO COUNTY, TEXAS

Mr. de la Garza offered the following resolution:

H. S. R. No. 73

Whereas, Messrs. Louis E. Zieser, Manuel L. Garza and Ed Slaughter have been selected as man of the year by the City of Weslaco, in Hidalgo County, Texas; and
Whereas, these three men have devoted much of their time to the betterment of the City of Weslaco; and

Whereas, their zeal and devotion to their City has been such that a select panel could not place one above the other; they were given the honor of being chosen in such a manner that all three would receive the award; and

Whereas, the Panel making the selection made the following observation, "What appears to be good is that emerging from your ranks are several outstanding citizens whose zeal for civic betterment is increasing daily. They need your public recognition—more now than ever before. They should be recognized, for such action could inspire others to come forward and take a greater part in civic responsibilities, therefore, we would suggest that this year you recognize three men as your "Man of the Year;" now, therefore, be it

Resolved, by the House of Representatives of the Fifty-fifth Legislature of Texas, that the congratulations, respect and admiration of this Body be extended to Messrs. Louis E. Zieser, Manuel L. Garza and Ed Slaughter; and, be it further

Resolved, that a copy of this Resolution be sent to Messrs. Louis E. Zieser, Manuel L. Garza and Ed Slaughter, and to the Mayor of the City of Weslaco.

IN RECOGNITION OF THE SIXTH GRADE STUDENTS OF THE CASIS SCHOOL OF AUSTIN, TEXAS

Mr. Jones offered the following resolution:

H. S. R. No. 81

Whereas, The Sixth Grade Students of the Casis School of Austin, Texas, accompanied by their teacher, Oleta Wallace, were visiting in the State Capitol on the twenty-ninth day of January, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the workings of their State government; and

Whereas, It is the desire of the House of Representatives of the Fifty-fifth Legislature to commend this group for their interest; now, therefore, be it

Resolved, That they be officially recognized and that a copy of this Resolution be forwarded to the Class.

The resolution was adopted without objections.

IN TRIBUTE TO MR. RALPH WOLF OF BEAUMONT FOR HIS FIFTY-THREE YEARS ACTIVE WORK ON NEWSPAPERS

Mr. Smith of Jefferson offered the following resolution:

H. S. R. No. 82

Whereas, On Sunday, February 3, 1957, many friends and co-workers of Mr. Ralph Wolf of Beaumont, Texas, will gather in the City of Port Arthur, Texas, to pay tribute and honor to Mr. Wolf, who, on that date, will retire after fifty-three years of active work on newspapers; and

Whereas, Throughout these fifty-three years Mr. Wolf has been a faithful and devoted employee, a good friend, a good civic worker, and a good citizen; and

Whereas, Throughout his many years of service in the newspaper industry, he has been an inspiration to many younger men who have had the opportunity of working with him, and who now remember him with great affection and high regard; and

Whereas, Mr. Wolf has, throughout many years, taken an active interest in the affairs of his City, County, State, and National Government; and, by his example, has encouraged others to do the same; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the members of this House join in paying tribute to Mr. Wolf on the eve of his retirement on Sunday, February 3, 1957; and, be it further

Resolved, That the members of the House of Representatives extend greetings and best wishes for many more long and prosperous years; and, be it further

Resolved, That an official, enrolled, and sealed copy of this Resolution be forwarded to Mr. John Devine of Port Arthur, Texas, for presentation to Mr.
The resolution was read and was adopted unanimously.

TO GRANT B. F. CLARK AND WIFE, WINNIE MAE CLARK, PERMISSION TO SUE THE STATE

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

S. C. R. No. 5, Granting B. F. Clark and wife, Winnie Mae Clark, permission to sue the State of Texas.

Whereas, B. F. Clark and wife, Winnie Mae Clark, residents of Corpus Christi, Nueces County, Texas, are the owners of the following described real property situated in Nueces County, Texas, to wit:

Tract 1: Lots Nos. Three (3), Five (5), Seven (7), Nine (9), Ten (10), Eleven (11), and Twelve (12) in Block No. Fifty-four (54); Lots Nos. One (1), Two (2), Three (3), Four (4), Five (5), Seven (7), Nine (9) and Eleven (11), and the East One-half (E 1/2) of Lots Nos. Ten (10) and Twelve (12) in Block No. Fifty-five (55) of BROOKLYN, an Addition to the City of Corpus Christi, Texas, as shown by the map or plat thereof, recorded in Volume "A," page 32, Map Records of Nueces County, Texas, to which reference is here made for all pertinent purposes; the property herein described out of said Block No. 55 being out of the block so numbered on said map lying North of Block No. 54 and South of Block No. 56 of BROOKLYN, an addition to the City of Corpus Christi, Texas.

