### **JOURNAL**

OF THE

# House of Representatives

OF THE

### **REGULAR SESSION**

OF THE

## Forty-Ninth Legislature

OF THE

STATE OF TEXAS

BEGUN AND HELD AT

THE CITY OF AUSTIN, JANUARY 9, 1945



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-ninth Legislature, and announced that nominations for Speaker are now in order.

Hon. W. W. Bridgers of El Paso County, nominated Hon. Claud H. Gilmer of Kerr County, speaking as follows:

Mr. Secretary of State and Members of the House:

These are tense times. There is uncertainty. We know not what the future holds. The earth has been drenched with blood, millions have died on battlefields separated by thousands of miles, other millions have been crucified, untold thousands have been set adrift, homeless, wandering. Despair has beset civilization. Chaos has undermined the foundations of world order.

For the second time since Pearl Harbor the Texas Legislature has convened in biennial session. For the recond time during a war which has taxed our all but unlimited resources the forty-eight states of our country have held orderly elections which have demonstrated to a world of turmoil that our Democracy is a living, vital process in the administration of the affairs of a people who love peace.

Happily, since Pearl Harbor, virtue and justice are about to triumph over the chaos and the misery and want set on foot by monsters. Even so, we are yet engaged in a conflict which will terminate only when human strength has been exhausted.

When battlefields shall lie in the silence of wreck and ruin, and cities shall have crumbled and nations shall be bankrupt, then only will we have peace. Yet, let us take warning, there is a danger that it will be a peace which we may well regard with suspicion. For indeed there is reason to apprehend that peace will be but the respite of hate, for hate and criminal ambition, more prolific than the love of peace, outlast and outlive the ways of peace.

However all of this may be, we cannot peer into the future and say with certainty that any human plan will be sufficient for the hereafter. The question is whether or not we shall have a world of law and order or whether we shall have a resurgence of chaos which knows no law. Civilization faces reconstruction.

No student of government doubts that our form of Government is the best history has recorded. That the Democratic processes and institutions of our country must lead the way and give to the world an example of domestic peace there can be no question.

W. T. Carley, a noted newspaper columnist, describing the various thrills of his career, once wrote: "On August 3, 1918, we sailed

"On August 3, 1918, we sailed out of the New York harbor on the mighty Leviathan bound for the Great Adventure. We passed the Goddess of Liberty and with tear-dimmed eyes we stood in salute to the soulful strains of our National Anthem."

This is a simple but inspiring tribute to our national spirit. Invincible in war, we are at the same time the harbinger of peace on earth, good will to men.

We of Texas are a proud people, so proud indeed that we have been accused of boasting, but the sons of Texas, upon land and upon sea, have waged the battle for freedom with a heroism in which we take the just pride of free-men. They have made manifest that the unconquerable spirit of the Alamo, Goliad and San Jacinto still lives.

Under such auspices, Mr. Secretary of State and members of the House, this 49th Legislature Texas has convened. Not since reconstruction days following carpet bag rule in Texas has a Legislature been confronted with greater responsibilities. This session will be momentous. We are confronted with external and internal problems which will challenge our statesmanship. Weighty decisions must be made. How well we shall decide awaits the judgment of the future. Our collective decisions are to be the reflection of our wisdom, our patience, our sturdiness, our virtue and our patriotism. God grant that we may be guided aright.

That the people of Texas expect great things of this Legislature is obvious. Let us hope that we may not disappoint them. Let us hope that, in so far as anything that this Legislature may be able to accomplish in behalf of our returning veterans who have given the world its greatest example of valor, there shall be nothing amiss.

Thus, Mr. Secretary of State and Members of the House, deeply sensitive of the honor of placing in nomination our next Speaker, and sharing with the members of the House a sacred sense of responsibility, I come with no stereotyped enconmium of him to whom we shall look for

leadership. His judgment, his fairness of mind, his experience and his graces of heart will serve us well.

To us, indeed, he is no stranger. We who know him well give him a confidence which is unmixed with questioning as to his ability. We have no fears. He is known as not only a friend and counselor, but as one who has earned this high honor as, step by step, he has ascended in our estimation as a man who knows neither friend nor foe where duty is involved, one who is kindly but firm, one who, having given his decision, leaves no qualms as to its righteousness.

