January 25, 1897  
HOUSE JOURNAL.

Doyle. Morton.  
Drew. Mundine.  
Evans of Grayson. Oliver.  
Fisher. Peery.  
Flint. Porter.  
Freeman. Reubell.  
Garrison. Rhea.  
Graham. Rogan.  
Henderson. Shelburne.  
Hensley. Skillern.  
Hill of Gonzales. Smith.  
Holland of Burnet. Staples.  
Humphrey. Stokes.  
Jones. Strother.  
Kimbell. Thomas.  
Lillard. Thompson.  
Love. Tracy.  
Manson. Tucker.  
Martin. Vaughn of Collin.  
Maxwell. Wall.  
Mead. Wallace.  
Melton. Wood.  
Moore of Lamar.  
Morris.  

Nays—88.  
Ayers. Holland of Harris.  
Barrett. Lotto.  
Beaird. McFarland.  
Bell. McKamy.  
Benson. McKellar.  
Bird. Mercer.  
Blackburn. Moore, Fort Bend.  
Blair. Neighbors.  
Browne. O'Connor.  
Callan. Pfeuffer.  
Collier. Pitts.  
Crawley. Randolph.  
Crowley. Rogers.  
Denn. Savage.  
Dickinson. Schlick.  
Dies. Seabury.  
Edwards. Shropshire.  
Evans of Hunt. Sluder.  
Field. Stamper.  
Fields. Thaxton.  
Gilbough. Turner.  
Good. Vaughtan, Guad'up.  
Green. Ward.  
Harris. Wilcox.  
Hill of Travis. Wolters.  

Absent.  
Dean. Robbins.  
Ewing. Smyth.  
Logan. Welch.  

Excused.  

Reger.  

On motion of Mr. Carpenter, the absentees were excused.  

Mr. Carpenter then, by unanimous consent, withdrew his motion to call up the motion of Mr. Evans of Hunt to reconsider, and which motion had been spread upon the Journal.

NOTICE.  

Mr. Carpenter gave notice that he would on next Tuesday call up the motion of Mr. Evans of Hunt to reconsider the vote by which House bill No. 11 had been passed, and which motion was spread upon the Journal.

On motion of Mr. Wolters, the House adjourned until 10 o'clock a. m. next Monday.

TENTH DAY.  

Hall House of Representatives,  
Austin, Texas,  
Monday, January 25, 1897.  
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.  
Ayers.  
Bailey.  
Barbee.  
Barrett.  
Bean.  
Bell.  
Benn.  
Bird.  
Blackburn.  
Blair.  
Bounds.  
Boyd.  
Brewster.  
Browne.  
Burney.  
Burns.  
Callan.  
Carswell.  
Carswell.  
Childs.  
Childs.  
Collier.  
Crawford.  
Crowley.  
Cureton.  
Curry.  
Dean.  
Dennis.  
Dickinson.  
Dews.  
Doyle.  
Drew.  
Edwards.  
Evans of Grayson.  
Field.  
Fields.  
Fisher.  
Flint.  
Floyd.  
Patterson.  
Pfeuffer.
A quorum was announced present.

Pending the reading of the Journal of last Friday, January 22.

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

GRANTED LEAVE OF ABSENCE.

On account of important business:
- Mr. Evans of Hunt, and Mr. Williams, for to-day, on motion of Mr. Robbins.
- Mr. Conoly, indefinitely, on motion of Mr. Neighbors.
- Mr. Beaird, for to-day, on motion of Mr. Logan.

On account of sickness in his family:
- Mr. Dorroh, indefinitely, on motion of Mr. Wood.
- Mr. Bogg, Sergeant-at-Arms, until next Wednesday, on motion of Mr. Drew.

On account of sickness:
- Mr. Skillern, for to-day, on motion of Mr. Stokes.

PETITIONS AND MEMORIALS.

By Mr. Stamper (by request):
A petition from teachers of Cooke county, asking for a law to provide for holding county Institutes.
Referred to Committee on Education.

By Mr. Smyth:
A petition from 100 citizens of Chil- dren and adjoining counties, asking for more effective game laws.
Referred to Committee on Agricultural Affairs.

BILLS AND RESOLUTIONS.

