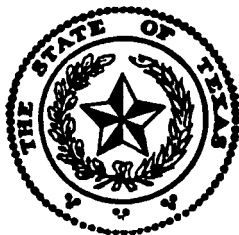


JOURNAL
OF THE
House of Representatives
OF THE
REGULAR SESSION
OF THE
Forty-Eighth Legislature
BEGUN AND HELD AT
THE CITY OF AUSTIN, JANUARY 12, 1943



A. C. BALDWIN & SONS
AUSTIN, TEXAS

ELECTION OF SPEAKER

The Honorable Secretary of State announced that the next business in order is the election of the Speaker of the House of Representatives, of the Forty-eighth Legislature, and announced that nominations for Speaker are now in order.

Hon. Tom W. Deen of Floyd County, nominated Hon. Price Daniel of Liberty County, speaking as follows:

Mr. Secretary of State, Members of the 48th Legislature of the State of Texas. Ladies and Gentlemen:

As we meet here today to begin the 48th session of the Texas Legislature, we realize that we live in a world torn asunder with bitter strife and turmoil. Since our last meeting in this historic hall, our Country has been attacked by an axis aggressor and we have been forced to renew our fight on a world-wide front to make it possible for a free people and democratic nations to exist.

Although we have national unity which will result in sacrifice and struggle until we conquer our foes, we must concede that our nation faces grave dangers at home and in our domestic affairs.

At a time like this, it behooves us as the duly elected Representa-

tives of the people of Texas, to deliberate and decide upon the affairs of our State with as much cooperation and harmony as possible in a democratic assembly. It behooves us to select as our leaders a man who loves his fellow man, his State and nation, and who will conduct this House as Speaker for the best interest of our commonwealth.

We had such a man in the 47th Legislature, and our outstanding and capable retiring Speaker has stepped aside in order that another such man might be chosen by the almost unanimous vote of the 48th Legislature.

We have already chosen the new Speaker in our minds and through our pledges, and I consider it a great honor as a west Texan, representing the counties of Floyd, Brisco, Hale, Swisher, Lamb, Castro, Bailey and Parmer, eight counties in the Texas Panhandle, to nominate a man from East Texas who is big and fair enough to be loved and respected by Texans everywhere.

The man we have in mind is a native Texan, born and raised in Liberty County and descended from the original settlers of the Municipality of Liberty in 1825. Educated in the public schools of Liberty

County and the high schools of Liberty County and the High Schools of Fort Worth. He received his A.B. Degree and Law Degree from Baylor University, and has since practiced law in his home town of Liberty. On the side he has found time to publish two county newspapers, raise cattle and horses, and engage in State and National politics. At the age of 27 his people elected him to the House without opposition; named him State Democratic Committeeman from his Senatorial District and President of the Young Democrats of Texas.

His private life is devoted entirely to his home and family, which is presided over by his gracious wife and managed by his nineteen months old son, Price Jr., and his three months old daughter, Jean Houston.

Those who have served with Price Daniel in the Texas Legislature know that he is a tireless and energetic worker; up at daylight and working late into the night. We have seen him accomplish seemingly impossible tasks on the floor of this House. We have watched him handle highly controversial Legislation which many times appeared doomed to defeat, but he never gave up until his bills were passed. He always fought fair and square and retained the respect and esteem of his opposition.

With an outstanding reputation for honesty, truth and sincerity he is the type of man on whom we can depend for leadership and harmony in this important war-time session of the Texas Legislature.

Therefore, it is my pleasure and privilege to place in nomination for the office of Speaker of the House of this Forty-eighth Legislature, the name of my friend and your friend, the gentleman from Liberty, Honorable Price Daniel.

Hon. L. H. Flewellen of Eastland County seconded the nomination of Honorable Price Daniel, speaking as follows:

Mr. Secretary of State and Fellow Members of the House of Representatives:

It is a great honor to be a member of this Legislative body. It is an especial honor to be its presiding officer. To be qualified for Speaker of the House, one should be imbued with morality and wisdom, with intelligence and patience, with fair-

ness and justice, with impartiality and the courage of conviction. The Honorable Price Daniel of Liberty is possessed of all these qualifications. He will make us an excellent Speaker.

He succeeds a Speaker of great ability, fairness and impartiality. The one who succeeds Price Daniel in this high office will succeed a Speaker of no less renown.

It is, therefore, with feelings of assurance and genuine pleasure that I now second the nomination of Hon. Price Daniel of Liberty.

Hon. Rushing Manning of Shelby County seconded the nomination of Hon. Price Daniel, speaking as follows:

Mr. Secretary of State, Members of the 48th Legislature,

Ladies and Gentlemen:

As a fellow East Texan, I, too, would like to second the nomination of the Honorable Price Daniel of Liberty County for the office of Speaker of the House of Representatives of the 48th Legislature.