Tract 2: That strip or parcel of land, hereinafter a portion of Vine Street, being sixty (60) feet in width and Two Hundred Eighty (280) feet in length, extending from the West line of Avenue C to the East line of Avenue D, lying between Blocks Fifty-four (54) and Fifty-five (55) of Brooklyn Addition to the City of Corpus Christi, Texas, as shown by map or plat of record in Vol. A, page 32 of the Map Records of Nueces County, Texas, to which reference is hereby made for all pertinent purposes:

SAVE AND EXCEPT that portion thereof Twenty (20) feet in width and lying between the North boundary lines of Lots Eleven (11) and Twelve (12) in said Block Fifty-four (54) extended, and the South boundary lines of Lots One (1) and Two (2) in said Block Fifty-five extended, being all that portion of all alleyway running through said Blocks Fifty-four (54) and Fifty-five (55), lying in said portion of Vine Street hereby described; and with the further reservation unto the City of Corpus Christi, Texas, an utility easement of that area extended Two and one-half (2 1/2) feet upon each side of the Eight (8) inch water main and a Two and one-half (2 1/2) feet on each side of the Four (4) inch gas main located in said property hereby described, or such relocation of such lines as heretofore may be made by ordinance or in the discretion of the Director of Public Works of the City of Corpus Christi, Texas.

Whereas, There is located upon said above described real estate a tourist court, consisting of 86 rental units, which said tourist court has been and is now known as "Grande Courts," and which said tourist court has fronted upon a large spacious public park which adjoined the eastern boundary of the above described real estate, being separated therefrom by a public street known as Avenue "C"; and

Whereas, The City of Corpus Christi, joined by the Guaranty Title & Trust Company, have purported to convey to the State of Texas the following described real property situated in Nueces County, Texas, to wit:

Being all of Fractional Blocks Nos. Thirty-seven (37) to Forty-two (42), inclusive, of the Brooklyn Addition to the City of Corpus Christi, Texas, lying between Avenue C and Timon Blvd., the same having been dedicated as a Public Park by the Developers, the Rincon Improvement Company, said instrument dated April 19, 1915, recorded in Volume 107, Page 581, Deed Records of Nueces County, Texas. The above Fractional Blocks Nos. 37 to 42, inclusive, were re-dedicated as a Public Park by instrument dated August 22, 1917, recorded in Volume 125, Page 114, of said Deed Records; and
Whereas, Such real property so conveyed to the State of Texas constitutes and is the dedicated public park, a portion of which lies opposite to said "Grandes Courts" as hereinabove alleged; and

Whereas, The said B. F. Clark and wife, Winnie Mae Clark, allege that said construction of such North approach to such high level bridge, as well as the maintenance thereof, has and will continue to damage the above described tourist court fixed above: and

whereas, The said B. F. Clark and wife, Winnie Mae Clark, within the jurisdiction of the State of Texas, and either of the parties to the above alleged: and

whereas, The said B. F. Clark and wife, Winnie Mae Clark, within the jurisdiction of the State of Texas; and

whereas, The said B. F. Clark desires to institute suit against the State of Texas, and its Highway Department, for all damages accrued and to accrue to them; now, therefore, be it

Resolved, That the consent of the Legislature of the State of Texas is hereby given to B. F. Clark and wife, Winnie Mae Clark, to bring suit against the State of Texas, and its Highway Department, in a Court of competent jurisdiction for trespass to try title, possession, and any and all damages accrued and to accrue, or for any action or actions as may be necessary to protect the alleged rights of B. F. Clark and wife, Winnie Mae Clark, within the premises; and in the event suit is filed, service of citation or any other necessary process shall be upon the Chairman of the Texas Highway Commission and the Attorney General of Texas, and other of the parties to the suit shall have the right of appeal as in other civil cases; and, be it

further Resolved, That the sole purpose of this Resolution is to grant permission to the defendant B. F. Clark and wife, Winnie Mae Clark, to bring suit, against the State of Texas and/or its Highway Department, and no admission of liability of the state or of any fact is made in any way by the passage of this Resolution, and it is specifically provided that the facts upon which they seek to recover must be proved in court as in other civil cases.

The resolution was referred to the Committee on State Affairs.

TO GRANT S. F. BOWSER COMPANY, INC. PERMISSION TO SUE THE STATE

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

S. C. R. No. 8, Granting S. F. Bowser Company, Inc., permission to sue the State of Texas.

Whereas, The corporation hereinafter named, at various times paid certain franchise taxes and filing fees to the State of Texas in the total amount set forth below as follows:

S. F. Bowser Company, Inc., franchise taxes and/or filing fees $2,760.67.

Whereas, Such corporation, a foreign corporation, and its successors and assigns, maintain that the above-mentioned franchise taxes and filing fees were illegally and unlawfully exacted of them in the amount shown above, respectively, under unconstitutional or invalid laws; and

Whereas, Neither such corporation nor its successors and assigns or those succeeding to such causes of action have heretofore been able to file suit against the State of Texas on such claims, or to otherwise obtain payment thereof; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the above-named corporation, its successors and assigns as well as any and all holders of such causes of action, whether corporate, individual, fiduciary or otherwise, are hereby granted permission to sue the State of Texas to determine whether or not and in what amount taxes and filing fees have been herefore illegally exacted of the above-named corporation, its predecessors or successors, respectively, and to recover judgment against the State of Texas for any such amount of taxes and/or filing fees illegally and unlawfully exacted and collected of and paid by such corporation or its predecessors or successors.