By Mr. Garrison:
House bill No. 203, a bill to be entitled "An act making appropriations for the support of the State government, etc."
(Provides a total appropriation for the year beginning February 28, 1898, of $2,305,578.50, and for the year beginning February 28, 1899, of $2,289,578.50.)
Read first time and referred to Committee on Finance.

By Mr. Tracy:
House bill No. 204, a bill to be entitled "An act to amend title 8, of the Revised Civil Statutes of the State of Texas, in regard to assignment for creditors, by adding thereto articles 86a, 86b and 86c."
(Article 86a provides that the debtor shall file his affidavit, giving the amount, date and origin of the preferred claims. Article 86b provides that the preferred creditor, before he receives any portion of his claim, shall file an affidavit stating that his claim is honest and just and giving the date and origin of same. Article 86c provides the manner of legal proceedings on part of creditor desiring to contest the justness of any preferred claim.)
Read first time and referred to Judiciary Committee No. 1.

By Mr. Bailey:
House bill No. 205, a bill to be entitled "An act to provide for the payment of tax assessors for taking agricultural statistics for the year 1895."
Read first time and referred to Committee on Finance.

By Mr. O'Connor:
House bill No. 206, a bill to be entitled "An act to amend article 3829, title 8, of the Revised Civil Statutes of 1895, providing that no room or apartment or office in the State capitol building shall at any time be used by any persons as a bedroom or for any private purpose whatever."
Read first time and referred to Committee on Public Buildings and Grounds.

By Mr. Drew:
House bill No. 207, a bill to be entitled "An act to amend article 5049, chapter 1, of title 94, of the Revised Civil Statutes of 1895, relating to the collection of a tax on occupations."
(The object of the bill is to regulate taxes on occupations, and to tax certain occupations not now taxed by law.)
Read first time and referred to Committee on Revenue and Taxation.

By Mr. Mundine:
House bill No. 208, a bill to be entitled "An act to amend chapter 4 of the Revised Statutes of Texas, concerning the power and duties of road overseers, by amending article 4753, fixing the compensation of overseers, and by adding thereto article 4756, requiring the subdivision of roads and hands, and the working of subdivisions upon separate days.'"

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

By Mr. Mundine:
House bill No. 209, a bill to be entitled "An act to amend article 4886, of title 102, chapter 5, of the Revised Statutes of Texas, concerning the mode of preventing certain animals from running at large in counties and subdivisions, defining who may be entitled to vote at elections held under the provisions of said chapter."

(Provides that any qualified voter of the county may vote in such election.)

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

By Mr. Melton:
House bill No. 210, a bill to be entitled "An act to provide for the assessment and collection of taxes on debt secured by real estate."

(Provides that taxes on such debts shall be assessed and collected as on the real estate securing the same.)

Read first time and referred to Committee on Revenue and Taxation.

By Mr. Thomas:
House bill No. 211, a bill to be entitled "An act to amend articles 4007 and 4008, chapter 16, title 86, of the Revised Civil Statutes of the State of Texas, fixing the term of office of trustee of the public free school in cities and towns which have assumed control of the public free schools within their limits, and fixing the time for their election, and to repeal articles 4018 and 4019 thereof."

Read first time and referred to Committee on Education.

By Mr. Tracy:
House bill No. 212, a bill to be entitled "An act to prohibit banks or bankers or associations of persons doing a banking business from unlawfully receiving deposits, and making a penalty therefor."

(Makes it a penitentiary offense for a term of not less than two nor more than five years.)

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

By Mr. Dies:
House bill No. 213, a bill to be entitled "An act to restore and confer upon the county court of Hardin county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court, and to repeal all laws in conflict with this act."

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

By Mr. Humphrey:
House bill No. 214, a bill to be entitled "An act to amend title XVII, chapter 9, article 870, of the Penal Code of the State of Texas, and to change the penalty for theft of property of value less than $50 as to fine."

(Fixes the penalty at imprisonment in the county jail not exceeding two years, during which time the prisoner may be put to hard work on the county roads or otherwise.)

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

By Mr. Morris:
House bill No. 215, a bill to be entitled "An act to amend article 3933, chapter 9, of the Revised Civil Statutes, relating to the compensation of county judges."