Hon. B. J. Leyendecker of Webb county, moved that nominations for Speaker of the House be now closed and that the Chief Clerk of the House, be instructed to cast the entire vote of the House for Hon. Price Daniel for Speaker, speaking as follows:

Mr. Secretary of State:

I move that nominations be now closed and that the Chief Clerk of the House be instructed to cast the entire vote of the House for Honorable Price Daniel of Liberty County as Speaker of the House of Representatives of the 48th Legislature.

The motion prevailed unanimously.

In accordance with the above Action, the Chief Clerk then cast the entire vote of the House of Representatives for Hon. Price Daniel for Speaker of the House of Representatives of the Forty-eighth Legislature.

The Honorable Secretary of State then declared Honorable Price Daniel of Liberty County to be the duly elected Speaker of the House of Representatives of the Forty-eighth Legislature.

OATH OF OFFICE ADMINISTERED

The Hon. Secretary of State announced the appointment of the following Committee to escort Honorable Price Daniel, the Speaker-elect, to the Speaker's rostrum, for the purpose of administering the oath of office to him:

Hon. Jo Ed Winfree, of Harris County.

Hon. Durwood Manford, of Gonzales County.

Hon. M. A. Bundy, of Wichita County.

Hon. Robert Avant, of Harrison County.

Hon. Ennis Favors, of Gray County.

Hon. A. W. Coker, of Walker County.

Hon. E. C. Chessher, of Trinity County.

Hon. M. L. Ramsey, of Panola County.

And Hon. Ned Price, of Smith County.

The committee having escorted Mr. Daniel to the Speaker's rostrum, he then took the constitutional oath of office which was administered by Hon. William J. Lawson, Secretary of the State.

The Secretary of State then presented Hon. Jo Ed Winfree of Harris County.

Mr. Winfree then addressed the House, presenting Speaker Daniel and members of his family to the House, speaking as follows:

Mr. Secretary of State, Members of the House and fellow Citizens:

It is my happy privilege to be called upon to present to you the Speaker of the House, and I have been requested in advance by the Speaker to make it simple and short. However, he is not the only one to be considered in this matter. He is appreciative and proud of this honor, but he is not half as proud as certain members of his family who are with him on this platform today.

I want to introduce to you several of those whom I have in mind.

First, let me introduce the one who acts as his secretary and manages his office while he is away. She is his right arm, his sister, Miss Ellen Virginia Daniel.

Next, his mother, Mrs. Nannie Partlow Daniel, and also Mrs. F. T. Baldwin.

Most important of all, I want to present to you a Harris County girl, born and raised in La Porte and Houston, who the Speaker came over and took away from us, Mrs. Price Daniel. And the two children, Price Jr. and Jeanie.

And I have another constituent in this family group. Mrs. Price Daniel's grandmother is the nearest living descendant of General Sam Houston. She lives in my town, and she is here today. I present to you the grand-daughter of General Houston, Mrs. Robert A. John.

When Price Daniel told me that I had been chosen to present him to the House, he said it was upon one condition, and that was that I should not say anything about him, but simply present him to the House without any flowers or formality.

However, I must say a few things about your new Speaker, because I have lived as his neighbor in Southeast Texas for many years. If you go to Liberty County, where he was born and raised, and ask people what they think of Lawyer Price Daniel, there are three things they will invariably tell you about him.

1. He is honest and sincere in his dealing with his fellow man.

2. He is the hardest working man in the whole county.

3. If you want to win a lawsuit in Liberty County you had better have him on your side.

I have heard of many Houston lawyers—big-time lawyers from our big firms, go to Liberty County to try lawsuits with Price on the other side. Without exception they have returned with a good licking at the hands of the young country lawyer from Liberty. But everyone of them returns with praise of their adversary, and some of the best friends he has today are lawyers in my home town who have fought him in the court room, but ended up with true friendship, for like in this race, he fought hard but fair and square.

Contrary to some impressions, your new Speaker was not born into a wealthy family. He washed dishes and swept buildings at Baylor University to help pay his way through Law School. For the first year and a half out of law school his average monthly income was less than \$75.00. But he took horses and

cattle and land as fees, and on the side published two country newspapers, and what he has done in the business world and in his profession is due to the start given him by a fine father who has since passed to his reward, and his mother who is with him today, plus the same kind of hard work that you have seen him perform in the political race which has ended in this election.

So in presenting him to you, I will only add that we have a leader who is honest, capable, sincere, and energetic enough to give us as fine an administration as this House has ever known. I present the Speaker of the House of the 48th Legislature, the Gentleman from Liberty, Honorable Price Daniel.