None of us has any thought that everything will be peace and harmony here; we know from experience that men of different minds will engage in conflicts of judgment and opinion; we know, too, that in such cases a steady hand at the helm of our deliberations will have much to do with the history of this session of the Legislature.

It is significant, then, that one whom the majority of us have known through previous sessions of this House has emerged as the unopposed candidate for the highest honor which we can bestow.

It is hardly necessary to speak of his former service in this House, to which he has been elected for the third successive time without oppo-sition. Suffice it to say, he has without pretentiousness attracted the admiration of his fellows; by intelligent and convincing debate upon important measures pending in the Legislature from time to time he has demanded the serious attention of members of the House. He is a leader, not a follower; and finally because of the balanced elements which have set him apart, he emerges as one whom the office has sought rather than as one who has sought the office.

I know whereof I speak when I tell you that his friends first brought him forth as a candidate for Speaker. His modesty is not shyness but the instinct of the gentleman born. His pride of nativity was but recently expressed to us in his Christmas card with its picture of Texas bluebonnets.

ing with the members of the House a sacred sense of responsibility, I that he and his wife, Georgia, were come with no stereotyped enconmium of him to whom we shall look for she in Runnels County. They started

and finished school in the same grade. Their daughter Gene was born in 1924 and their son Carson in 1927.

Knowing the common man and having the faith and confidence of the common man over a long period of years, the Speaker's chair will be to him not the bench of the harsh magistrate, but the chancelor in the Chamber of the people. A teacher in the Rocksprings high school, county judge and county attorney over a period of years, a lawyer of ability, impervious to blandishments, a public man without guilt, a citizen without fault, I deem it an unusual honor and personal pleasure to name as our next Speaker the Honorable Claud Gilmer of Rocksprings and Kerrville.

Honorable Harry P. Jordan of Mc-Lennan County seconded the nomination of Honorable Claud H. Gilmer.

Honorable Carlton Moore of Harris County seconded the nomination of Hon. Claud H. Gilmer.

Honorable Frank E. White of Trinity County seconded the nomination of Hon. Claud H. Gilmer.

Honorable A. W. Coker of Walker County moved 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 Claud Gilmer of Kerr County for Speaker of the House of Representatives of the Forty-ninth Legislature.

The motion prevailed unanimously.

In accordance with the above action, the Temporary Chief Clerk of the House then cast the entire vote of the House of Representatives for Hon. Claud Gilmer for Speaker of the House of Representatives of the Forty-ninth Legislature.

The Honorable Secretary of State then declared Honorable Claud Gilmer of Kerr County to be the duly elected Speaker of the House of Representatives of the Forty-ninth Legis-

lature.

#### OATH OF OFFICE ADMINISTERED

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

Hon. J. M. Heflin, Hon. Neveille H. Colson, Hon. Cecil H. Barnes, Hon. Rae Files, Hon. Arthur Cato, Hon. Florence Fehley, Hon. M. B. Morgan, Hon. Elizabeth Suiter, and Hon. J. M. Woods.

The Committee having escorted Mr. Gilmer to the Speaker's rostrum, he then took the Constitutional Oath of Office which was administered by Hon. Sidney Latham, Secretary of the State.

Mr. Latham then presented Honorable M. B. Morgan of Grayson County who introduced to the House the following:

Mrs. Claud Gilmer, Miss Norma Gene Gilmer, daughter of Hon. and Mrs. Claud Gilmer, Carson Gilmer, son of Hon. and Mrs. Claud Gilmer, and Mr. S. H. Gilmer of Rocksprings, Texas, the father of Hon. Claud Gilmer.

Mr. Morgan then presented Hon. Claud Gilmer, Speaker of the House of Representatives of the Forty-ninth Legislature.

Mr. Gilmer then addressed the House.

Hon. W. R. Chambers of Brown County was presented and presented Mr. Gilmer a gavel of oak made by a friend of Mr. Gilmer's.