

## 56TH REGULAR SESSION

WHEREAS, Frank M. Maddox, Jr., wishes to determine whether the State is liable for refund of the overpayment of taxes paid on said fifty (50) cases of beer; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That Frank M. Maddox, Jr., be given permission to bring suit against the State of Texas and the Comptroller of the State of Texas in any court of competent jurisdiction in McLennan County, Texas, for the purpose of determining the liability, if any, of the State of Texas for the refund of the Twenty Dollars and Eighty-one Cents (\$20.81) in State taxes erroneously paid on fifty (50) cases of beer. Service of citation or other necessary process may be had upon the Comptroller of the State of Texas and the Attorney General of Texas, and the same shall have the same force and effect as made and provided in civil cases. The suit shall be tried as all other civil cases, and either of the parties shall have the right of appeal. It is understood that the sole purpose of this Resolution is to grant permission to bring suit against the State of Texas and that it constitutes no admission of liability on the part of the State of Texas.

Adopted by the House, May 5, 1959; adopted by the Senate, May 8, 1959.

Approved May 30, 1959.

Filed with the Secretary of State, June 1, 1959.

### TEXAS DIVISION OF THE CHILDREN OF THE CONFEDERACY—DEDICATION AND INSTALLATION OF PLAQUE IN STATE CAPITOL

H. C. R. No. 104

WHEREAS, The State of Texas proudly entered the Confederate States of America in 1861 and contributed significantly to the cause of that gallant nation through the period of the War for Southern Independence; and

WHEREAS, Our State's participation in the Confederate cause included sixty thousand (60,000) Texans in the military service, among them being the members of such famous units as Hood's Texas Brigade, Terry's Texas Rangers, Dick Dowling's small but intrepid band, and many other companies and regiments that so bravely carried the Stars and Bars; and

WHEREAS, The last shot of the War Between the States was fired at the Battle of Palmito Ranch in Texas' Lower Rio Grande Valley on May 13, 1865; and

WHEREAS, The Texas Division of the Children of the Confederacy, an organization sponsored by the Daughters of the Confederacy to perpetuate, in love and honor, the heroic deeds of Texans who served in the Armies of the Confederacy, will hold its State Convention in the City of Austin during the first week of August, 1959; and

WHEREAS, The State Capitol, itself a shrine to the rich historic traditions of Texas, contains many fitting tributes to the men and women who have had a part in building the Lone Star State; now, therefore, be it

RESOLVED by the Texas House of Representatives, the Senate concurring, That the permission of the Texas Legislature is hereby given to the Children of the Confederacy to dedicate and install a plaque in the State Capitol, setting forth the creed of this organization, on or about August 7, 1959; and, be it further

## RESOLUTIONS

RESOLVED, That the State Board of Control shall determine the specific place of honor which this worthy plaque shall occupy in the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be transmitted to the officials of the Texas Division, Children of the Confederacy, along with the congratulations and sincere appreciation of the Members of the Fifty-sixth Texas Legislature.

Adopted by the House, May 8, 1959; adopted by the Senate, May 12, 1959.  
Filed with the Secretary of State, June 1, 1959.

Approved May 30, 1959.

### SUIT AGAINST STATE—GEORGE G. FISHER, WIFE AND INFANT SON

H. C. R. No. 105

WHEREAS, On or about the 18th day of April, 1959, George G. Fisher and wife, Loretta Fisher, and their two months' old infant son, Robert M. Fisher, resided in and paid rent on a rental unit described as Apartment 1703-B Brackenridge Apartments, Austin, Texas, which rental unit is owned, maintained, operated, managed and rented for consideration by the University of Texas at Austin, Texas; and

WHEREAS, A fire occurred on said 18th day of April, 1959 in the apartment described above which caused and resulted in injuries to the person of the infant son, Robert M. Fisher, and to the property and possessions of the said George G. Fisher and wife, Loretta Fisher; and

WHEREAS, It is alleged that the fire causing such injuries and damages was the result of negligence and carelessness of the University of Texas and its agents and employees; and