Mr. Daniel then addressed the House, as follows:

Colonel Winfree, Mr. Secretary of State, Members of the House of Representatives, Ladies and Gentlemen:

Although underserved, I appreciate the many kind things that you have said about me this morning and the high honor that you have given me. It is well that one does not have to deserve such fine things in order to appreciate them. I am deeply appreciative, and in my humble way I shall try to be in some degree worthy of your faith and confidence.

I asked Colonel Winfree not to say anything about me, but merely to present me, because I wanted this ceremony to be as short and simple as possible. It is difficult to properly acknowledge what has been said and done here this morning.

However, I do want to express my sincere gratitude to those whose loyalty, hard work and friendship made possible my election to this office. Words cannot properly convey my thanks and appreciation to you. Also, I want to express my appreciation to our retiring Speaker for his kind assistance and cooperation during the past ten days in making arrangements for the organization of the House. Indeed, I want to express my gratitude to each of you for making this election unanimous. I will try to give each of you the same cooperation and friendship that you have shown me today.

I appreciate this opportunity to talk with you a few minutes on this

opening day of the 48th Legislature about the general situation that confronts us. We meet under trying times in the history of our own land and the history of the world. There are no great controversies looming on the horizon as far as legislation is concerned, but the whole world is torn with turmoil and strife. We are at war on world-wide fronts, and there is much work to be done on the home front.

In these trying times we have an outstanding and able Lieutenant Governor across the hall, who will preside over the Senate. In Coke Stevenson, we have one of the greatest Governors Texas has ever known. (Applause.) I will ask Governor Stevenson to rise so that we may pay tribute to him on this opening day. (Governor Stevenson rises and bows amidst great applause.)

Our job during this session will come under about three main headings. First, we must do everything within our power toward helping to win this war. Regardless of how much we criticize federal regimentation, regulation and bureaucracies, I am sure there is not a person within the sound of my voice but who is wholeheartedly behind our great President and his leadership in the prosecution of this War. There are many things we can do and will do as a State Legislature to speed along the war and defense program.

Second, as a State Legislature, we must do everything within our power to hold our Constitutional government, recapture and preserve state rights and individual rights, and speed the day when our land may be free of government by federal bureaus, regimentation and regulation. We are meeting in a day when the people will be judging whether a State assembly can get the job done, or whether the job should be turned over to federal bureaus and centralized authority.

Third, we meet at a time when we should be able to give the taxpayers of Texas the greatest break they have ever had in recent times. Since we will have very few great controversial measures, we will have some time to devote to the State's financial affairs. In the past, our State's financial affairs have been everybody's business and hence nobody's business. We must correct this, and build a better financial structure,

eliminate unnecessary expense and waste in our State Departments and institutions, and at the same time provide for our state agencies properly under the circumstances.

One of the most important things to be considered is the manner in which we conduct the proceedings of this House. Deliberative bodies, all legislatures and assemblies, are in less esteem today than ever before in the history of our country. We can help correct this by serious and sincere work and by conducting our proceedings with decorum and dignity. Too often our friends and constituents have looked down from the galleries with disappointment at fun, frolic and confusion on this floor. There should be no occasion for such disappointment this session. While we fight for our Country and our State at home, our brothers, sons and loved ones are fighting on the battle fronts of the world. It is my hope that we will conduct ourselves on the floor of this House as we would if these galleries were filled each day with soldiers, sailors and marines from the fighting fronts looking down upon us to see how we are fighting on the home front. I hope our actions will be the same as they would if our fallen colleague and friend who gave his life in the Pacific, Duncan Hughes, were still in our midst.

If we so conduct ourselves this session, we will put Texas and America first in our every thought and every vote. Pressure groups will be out, and we will say no to any organization or group which does not put the good of our Country and our State first above selfish plans and desires.

I predict this will be a constructive and important session. We should go about our duties with order and due deliberation. I do not believe that we should be rushed by anyone from within or from without, but that we should take all the time necessary to do the job and do it right. (Applause.) I agree with those who advocate that we finish the job as soon as possible, but I am sure they will agree with me that we should have all the time necessary in our deliberations.

Because of the time in which we live and serve, the opportunity is ours to make one of the best records of any Legislature, and to set the

example for other States to follow. I shall seek Divine Guidance in performing the duties which you have assigned to me as your leader and presiding officer. I pray that I may be worthy of this high and responsible position, and that I may be worthy of you, my friends, who have made it possible. As I have already written some of you, these words of the poet speak best for me:

"It is my joy in life to find
At each turning of the road,
The right arm of a friend so kind,
To help me onward with my load.
And since I have no gold to give,
And love alone must make
amends,
My one prayer is, while I live,
God make me worthy of my
friends."