It is especially understood that the purpose of this Resolution is to grant
permission to the corporation named above, and its successors and assigns as well as any and all holders of such causes of action, whether corporate, individual, fiduciary or otherwise to suit against the State of Texas. The sole purpose of this Resolution is to grant permission to the afore-said Bi-Stone Fuel Company, Inc., its successors and assigns, to bring suit against the State of Texas, and no admission of liability of the State as any fact is made in any way by the passage of this Resolution. and it is specifically provided that the facts upon which they seek to recover must be proved in court as in other civil cases. Service of citation for the purpose herein granted may be had upon the State of Texas by serving the Attorney General of Texas and the Secretary of State of the State of Texas. Venue herein shall lie in any District Court of Travis County, Texas. The facts stated above create an emergency and an imperative public necessity that the Constitutional Rule requiring Resolutions to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Resolution shall take effect from and after its passage.

The resolution was referred to the Committee on State Affairs.

TO GRANT BI-STONE FUEL COMPANY PERMISSION TO SUE THE STATE

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

S. C. R. No. 11, Granting Bi-Stone Fuel Company permission to sue the State of Texas.

Whereas, Bi-Stone Fuel Company is a Texas corporation, organized and existing under the laws of the State of Texas, with its principal office at Fort Worth, Texas; and

Whereas, The said Bi-Stone Fuel Company has paid to the State of Texas, gas, gathering taxes beginning in the month of November, 1952, and continuing through February, 1954, said taxes being levied by Section XXIII of House Bill 285, Chapter 402, Page 740, Acts of the 52nd Legislature of the State of Texas which became effective September 1, 1951, and which said Act has been declared unconstitutional by the Supreme Court of the United States in the cases styled Michigan-Wisconsin Pipeline Company vs. Robert S. Calvert, et al., and Panhandle Eastern Pipeline Company vs. Robert S. Calvert, et al., 247 U. S. 157, 74 S. Ct. 396; and

Whereas, The United States Supreme Court has held that taxes paid under this Act were illegally and unlawfully extracted and that said Act was void and of no force and effect; and

Whereas, There is no provision of law whereby this money unlawfully extracted can be returned or recovered except through a direct appropriation by the legislature; and

Whereas, There is no provision in the laws of the State of Texas to accurately and definitely determine what amount of taxes, if any, should be returned; and

Whereas, In order to definitely and accurately determine the same it is the policy of this legislature to let a court of competent jurisdiction pass upon the same; and

Whereas, It is the policy of the legislature of the State of Texas to give and grant to persons and corporations the right to litigate any valid claim against the State of Texas in a court of competent jurisdiction; and

Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, That the Bi-Stone Fuel Company be and it is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to recover judgment against the State of Texas for all amount of money heretofore illegally extracted and paid by Bi-Stone Fuel Company under said unconstitutional law, and service of citation for the purpose hereinafter granted may be served upon the State of Texas by serving the Attorney General, the State Treasurer and the Controller of Public Accounts; and,

be it further

Resolved, That such suit may be filed within two years from the effective date of this Resolution; and, be it further

Resolved, That it is understood that the purpose of this Resolution is solely
1) grant permission to bring suit against the State of Texas and no admission of liability on the part of the State or of any fact is made by this resolution; and be it further

Resolved, That no interest shall be paid by Midway Fuel Company in the event a final judgment is obtained by it for recovery of taxes paid under House Bill No. 285, 52nd Legislature.

Provided, if a final judgment is obtained by the Midway Fuel Company all increases in rates obtained on the basis of taxes paid under Home Bill No. 285, Revised Statutes, 52nd Legislature, shall be refunded in full to all those having paid such rate increases.

The resolution was referred to the Committee on State Affairs.

TO GRANT MIDWAY GAS COMPANY PERMISSION TO SUE THE STATE

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

S. C. R. No. 13, Granting Midway Gas Company permission to sue the State of Texas.

Whereas, The Midway Gas Company is a Texas corporation with a permit to do business in the State of Texas; and

Whereas, The said Midway Gas Company paid to the State of Texas for all amounts of money heretofore illegally extracted and paid by Midway Gas Company under said unconstitutional law.

The sole purpose of this resolution is to grant permission to the afore¬
said Midway Gas Company to bring suit against the State of Texas, and no admission of liability of the State of Texas for all amounts of money heretofore illegally extracted and paid by Midway Gas Company under said unconstitutional law.

Resolved, That no interest shall be paid to Midway Gas Company in the event a final judgment is obtained by it for recovery of taxes paid under House Bill No. 285, 52nd Legislature; provided if a final judgment is obtained by the Midway Gas Company all increases in rates obtained on the basis of taxes paid under House Bill No. 285, Revised Statutes, 52nd Legislature, shall be refunded in full to all those having paid such rate increases.