WHEREAS, George G. Fisher and wife, Loretta Fisher, on their own behalf and on behalf of their infant son, Robert M. Fisher, allege that the State of Texas and the University of Texas are liable for certain damages sustained by George G. Fisher and wife, Loretta Fisher, and their infant son, Robert M. Fisher, as a result of such fire and desire to institute suit against the State of Texas and the University of Texas for damages suffered by George G. Fisher and wife, Loretta Fisher, and their infant son, Robert M. Fisher, as a result of the injuries inflicted and the damages suffered; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That George G. Fisher and wife, Loretta Fisher, and their infant son, Robert M. Fisher, and his legal representatives, of Travis County, Texas, be and they are hereby given and granted permission to sue the State of Texas and the University of Texas in any court of competent jurisdiction to determine whether or not the State of Texas and the University of Texas are liable as a result of such fire, and further to determine what damages, if any, George G. Fisher and wife, Loretta Fisher, and their infant son, Robert M. Fisher, are entitled to recover from the State of Texas and the University of Texas by reason of any negligence or wrongful act committed by the State of Texas or any of its agencies or agents in connection with the fire; and, be it further

RESOLVED, That service of citation and any other legal process shall be served upon both the Attorney General of the State of Texas and upon the President of the University of Texas. Service of process upon these two (2) officers shall have the same force and effect as the service of

Attached is a 1913 lawsuit involving the Daughters of the Confederacy who were given space in what is now the Ag Museum by a HCR in 1903. The Superintendent of Buildings and Grounds was kicking them out of the space and the Daughters got an injunction stopping their removal citing the HCR. More info below:

Research related to the UDC and DRT at Capitol Square. Curatorial research from a variety of sources including the former Capitol historian indicated that both groups organized chapters in Austin in the early 1890s and began to acquire artifacts by the late 1890s. The DRT especially lobbied for space to house their collections in the Capitol and in 1903 the 28th legislature approved HCR 18 and SCR 15 giving the two groups rooms in the Capitol--the former Geological and Agricultural Museum rooms--to house their relics. Governor Lanham did not sign the resolution but did not veto it so it became law in April 1903. The shortage of Capitol space was acute by 1913--hence the lawsuit between Superintendent Conley and the UDC. The 1917 legislature passed House bill 831 "...setting aside the old Land Office building (GLOB) for use of the Daughters of the Republic of Texas and the Texas Division of the Daughters of the Confederacy." Governor James Ferguson signed the bill on April 9, 1917. World War I slowed the shift of the GLO to their new structure (now the Rudder Building) until late 1918. Once they departed, the state renovated the GLOB and the two groups moved in late 1919/early 1920 with the DRT on the second floor and the UDC on the first. During the 1980s, the Texas Historical Commission and the State Preservation Board asked the UDC and DRT to maintain their collections by modern museum standards. Rather than complying, both groups left the GLOB in 1989. The building was renovated and reopened as the Capitol Complex Visitors Center and Texas History Gallery in 1994.

Note that all legislative references should be checked for accuracy as this research came from other resources.

## Summary of Capitol Building and Grounds Monuments, Memorials, and Commemorations

Volunteer Fireman -	18th Legislature - SB 250
Heroes of the Alamo -	21st Legislature - appropriation
Confederate Soldiers -	24th Legislature - SCR
Terry's Texas Rangers -	25th Legislature - SCR 22
Hood's Texas Brigade -	31st Legislature - SCR 3
Texas Cowboy -	38th Legislature - accepted by governor
The Hiker -	52nd Legislature - SCR 2
Veterans of the 36th Infantry -	54th Legislature - HCR 76
Children of the Confederacy Creed -	56th Legislature - HCR 104
Ten Commandments -	57th Legislature - SCR 16
World War I -	57th Legislature - HCR 38
Confederate Historical Markers -	59th Legislature - HCR 9
Lutheran and Methodist Church Historical Markers -	64th Legislature - HCR 149
Pearl Harbor -	70th Legislature - SCR 42
Texas Peace Officers Memorial -	71st Legislature - SB 892
Reverse Side of the Great Seal of Texas	72nd Legislature - SCR 159
Tribute to Texas School Children -	73rd Legislature - SCR 62
Texas Pioneer Woman -	73rd Legislature - HCR 158
Korean War Veterans Memorial -	74th Legislature - SCR 35
Disabled American Veterans of Texas -	66th Legislature - HCR 180
Statue of Liberty Replica -	52nd Legislature - SCR 4
WW II Memorial -	78th Legislature 1st C.S. - SCR 2
Vietnam Veterans Monument -	79th Legislature - HCR 36
Tejano Monument -	81st Legislature - HB 4114
Texas African American History Memorial -	82nd Legislature - SB 1928

