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
Armor
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blancard
Bowers
Boyse
Brashear
Bristow
Bryan
Bullock
Burkett
Byrd
Chapman
Clark
Cole
Conley
Cory
Cottin
Covey
Cox of Montgomery
Cox of Bell
Crowe
Day
de la Garza
Dewey
Duff, Miss
Dugas
Dungan
East
Elliott
Ellis
Fenoglio
Ferrell
Ford
Foreman
Forey
Glass
Glossing
Green
Hale
Harrington
Heatly
Heft
Hensley

Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schram
Schwartz
Schwartz
Schwartz
Schwartz
Seigle
Shackelford
Shannon of Erath
Shannon
Sherman of Tarrant
Shaw
Sheridan
Sherrill
Smith
Smith of Grayson
Smith of Dallas
Smith
Smith
Smith
Smith of Hays
Smith
Spilman
Springer
Stewart
Storey
Strickland
Stroman
Studdard
Stuts
Talasek
Terry
Thurmond
Tunnell
Turner
Tuett
Waite
Washon
Welch
Wheelor
White
Wilson of Young
Wilson of Potter
Winfree
Wohlford
Woolsey
Yeak
Yezak

A quorum of the House was announced present.

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

“O Lord, we beseech Thee, in this hour of our need and God’s great mercy, that the grace of Thy Spirit may still be felt and its inspiration may be spread through the land, as it was in the memory of Abraham Lincoln, and we pray that something of the spirit that was in him may be ours today. Like him, may we be more concerned that we are on Thy side, than Thou are on our side. In our hearts, may there be, as there was in his, malice toward none and love for all; that we may, together, with Thy blessings and help, bind up the State’s and nation wounds inflicted by sin. And may we do all that we can to bring about a cherished peace. Through Jesus Christ, our Lord.—Amen.”

LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Joseph for today and remainder of the week on motion of Mr. Boysen.
The following Members were granted leaves of absence on account of illness:

Mr. Heitman for today on motion of Mr. Parsons.

Mr. Moore of Harris for today on account of death in family on motion of Mr. Elliott.

Mr. Cloud for today on account of death in family on motion of Mr. Dewey.

MESSAGE FROM THE SENATE

Austin, Texas, February 12, 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. 27, Inviting Hon. Preston Cooper of Shelbyville, Tenn., to address a Joint Session at 11:30 a.m. on March 12, 1957.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

SENATE BILL AND SENATE JOINT RESOLUTION ON FIRST READING

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

S. J. R. No. 9 to the Committee on Constitutional Amendments.

S. B. No. 112 to the Committee on Insurance.

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. Cole:

H. B. No. 400, A bill to be entitled "An Act concerning the State Commission for the Blind, amending Section 1, Chapter 80, Page 122, Acts of the 43rd Legislature, Regular Session, 1931, as amended, providing that two of the appointments by the Governor to the Commission be two reputable blind citizens of the State, instead of having such appointments being made only from graduates of the Texas School for the Blind; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Crosthwait:

H. B. No. 401. A bill to be entitled "An Act providing a resident hunting license, non-resident or alien hunting license, non-resident migratory bird hunting license, a resident big game hunting license; providing for a fee for each license created hereunder; providing for the form of each license herein created; providing for the issuance of a duplicate license; providing for a fee to the issuing officer of all hunting licenses; providing a deer tag; providing for the collection, disposition and use of all moneys collected because of this Act; providing for exceptions; prohibiting hunting under the license of another; requiring license holders to exhibit their license when requested by proper officer; providing for an effective date of this Act; repealing all laws in conflict herewith; providing a penalty for violation of this Act."

Referred to the Committee on Game and Fisheries.

By Messrs. Sheridan, Hensley, Strickland, Russell and Kothmann:

H. B. No. 402, A bill to be entitled "An Act fixing the term of office of school trustees of independent school districts having eleven thousand (11,000) or more school children, according to the last official school census, and which are situated in a county having a population of five hundred thousand (500,000) inhabitants or more, according to the last preceding federal census, which districts were herefore created by having been converted from a common school district into an independent school district under and pursuant to Chapter 6, Acts of the Forty-first Legislature, Fifth Called Session, as amended by Chapter 311, Acts of the Fiftieth Legislature, Regular Session, and which districts have a board of school trustees, consisting of seven (7) trustees, four (4) of whose terms of office will expire or whose predecessors' terms of office did expire on the first Saturday
in May, 1957, and three (3) of whose
terms of office will expire on the first
Saturday in May, 1958, and as of the
effective date of this Act, the terms of
such trustees are for some period of
time other than a period of six (6)
years from the date of such trustees'
respective elections; providing that in
such school districts the trustees
thereof shall be voted upon and elect­
ed separately for positions on said
board of trustees; providing methods
and the times, depending upon the ef­
tective date of this Act, whereby tru­
tees in any such school district shall
draw for positions on any such board
of trustees in any such school district;
providing for elections for and the
manner and method of electing
trustees in any such district, depending
upon the effective date of this Act;
providing and prescribing the terms
of office for the positions on such
board of trustees, such terms of office
being dependent upon the effective
date of this Act; such terms of office
providing primary terms varying
between two (2) to six (6) years and
providing for all subsequent terms of
such trustees to be sixty-year terms;
providing for the filing of vacancies;
providing for the filling of vacancies;
providing for the filling of vacancies;
providing for official ballot for use in
such trustee elections and the time
within which and the manner in which
a person desiring to become a can­
didate for election shall give notice
of his or her candidacy, as the case
may be; providing that no candidate
shall be eligible to have his or her
name placed on the official ballot for
more than one (1) position to be
filled at any such election; providing
that at any such election each voter
shall vote for only one (1) can­
didate for each such position and that
the candidate receiving the highest
number of votes for each respective
position voted upon at any such elec­
tion shall be entitled to serve as a
trustee on said board holding the pos­
tion thereon to which he or she, as
the case may be, shall have been so
selected; providing a savings clause
declaring an emergency; and declaring an
evacancy.

Referred to the Committee on
Education.

By Mr. Bishop:
H. B. No. 463. A bill to be entitled
"An Act imposing a time limit of
the Runnels County Water Improve­
m ent District; and declaring an emer­
gency."

Referred to the Committee on
Appropriations.

By Mr. Pool:
H. B. No. 464. A bill to be entitled
"An Act relating to cruelty to ani­
mals; amending Articles 1373, 1374,
and 1375 of the Revised Penal Code of
Texas, 1925, as amended; defining the
words "cruelty", "animals", and the
phrase "humane society", providing a
repealing clause; and declaring an
emergency."

Referred to the Committee on
Criminal Jurisprudence.

By Mr. Ford:
H. B. No. 465. A bill to be entitled
"An Act authorizing persons meeting
certain qualifications to count time
spent in military service as credit for
unrelated experience in the commit­
tee of salary increments; repealing
conflicting laws; and declaring an
emergency."

Referred to the Committee on
Judiciary.