The resolution was referred to the Committee on State Affairs.
CONCERNING THE VISIT OF KING IBN SAUD OF ARABIA TO THE UNITED STATES

Mr. Shackelford offered the following resolution:

H. C. R. No. 21

Whereas, The nation of Saudi Arabia is vastly rich in natural resources, and all income received from these natural resources is the personal income of King Ibn Saud; and

Whereas, It is apparent that it would be for the best interest of the nation of Saudi Arabia and the United States to develop these natural resources to the mutual benefit of the two countries; and

Whereas, The nation of Saudi Arabia has not been the case; and

Whereas, Countless senior citizens of the United States are more in need of proper support and maintenance from the Federal and State governments; now, therefore, be it

Resolved, By The House, the Senate concurring, that we request the Governor of the State of Texas to inform the President of the United States that it is the wish of the Texas Legislature that King Saud should be entertained in a manner befitting such a visiting sovereign but that no American public should be made available to him, said dollars being of far greater value to our citizens at home.

Mr. Russell moved that the resolution be referred to the Committee on State Affairs.

There was no objection offered and it was so ordered.

SENATE BILLS ON FIRST READING

The following Senate Bills received from the Senate were today laid before the House read severally first time and referred to the appropriate Committees, as follows:

S. B. No. 44, to the Committee on Appropriations.

S. B. No. 58, to the Committee on Penitentiaries.

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 Mr. Atwell:

H. B. No. 286, A bill to be entitled "An Act amending H. B. 580, Acts of the 40th Legislature, 1927, Regular Session, Chapter 156, as amended, codified in Vernon's Civil Statutes as Article 300a, Vernon's Civil Statutes, relating to the organization of the administrative Judicial District, so as to reorganize and divide the State of Texas into nine Administrative Judicial Districts, naming the counties composing each Administrative Judicial District, providing for a Presiding Judge in each of said districts, prescribing the duties of the Presiding Judge and other officials of the Administrative District, providing for the assignment of judges, making other provisions for the payment of salaries, compensations, and expenses of various officials of the Administrative Districts, providing this Act shall be cumulated, Section 7, Chapter 89, Acts of the 51st Legislature, 1949; providing a severability clause and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Huffman:

H. B. No. 287, A bill to be entitled "An Act concerning branch banking, amending Article 5, Chapter IX of Chapter 97, Acts 48th Leg., 1943, which amended and replaced Revised Civil Statutes of Texas, 1925, Article 533 (and which is compiled as Tex. Civ. Stat. Art. 342-903 (Vernon 1948), and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Baker:

H. B. No. 288, A bill to be entitled "An Act making an appropriation to pay the principal and interest due thereon of a certain judgment obtained against the State of Texas in Cause No. 100,870, styled Tennessee Gas Transmission Company vs. The State of Texas in the 124th Judicial District Court of Travis County, Texas, according to the tenor, effect and
reading of such judgment; providing for interest; and declaring an emergency."

Referred to the Committee on Claims and Accounts.

By Mr. Dugas:

H. B. No. 289, A bill to be entitled "An Act authorizing the Commissioners Courts to regulate the construction of roads or streets in subdivisions situated outside of the boundaries of incorporated towns or cities in counties having a population of not less than forty thousand (40,000) and not more than one hundred eighty-nine thousand, nine hundred ninety-nine (189,999), according to the last preceding or any future Federal Census; authorizing such courts to require a minimum right-of-way for such roads or streets; authorizing such courts to promulgate reasonable specifications for the construction of such roads or streets; authorizing such courts to require a bond for the proper construction and maintenance of such roads or streets; authorizing such courts to approve or authorize maps or plats of such subdivisions; authorizing such courts to approve or authorize maps or plats of such subdivisions; authorizing such courts to refuse to approve or authorize maps or plats of such subdivisions upon failure to comply with the provisions of this Act; repealing all laws or parts of laws in conflict with the provisions of this Act; providing a saving clause; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Dugas:

H. B. No. 290, A bill to be entitled "An Act amending Article 7987 of the Revised Civil Statutes of Texas, 1925, as amended, so as to increase the compensation of "district supervisors" of levee improvement districts to be fixed by the Commissioners' Courts; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Smith of Hays:

H. B. No. 291, A bill to be entitled "An Act requiring a minimum of ten (10) days notice to tenants to vacate for non-payment of rent; providing for action in forcible detainer or at common law after the expiration of notice.

Referred to the Committee on School Districts.

By Mr. Green:

H. B. No. 295, A bill to be entitled "An Act requiring a minimum of ten (10) days notice to tenants to vacate for non-payment of rent; providing for action in forcible detainer or at common law after the expiration of notice.

Referred to the Committee on Judiciary.
By Mr. Hutchins:

H. B. No. 296, A bill to be entitled "An Act validating, ratifying and confirming interest bearing time warrants authorized by cities of this State since the enactment of Chapter 102 by the 54th Legislature of Texas, Regular Session, 1955; and all proceedings of the governing body relating thereto; validating refunding bonds issued for the purpose of refunding time warrants issued by such cities; providing that this act shall not apply to any such time warrants or any refunding bonds issued to refund time warrants the validity of which is involved in litigation at the time this act becomes effective; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Messrs. Ferrell and Latimer:

H. B. No. 297, A bill to be entitled "An Act amending Section 41 of Article I of the Texas Liquor Control Act, as amended, to make the second or any subsequent offense of selling or possessing for the purpose of sale any alcoholic beverage in violation of the Liquor Control Act a felony and to prescribe a penalty therefor; and declaring an emergency."