(The object of the bill is to fix the fees of county judges, acting as ex officio superintendents of public instruction for disbursing the school fund.)

Read first time and referred to Committee on Education.

By Mr. Flint:
House bill No. 216, a bill to be entitled "An act to prevent any person or persons in this State from making any road or roads through lands not his or their own, without the written consent of the owner of the land through which any road is attempted to be made."

(Makes the offense a trespass, punishable in sums not less than $25 nor more than $100.)

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

By Mr. Blackburn:
House bill No. 217, a bill to be entitled "An act to amend title 11, chapter 6, article 402, of the Penal Code of the State of Texas, so as to punish the buyer or receiver, as well as the seller, of intoxicating liquors."
(Fixes the penalty at a fine from $25 to $100, and imprisonment in the county jail from 20 to 60 days for selling such intoxicating liquors, and for buying or receiving a fine provided for of from $10 to $50.)

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

By Mr. Evans of Grayson:
House bill No. 218, a bill to be entitled "An act to amend article 959, chapter 5, of the Revised Civil Statutes of the State of Texas, relating to the appointment of Supreme Court reporters."

(Provides for the appointment by the Governor of such reporter for a term of four years, who shall receive a salary of $3000 per annum, and such additional compensation for reporting the decisions of the Court of Civil Appeals as the Supreme Court may deem just.)

Read first time and referred to Committee on State Affairs.

By Mr. Callan:
House bill No. 219, a bill to be entitled "An act to provide for the registration of all illegally branded cattle in a book to be kept by the clerks of the county courts in their offices for that purpose; to provide for the seizure and sale of such cattle by the sheriffs for non-compliance with this act; and to provide for the disposition of the proceeds of such sale; to provide for the examination and inspection of such cattle when about to be slaughtered or shipped; to provide for the payment of the fees of sheriffs and county clerks for the performance of their duties under this act; to define illegally branded cattle, and to make it a misdemeanor to fail to comply with the provisions of this act, and to prescribe the punishment therefor."

Read first time and referred to Committee on Stock and Stockraising.

By Mr. Bumpass:
House bill No. 220, a bill to be entitled "An act to amend chapter 6, title 52 of the Revised Civil Statutes of the State of Texas, by adding thereto articles 2923a, 2923b, 2923c and 2923d."

(The bill provides for a more thorough system of obtaining information in regard to agricultural statistics in this State.)

Read first time and referred to Committee on Agricultural Affairs.

By Mr. Ayers:
House bill No. 221, a bill to be entitled "An act to preserve and protect the wild game birds and wild fowls of the State, and provide adequate pen-

alties for the unlawful taking, slaughter, sale and shipment thereof."

(The bill declares all such wild game to be the property of the State, and the taking and killing thereof to be a privilege and not a right.)

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

By Mr. Evans of Grayson:
House bill No. 222, a bill to be entitled "An act to prohibit the sale or giving of cigarettes or cigarette paper or tobacco, or preparations of tobacco and other material used in making cigarettes to any minor under fifteen years of age, and to fix a penalty."

(Fixes the penalty at a fine from ten to one hundred dollars.)

Read first time and referred to Committee on State Affairs.

By Mr. Pitts:
House concurrent resolution No. 7, empowering the Governor of Texas to call a cotton growers' convention, inviting delegates from all cotton growing States.

Whereas, the cotton industry of the South is a most important agricultural product of the United States, and involves more than 65 per cent of the world's product of cotton; and the condition of this great industry being now depressed by speculators who control and reduce the price in their own interest by the following methods, among others:

By offering for sale fictitious cotton called futures at prices uniformly less than the current spot cotton market, which sales of fictitious cotton or contracts to deliver cotton at a future time at lower prices than the actual spot cotton prices, and in which speculators do not intend and are not compelled to deliver actual cotton, but uniformly pay or receive the monetary difference in the price of futures and spot cotton at the expiration of the contract of delivery; these contracts, being cheaper, induce mill men and consumers of the raw material, who heretofore competed in the spot cotton sales, to withdraw from the market, thus fostering a condition which takes from the cotton market the actual purchaser, destroys legitimate market demand and competition, and leaves the cotton product at the mercy of dictated prices.