By Mr. Kennard:
H. B. No. 466. A bill to be entitled
"An Act amending House Bill No. 1,
Page 588, Chapter 316, Acts Fifty-
first Legislature, Regular Session,
1949; defining the duties and
responsibilities of the Board for Texas
State Hospitals and Special Schools;
providing for liability of State
incurred in support, maintenance, and
treatment of patients and students in Texas
State Hospitals and Special Schools;
saving certain rights; repealing cer­
tain statutes and laws; and declaring
an emergency."

Referred to the Committee on
State Affairs.

By Mr. de la Garza:
H. B. No. 467. A bill to be entitled
"An Act prohibiting forced disclosure
of the source of information obtained
by representatives of newspapers,
press, associations, or radio or tele­
vision stations; repealing conflicting
laws; and declaring an emergency."

Referred to the Committee on
Judiciary.

February 12, 1957  HOUSE JOURNAL  369
By Mr. Hosey:
H. B. No. 408, A bill to be entitled "An Act declaring that all males under the age of twenty-one (21) years who are now married or who have heretofore married or who shall thereafter marry shall be deemed to be of full age and shall be entitled to all of the rights and privileges and obligations thereto pertaining except as to the right to vote; and declaring an emergency."
Referred to the Committee on Judiciary.

By Mr. Anderson:
H. B. No. 409, A bill to be entitled "An Act regulating the marketing of brake fluids in the State of Texas; granting certain powers to the Public Safety Director in connection there with; providing penalties for the violation of this Act; providing for the confiscation of brake fluid held or sold in violation of the Act; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Mr. Kelly:
H. B. No. 410, A bill to be entitled "An Act amending Section 319 of the Revised Civil Statutes of Texas, 1925, as amended, so as to permit district clerks who are licensed attorneys to appear and practice as an attorney before the courts under certain conditions; rephrasing provisions relative to practice by county clerks; and declaring an emergency."
Referred to the Committee on Judiciary.

By Messrs. Osborn and Saul:
H. B. No. 411, A bill to be entitled "An Act exempting Def Smith, Hale and Swisher Counties from the provisions of Chapter 7, Title 121, Revised Civil Statutes of Texas, 1925, and from all other laws regulating the inspection of hides and animals, and particularly from the provisions of Articles 1471 through 1487 of the Penal Code of Texas, 1925; and declaring an emergency."
Referred to the Committee on Livestock and Stock Raising.

By Mr. Hollo'well:
H. B. No. 412, A bill to be entitled "An Act granting the Commissioners Court of Henderson County permission to pay out of the General Fund of said County bounties for the destruction of wolves and predatory animals; and declaring an emergency."
Referred to the Committee on Counties.

By Messrs. Parsons and Heitman:
H. B. No. 413, A bill to be entitled "An Act providing for release of interest and penalties on all State ad valorem taxes and on certain county ad valorem taxes that were delinquent on or before January 1, 1951, if paid before November 1, 1957; providing conditions for partial payment; releasing certain costs that have accrued or attached by reason of the delinquency; providing for publication and posting of notice of the contents of this Act; suspending conflicting laws; and declaring an emergency."
Referred to the Committee on Revenue and Taxation.

By Mr. Mullen:
H. B. No. 414 A bill to be entitled "An Act amending Section 24 of Senate Bill No. 111 of the Second Called Session of the Forty-first Legislature, as amended; and declaring an emergency."
Referred to the Committee on Banks and Banking.

HOUSE BILL NO. 241 ORDERED NOT PRINTED
Mr. Bass moved that all necessary Rules be suspended for the purpose of not printing H. B. No. 241. There was no objection offered and it was so ordered.

TO NAME W. T. OLIVER, JR., DAVID MICHAEL OLIVER, AND CAROLYN SUE OLIVER AS MASCOTS OF THE HOUSE
Mr. Chapman offered the following resolution:
H. S. R. No. 134
Whereas, W. T. Oliver Jr., David Michael Oliver and Carolyn Sue Oliver, children of our esteemed colleagues, W. T. Oliver, are eligible candidates for the office of Mascot of the Texas House of Representatives; and
Whereas, W. T., David Michael and Carolyn Sue are twelve, ten and
February 12, 1957

HOUSE JOURNAL

seven years of age, respectively, and are 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 W. T. David, Michael and Carolyn Sue be, and they 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.

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. 25, Inviting Bobby Morrow to address a Joint Session of the House and Senate;

TO GRANT TEXAS SOUTHEASTERN GAS COMPANY PERMISSION TO SUE THE STATE

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

S. C. R. No. 21, Granting Texas Southeastern Gas Company permission to sue the State of Texas.

Whereas, Texas Southeastern Gas Company is a Texas corporation and has been doing business continuously in Texas since 1944; and

Whereas, The said Texas Southeastern Gas Company has paid to the State of Texas gas gathering taxes beginning in the month of October, 1951, and continuing through January, 1954, said taxes being levied by Section XXIII of House Bill 385, Chapter 492, 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 et al. v. Robert S. Calvert; Panhandle Eastern Pipeline Company et al., 347 U. S. 157; 74 S. C. 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 with the House of Representatives concurring, that Texas Southeastern Gas 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 amounts of money heretofore illegally extracted and paid by Texas Southeastern Gas Company under said unconstitutional law and service of citation for the purposes herein granted may be served upon the State of Texas by serving the Attorney General, the State Treasurer and the Comptroller 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 to grant permission to bring suit against the State of Texas and so
admission of the 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 Texas Southeastern Gas Company in the event the final judgment is obtained by it for recovery of taxes paid under H. B. 245, 52d Legislature; and be it further resolved, provided if a final judgment is obtained by the Texas Southeastern Gas Company, all increases in rates obtained on the basis of taxes paid under H. B. 245, R. S., 52d Legislature, shall be refunded in full to all those having paid such rate increases.

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 this resolution shall take effect from and after its passage.

S. C. R. No. 21 was read and was referred to the Committee on State Affairs.

INVITING HONORABLE PRENTICE COOPER TO ADDRESS A JOINT SESSION

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

S. C. R. No. 27
Whereas, Honorable Prentice Cooper of Shelbyville, Tennessee, is to visit in Austin and the State of Texas on March 12, 1957; and
Whereas, Mr. Cooper served his native state in its General Assembly both as Representative and as Senator, later on to serve as Governor of the State of Tennessee for three terms from 1933-1945, and thence as United States Ambassador to Peru from 1946-1948; and
Whereas, It is the desire of the Senate of Texas, the House of Representatives concurring, to recognize the anticipated visit of this outstanding son of Tennessee and fine American and to invite him to address a Joint Session of the Fifty-fifth Legislature of Texas at 11:30 o'clock A. M. on March 12, 1957.
Now, Therefore, be it resolved by the Senate of Texas, the House of Representatives concurring, That Honorable Prentice Cooper of Tennessee be, and he is hereby invited to address a Joint Session of the Fifty-fifth Legislature of Texas at 11:30 o'clock A. M., March 12, 1957.

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

COMMITTEE APPOINTED TO ESCORT BOBBY MORROW TO SPEAKER'S ROSTRUM

The Speaker announced the appointment of the following to accompany Bobby Morrow to Speaker's Rostrum, February 12, 1957:

Messrs. Bishop, Latimer, Murray, Pipkin and Roberts.