Referred to the Committee on Liquor Regulation.

By Messrs. Ferrell and Latimer:

H. B. No. 298, a bill to be entitled "An Act amending Subsection (a) of Section 16, Article 2 of the Texas Liquor Control Act, as amended, so as to prohibit the sale of beer at any time on Sunday or after 10:00 o'clock p.m. on any other day, and declaring an emergency."

Referred to the Committee on Liquor Regulation.

By Messrs. Hughes of Dallas, Crosswhite, Parsons, Huffman and Byrd:

H. B. No. 299, A bill to be entitled "An Act amending Section 5 of Chapter 400, Acts of the Forty-fourth Legislature, 1935, First Called Session, page 1589, as amended, compiled as Section 5 of Article 1111d, Vernon's Civil Statutes, to add a new sub-section to be numbered 15-11, laying a schedule of license fees upon those who elect to comply with this Act, providing for a report to be filed with the Comptroller and prescribing the information to be contained therein; fixing the time and manner of making said report; providing that an applicant shall be liable for certain audit expense, upon failure or refusal to report properly; providing for a statutory penalty; prescribing qualifications for eligibility to elect the provisions of this Act; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Sudderth:

H. B. No. 300, A bill to be entitled "An Act prescribing the qualifications of County Judges, making other provisions relating thereto and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Cory:

H. B. No. 301, A bill to be entitled "An Act amending Title 69, Chapter 11 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1927, by the 45th Legislature, by a new section thereto to be known as Article 1112b, to provide that the Judge of District Court may order the Clerk of said court to pay any fund of $1000.00 or less on deposit in the Registry of said Court, belonging to any lunatic, idiot or person of unsound mind without a legal guardian, who is an inmate of any State Eleemosynary Institution, to said Institution for the use and benefit of said inmate, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Cory:

H. B. No. 302, A bill to be entitled "An Act amending Section 12 of Acts of the 49th Legislature, 1945, Chapter 340, page 559, as amended, (compiled as Article 1112c-12, Vernon's Texas Civil Statutes), making it unlawful hereafter for cemetery associations operating perpetual care cemeteries to sell and convey the right or title to sepultures in and to any land owned or controlled by it, although dedicated for cemetery purposes, if such land is subject to flooding or inundation; defining terms; making said sales void; providing penalties for the violation of this act; providing procedure for the removal of dedication to cemetery purposes of land subject to flooding or inundation; providing for
the severability of the provisions hereof and that if any portion of this act is held invalid it shall not affect the validity of the remainder hereof; repealing laws and parts of laws in conflict herewith; and declaring an emergency.

Referred to the Committee on Municipal and Private Corporations.

By Mr. Sandahl:

Referred to the Committee on Insurance.

By Mr. McCoppin:
H. B. No. 304, A bill to be entitled "An Act authorizing the setting and collecting of a charge for the sale of publications and other printed matter produced by executive and administrative departments and agencies of the State, when deemed in the public interest; providing for the deposit of such collected charges; prohibiting personal profit from such sales; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Terrell:
H. B. No. 305, A bill to be entitled "An Act providing for a more efficient system of county administration of public schools, by amending Articles 2676, 2688, 2692, and 2701, Revised Civil Statutes of 1925 as amended, and Acts, 1939, 41st Legislature, 5th Called Session, page 297, chapter 61 (Article 2688a, Vernon's Texas Civil Statutes), to provide for additional members of boards of county school trustees in some counties and abolition of offices of county school trustees in some counties, to provide for conversion of some counties into single independent school districts and for attachment of some counties to other counties for school administration purposes, to provide for continuation of office of county superintendent in some counties and for abolition of office of county superintendent in some counties, to provide for appointment of county superintendents in counties where office exists and to establish terms of office and qualifications of county superintendents, to provide that certain State funds for salaries of teachers under cooperative agreements shall be paid through the office of county superintendents, and to provide that after January 1, 1959, there shall be no ex officio county superintendents and Acts 1952, 53rd Legislature, page 783, chapter 322, shall be of no further force and effect; repealing all laws and parts of laws in conflict with this Act to the extent of such conflict; providing a saving clause; and declaring an emergency.

Referred to the Committee on Education.