## CHILDREN OF THE CONFEDERACY CREED

BECAUSE WE DESIRE TO PERPETUATE, IN LOVE AND HONOR, THE HEROIC DEEDS OF THOSE WHO ENLISTED IN THE CONFEDERATE ARMY, AND UPHELD ITS FLAG THROUGH FOUR YEARS OF WAR, WE, THE CHILDREN OF THE SOUTH, HAVE UNITED IN AN ORGANIZATION CALLED "CHILDREN OF THE CONFEDERACY," IN WHICH OUR STRENGTH, ENTHUSIASM, AND LOVE OF JUSTICE CAN EXERT ITS INFLUENCE.

WE, THEREFORE, PLEDGE OURSELVES TO PRESERVE PURE IDEALS; TO HONOR OUR VETERANS; TO STUDY AND TEACH THE TRUTHS OF HISTORY (ONE OF THE MOST IMPORTANT OF WHICH IS, THAT THE WAR BETWEEN THE STATES WAS NOT A REBELLION, NOR WAS ITS UNDERLYING CAUSE TO SUSTAIN SLAVERY), AND TO ALWAYS ACT IN A MANNER THAT WILL REFLECT HONOR UPON OUR NOBLE AND PATRIOTIC ANCESTORS.

ERECTED BY TEXAS DIVISION  
CHILDREN OF THE CONFEDERACY

AUGUST 7, 1959

New Creed as of 2015 with the portion in parentheses re: rebellion and slavery removed:

Because we desire to perpetuate, in love and honor, the heroic deeds of those who enlisted in the Confederate Services and upheld its flag through four years of war, we, the Children of the South, have united in an Organization called the Children of the Confederacy, in which our strength, enthusiasm and love of justice can exert its influence.

We therefore pledge ourselves to preserve pure ideals, to honor the memory of our beloved Veterans, to study and teach the truths of history and always to act in a manner that will reflect honor upon our noble and patriotic ancestors.



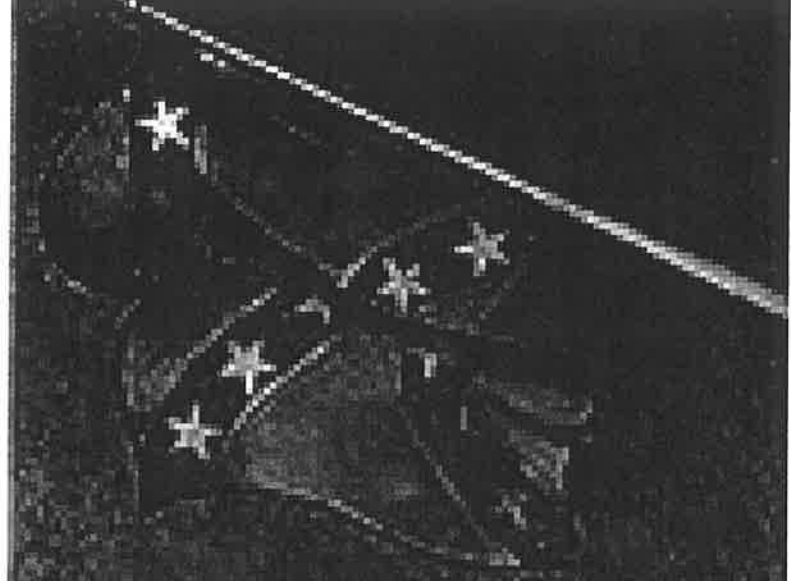


DEDICATED TO TEXANS  
WHO SERVED  
THE CONFEDERACY



I FIGHT UPON TEXAS REGIMENTS  
I HAVE FIGHT SUCCESS AND FEAR  
I HAVE TO FALL UPON THEM TOO OFTEN  
I HAVE TO FIGHT FOR GRANDLY NOBLE

ROBERT E LEE



THE COURTS OF TEXAS ARE ENTRUSTED  
WITH PROVIDING EQUAL JUSTICE UNDER  
THE LAW TO ALL PERSONS REGARDLESS  
OF RACE, CREED, OR COLOR.

BECAUSE THIS BUILDING WAS BUILT WITH  
MONIES FROM THE CONFEDERATE PENSION  
FUND, IT WAS, AT THAT TIME, DESIGNATED AS  
A MEMORIAL TO THE TEXANS WHO SERVED  
THE CONFEDERACY.