HOUSE JOINT RESOLUTION NO. 12
ON SECOND READING

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

H. J. R. No. 1. A joint resolution "Proposing an Amendment to Sections 5 and 24 of Article III and Section 17 of Article IV of the Constitution of the State of Texas as to provide for annual sessions of the Legislature and changing the compensation, per diem and travel expense of the Lieutenant Governor, the Speaker of the House of Representatives and the members of the Legislature; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication."

The resolution was read second time.

COMMITTEE APPOINTED TO ESCORT DR. W. C. MENNINGER TO SPEAKER'S ROSTRUM

The Speaker announced the appointment of the following on the part of the House to escort Dr. W. C. Menninger to the Speaker's Rostrum, February 12, 1957:

Messrs. Schwartz of Galveston, Sanders, Kelly, Shaw, Cory and Baker.

(While the House stood at ease, upon direction of the Speaker, pending the arrival of the Senate for the Joint Session, Mr. Elliott occupied the Chair.)

(Speaker in the Chair)
ADDRESS BY BOBBY MORROW  
(The House and the Senate in Joint Session)  

In accordance with the provisions of H. C. R. No. 25, providing for a Joint Session of the House and Senate at 10:45 o'clock a.m., today, for the purpose of hearing an address by Bobby Morrow, Champion of the World in the 100-meter dash, the Honorable Senators having been admitted to the Hall of the House, occupied seats prepared for them.

Senator George Moffett was escorted to a seat on the Speaker’s rostrum. 

Bobby Morrow, escorted by Senators Ratliff, Hudson, Owen, Hagedo- 

man and Ashley, Committee on the part of the Senate, and Masur, 

Bishop, Latimer, Murray, Pipkin and Roberts, Committee on the part of 

the House, was admitted to the Hall of the House, and was escorted to a 

seat on the Speaker’s rostrum.

Senator George Moffett called the Senate to order. 

A quorum of the Senate was announced present.

Speaker Carr called the House to order. 

A quorum of the House was announced present.

Speaker Carr stated that the two Houses were in Joint Session for the purpose of hearing an address by Bobby Morrow.

Speaker Carr presented Honorable A. J. Bishop, Jr., who intro­

duced Bobby Morrow to the Joint Session.

Bobby Morrow then addressed the Joint Session, as follows:

"Mr. President, Mr. Speaker, Mr. Bishop, and members of the Joint Session, I feel deeply honored by your invitation to speak briefly to you who provide the leadership for our great State.

As Texans, you share with thousands of others the reputation around the world of being the friendliest people in America.

I am sure that the Texas smiles and the Texas handshakes which Eddie Southern and I took with us to Melbourne, Australia, created more news stories than all of our running efforts combined.

Almost without exception, the foreign newsmen covering the Olympic Games, asked first about the big state of Texas and then asked us about the United States.

And let me say here that I sincerely appreciate the interest and consideration which the sports writers, sports casters, radio, and TV newsmen have taken in track and field activities. For it is through their efforts that the opinions of millions of people have been formed.

It was perhaps the greatest thrill of my life to represent Abilene Christian College and the people of Texas in the world’s greatest sports event and to compete with so many fine athletes, not only from America, but also from 67 other countries of the world.

Though marred in several instances by political differences, the Games were characterized by the finest kind of wholesome competition and sportsmanship.

Regardless of natural origin, every Olympic athlete participated under the same set of rules.

I believe the greatest moment for me at the Olympic Games occurred when I was privileged to take the number one spot on the victory stand after the 100 meter competition.

I cannot describe the feeling, but I do remember the chills ran up and down my spine when I heard the "Star Spangled Banner" and saw Old Glory rise to the uppermost spot of the ceremonial stand.

At that moment, I thought of all the individuals who had helped me through the years to accomplish the victory which had just occurred.

I thought of my high school coach, Jake Watson, and the start which he gave me in track.

I remembered the words of my high school principal, Mr. Jim Barnes, who told me early in my track endeavors at San Benito that I would run in the 1956 Olympics. It sounded almost unbelievable to me then. But for the keen instruction and encouragement which I received from my AOC track coach, Oliver Jackson, especially in Melbourne, I would not have the three gold medals.
which were awarded me. I have said it before and I say it to all of you—Oliver Jackson is the greatest track coach in the world.

But uppermost in my mind was the deep sense of gratitude which I owe my Maker who gave me whatever natural ability I possess, along with a strong healthy body.

Realizing that my body is the Temple of God, I have always tried to keep it swept clean for Him.

For this belief and determined conviction, I pay tribute to my mother and father who from my childhood have guided my feet in the Way.

To my lovely wife, Jo Ann, who has inspired my every effort, and who is building a Christian home with me, I owe my all.

My decision to receive a Christian education came after I realized that I wanted more from college than book learning and track success.

Practically every member of our U. S. team came by my room at the Olympic Village to see the seven and a half feet long telegram signed by some 1,079 fellow students from Abilene Christian College.

After reading the sincere wishes of my fellow students—who supported me even when I was losing—many members of our team remarked, "I wish I could go to a school like that."

Upon our return to the United States, we received a heart-warming welcome home at Los Angeles, Abilene, and San Benito, and as I thrilled on these occasions, I thought to myself how fortunate we are to return to the land of the free.

I am proud to be a member of the church, a student at Abilene Christian College, and a citizen of the great state of Texas.

I sincerely believe that my Greatest Race, the Christian Race, is the most important of them all and is yet to be won. Thank you."

Mr. Bishop then presented Bobby Morrow with an enrolled copy of H. C. R. No. 25, the Resolution inviting him to address the Joint Session.

ADDRESS BY DR. WILLIAM C. MENNINGER

(The House and The Senate in Joint Session)

In accordance with the provisions of H. C. R. No. 16, providing for a Joint Session of the House and Senate at 11:00 o'clock a. m., today, for the purpose of hearing an address by Dr. William C. Menninger, General Secretary of the Menninger Foundation, Topeka, Kansas, the House and Senate remained in Joint Session.

Senator George Moffett occupied a seat on the Speaker's rostrum.

At 11:00 o'clock a. m., Dr. William C. Menninger and party, escorted by Senators AIkin and Hudson on the part of the Senate, and Messrs. Schwartz of Galveston, Sanders, Kelly, Shaw, Cory and Baker, Committee on the part of the House, were announced at the bar of the House and were admitted and escorted to seats on the Speaker's rostrum.

Senator Moffett called the Senate to order.

A quorum of the Senate was announced present.

Honorable Waggoner Carr, Speaker called the House of Representatives to order, and stated that the two Houses were in Joint Session for the purpose of hearing an address by Dr. William C. Menninger.

Speaker Carr directed the Clerk to call the roll of the House.

The roll of the House was called.

A quorum of the House was announced present.

Speaker Carr then presented Dr. Robert L. Sutherland who introduced Dr. Menninger to the Joint Session.

Dr. Menninger then addressed the Joint Session.

Mr. Schwartz of Galveston then presented Dr. Menninger with an enrolled copy of H. C. R. No. 18, the Resolution inviting him to address the Joint Session.
SENATE RETIRES

At 11:55 o'clock a.m., at the conclusion of the address by Dr. Menninger, Senator Moffett stated that the business of the Joint Session was concluded and the Senate would retire to its Chamber.