By flooding the market reports of actual sales of spot cotton with five to ten times the volume of fictitious sales at lower figures, thus producing a constant decrease in the price of real cotton.
By operating a gambling enterprise known as the New York Futures Board, in which fictitious cotton is offered for sale in the market at prices sufficiently reduced below spot cotton prices to invite investment, and wherein the said investments are virtually confiscated by arbitrary changes in said quotations, whereby the country is drained of enormous sums of money and the cotton market fluctuated for gambling purposes, to the great detriment of legitimate trade, thus producing the decline in the price of cotton as observed in our markets since the organization of the New York Cotton Exchange and its Futures Board.

And whereas, the price of labor necessary to raise and market a given quantity of cotton in comparison with the price of labor necessary to manufacture and market the same quantity of cotton, is at the ratio of 2 to 3, and under legitimate conditions of trade, and estimates most favorable to manufacturers, raw cotton should sell for not less than 50 per cent of the manufactured articles, yet the situation is such that the price of cotton has been suppressed by speculation and market gambling until manufactured goods sell for prices from $00 to $1400 per cent more than the material that compare such goods, and the vast wealth, that should be distributed among its producers is annually confiscated by the unbridled greed of speculators.

And whereas, the history of cotton production shows that the world's demand has increased at a greater ratio than the world's supply, and as measured by the surplus on hand at the end of each cotton season the surplus has grown less for more than twenty years, proving the falsity of the cry of over production as proclaimed by speculators, and the revealing facts that under proper conditions would have made prices steady, and improved during that time; and

Whereas, these and other conditions make it necessary that legislation be contrived and enacted to relieve cotton producers from these oppressive, unjust and ruinous conditions; therefore, be it

Resolved by the House of Representatives, the Senate concurring, that Governor C. A. Culberson be and is hereby empowered to call a legislative convention of the cotton growing States to meet at Galveston on the 2d day of August, 1897, for the purpose of devising and recommending concurrent legislation in the cotton growing States, to the end that this important industry may be relieved from the speculative and gambling influences that oppress it, and that unlawful interference with the cotton trade be suppressed. Be it further

Resolved, that the Governor of Texas appoint from each congressional district in Texas a representative to said convention, who is versed in the industrial conditions of our State, and two from the State at large, and that his Excellency forward copies of this resolution to the respective Governors of our cotton growing States, with the request that such Governor appoint delegates from the congressional districts of their States to said convention.

Read second time, and

Mr. Green moved to refer it to the Committee on Agricultural Affairs.

After consideration,

Mr. Rogan moved the previous question, which was seconded, and the main question was ordered.

The motion to refer prevailed.

By Mr. Rogan:

Resolved, that the Speaker be required to appoint a special committee of five members whose duty it shall be to visit the Confederate Home in this city, examine its management and control, investigate the condition and treatinent of its inmates, ascertain its capacity and needs, and report to this House the result of their investigations, with such suggestions as they may consider necessary to the future usefulness and proper administration of said institution.

Read second time and adopted.

By Mr. Staples:

Resolved, that each member of the House of Representatives be allowed four daily newspapers during the present term; said papers to be paid for out of the contingent fund.

Tabled on motion of Mr. Drew.

BILLS WITHDRAWN.

(By unanimous consent):

House bill No. 108, on request of Mr. Thomas.
House bill No. 69, on request of Mr. Graham.
House bill No. 129, on request of Mr. Savage.

Mr. Carpenter, chairman Committee on State Affairs, asked further time for consideration of the following bills: House bills Nos. 5, 6, 36, 51 and 34.

The request was granted.
APPOINTMENTS ANNOUNCED.

Special committee under resolution of today to visit the Confederate Home and report on same: Messrs. Rogan, Wood, Barbee, McKellar and Morton.

On motion of Mr. Raudolph, Mr. Wall was added to the committee.

Additional committee clerk appointed under resolution of January 21st: A. G. Stuart of Kaufman county.

Additional porters appointed under resolution of same date: J. J. Washington, Pete Edwards.

COMMITTEE REPORTS.

By Mr. Dies, Chairman:

Committee Room,
Austin, Texas, Jan. 22, 1897.