By Mr. Sandahl:
H. B. No. 306, A bill to be entitled "An Act for the relief of purchasers and providing for the issuance of a patent to Lot 8, Block 169 of the City of Austin, Texas, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Seeligson:
H. B. No. 307, A bill to be entitled "An Act concerning youth correctional institutions; transferring management and control of the Gatesville State School for Boys, the Gainesville State School for Girls, and the Colored Girls Training School at Crockett, to the State Department of Public Welfare; creating a division of institutions; specifically retaining the Youth Development Council as an advisory body and broadening its scope to include all youth problems; repealing all statutory provisions in conflict herewith; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Seeligson:
H. B. No. 308, A bill to be entitled "An Act concerning the State Orphans Home at Corsicana; transferring management and control of the State Orphans Home to the State Department of Public Welfare; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Oliver:
H. B. No. 309, A bill to be entitled "An Act ratifying and validating an election heretofore held in and
throughout Jefferson County, Texas, upon the question of authorizing the issuance of $10,400,000 road bonds of said County and levying a tax in payment thereof; ratifying and validating the petition for such election; the order calling such election and the notice thereof, the ballots used thereon, and all other orders passed by the Commissioners' Court of said County in respect thereto, including the order declaring the result of said election; authorizing the Commissioners' Court and proper officers of Jefferson County to complete the issuance of such bonds; authorizing the Commissioners' Court and officers of said County to levy, assess and collect annually a general ad valorem tax upon all taxable property in said County sufficient to pay the interest on the said bonds and the principal thereof as they mature; declaring this Act to be for the further maintenance of roads; declaring an emergency.

Referred to the Committee on Counties.

By Mr. Parish:
H. R. No. 310. A bill to be entitled "An Act amending paragraphs two and four of Section 1 of Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933, as amended by Chapter 218, Acts of the 50th Legislature, Regular Session, 1947, respecting fees to be charged by the institutions of higher education supported in whole or in part by public funds appropriated from the State Treasury; repealing all laws in conflict herewith; and declaring an emergency."

Referred to the Committee on State Affairs.

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. Sudderth:
H. J. R. No. 25, A Joint Resolution "Proposing an Amendment to the Constitution of the State of Texas by amending Section 15 of Article V so as to provide that the County Judge of each county shall possess such additional qualifications as may be prescribed by the Legislature; providing for the necessary election and form of ballot and providing for the necessary proclamation and publication."

Referred to the Committee on Constitutional Amendments.

MEMORIALIZING THE CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO TAXES ON INCOMES, GIFTS AND INHERITANCES AND TO PROVIDE LIMITATIONS ON TAXES SO LEVIED, AND TO REPEAL THE SIXTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Mr. Mann and Mr. Moore of Harris offered the following resolution:

H. C. R. No. 22
Memorializing the Congress to propose an amendment to the Constitution of the United States relative to taxes on incomes, gifts and inheritances and to provide limitations on taxes so levied and to repeal the Sixteenth Amendment to the Constitution of the United States.

Be it Resolved, By the House of Representatives of the State of Texas, the Senate concurring, that Congress be and is hereby respectfully requested to propose the following amendment to the Constitution of the United States:

"ARTICLE

Section 1. The Sixteenth Article of Amendment to the Constitution is hereby repealed.

Section 2. The Congress shall have power to lay and collect taxes on income from whatever source derived, without apportionment among the several States and without regard to any census or enumeration. The maximum aggregate rate of all taxes, duties, and excises which the Congress may lay or collect on, with respect to, or measured by, income shall not exceed twenty-five (25) per cent; Provided, however, that the limitation upon the rates of said taxes prescribed above may be suspended for periods, either successive or otherwise, not exceeding one year each, under any of the following conditions:

(a) When the United States is actively engaged in war.
(b) When Congress by an affirmative vote of three-fourths of all members of each House determines that a grave national emergency exists.

(c) When any national debt exists; provided that all such taxes collected as a result of such tax levy in excess of (25) twenty-five per centum shall be collected and applied on said national debt.

"Section 3. The Congress shall have no power to levy or collect any tax, duty, or excise with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of or intended to take effect in possession or enjoyment at or after death, or by way of a gift.

"Section 4. Sections 1 and 2 shall take effect at midnight on the 31st day of December following the ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax on, with respect to, or measure by, income for any period ending on or prior to said 31st day of December, levied in accordance with the terms of any law then in effect.

"Section 5. Section 3 shall take effect at midnight of the day of ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax with respect to any devolution or transfer occurring prior to the taking effect of Section 3, laid in accordance with the terms of any law then in effect. And be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to send copies of this resolution to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to each member of Congress from the State of Texas.

MANN,
MOORE of Harris,
WINFREE,
DAY,
MAYS,
SMITH of Hays,
KELLY,
PRESSLER,
SHANNON of Erath,
SUTTON,
McCOFFIN,
FERRELL,
RAMBEY,
BLAINE,
EHRLER,
BLANCHARD,
DIGAS,
POOL,
HOSEY,
BELL,
HUFFMAN,
OBORON,
HALLMAN,
HOLMAN,
HUEBNER,
KOTHEMANN,
MCDONALD,
SADLER,
ROBERTS,
LAUREL,
SHERIDON,
PIPKN,
TERRELL,
BROSTOW,
JOSEPH,
de la GARZA,
BULOCK,
LEE,
HOLLOWELL,
SCHRAM,
DUNGAN,
MOORE of Tarrant,
BISHOP,
THURMOND,
BASS,
JOHNSON,
HUGHES of Dallas,
ARIM,
WOLFF,
SHERIDAN,
KOLIBA,
WATSON,
MARTIN,
PUCKETT,
McGREGOR of McLennan,
BOWERS,
SUDDERTH,
ATWELL,
WILSON of Potter,
HOOKS,
STOREY,
WALLING,
SHACKELFORD,
COX of Montgomery,
PARSON,
SHANNON of Tarrant,
STRICKLAND,
BARTRAM,
CROSTHWAIT,
HUFFOR,
CLINE,
WOHLFORD,
FORSYTH.
The resolution was read and was referred to the Committee on Revenue and Taxation.

COMMEMDING GLENN LIGHTFOOT

Mr. Watson offered the following resolution:

H. S. R. No. 84

Whereas, Glenn Lightfoot, of Gatesville, sixteen year old West High School football player, distinguished himself in a heroic act on January 26, 1957; and

Whereas, Glenn plunged into the icy waters of the Brazos River and held Carl Meyer, the injured pilot of a crashed plane until officers and ambulance crew arrived on the scene; and

Whereas, This young man has brought great honor to his parents, Mr. and Mrs. M. G. Lightfoot, to his State and to his Nation with his unselfish courage; and

Whereas, In the Book of Saint Matthew in the Holy Bible is the comforting promise, "As much as ye have done unto one of the least of these my brethren, ye have done it unto me"; now, therefore, be it

Resolved, That the Texas House of Representatives pays tribute to Glenn Lightfoot with a copy of this Resolution and wishes him continued success and happiness.

WATSON, JOSEPH, MCGREGOR of McLennan.

The resolution was read and was adopted.

PAYING TRIBUTE TO ASSOCIATE JUSTICE BENJAMIN MINCER JAKE TIREY

Mr. Watson offered the following resolution:

H. S. R. No. 85

Whereas, Associate Justice Benjamin Mincer Jake Tirey has gained recognition for a record tenure of service on the bench of the Tenth Court of Civil Appeals having served on the Court since 1929; and

Whereas, The Waco-McLennan County Bar Association paid tribute to him with the presentation of an engraved silver pitcher for his fine service. He has written opinions in three hundred and fifty-three cases in his seventeen years on the bench. Some of his cases set legal precedents for other jurists to follow and gave Texas new laws. Born more than seventy years ago in Ellis County, he was educated at the University of Texas Law School and practiced law in Waco; now, therefore, be it

Resolved, That the Texas House of Representatives pays tribute to Justice Tirey with a copy of this Resolution and wishes him continued success and happiness.

WATSON, JOSEPH, MCGREGOR of McLennan.

The resolution was read and was adopted.

HOUSE BILL NO. 148 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 148. A bill to be entitled "An Act requiring that no person shall be a member of the governing body of any type of water district or water authority providing a waterworks system supplying water for municipal and domestic use and sanitary sewer service, unless he shall be an actual resident in and a bona fide inhabitant of such water district; repealing all laws in conflict, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 148 ON THIRD READING

Mr. Wolsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 148 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—128

Armor Bell
Atwell Bishop
Ballman Blake
Bartram Blanchard
January 30, 1957  HOUSE JOURNAL  229

Mr. Woolsey moved to reconsider the vote by which H. B. No. 148 was passed and to table the motion to reconsider. The motion to table prevailed.

HOUSE BILL NO. 151 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 151. A bill to be entitled "An Act authorizing State departments to use certified mail in lieu of registered mail; declaring the mailing of notices and other material by certified mail to have the same legal effect as if sent by registered mail; continuing use of registered mail where insurance against loss is needed; and declaring an emergency."

The Speaker then laid House Bill No. 148 before the House on third reading and final passage. The bill was read third time and was passed.

Mr. Woolsey moved to reconsider the vote by which H. B. No. 148 was passed and to table the motion to reconsider. The motion to table prevailed.

Amend H. B. 151 by changing the period after the word law in line 16 to a semicolon and inserting thereafter the following: "except where registered mail is specifically required by any Federal law, or where registered mail is required by Texas Statutes in matter of citations and other matters involving legal proceedings."

The amendment was adopted.
H. B. No. 151 was then passed to engrossment.

HOUSE BILL NO. 151 ON THIRD READING

Mr. Shaw moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 151 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Year—120**

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<tr>
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<tbody>
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<td>Smith of Jefferson</td>
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**Year—141**

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<td>Baker</td>
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The Speaker then laid House Bill No. 151 before the House on third reading and final passage.

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

**Year—141**

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<td>Duff, Miss</td>
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<td>Burkett</td>
<td>Dugas</td>
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</table>
Mr. Saul moved to reconsider the vote by which House Bill No. 151 was passed and to table the motion to reconsider.

The motion to table prevailed.

REQUESTING THE TEXAS LEGISLATIVE COUNCIL TO STUDY SMALL LOAN BUSINESS IN TEXAS

Mr. Cole offered the following resolution:

H. C. R. No. 3, Requesting Texas Legislative Council to study small loan business in Texas.

Whereas, It has come to the attention of the Legislature of the State of Texas that the citizens of this State are in many instances being charged illegal and usurious interest rates on small loans; and

Whereas, It appears that there is not sufficient law now in force in this State regulating or punishing loan brokers who willfully violate the laws of this State and that persons in this business are taking advantage of the wage-earner borrowers by charging high and usurious rates of interest; and

Whereas, The House of Representatives, the Senate concurring, desires the Texas Legislative Council to make an investigation of the small loan business in the State of Texas, for the purpose of strengthening the laws of this State concerning usury; now, therefore, be it

Resolved, By the House of Representatives, the Senate concurring, That the Legislative Council be and it is hereby requested to make an investigation of the Small Loan Business in Texas and to make recommendations to the next session of the Legislature for strengthening the usury laws of this State.

The resolution was referred to the Committee on Rules, without objections.

ADDITIONAL CO-SIGNERS OF HOUSE BILL NO. 8

The following Members were granted permission by the Author of H. R.
No. 8 to sign H. B. No. 8 as co-signers of the bill:


ADJOURNMENT

Mr. Hollowell moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

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

"Since the House of Representatives have adjourned we are reminded of what God says in His book "A good name is rather to be chosen than great riches, and loving favor, rather than silver and gold". By humility, and the fear of the Lord, are riches and honor, and life. May the Chaplain, the Representatives and all others in this room, seek to have that good name which is rather to be chosen than great riches. In the name of our Christ whose Name we revere.—Amen."

The motion by Mr. Hollowell prevailed and the House accordingly, at 11:17 o'clock a. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills as follows:

COUNTIES: H. B. No. 140.
Public Lands and Buildings: H. B. No. 277.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, January 29, 1957
Honorable Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 20, Inviting W. C. "Dan" Daniel to address a Joint Session of the Senate and House of Representatives at 10:30 a. m. March 21, 1957.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, January 30, 1957
Honorable Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 16, Inviting Dr. William G. Menninger to address a Joint Session of the Legislature.

Has carefully compared same and finds it correctly enrolled.

JIMMY DAY, Acting Chairman.

SENT TO GOVERNOR

January 30, 1957

H. C. R. No. 16.
Mr. Dewey offered the following resolution:

H. S. R. No. 74, In Memory of J. Wheeler Barger.

Whereas, On March 6, 1956, the State of Texas lost an esteemed citizen in the passing of J. Wheeler Barger; and

Whereas, He was born in Liberty, Tennessee. He attended Kansas State University and Stanford University. He taught at Montana State College for five years before coming to Texas A. & M. College in 1929. He spent a lifetime teaching others and contributing of his talent and intellect. He studied for and passed the Texas Bar examination. He served as City Attorney for College Station without compensation for twelve years; and

Whereas, He was active and a leader in the field of insurance. He was a prolific writer in the field of agricultural economics. He was a great scholar, a gentle teacher and a brilliant lawyer and business man; and

Whereas, He is survived by his widow, the former Mabel McQueen, College Station; one son, Johnny Barger, College Station; two sisters, Miss Alta Barger, Houston, and Mrs. Mae Metcalf, Hobart, Oklahoma; two brothers, Paul Barger and Joe Barger, Topeka, Kansas; now, therefore, be it

Resolved, That the Texas House of Representatives pay tribute to this great man with a copy of this Resolution, that a House Journal Page be set aside 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.
Mr. Atwell offered the following resolution:

H. S. R. No. 76, In Memory of Charles M. Spradley.

Whereas, On August 11, 1956, Our Heavenly Father, in His infinite wisdom, did call from his earthly home, Charles M. Spradley of Dallas; and

Whereas, He was born in McKinney, Collin County, Texas, in 1878. He was the son of the late Mr. and Mrs. J. R. Spradley of Allen, Collin County, Texas.

Whereas, He served with distinction in the House of Representatives during the 31st, 32nd, 33rd, 34th, and 35th Sessions of the Texas Legislature.

Whereas, For many years he was associated with The Praetorians, an insurance firm in Dallas, Texas.

Whereas, He was an Elk and a member of the Dallas Elk's Lodge, now, therefore, be it

Resolved, That the passing of this outstanding citizen of Texas be fittingly recognized by his fellow Texans, and that a page in today's Journal be devoted to his memory, and that the House of Representatives of the Fifty-fifth Texas Legislature do adjourn on this day and date in memory of Charles M. Spradley, and that we here and now extend our deepest sympathy to his surviving sisters, Mrs. Cora S. Idles of Dallas, and Mrs. J. E. Gibson of McKinney, Texas, and to his host of friends and ask that God give them surcease from the sorrow of the loss of this good man; and be it further

Resolved, That a copy of this resolution be transmitted to his surviving sisters as a token of our sympathy.

ATWELL,
CROSTHWAIT,
JOHNSON,
HUGHES of Dallas,
SUTTON,
SANDERS,
POOL.

The resolution was read.

On the motion of Mr. Crosthwait, 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.