RECOGNIZING THE VISIT OF THE HISTORY CLUB OF NORTH EAST HIGH SCHOOL IN SAN ANTONIO, TEXAS

Mr. Sheridan offered the following resolution:

H. S. R. No. 135

Whereas, We are honored today to have in the gallery the History Club of North East High School in San Antonio, Texas; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn first-hand the workings of their State Government; Now, therefore, be it Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the House, be mailed to them in recognition of their visit.

SHERIDAN, KOTTMANN, SEELIGSON, BELL, STRICKLAND, RUSSELL, HENSLEY.

The resolution was unanimously adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message, received from the Governor today:

SPECIAL MESSAGE TO THE FIFTY-FIFTH LEGISLATURE

February 12, 1957

In my first message to the Legislature I said: "Either the Board of Insurance Commissioners should be reorganized or its present operations improved and strengthened . . ." This message is in furtherance of my original recommendation.

The insurance business is the third largest industry in Texas. It involves the financial security of most of our people, rich and poor alike. Insurance is the primary safeguard which our people have against possible future loss and disaster.

It is our duty as elected representatives of the people of Texas to see that our insurance laws, and the administration of those laws, afford every possible protection to the policyholders, stockholders, and the insuring public.

I commend the 54th Legislature for the insurance reforms which were enacted two years ago. These have done much to restore public confidence and provide more adequate regulations and more effective laws. However, the problem of administration of these laws has not been solved. Certain directives of the 54th Legislature have not been followed by the Board of Insurance Commissioners. I refer particularly to the 1955 amendments to Articles 1.02 and 1.04 of the Insurance Code, which require that the three Commissioners act as a board rather than in their previous separate capacities as Commissioners of Life, Fire, and Casualty insurance. By the 1955 amendments the previous powers and duties of the three Commissioners were vested in the Board, and the Commissioners were directed to "operate and function as a whole and a majority vote of the members of the Board shall be necessary to transact any official business."

These amendments became effective September 5, 1955, but between that date and January 1, 1957 they were not followed as intended by the Legislature. It is freely admitted and well known that the Commissioners continued to operate their own divisions with separate mailing rooms, machine accounting, agents' licensing, supply rooms, reproduction facilities, and other services. The three Commissioners still maintain offices on separate floors. For the next biennium each Commissioner submitted his individual budget request, signed only by him, for his own division. There has been insufficient exchange of information to give all three Com-
commissioners knowledge of the problems and activities in each division.

After serious and careful study, I have come to the conclusion that the objectives of the 34th Legislature, but conclude that a satisfactory condition will not exist in this department of government under the present type of statutory organization, regardless of who may constitute the board. In all events there should be a unified board operation, and I agree also with the Legislative Budget Board that there should be an executive officer or director responsible to the board and in charge of coordinating and directing the activities of the Commission.

Now is the appropriate time for this reorganization, before other Commissioners become wedded to the old and inefficient operation. The term of one member expired on February 10, and he is holding over until the vacancy is filled. A second member was appointed on January 1 to fill an unexpired term, and his appointment is still pending in the Senate. The term of the third member expires February 10, 1961.

We cannot longer run the risk of divided responsibility in this critically important field of high public interest.

Our State needs the creation and appointment of a Jim Hogg-type of Commission for regulation of the insurance industry and protection of the public. By this I mean that we need not only a reorganization along the lines of the Railroad Commission and Highway Commission, but we must select the highest type of individuals as members so as to raise the prestige and respect of the Insurance Commission to that enjoyed by the Railroad and Highway Commissions.

When Governor Jim Hogg appointed the Texas Railroad Commission, he persuaded United States Senator John Reagan to resign from the Senate and serve as its chairman along with Judge W. P. McLean and Insurance Commissioner L. L. Foster. With few exceptions the members of the Railroad and Highway Commissions have ranked among our finest public officials, and their services have been marked with patriotic zeal and financial sacrifices.

Equally distinguished men have been willing to serve as Insurance Commissioners, and I have faith that men of this type still can be persuaded to render this high public service on a reorganized Insurance Commission.

1. Creation of a State Board of Insurance with the Chairman and two members to be appointed by the Governor, with the advice and consent of the Senate, to replace the present Board of Insurance Commissioners.

2. Creation of the office of Commissioner of Insurance to be appointed by the new State Board of Insurance with the duties of executive director. He would coordinate and administer the activities of the entire agency in accordance with the law and the policies set by the Board, and subject to the approval and decisions of the Board.

Texas is the only State in the Union which does not have its administration of insurance laws coordinated by a Commissioner of Insurance, and there should be an executive officer to replace the present Board of Insurance Commissioners.

3. Creation of the office of Commissioner of Insurance to be appointed by the new State Board of Insurance with the duties of executive director. He would coordinate and administer the activities of the entire agency in accordance with the law and the policies set by the Board, and subject to the approval and decisions of the Board.

It is my strong conviction that reorganization in the manner recommended will strengthen State regulation and further restore public confidence. Such has been the experience.
of the States which have a similar form of administration, and it has worked with notable success in other agencies of our own State government.

I also recommend that insurance liquidation be centered either in the courts or in a State Liquidator to be appointed by the State Board of Insurance. The existing divided responsibility between the courts and the Board in the appointment and direction of insurance liquidation has not been satisfactory and should be remedied at the earliest possible time.

This message was in the stage of preparation long before the recent proceeding against the fire and casualty company known as ICT Insurance Company, and the timing has no relation thereto. Such apparent failure of another company only serves to remind us of what we already knew—that the people of Texas are looking to this administration and to the Legislature to make every improvement possible in the administration of our insurance laws to safeguard the future against recurrence of the deficiencies of the past.

I consider these recommendations to be of emergency importance to our State's large insurance industry, but more especially to our people who invest their money and savings in the insurance companies doing business in Texas.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.

RECESS

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

Mr. Lee moved that the House adjourn until 1:00 o'clock p.m. today.

Mr. Baker moved that the House recess until 2:00 o'clock p.m. today.

The motion to adjourn was lost.

The motion to recess until 2:00 o'clock p.m. today was lost.

The motion to recess until 2:30 o'clock p.m. today prevailed and the House accordingly, at 12:12 o'clock p.m., recessed until 2:30 o'clock p.m. today.

AFTERNOON SESSION

The House met at 2:30 o'clock p.m. and was called to order by the Speaker.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 1

The House resumed consideration of H. J. R. No. 1, relative to providing for annual sessions of the Legislature, and to change compensation, per diem and travel expense of Lieutenant Governor, Speaker and Members of the Legislature.

The resolution having been read second time on this morning:

Mr. Latimer offered the following amendment to the resolution:

Amend House Joint Resolution No. 1 by adding a new section immediately following Section 3, to be numbered Section 4, and by renumbering succeeding sections accordingly, the new section to read as follows:

"Sec. 4. That Section 45a of Article III of the Constitution of the State of Texas be amended to read hereafter as follows: I consider these recommendations to be of emergency importance to our State's large insurance industry, but more especially to our people who invest their money and savings in the insurance companies doing business in Texas.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.

RECESS

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

Mr. Lee moved that the House adjourn until 1:00 o'clock p.m. today.

Mr. Baker moved that the House recess until 2:00 o'clock p.m. today.

The motion to adjourn was lost.

The motion to recess until 2:00 o'clock p.m. today was lost.

The motion to recess until 2:30 o'clock p.m. today prevailed and the House accordingly, at 12:12 o'clock p.m., recessed until 2:30 o'clock p.m. today.
in excess of the cash and anticipated revenue of the funds from which such appropriation is to be made shall be valid. From and after January 1, 1945, no bill containing an appropriation shall be considered as passed or be sent to the Governor for consideration until and unless the Comptroller of Public Accounts endorses his certificate thereof showing that the amount appropriated is within the amount estimated to be available in the affected funds. When the Comptroller finds an appropriation bill exceeds the estimated revenue he shall endorse such finding thereon and return to the House in which same originated. Such information shall be immediately made known to both the House of Representatives and the Senate and the necessary steps shall be taken to bring such appropriation to within the revenue, either by providing additional revenue or reducing the appropriation.

"For the purpose of financing the outstanding obligations of the General Revenue Fund of the State and placing its current accounts on a cash basis the Legislature of the State of Texas is hereby authorized to provide for the issuance, sale, and retirement of serial bonds, equal in principal to the total outstanding, valid, and approved obligations owing by said fund on September 1, 1943, provided such bonds shall not draw interest in excess of twd (2) per cent per annum and shall mature within twenty (20) years from date."

The amendment was adopted.

Mr. Slack offered the following amendment to the resolution:

Amend House Joint Resolution No. 1 by striking out all below the resolving clause and substituting therefor the following:

Section 1. That Section 5 of Article III of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Sec. 5. The Legislature shall meet in regular session each odd-numbered year at noon on the second Tuesday in February, beginning in 1949, and each even-numbered year at noon on the second Tuesday in February, beginning in 1949, and in special session at other times as convened by the Governor. When convened in odd-numbered years in regular session, the Legislature shall devote the first thirty days to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the reappointment of the Governor and such emergency matters as may be submitted by the Governor; provided further that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either house may otherwise determine its order of business during this session by an affirmative vote of four-fifths of its membership.

"Regular sessions in even-numbered years shall not exceed sixty days and shall be limited to legislation on the subjects of providing funds for the support of functions and activities of the state government and emergency matters submitted by the Governor in messages to the Legislature. At each regular session appropriations shall be made for the support of functions and activities of the state government for the next fiscal year."

Sec. 2. That Section 24 of Article III of the Constitution of the State be amended so as hereafter to read as follows:

"Sec. 24. Members of the Legislature shall receive from the public treasury a salary of $3,000 per annum and expenses of office in amount and manner as determined by law. The Speaker of the House shall receive an additional compensation of $2,000 per annum."

Sec. 3. That Section 49a of Article III of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Sec. 49a. It shall be the duty of the Comptroller of Public Accounts in advance of each regular session of the Legislature to prepare and submit to the Governor and to the Legi-
lature upon its convening a statement
under cash showing fully the
financial condition of the State
Treasury at the close of the last
fiscal period and an estimate of the
probable receipts and disbursements
for the then current fiscal year.
There shall also be contained in said
statement an itemized estimate of the
anticipated revenue based on the
laws then in effect that will be re-
cieved by and for the State from all
sources showing the fund accounts
to be credited during the succeeding
fiscal year and said statement shall
contain such other information as
may be required by law. Supplement-
al statements shall be submitted at
any special session of the Legislature
and at such other times as may be
necessary to show probable changes.
“From and after January 1, 1948, no bill containing
an appropriation shall be considered as passed or be sent to the Governor
for consideration until and unless the
Comptroller of Public Accounts en-
dorses his certificate thereon show-
ing that the amount appropriated is
within the cash and anticipated revenues of the funds from
which such appropriation is to be
made shall be valid. From and after January 1, 1948, no bill containing
an appropriation shall be considered as passed or be sent to the Governor
for consideration until and unless the
Comptroller of Public Accounts en-
dorses his certificate thereon show-
ing that the amount appropriated is
within the amount estimated to be
available in the affected funds.
When the Comptroller finds an ap-
propriation bill exceeds the estimated
revenue he shall endorse such find-
ing thereon and return to the House
in which same originated. Such in-
formation shall be immediately made
known to both the House of Repre-
sentatives and the Senate and the
necessary steps shall be taken to
bring such appropriation to within
the revenue, either by providing ad-
tional revenue or reducing the ap-
propriation.
For the purpose of financing the
outstanding obligations of the Gen-
eral Revenue Fund of the State and
placing its current accounts on a cash
basis by the Legislature of the State
of Texas is hereby authorized to pro-
vide for the issuance, sale, and re-
tirement of serial bonds, equal in
principal to the total outstanding,
valid, and approved obligations ow-
ing by said fund on September 1,
the Secretary of State, of the number of legal votes cast at said election for and against said amendments; and if more than one be proposed, then the number of votes cast for and against each of them; and if it shall appear from said return, that a majority of the votes cast, have been cast in favor of any amendment, the said amendment so receiving a majority of the votes cast shall become a part of this Constitution, and proclamation shall be made by the Governor thereof.”

Sec. 6. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1958, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment to provide for annual sessions of the Legislature and for appropriate compensation and expenses of office to be paid Members of the Legislature, the Speaker of the House, and the Lieutenant Governor.

AGAINST the Constitutional Amendment to provide for annual session of the Legislature and for appropriate compensation and expenses of office to be paid Members of the Legislature, the Speaker of the House, and the Lieutenant Governor.”

Sec. 7. The Governor of Texas shall issue the necessary proclamation for the election and these amendments shall be published in the manner and for the length of time as required by the Constitution and laws of this State.

Mr. Latimer moved to table the amendment by Mr. Slack.

Question recurring on the motion by Mr. Latimer to table the amendment by Mr. Slack, yeas and nays were requested.

The motion to table prevaild by the following vote:

**Yeas—74**

Anderson  Bryan
Armor  Bullock
Ballman  Byrd
Bass  Chapman
Bills  Clines
Bianchard  Cole
Bowens  Cox of Montgomery

Dungan  Mays
Ehrie  Myatt
Elliott  Oliver
Evans  Parish
Ferrell  Patterson
Foreman  Pool
Glass  Pressler
Hale  Richardson
Harrington  Roberts
Healy  Sadler
Heitman  Schwarts
Hensley  of Galveston
Hollowell  Schwarts
Hooks  of Washington
Hoeber  Shackleford
Huffman  Shannon of Erath
Huffor  Sherrill
Hughes of Grayson  Smith of Jefferson
Hughes of Dallas  Springer
Jackson  Stewart
Jones  Sudderth
Kennard  Sutton
Kennedy  Tunnel
Kilpatrick  Turman
Kolbe  Walling
Kortenhof  Wheeler
Latimer  Wilson of Young
Lew  Wilson of Potter
McGregor  Wooley
of McLennan  Yeak
Mann  Crenshaw
Martin  Oakes

**Nays—69**

Atwell  Hutchins
Baker  Isaac of Miss
Bartram  Jamison
Bell  Johnson
Bishop  Kelly
Boysen  Kothmann
Brough  Laurel
Bristow  McCoppin
Burkett  McDonald
Cloud  McGregor
Conley  of El Paso
Cory  McIlhany
Cotten  Matthew
Cox  Moore of Tarrant
Cromwell  Murray
Crosthwait  Osborn
Day  Picket
De la Garza  Russell
Dewey  Sanders
Duggar  Saul
Ellis  Shambaugh
Ford  Shannon
Forsyth  Shaw
Gaines  Seay
Green  Seals
Hastings  Shepherd
Heflin  Shaw
Holmes  Short
Holstein  Sheridan
Hosey  Slack
Mr. Shack offered the following amendment to the resolution:

Amend House Joint Resolution No. 1 by striking out all below the resolving clause and substituting therefor the following:

Section 1. That Section 5 of Article III of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Sec. 5. The Legislature shall meet in regular session each odd-numbered year at noon on the second Tuesday in January, beginning in 1959, and each even-numbered year at noon on the second Tuesday in February, beginning in 1949, and in special session at other times as convened by the Governor. When convened in odd-numbered years in regular session, the Legislature shall devote the first thirty days to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointments of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided that during the succeeding thirty days of each session the various committees of both houses shall hear bills to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided however, either house may otherwise determine its order of business during this session by an affirmative vote of four-fifths of its membership.

"Regular sessions in even-numbered years shall not exceed sixty days and shall be limited to legislation on the subjects of providing funds for the support of functions and activities of the state government and emergency matters submitted by the Governor in messages to the Legislature. At each regular session appropriations shall be made for the support of functions and activities of the state government for the next fiscal year."

Sec. 2. That Section 24 of Article III of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Sec. 24. Members of the Legislature shall receive from the public Treasury a salary of $4,800 per annum and expenses of office in amount and manner as determined by law, but not to exceed $15.00 per day while in session. The Speaker of the House shall receive an additional compensation of $2,000 per annum."

Sec. 3. That Section 49a of Article III of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Sec. 49a. It shall be the duty of the Comptroller of Public Accounts in advance of each regular session of the Legislature to prepare and submit to the Governor and to the Legislature upon its convening a statement under oath showing fully the financial condition of the State Treasury at the close of the last fiscal period and an estimate of the probable receipts and disbursements for the then current fiscal year. There shall also be contained in said statement an itemized estimate of the anticipated revenue based on the laws then in effect that will be received by and for the State from all sources showing the fund accounts to be credited during the succeeding fiscal year and said statement shall contain such other information as may be required by law. Supplemental statements shall be submitted at any special session of the Legislature and at such other times as may be necessary to show probable changes.

"From and after January 1, 1945, save in the case of emergency and imperative public necessity and
with a four-fifths vote of the total membership of each house, no appropriation in excess of the cash and estimated revenue of the funds from which such appropriation is to be made shall be valid. From and after January 1, 1943, no bill containing an appropriation shall be considered as passed or be sent to the Governor for consideration until and unless the Comptroller of Public Accounts endorses his certificate thereon showing that the amount appropriated is within the amount estimated to be available in the affected funds. When the Comptroller finds an appropriation bill exceeds the estimated revenue he shall endorse such finding thereon and return to the house in which same originated. Such information shall be immediately made known to both the House of Representatives and the Senate and the necessary steps shall be taken to bring such appropriation to within the revenue, either by providing additional revenue or reducing the appropriation.

"For the purpose of financing the outstanding obligations of the General Revenue Fund of the State and placing its current accounts on a cash basis the Legislature of the State of Texas is hereby authorized to provide for the issuance, sale, and redemption of serial bonds, equal in principal to the total outstanding, valid, and approved obligations owing by said fund on September 1, 1943, provided such bonds shall not provide for the issuance, sale, and redemption of serial bonds, equal in principal to the total outstanding, valid, and approved obligations owing by said fund on September 1, 1943, provided such bonds shall not exceed in amount five per cent per annum and shall mature within twenty (20) years from date."

Sec. 4. That Section 17 of Article IV of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Sec. 17. If, during the vacancy in the office of the Governor, the Lieutenant Governor should die, resign, refuse to serve, or be removed from office, or be unable to serve, or if he shall be impeached or absent from the State, the President of the Senate, for the time being, shall, in like manner, administer the Government until he shall be superseded by a Governor or Lieutenant Governor. The Lieutenant Governor shall, while he acts as President of the Senate, receive for his services a salary of $5,000 per annum and expenses of office in amount and manner as determined by law; and during the time he administers the Government as Governor, he shall receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office, and no more. The President, for the time being, of the Senate, shall, during the time he administers the Government, receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office."

Sec. 5. That Section 1 of Article XVII of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Sec. 1. The Legislature, at any regular session in odd-numbered years, by a vote of two-thirds of all the members elected to each house, to be entered by yeas and nays on the journals, may propose amendments to the Constitution, to be voted upon by the qualified electors for members of the Legislature, which proposed amendment shall be duly published once a week for four weeks, commencing at least three months before an election, the time of which shall be specified by the Legislature, in one weekly newspaper of each county, in which such a newspaper may be published, and it shall be the duty of the several returning officers of said election, to open a poll for and make returns to the Secretary of State, of the number of legal votes cast at said election for and against said amendments; and if more than one be proposed, then the number of votes cast for and against each of them, and if it shall appear from said returns, that a majority of the votes cast, have been cast in favor of any amendment, the said amendment so receiving a majority of the votes cast, shall become a part of this Constitution, and proclamation shall be made by the Governor thereof."

Sec. 6. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1958, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment to provide for annual sessions of the Legislature and for appropriate
February 12, 1957  HOUSE JOURNAL  383

compensation and expenses of office to be paid Members of the Legislature, the Speaker of the House, and the Lieutenant Governor.

"AGAINST the Constitutional Amendment to provide for annual session of the Legislature and for appropriate compensation and expenses of office to be paid Members of the Legislature, the Speaker of the House, and Lieutenant Governor."

Section 7. The Governor of Texas shall issue the necessary proclamation for the election and these amendments shall be published in the manner and for the length of time as required by the Constitution and laws of this State.

Mr. Latimer moved to table the amendment by Mr. Slack.

Question recurring on the motion by Mr. Latimer to table the amendment by Mr. Slack, yeas and nays were requested.

The vote of the House was taken on the motion to table and the vote was announced yeas 71, nays 73.

A verification of the vote was requested and granted.

The roll of those voting "nay" was again called and verified vote resulted as follows:

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<th>Yeas—71</th>
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<td>Cox of Montgomery</td>
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<td>Joseph</td>
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(Mr. Baker moved to dispense with the verification of those voting "yea".)
There was no objection offered and it was so ordered.

The Speaker stated that the motion to table the amendment by Mr. Slack was lost by the above vote.

Mr. Crosthwait offered the following amendment to the amendment by Mr. Slack:

Amend the Slack amendment, Section 5, as shown therein by adding before the comma in Line 4, the following: "or at any limited purpose session in even-numbered years."

The amendment by Mr. Crosthwait to the amendment was lost.

Question recurring on the amendment by Mr. Slack, yeas and nays were requested.

The amendment by Mr. Slack was lost by the following vote:

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<tr>
<th>Yeas</th>
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<td>Atwell</td>
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| Bowers |       |
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| Byrd    |       |
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| Cline   |       |
| Cole    |       |
| Cory    |       |
| Cox of Montgomery |  |
| Crosthwait | |
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| of Galveston |  |
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| Shannon of Erath | |
| Sherrill |       |
| Smith of Jefferson |  |
| Springer |       |
| Stewart |       |
| Stroman |       |
| Suderth |       |
| Sutton  |       |
| Tunell  |       |
| Turman  |       |
| Walling |       |
| Wheeler |       |
| Wilson of Young |   |
| Wilson of Potter |  |
| Yesak   |       |
| Zbranek |       |
| Absent  |       |
| Ramsey  |       |
| Schwartz |     |
| of Washington |  |
| Absent—Excused | |

Mr. Cory offered the following amendment to the resolution:

Amend H. J. R. No. 1 by changing the figures in Sec. 25 from $7,500.00 to $4,800.00.

Mr. Latimer moved to table the amendment by Mr. Cory.

Question recurring on the motion by Mr. Latimer to table the amendment
February 12, 1957  HOUSE JOURNAL  385

by Mr. Cory, yeas and nays were requested.

The motion to table was lost by the following vote:

Yeas-50

Ballman  McGregor
Bass of McLennan  Shannon
Blaine  Shaw
Blanchard  Smith of El Paso
Bowers  McGregor of El Paso
Blaine  Loose
Blanchard  Smith of Hays
Bowers of Tarrant  White
Bryan  Shawn
Byrd  Smith
Cox of Montgomery  Shank
Cyrus  Shaw
Cotton  Smith
Coots  Smith
Cotton  Smith
Corey  Smith
Cox of Bell  Smith
Crowthwait  Smith
Day  Smith
da La Garza  Smith
Dewey  Smith
Duff, Miss  Smith
Dugas  Smith

Nays-91

Anderson  Shannon
Armor  Shannon
Atwell  Byrd
Baker  Byrd
Bartlam  Byrd
Bass  Byrd
Bishop  Byrd
Boyars  Byrd
Browner  Byrd
Bristow  Byrd
Buckett  Byrd
Champan  Byrd
Chiles  Byrd
Cloud  Byrd
Cola  Byrd
Cooley  Byrd
Conley  Byrd
Cory  Byrd
Cotton  Byrd
Cotens  Byrd
Cox of Bell  Byrd
Croxthwait  Byrd
Day  Byrd
de la Garza  Byrd
Dewey  Byrd
Duff, Miss  Byrd
Dugas  Byrd

The amendment by Mr. Cory was then adopted.

Mr. Latimer offered the following amendment to the resolution:

Amend the caption of House Joint Resolution No. 1 by changing the language "Sections 5 and 24 of Article III" to read "Sections 5, 24, and 49a of Article III".

The amendment was adopted.

H. J. R. No. 1 was then passed by the following vote:

Yeas-112

Anderson  Cannon
Armor  Cannon
Atwell  Cannon
Baker  Cannon
Bartlam  Cannon
Bass  Cannon
Bishop  Cannon
Boyars  Cannon
Browner  Cannon
Bristow  Cannon
Buckett  Cannon
Champan  Cannon
Chiles  Cannon
Cloud  Cannon
Cola  Cannon
Cooley  Cannon
Conley  Cannon
Cory  Cannon
Cotens  Cannon
Cox of Bell  Cannon
Croxthwait  Cannon
Day  Cannon
de la Garza  Cannon
Dewey  Cannon
Duff, Miss  Cannon
Dugas  Cannon

Nays-51

Anderson  Elliott
Armor  Elliott
Atwell  Elliott
Baker  Elliott
Bartlam  Elliott
Bass  Elliott
Bishop  Elliott
Boyars  Elliott
Browner  Elliott
Bristow  Elliott
Buckett  Elliott
Champan  Elliott
Chiles  Elliott
Cloud  Elliott
Cola  Elliott
Cooley  Elliott
Conley  Elliott
Cory  Elliott
Cotens  Elliott
Cox of Bell  Elliott
Croxthwait  Elliott
Day  Elliott
de la Garza  Elliott
Dewey  Elliott
Duff, Miss  Elliott
Dugas  Elliott
Mr. Latimer moved to reconsider the vote by which H. J. R. No. 1 was passed and to table the motion to reconsider. The motion to table prevailed.

REASON FOR VOTE
I voted against this measure because, although I am in favor of annual sessions of the legislature, I feel the salary payment and the expense allowance provided under this measure is excessive.

JAMES M. COTTEN.

H. B. No. 382, A bill to be entitled "An Act to repeal Section 21 of Article V of Chapter 619, Acts of the Fifty-fourth Legislature, 1955, which was a special provision prohibiting executive heads or the administrative staff of higher education agencies of this State from being reimbursed for official travel expenses to Austin during sessions of the Texas Legislature without certain advance approval; and declaring an emergency."

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

HOUSE BILL NO. 382 ON THIRD READING

Mr. Blanchard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 382 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<tr>
<th>Ayes</th>
<th>Nays</th>
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February 12, 1957  HOUSE JOURNAL  387

Yeas—124

Anderson  McGregor
Armor  of McLennan
Baker  McGregor
Bartram  of El Paso
Bell  McAllister
Blaine  Martin
Blanchard  Matthew
Bowers  Moore of Tarrant
Boyesen  Mullin
Bristow  Murray
Bryan  Myatt
Bullock  Oliver
Chapman  Osborn
Cline  Paris
Cloud  Parsons
Cole  Patterson
Cohley  Pipkin
Cory  Pool
Cotten  Presler
Cox  of Bell
de la Garza  Ramsey
Dewey  Roberts
Duff, Miss  Russell
Dugan  Sadler
Ehrle  Sanders
Elliott  Saul
Ellis  Schram
Ford  of Galveston
Foreman  Seissinan
Forsyth  Shackleford
Glass  Shannon of Erath
Glusing  Shannon of Tarrant
Hale  Shaw
Harrington  Sherrill
Healy  Shack
Heflin  Smith of Hays
Heitman  Smith of Jefferson
Hensley  Spilman
Hollowell  Springer
Holstein  Stewart
Hooks  Storey
Hosey  Stroman
Hubbauer  Sudderith
Huffman  Sutton
Huff  Talbot
Hughes of Grimes  Terrell
Hutchins  Tharmond
Jackson  Tannell
Jamison  Terman
Jones  Walls
Kelly  Watson
Kennedy  Watch
Kilpatrick  Wheeler
Koliba  White
LaLomer  Wilson of Young
Laurel  Wilson of Potter
McCoppin  Winfree

Wohlford  Yeak
Woolley  Zbranek

Nays—18

Atwell  Isaacks, Miss
Ballman  Johnson
Bass  Kennard
Baret  Keroth
Crookwell  Kohlmann
Day  Lee
Fenoil  McDonald
Holman  Sheridan
Hughes of Dallas  Strickland

Absent

Absen—Excused

Joseph  Moore of Harris

The Speaker then laid House Bill No. 383 before the House on third reading and final passage.

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

Yeas—131

Anderson  Ellsott
Armor  Ellis
Baker  Fogolio
Ballman  Ferrell
Bartram  Ford
Bell  Foreman
Bishop  Forsyth
Blaine  Glass
Blanchard  Glusing
Bowers  Green
Boyesen  Hale
Bristow  Harrington
Bryan  Healy
Bullock  Heflin
Burkett  Hensley
Byrd  Hollowell
Chapman  Holman
Cline  Holston
Cloud  Hooks
Cole  Hosey
Conley  Huebner
Cory  Huffman
Cotten  Huff
Cowen  Hughes of Grayson
Cox of Montgomery  Hughes of Dallas
Cox of Ball  Hutchins
de la Garza  Jackson
Dewey  Jamison
Duff, Miss  Johnson
Dugas  Jones
Dungan  Kelly
Ehrle  Kennedy
Mr. Blanchard moved to reconsider the vote by which H. B. No. 382 was passed and to table the motion to reconsider.

The motion to table prevailed.
we may be doing together the Will of our Father in Heaven, who is not a God of any part, of any one part, of any one nation, or any one race. Open our ears that we may hear what God is saying. Give us all we need to govern ourselves. We ask these things through Christ our Lord.—Amen.

The motion by Mr. Koliba prevailed.

The House accordingly, at 4:35 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

APPELLATE

STANDING COMMITTEE REPORTS

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


REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 11, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No 71, A bill to be entitled "An Act providing that where a defendant in the course of a criminal action, gives a bail bond or enters into a recognizance before any court or person authorized by law to take same, for his personal appearance before a court or magistrare, to answer a charge against him, the said bond or recognizance shall be valid and binding upon the defendant and his sureties thereon, for the defendant's personal appearance before the court or magis rate designated therein, and for any and all subsequent proceedings had relative to the charge, and that such bail bond or recognizance shall be so conditioned except as further provided in the Act; providing that when a defendant has once given bail bond or entered into a recognizance for his appearance in answer to a criminal charge, he shall not be required to give another bond or enter into another recognizance in the course of the same criminal action except as further provided, providing that whenever during the course of the action, the judge or magistrate in whose court such action is pending finds that the bond or recognizance is defective, excessive or insufficient in amount, or that the sureties are not acceptable, or for any other good and sufficient cause, such judge or magistrate may, either in term time or in vacation, order the accused to be re-arrested, and require the accused to give another bond or enter into another recognizance, in such amount as the judge or magistrate may deem proper; (providing that when such bond is so given and approved or when such recognizance is entered into, the defendant shall be released from custody;) providing further that the existing laws governing recognizances and bail bonds given in felony and misdemeanor cases to perfect appeals from any court to the Court of Criminal Appeals shall remain unchanged and are not affected by any of the provisions of this Act; providing that all laws and parts of laws in conflict herewith are repealed to the extent of such conflict and further providing the Act shall in no way repeal or affect Articles 222, 223 or 224, Code of Criminal Procedure, or any other Act not in conflict; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, February 11, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H B. No. 134, A bill to be entitled
"An Act amending Article 1299, Revised
Civil Statutes of Texas, 1925; amend­
ing Article 1300, Revised Civil Statutes
of Texas, 1925; amending Article 6605,
Revised Civil Statutes of Texas, 1925; repealing
Article 6606, Revised Civil Statutes of
Texas, 1925; eliminating the require­
ment for separate and privy acknowl­
edgment of conveyances and other in­
struments by married women; preserv­ing the legal status of all instruments
executed prior to the effective date here­
of; providing a saving clause; repealing
all laws or parts of laws in conflict
herewith; and declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.
HERMAN YEZAK, Chairman.

Austin, Texas, February 11, 1957

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

Sir: Your Committee on Engrossed
Bills to whom was referred
H. B. No. 172, A bill to be entitled
"An Act repealing Acts, 1945, Forty­
ine Legislature, page 274, Chapter
203 (Article 118c-2 of Vernon's Civil
Statutes); and declaring an emer­
gency."

Has carefully compared same and
finds it correctly engrossed.
HERMAN YEZAK, Chairman.

REPORT OF THE COMMITTEE ON
ENROLLED BILLS

Austin, Texas, February 12, 1957

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

Sir: Your Committee on Enrolled
Bills to whom was referred
H. C. R. No. 25, Inviting Bobby
Morrow to address a Joint Session.

Has carefully compared same and
finds it correctly enrolled.
W. C. SCHWARTZ, Chairman.

SENT TO GOVERNOR
February 12, 1957
H. C. R. No. 25.

TWENTY-SECOND DAY

(Wednesday, February 13, 1957)
The House met at 10:30 o'clock
a. m., pursuant to adjournment, and
was called to order by the Speaker.

The roll of the House was called,
and the following Members were
present:
Mr Speaker Heitman
Anderson Hensley
Armor Hollowell
Atwell Holstein
Baker Hooks
Ballman Hosey
Bartram Jesse
Bass Huebner
Bell Huffman
Bishop Huffer
Bivins Hughes of Grayson
Bland of Dallas
Bowers Hutchins
Boykin Hughes of Dallas
Brashear Isaacks, Miss
Bristow Jackson
Bryan Johnson
Bullock Jones
Burkett Kelly
Byrd Kenneth
Chapman Kennedy
Choice Kilpatrick
Cloud Koliba
Cole Keriot
Conley Kothmann
Cory Latimer
Cotner Laurel
Cowen Lee
Cox of Montgomery McCoppin
Cox of Bell McGregor
Crosthwait of McLennan
Day McGregor
de la Garza of El Paso
Dewey Melhaney
Duff, Miss Mann
Dugay Martin
Duncan Mathew
Ehrle Marks
Elliott Moore of Harris
Ellis Moore of Tarrant
Fenoglio Mullen
Ferrell Murray
Ford Myatt
Foreman Oliver
Forgath Osborne
Glass Pariah
Gibson Parsons
Green Patterson
Hale Rigsby
Harrington Pool
Hearst Puckett
Heitlin

290 HOUSE JOURNAL

H B. No. 134, A bill to be entitled
"An Act amending Article 1299, Revised
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of Texas, 1925; amending Article 6605,
Revised Civil Statutes of Texas, 1925; repealing
Article 6606, Revised Civil Statutes of
Texas, 1925; eliminating the require­
ment for separate and privy acknowl­
edgment of conveyances and other in­
struments by married women; preserv­ing the legal status of all instruments
executed prior to the effective date here­
of; providing a saving clause; repealing
all laws or parts of laws in conflict
herewith; and declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.
HERMAN YEZAK, Chairman.

Austin, Texas, February 11, 1957

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

Sir: Your Committee on Engrossed
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H. B. No. 172, A bill to be entitled
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Austin, Texas, February 12, 1957

Hon. Waggoner Carr, Speaker of the
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Sir: Your Committee on Enrolled
Bills to whom was referred
H. C. R. No. 25, Inviting Bobby
Morrow to address a Joint Session.

Has carefully compared same and
finds it correctly enrolled.
W. C. SCHWARTZ, Chairman.

SENT TO GOVERNOR
February 12, 1957
H. C. R. No. 25.