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

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 49, being a bill to be entitled "An act to transfer to the general revenue account the unexpended balance of the United States direct tax fund remaining in the State treasury on the 2d day of March, 1897, the same to be used in the payment of the current expenses of the State government."

And find the same correctly engrossed.

DIES, Chairman.

By Mr. Ward, Chairman:

MAJORITY REPORT.

Committee Room,
Austin, Texas, Jan. 22, 1897.

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

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 80, a bill to be entitled "An act to amend section 4, article 2977, title 55, chapter 4, of the Revised Civil Statutes of the State of Texas, making a legal conviction of insanity and five consecutive years confinement of a husband or wife in a State lunatic asylum a legal ground for a divorce of the other, and to repeal all laws and parts of laws in conflict with the provisions of this act."

Have had the same under consideration, and I am instructed by a majority of said committee to report the same back to the House with the recommendation that it do pass.

WARD, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, Jan. 22, 1897.

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

I, a minority of your Judiciary Committee No. 1, to whom was referred

House bill No. 80, a bill to be entitled "An act to amend section 4, article 2977, title 55, chapter 4, of the Revised Civil Statutes of the State of Texas, making a legal conviction of insanity and five consecutive years confinement of a husband or wife in a State lunatic asylum a legal ground for a divorce of the other, and to repeal all laws and parts of laws in conflict with the provisions of this act."

Do not concur in the majority report, and beg leave to report the same back to the House with the recommendation that it do not pass, for the reason that the grounds for divorce under existing laws are amply sufficient; and those of our citizens who are so unfortunate as to become insane should be legislated for and not against.

SLUDER.

Committee Room,
Austin, Texas, Jan. 22, 1897.

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

Your Judiciary Committee No. 1, to whom was referred

House bill No. 88, a bill to be entitled "An act to amend article 2366, 2367 and 2369, of the Civil 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.

WARD, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, Jan. 22, 1897.

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

Your Judiciary Committee No. 1, to whom was referred

House bill No. 134, a bill to be entitled "An act to amend article 1188, chapter 2, of title 30, 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 not pass.

WARD, Chairman.
MINORITY REPORT.

Committee Room,
Austin, Texas, Jan. 22, 1897.

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

I a minority of your Judiciary Committee No. 1, to whom was referred,
House bill No. 134, a bill to be entitled "An act to amend article 1188, chapter 2, title 30, of the Revised Civil Statutes of the State of Texas."

Do not concur in the majority report, and beg leave to report the same back to the House with the recommendation that it do pass, with the following amendment: Amend by striking out all words after the words "at any time before the jury retires," because there is a separate bill covering all succeeding words.

BAILEY, Chairman.

January 25, 1897

tion, and I am instructed to report the
same under consideration, and I am instructed to report the
same back to the House with the recommenda-
tion that it do not pass.

WARD, Chairman.

By Mr. Bailey, Chairman:

Committee Room,
Austin, Texas, Jan. 22, 1897.

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

Your Judiciary Committee No. 2, to whom was referred
House bill No. 175, a bill to be entitled "An act to prohibit persons engaged in running pool tables, billiard tables, horse racing or gambling in any form, hiring or permitting minors about their places of business without the written consent of the parent or guardian, and to provide a penalty therefore."

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, Texas, Jan. 22, 1897.

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

Your Judiciary Committee No. 2, to whom was referred
House bill No. 171, a bill to be entitled "An act amending article 881, chapter 11 of title 17, of the Revised Civil Statutes of Texas, relating to the appointment of Supreme Court Reporter."

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, Texas, Jan. 22, 1897.

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

Your Judiciary Committee No. 1, to whom was referred
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, or otherwise detaining them from the public free schools in this State, and to provide a penalty for doing so."

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, Texas, Jan. 22, 1897.

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

Your Judiciary Committee No. 1, to whom was referred
Senate bill No. 8, a bill to be entitled "An act to amend article 2526 of the Revised Civil Statutes of Texas, relating to juries in cases of forcible entry and detainer."

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, Texas, Jan. 22, 1897.  
Hon. L. T. Dashiell, Speaker of the  
House:  
Your Judiciary Committee No. 2, to  
whom was referred  
House bill No. 116, a bill to be enti- 
tled "An act to amend article 197, title 7,  
chapter 11, of the Penal Code of the  
State of Texas, relating to laboring or  
hunting on Sunday."

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

BAILEY, Chairman.

By Mr. Rogan, Chairman:

House bill No. 93, a bill to be enti- 
tled "An act to amend articles 1145 and 1144,  
title 16, of the Code of Criminal Procedure,  
allowing district and county attorneys,  
deputies, sheriffs, and other officers  
commissions on money collected."

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, Texas, Jan. 22, 1897.  
Hon. L. T. Dashiell, Speaker of the  
House:  
Your Judiciary Committee No. 2, to  
whom was referred  
House bill No. 102, a bill to be enti- 
titled "An act to amend article 38,  
chapter 4, title LX, of the Penal Code  
of the State of Texas, relating to the  
carrying of knives, dirks, 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,  
for the reason that House bill No. 54  
on the same subject has been reported  
favorably.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, Jan. 22, 1897.  
Hon. L. T. Dashiell, Speaker of the  
House:  
Your Judiciary Committee No. 2, to  
whom was referred  
House bill No. 102, a bill to be enti- 
titled "An act to amend article 193,  
chapter 1, title 7, of the Penal Code of  
the State of Texas, relating to distur- 
bance of religious worship."

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

BAILEY, Chairman.

Committee Room,  
Austin, Texas, Jan. 22, 1897.  
Hon. L. T. Dashiell, Speaker of the  
House:  
Your Judiciary Committee No. 2, to  
whom was referred  
House bill No. 75, a bill to be enti- 
titled "An act to amend article 881 of  
the Penal Code of the State of Texas,  
relating to theft of horses, asses and  
mules, so as to fix the punishment  
therefor at confinement in the penite- 
cy for not less than two nor  
more than ten years."

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.

BAILEY, Chairman.

By Mr. Rogan, Chairman:
Committee Room,
Austin, Texas, Jan. 23, 1897.
Hon. L. T. Dashiell, Speaker of the House:
Your Committee on Roads, Bridges and Ferries, to whom was referred,
House bill No. 140, a bill to be entitled "An act to amend article 4744, title 27, chapter 4, of the Revised Civil Statutes of the State of Texas, 1895, relating to the powers and duties of overseers of roads."
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 amendments:
Amend by inserting after the word "gravel," in lines 6 and 8, the words "earth, stone, or other necessary material."
ROGAN, Chairman.
Committee Room,
Austin, Texas, Jan. 23, 1897.
Hon. L. T. Dashiell, Speaker of the House:
Your Committee on Roads, Bridges and Ferries, to whom was referred,
House bill No. 88, a bill to be entitled "An act to create a more efficient road system for Rains county, Texas," 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 pass, with the following amendments:
Amend section 3 by striking out the words "which reward shall be taxed as cost against such convict, and worked out or paid by him as a part of the cost."
Amend by striking out all of section 15, and making section 16 read section 15, and section 17 read section 16.
We recommend that this bill be not printed.
ROGAN, Chairman.
Committee Room,
Austin, Texas, Jan. 23, 1897.
Hon. L. T. Dashiell, Speaker of the House:
Your Committee on Roads, Bridges and Ferries, to whom was referred,
House bill No. 137, a bill to be entitled "An act to repeal article 492, chapter 9, title 13, of the Revised Penal Code of the State of Texas, fixing the punishment for the offense of failing to work on public roads."
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.
ROGAN, Chairman.
By Mr. Good, Chairman:
Consecrated to the Memory
of
H. K. White,
Who served the State with fidelity and distinction
as a Member
of the
House of Representatives
of the
Eighteenth and Twenty-third Legislatures.
House bill No. 104, a bill to be entitled "An act to amend article 5043k of the Revised Civil Statutes of 1895, relating to the live stock sanitary commission and the movement of live stock thereunder."

The bill was laid before the House, read second time, and was ordered engrossed.

Mr. Robbins 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—111.


Ni

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

Yeas—113.


Absent.

Excused.


House bill No. 104 was then read a third time and was passed by the following vote:

Yeas—113.

<table>
<thead>
<tr>
<th>Yeas-112</th>
<th>Nays-1</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
<td>Carswell.</td>
<td>Peery.</td>
</tr>
<tr>
<td>Bell</td>
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The bill was laid before the House, read second time, and
Mr. Evans of Grayson offered the following amendment:

Amend by striking out the words “at the seat of government,” and insert instead the words “of general circulation published in the State of Texas.”

The amendment was adopted, and the bill was ordered engrossed.

On motion of Mr. Meade, the regular order was suspended, to take up and place on its second reading, House bill No. 30, a bill to be entitled “An act to amend article 904 of title 10 of the Code of Criminal Procedure, relating to appeal and writ of error, and to repeal all laws and parts of laws in conflict herewith,” with amendment by the committee.

The bill was laid before the House and read second time.

The committee report was adopted.

Mr. Ward moved to table the amendment by the committee and the motion was lost.

Mr. Ward offered the following amendments:

Amend the bill by striking out as much of section 3 as makes it take effect from and after its passage. Adopted.

The bill was ordered engrossed.

Mr. Ward 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—112.

Alexander.
Ayers.
Bailey.
Barbee.
Barrett.
Bean.
Bell.
Bennett.
Benson.
Bird.
Blackburn.
Blair.
Bounds.
Boyd.
Brewster.
Bumpass.
Burney.
Burns.
Callan.
Carpenter.

Graham.
Green.
Harris.
Henderson.
Hensley.
Hill of Gonzales.
Hill of Travis.
Holland of Burnet.
Holland of Harris.
Humphrey.
Jones.
Kimbell.
Lillard.
Logan.
Love.
Manson.
Martin.
Maxwell.
McFarland.
McGaughey.
McKamy.
McKellar.
Meade.
Melton.
Mercer.
Moore, Fort Bend.
Moore of Lamar.
Morriss.
Morton.
Mundine.
Neighbors.
O'Connor.
Oliver.
Peery.

Pfeiffer.
Porter.
Randolph.
Reubell.
Rhea.
Robins.
Rogan.
Savage.
Schlick.
Seabury.
Shropshire.
Sudder.
Smith.
Stamper.
Staples.
Stokes.
Brother.
Thaxton.
Thomass.
Thompson.
Tracy.
Tucker.
Turner.
Vaughan, Guadalupe.
Vaughan of Collin.
Wall.
Wallace.
Ward.
Welch.
Wilcox.
Wolters.
Wood.

Nays—2.

Browne.
Carswell.
Childs.
Collier.
Curry.
Dean.
Dennis.
Dickinson.
Dies.
Doyle.
Drew.
Evans of Grayson.
Ewing.
Field.
Fields.
Fish.
Flint.
Freeman.
Gibough.
Good.

Browne.
Crawford.
Cureton.

Patterson.
Kirk.
Smyth.

Absent.

Reiger.
Hurtt.
Skillern.
Williams.

Excused.

Beaird.
Beard.
Conoly.
Dorroh.
Edwards.
Evans of Hunt.

Reiger.
Rudd.
Skillern.
Williams.

The bill was read third time and passed.

Mr. Bailey moved to reconsider the vote by which House bill No. 30 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker said before the House on its second reading, “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."

With amendment by the committee.

The bill was read second time and the committee report was adopted.
Mr. Dean offered the following amendment:
Amend by adding at close of line 25, section 1, the words, "Said special county judge shall receive the same fees as provided by law for county judges."

Adopted.
The bill was ordered engrossed.
The Speaker laid before the House, on its second reading, House bill No. 13, a bill to be entitled "An act to validate certain illegal sales of public school, university and asylum lands sold under section 22, chapter 99, of the Acts of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached."
The bill was read second time, pending consideration of which, On motion of Mr. Curry, further consideration was postponed till Thursday, 11 a. m., February 4.

ELEVENTH DAY.
Hall House of Representatives, Austin, Texas, Tuesday, January 26, 1897.
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. Cureton.
Ayers. Curry.
Barbee. Dean.
Barrett. Dennis.
Beaird. Dickson.
Bean. Dies.
Bell. Dorroh.
Bennett. Doyle.
Benson. Drew.
Bertram. Edwards.
Bird. Evans of Grayson.
Blackburn. Ewing.
Blair. Field of Grayson.
Boyd. Fields of Hill.
Breaster. Fisher.
Browne. