SEVENTH DAY.

Hall House of Representatives,
Austin, Tex., Wednesday, Jan. 20.

The House met at 10 o'clock a. m. pursuant to adjournment.

Chief Clerk Lee J. Rountree presiding in the absence of the Speaker.

Roll called and the following members present:


Holland of Burnet, Holland of Harris, Humphrey, Jones, Kimbell, Kirk, Lillard, Logan, Lotto, Manson, Martin, Maxwell, McFarland, McGaughey, McKamy, McKellar, Meade, Melton, Mercer, Moore, Fort Bend, Moore, Lamar, Morris, Morton, Mundine, Neighbors, O'Connor, Oliver, Patterson, Peery, Pfeuffer, Pitts, Porter, Randolph, Reubell, Rhea, Robbins, Rogan, Rogers, Savage, Schlick, Seabury, Shilburne, Shropshire, Skilhorn, Sluder, Smith, Smyth, Stamper, Staples, Stokes, Strother, Thaxton, Thomas, Thompson, Tucker.

A quorum was announced present.

Prayer by Chaplain Jackson.

The Chief Clerk, whose duty it is to preside temporarily (see Rule 5) when the Speaker is absent at a time to which the House has adjourned, announced that Speaker Dashiell was absent on account of important business, and that nominations for Speaker pro tem. were in order.

Mr. McGaughey nominated Hon. E. H. Rogan of Caldwell county.

Mr. Staples seconded the nomination of Mr. Rogan.

The following were appointed tellers to take up the ballots: Messrs. Childs, Maxwell, Burney, and Williams.

The following were appointed tellers to count the ballots: Messrs. Dies, Edwards, and McFarland.

The ballot resulted as follows:

Hon. E. H. Rogan received 108 votes.
Hon. D. E. Patterson received 1 vote.
Hon. B. Q. Evans received 3 votes.
Hon. T. S. Garrison received 1 vote.
Hon. B. P. Ayers received 1 vote.
Hon. R. F. Blair received 1 vote.
Hon. E. H. Rogan having received a majority of all the votes cast, he was declared legally and constitutionally elected Speaker pro tern. to preside during the absence of Speaker Dashiell.

Messrs. McGaughey, Garrison and Staples were appointed a committee to escort the Speaker pro tern. to the Speaker's stand, where the oath of office was administered to him by the Chief Clerk.

Mr. Rogan was then presented to the House as Speaker pro tern. by Mr. Garrison, whereupon, assuming the gavel, in a few well chosen remarks, he thanked the House for the honor conferred, and announced that the House was ready to proceed with business.

Pending reading of the Journal of yesterday.

On motion of Mr. Freeman, further reading was dispensed with.

On motion of Mr. Williams, Speaker Dashiell was excused until
to-morrow on account of important business.

On motion of Mr. Carpenter, Mr. Love was excused until to-morrow on account of sickness.

On motion of Mr. Harris, Mr. Gilbough was excused until next Monday on account of important business.

PETITIONS AND MEMORIALS.

By Mr. Meade:
A petition from 243 citizens of Fannin county asking for a law to suppress "cold storage" in local option districts.

Read first time and referred to Judiciary Committee No. 2.

BILLS AND RESOLUTIONS.

By Mr. Henderson:
House bill No. 139, a bill to be entitled "An act to regulate the price of fare upon railroads and of sleeping car fare in the State of Texas."

Fixes the passenger fare at 2 cents per mile, and the fare on sleeping cars at $1 per night of ten hours.

Read first time and referred to Committee on Internal Improvements.

By Mr. Shropshire:
House bill No. 140, a bill to be entitled "An act to amend article 4744, title 97, chapter 4, of the Revised Civil Statutes of the State of Texas, 1895, relating to the powers and duties of overseers of roads."

Amends by providing for the graveling of public roads when it may appear to the overseer expedient to do so.

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Mr. Wilcox:
House bill No. 141, a bill to be entitled "An act to fix and limit the compensation to be received by precinct, county and district officers, and for paying excess of such compensation to the county school fund, and providing a penalty for the violation of the provisions of this act."

Read first time and referred to Committee on State Affairs.

By Mr. Doyle:
House bill No. 142, a bill to be entitled "An act to provide for a uniform system of text books for use in all studies or branches required by law to be taught in the public free schools in this State, and to provide a mode of selecting same."

(The bill provides for a general series of text books for the public free schools of the State, to be selected by a board of experienced teachers appointed for that purpose.)

Read first time and referred to Committee on Education.

By Mr. Thomas:
House bill No. 143, a bill to be entitled "An act to amend articles 4018 and 4019, chapter 16, title 86, of the Revised Civil Statutes of the State of Texas, requiring the election of the trustees of the public free schools in cities and towns of one thousand inhabitants or more incorporated under the general law."

Read first time and referred to Committee on Education.

By Mr. Thomas:
House bill No. 144, a bill to be entitled "An act to amend section 1 of chapter 69 of the general laws passed by the Sixteenth Legislature of Texas, approved March 23, A. D. 1879, entitled "An act to amend sections 6 and 9 of an act to define a lawful fence, and to carry into effect sections 22 and 23, article 16, of the Constitution of the State of Texas, authorizing the passage of stock and fence laws, approved August 15, 1876, defining a lawful fence."

Read first time and referred to Committee on Agricultural Affairs.

By Mr. Lotto:
House bill No. 145, a bill to be entitled "An act to regulate the examinations of teachers of the public free schools, providing for the issuance of permanent certificates to teachers who have taught five years successfully and continuously in one of the public free schools of this State, said certificates to be good for the county of their residence, and requiring every other teacher to pass two examinations, one before a county board of examiners, and in the space of five years thereafter the other before a State board of examiners, when, upon passing, a permanent State certificate for the grade in which he shall have passed shall be granted to him."

Read first time and referred to Committee on Education.

By Mr. Holland of Harris:
House bill No. 146, a bill to be entitled "An act to amend article 4542 of chapter 10, title 94, of the Revised Statutes of the State of Texas of 1895, relating to the passenger fare upon railroads of this State."

Fixes passenger fare at 2 cents per mile, and prohibits the collection of a larger rate in cases where tickets have not been procured.

Read first time and referred to Committee on Internal Improvements.
By Mr. Rogers:
House bill No. 147, a bill to be entitled "An act to provide for the inspection of county convicts and providing for reports of inspectors and persons in charge of county convicts, and hirers thereof, and providing penalties."
(Makes it the duty of county judges to make quarterly inspections of convicts worked on county farms or hired to persons or corporations, such inspectors to report under oath to the commissioners' court, stating the condition of the convicts, etc.)
Read first time and referred to Judiciary Committee No. 2.

By Mr. Pfeuffer:
House bill No. 148, a bill to be entitled "An act to amend articles 4069, 4076 and 4089, title 87, chapter 4, of the Revised Civil Statutes of the State of Texas, and to add articles 4105d, 4106d, 4106o, and 4106d, providing for the employment of laborers to assist surveyors, for office days, and for regulating the liability of surveyors in removing timber along the line of survey, and to repeal all laws and parts of laws in conflict therewith."
Read first time and referred to Judiciary Committee No. 1.

By Mr. Crawford:
House bill No. 149, a bill to be entitled "An act to prohibit persons, firms, or corporations from employing children under the age of 14 years of age or otherwise detain them from the public free schools in this State, and to provide a penalty for doing so."
(Makes the offense a misdemeanor, punishable in any sum not less than fifty nor more than one hundred dollars upon conviction.)
Read first time and referred to Judiciary Committee No. 1.

By Mr. Williams:
House bill No. 150, a bill to be entitled "An act to enable the Railroad Commission of Texas to make emergency freight rates to prevent the evil effects of interstate rate wars upon the business and interest of the people and railroads of this State."
Read first time and referred to Committee on Internal Improvements.

By Mr. Freeman:
House bill No. 151, a bill to be entitled "An act to amend article 120o of the Revised Civil Statutes of the State of Texas, relating to suits for the recovery of the wife's separate property."
(Provides that the wife may sue for the recovery of such property in her own name without authority of the court.)
Read first time and referred to Judiciary Committee No. 1.

By Mr. Holland of Harris:
House bill No. 152, a bill to be entitled "An act to amend articles 5232b, 5232c, 5232h, 5232j, and 5232k, chapter 5a, of the Revised Civil Statutes of the State of Texas of 1895, title 104, relating to delinquent taxes, and to amend said chapter by adding an additional article 5232o, and for regulating suits for taxes and perfecting titles to lands sold for delinquent taxes."
(The article added provides that this act shall apply to and govern all suits hereinafter to be brought or now ordered brought, etc., or those now pending for delinquent taxes, and those pending may be amended and proceeded with in accordance herewith, and no irregularities or informalities shall defeat judgment in any case where the land is shown to be delinquent for taxes under the provisions herein.)
Read first time and referred to Judiciary Committee No. 1.

By Mr. Martin:
House bill No. 153, a bill to be entitled "An act to provide for the redemption of real estate when sold for debt, and to repeal all laws and parts of laws in conflict herewith."
Read first time and referred to Judiciary Committee No. 1.

By Mr. Williams:
House bill No. 154, a bill to be entitled "An act to provide for paying the traveling expenses of the Railroad Commissioners, secretary, clerks and other employees."
Read first time and referred to Committee on Internal Improvements.

By Mr. Rogers:
House bill No. 155, a bill to be entitled "An act to amend article 715, chapter 5, title 8, of the Code of Criminal Procedure of the State of Texas, relating to the charge of the court."
(Provides that when there is any undisputed fact proven on the trial, the court may assume that such fact is established, and so charge the jury. The charge of the court shall be given in all cases of felony whether asked or not.)
Read first time and referred to Judiciary Committee No. 2.

By Mr. Freeman:
House bill No. 156, a bill to be entitled "An act to amend article 3222 of the Revised Statutes of the State of
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TEXAS, relating to limitations of personal actions."

(Amends by omitting the clause, "a married woman," from said article.)

Read first time, and referred to Judiciary Committee No. 1.

By Mr. Childs:

House bill No. 157, a bill to be entitled "An act to amend article 2977, of chapter 4, title 55, of the Revised Statutes of the State of Texas, relating to divorce, so as to permit the wife to obtain a divorce where the husband shall have left her for one year with intention of abandonment, or for non-support, and permit either party to obtain a divorce on account of the continued drunkenness of the other, and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to Judiciary Committee No. 1.

By Mr. Ward (by request):

House bill No. 158, a bill to be entitled "An act granting a pension of one hundred and fifty dollars per annum to Dorella Matthews, widow of W. H. Matthews, deceased, a Texas veteran, from and after the passage of this act."

Read first time, and referred to Committee on State Affairs.

By Mr. Meade:

House bill No. 159, a bill to be entitled "An act to prevent railroad companies from engaging in any business other than that provided for in their charters, and to prevent their officers, agents or employes from competing with other citizens in the carriage of commodities or merchandise over the railroads with which they are connected."

(Fixes a penalty for such offenses at a fine of from $500 to $5000.)

Read first time, and referred to Committee on Internal Improvements.

By Mr. Kimbell:

House bill No. 160, a bill to be entitled "An act to amend article 2977, chapter 4, of title 55, of the Revised Civil Statutes of the State of Texas of 1869, relating to divorce from the bonds of matrimony; and to inhibit the granting of divorce for any other cause than that of adultery."

Read first time, and referred to Judiciary Committee No. 1.

By Mr. Carpenter:

House joint resolution No. 12, to amend the Constitution of the State of Texas, so that hereafter all qualified electors shall be eligible to vote upon local questions that may hereafter be submitted to the people for approval."

Read first time, and referred to Committee on Constitutional Amendments.

Mr. Pitts offered the following resolution:

Whereas, on January 16, 1897, death took from the family of our fellow-member, Hon. H. C. Shropshire, his infant child; therefore, be it

Resolved, that we tender to him and his family our sincere sympathy in his sad bereavement.

Read second time, and adopted.

COMMITTEE REPORTS.

Mr. Ward, chairman, submitted the following reports:

Committee Room,

Austin, Texas, Jan. 19, 1897.

Hon. L. T. Dashiel, Speaker of the House:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 135, a bill to be entitled "An act to amend article 2901, chapter 4, title 40, of the Revised Civil Statutes of the State of Texas,"

... have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass, with the following amendment: Amend by striking out after the words "husband and wife," the sentence as follows: "And in all divorce suits the court may compel either husband or wife to testify in order to ascertain the truth of the facts in issue."

WARD, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1897.

Hon. L. T. Dashiel, Speaker of the House:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 69, a bill to be entitled "An act to preclude the necessity of preliminary or examining trials in misdemeanor cases of which the county or district courts or criminal district courts of the State have exclusive original jurisdiction, and to conform criminal procedure hereto."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it be referred to Judiciary Committee No. 2.

WARD, Chairman.

Committee Room,

Austin, Jan. 19, 1897.

Hon. L. T. Dashiel, Speaker of the House:

Your Judiciary Committee No. 1, to whom was referred
House bill No. 59, a bill to be entitled "An act to amend article 1039, of the Revised Civil Statutes of the State of Texas, so as to require the Courts of Civil Appeals to file complete conclusions of fact and law in cases decided by such courts."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

Committee Room.
Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred
House bill No. 58, a bill to be entitled "An act to require district and county attorneys to prosecute and collect any and all money claims of the State of Texas against any person for fines and forfeiture, and fixing a punishment for failure to do so."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it be referred to Judiciary Committee No. 2.

WARD, Chairman.

Committee Room.
Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred
House bill No. 57, a bill to be entitled "An act to amend article 3176, of the Revised Civil Statutes of the State of Texas, relative to the service of notice on jurors."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

Committee Room.
Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred
House bill No. 56, a bill to be entitled "An act to make a failure on the part of any sheriff to comply with the requirements of article 4896, of the Revised Civil Statutes of Texas, relative to deputys, an offense, and to fix a penalty therefor."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

Committee Room.
Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred
House bill No. 55, a bill to be entitled "An act to amend article 1757, of the Revised Civil Statutes (1895) of Texas, relating to the time and manner of making returns to the Secretary of State of elections for State and district officers," etc.

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

Committee Room.
Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred
House bill No. 46, a bill to be entitled "An act to amend article 3184, of the Revised Civil Statutes of the State of Texas, relative to the oath to be administered to the sheriff and his deputies with reference to summoning jurors."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

Committee Room.
Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred
House bill No. 42, a bill to be entitled "An act authorizing and requiring judges of the district and county courts to appoint a special jury commissioner to select such additional jurors as may be needed in said courts over and above those selected by the regular jury commissioners, defining the duties of such commissioner and fixing his compensation."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.
Committee Room, Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 41, a bill to be entitled "An act to amend chapter 29 of chapter five, title 55, of the Revised Statutes of the State of Texas, relating to divorce, so as to make husband and wife competent witnesses, and to repeal all laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

WARD, Chairman.

Committee Room, Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 28, a bill to be entitled "An act to amend chapter 3, title 55, of the Revised Civil Statutes of the State of Texas, relating to insurance, and to add thereto article 3069a."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it be referred to the Committee on Insurance, Statistics and History.

WARD, Chairman.

Committee Room, Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 10, a bill to be entitled "An act to amend chapter 1, title 29, of the Revised Civil Statutes of the State of Texas, and to add to said chapter two articles numbered 1132b and 1132c."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass with the following amendment: Amend section 1, article 1132b, by inserting after the words "as such" the words "Provided, that such special judge shall in no event have authority to preside over the commissioners court of the county in which he is so elected."

WARD, Chairman.

Mr. Bailey, chairman, submitted the following reports:

MAJORITY REPORT.

Committee Room, Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 38, a bill to be entitled "An act to amend article 887 of title 10 of the Code of Criminal Procedure of the State of Texas, prescribing the form of a recognizance in appeals of cases of misdemeanor, and repeal all laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

BAILEY, Chairman.

MINORITY REPORT.

Committee Room, Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Now comes a minority of your Judiciary Committee No. 2, and submit a minority report on
House bill No. 38, a bill to be entitled "An act to amend article 887 of title 10 of the Code of Criminal Procedure of the State of Texas, prescribing the form of recognizance in appeals in misdemeanors, and to repeal all laws and parts of laws in conflict herewith."

And recommend that the bill do pass for the reason that our present law requires that the name of the offense be stated in the recognizance, while the amendment only requires that the offense be designated by the general name misdemeanor. To give the name of the offense, as required by law, in the recognizance requires often too great particularity, often resulting in the dismissal of a case. As a result, the defendant is deprived of his right to appeal. If the appeal is dismissed the recognizance is invalid, the defendant is gone, and the State is beat out of the fine and cost.

All of which is respectfully submitted.

EVANS of Hunt, KIMBELL, PITTS, DENNIS, EWING.

Committee Room, Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 44, a bill to be entitled "An act to amend article 969 of chapter 3, title 15, of the Penal Code of the Revised Statutes of the State of Texas, in reference to seduction and the penalty therefor."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room, Austin, Jan. 19, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 104, a bill to be entitled "An act to amend article 605 of chapter 3 of title 15 of the Penal Code of the State of Texas."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

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have requested the Sergeant-at-Arms to keep lowered from the top the windows above the gallery on the opposite side from which the current of air may be coming, and said windows to be dropped to that extent as the temperature may require from time to time.

Furthermore, that the top sash of windows below gallery be kept lowered on side of hall from which current of air is coming, and to such extent as may be required by temperature from time to time.

Furthermore, your Committee directs that spitting upon or into the ventilators of the floor of the House be absolutely forbidden; furthermore, that one thermometer each be placed upon the north, south, east, and west side of the Hall, and that the temperature of said Hall be kept at 75 degrees Fahr., or as near so as may be possible.

FREEMAN,
FIELDS,
SHELBURNE.

SPEAKER'S TABLE.

On motion of Mr. Garrison, the regular order was suspended to take up Senate bill No. 12 on its second reading.

Mr. Garrison then moved that House Rule No. 31, requiring that all bills reported favorably be printed and laid on the desk of each member before acted on by the House be suspended.

The rule was suspended by the following vote:

Yeas—114:


Absents—4:

Excuses—2:
Gilbough. Reiger.
Love. Rudd.

Senate bill No. 12, with committee amendment, was then laid before the House on its second reading.

On motion of Mr. Garrison, rule No. 73, requiring the House to go into a committee of the whole to consider bills carrying appropriations was suspended.

The bill was read second time, and

On motion of Mr. Curry, the committee amendment was adopted.

Senate bill No. 12 was then passed to a third reading.

Mr. Garrison then moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that the bill be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114:

Senate bill No. 12 was then laid before the House, read third time, and was passed by the following vote:

Yeas—107.

Alexander. Logan. 
Ayers. Martin. 
Barbee. Maxwell. 
Barrett. McFarland. 
Bean. McGaughy. 
Bell. McKamy. 
Bennett. McKellar. 
Benson. Meade. 
Bird. Melon. 
Bonds. Moore of Lamar. 
Boyd. Morris. 
Brewster. Morton. 
Burney. Mundine. 
Callan. Neighbors. 
Carpenter. O'Connor. 
Carswell. Peery. 
Childs. Pfeiffer. 
Carpenter. Pitts. 
Crawford. Porter. 
Crowley. Randolph. 
Cureton. Reubell. 
Curry. Rhea. 
Dean. Robbins. 
Dennis. Rogan. 
Dickinson. Rogers. 
Died. Savage. 
Dorroh. Schlick. 
Drew. Shelburne. 
Edwards. Shropshire. 
Evans of Grayson. Skillern. 
Evans of Hunt. Sluder. 
Ewing. Smith. 
Field. Stamper. 
Fields. Staples. 
Fisher. Stokes. 
Flint. Strother. 
Freeman. Thaxton. 
Garrison. Thomas. 
Good. Thompson. 
Graham. Tucker. 
Green. Turner. 
Harris. Vaughan, Guadalupe. 
Hensley. Wall. 
Hill of Gonzales. Wallace. 
Hill of Travis. Ward. 
Holland of Burnet. Welch. 
Holland of Harris. Wilcox. 
Humphrey. Williams. 
Jones. Wolters. 
Kimbell. Wood. 
Kirk. 

Nays—4.

Bertram. 
Henderson. 

Absent.

Beard. 
Brown. 
Bumpass. 
Burns. 

Yeas—114.

Alexander. Lillard. 
Ayers. Logan. 
Barbee. Lotto. 
Barret. Maxwell. 
Bean. McFarland. 
Bell. Meade. 
Bennett. McKamy. 
Benson. McKellar. 
Bird. Melon. 
Blackburn. Moore, Fort Bend. 
Blair. Moore of Lamar. 
Boyd. Morris. 
Brewster. Morton. 
Burney. Mundine. 
Callan. Neighbors. 
Carpenter. O'Connor. 
Carswell. Peery. 
Childs. Pfeiffer. 
Crawford. Pitts. 
Crowley. Reubell. 
Curry. Rhea. 
Dean. Robbins. 
Dennis. Rogan. 
Dickinson. Rogers. 
Died. Savage. 
Dorroh. Schlick. 
Drew. Shelburne. 
Edwards. Shropshire. 
Evans of Grayson. Skillern. 
Evans of Hunt. Sluder. 
Ewing. Smith. 
Field. Stamper. 
Fields. Staples. 
Fisher. Stokes. 
Flint. Strother. 
Freeman. Thaxton. 
Garrison. Thomas. 
Good. Thompson. 
Graham. Tucker. 
Green. Turner. 
Harris. Vaughan, Guadalupe. 
Hensley. Wall. 
Hill of Gonzales. Wallace. 
Hill of Travis. Ward. 
Holland of Burnet. Welch. 
Holland of Harris. Wilcox. 
Humphrey. Williams. 
Jones. Wolters. 
Kimbell. Wood. 
Kirk. 

Nays—3.

Bertram. 
Henderson. 

Excused.

Gilbough. Reiger. 
Manson. Rudd. 

Absent.

Love. 
Patterson. 
Smyth. 
Tracy. 

Yeas—107.

Alexander. Logan. 
Ayers. Martin. 
Barbee. Maxwell. 
Barrett. McFarland. 
Bean. McGaughy. 
Bell. McKamy. 
Bennett. McKellar. 
Benson. Meade. 
Bounds. Mercer. 
Boyd. Moore, Fort Bend. 
Brewster. Moore of Lamar. 
Browne. Morris. 
Burney. Morton. 
Callan. Mundine. 
Carpenter. Neighbors. 
Carswell. O'Connor. 
Childs. Oliver. 
Collier. Peery. 
Conoly. Pitts. 
Crawford. Randolph. 
Cureton. Reubell. 
Curry. Rhea. 
Dean. Robbins. 
Dennis. Rogan. 
Dickinson. Rogers. 
Died. Savage. 
Dorroh. Seabury. 
Drew. Shelburne. 
Edwards. Shropshire. 
Evans of Grayson. Skillern. 
Evans of Hunt. Sluder. 
Ewing. Smith. 
Field. Stamper. 
Fields. Staples. 
Fisher. Stokes. 
Flint. Strother. 
Freeman. Thaxton. 
Garrison. Thomas. 
Good. Thompson. 
Graham. Tucker. 
Green. Turner. 
Harris. Vaughan, Guadalupe. 
Hensley. Wall. 
Hill of Gonzales. Wallace. 
Hill of Travis. Ward. 
Holland of Burnet. Welch. 
Holland of Harris. Wilcox. 
Humphrey. Williams. 
Jones. Wolters. 
Kimbell. Wood. 
Kirk. 

Nays—3.
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     Absent.  
       Beaird.  Love.  
       Bird.  Patterson.  
       Blackburn.  Porter.  
       Bumpass.  Schlick.  
       Burns.  Smyth.  
       Edwards.  Tracy.  
       Good.  
       Excused.  
       Gilbough.  Reiger.  
       Manson.  Rudd.  

Mr. Garrison moved to reconsider the vote by which Senate bill No. 12 was passed, and to table the motion to reconsider. 

The motion to table prevailed.  

The Speaker laid before the House on its second reading:  

House bill No. 8, a bill to be entitled "An act to amend article 6, article 400, of the Penal Code of the Revised Statutes of the State of Texas, relating to selling intoxicating liquors to minors."

The bill was read second time, and Mr. Turner offered the following amendment:

Amend by striking out, after the words "twenty-one years," on line 17, the words "without the written consent of the parent or guardian."

On motion of Mr. Melton, the amendment was tabled.  

Mr. Pfeuffer offered the following amendment:  

Strike out the enacting clause.

On motion of Mr. Curry, the amendment was tabled.  

The bill was ordered engrossed.  

The Speaker then laid before the House, on its second reading:  

House bill No. 11, a bill to be entitled "An act to amend article 196 (183), chapter 2, title 7, of the Penal Code of the State of Texas," relating to disturbance of any congregation engaged in religious worship, with amendment by the committee.

The bill was read second time and the committee report was adopted.  

Mr. Bailey offered the following amendment:  

Amend committee report by striking out the word "whatever," and inserting in lieu thereof the word "whatsoever."

Adopted.

Mr. Moore of Lamar offered the following amendment:  

Amend by striking out section 2 of the bill.  

Adopted.

Mr. Ward offered the following amendment:  

Amend by striking out the words "or any person who shall hereafter play baseball, football, or any other game of like kind on Sunday," in lines 15 and 16.  

Mr. Carpenter moved to table the amendment, and the motion was lost.

Mr. Bailey moved the previous question, and it was not seconded.

Mr. Evans of Hunt offered the following substitute for the amendment by Mr. Ward:

Amend by striking out the words "baseball, football," and insert after "Sunday," line 16, the following: "Or any person who shall hereafter hunt game of any kind whatsoever on Sunday, or play baseball, football, within one-half mile of any church or other place of public worship, shall be fined in any sum not less than $25 nor more than $100."

Mr. Beaird, after addressing the House, moved the previous question, and it was not seconded.

Mr. Pfeuffer moved to adjourn until 10 o'clock a.m. to-morrow, and Mr. Fields until 9 a.m. to-morrow.

The motion of Mr. Pfeuffer prevailed and the House, at 12:34, adjourned accordingly.

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EIGHTH DAY.

Hall House of Representatives,  
Austin, Tex., Thursday, Jan. 21.  

The House met at 10 o'clock a.m., pursuant to adjournment.

Speaker Dashiell in the chair.

Roll called, and the following members present:

Alexander.  
         Collier.  
         Ayers.  
         Conoly.  
         Bailey.  
         Crawford.  
         Barbee.  
         Crowley.  
         Barrett.  
         Curton.  
         Beaird.  
         Curry.  
         Bean.  
         Dean.  
         Bell.  
         Dennis.  
         Bennett.  
         Dickinson.  
         Benson.  
         Dies.  
         Bertram.  
         Dorroh.  
         Bird.  
         Doyle.  
         Blackburn.  
         Drew.  
         Blain.  
         Edwards.  
         Bounds.  
         Evans of Grayson.  
         Boyd.  
         Evans of Hunt.  
         Brewster.  
         Ewing.  
         Browne.  
         Feild.  
         Bumpass.  
         Fields.  
         Burns.  
         Fisher.  
         Callan.  
         Flint.  
         Carpenter.  
         Freeman.  
         Carswell.  
         Garrison.  
         Childs.  
         Good.  
         Graham.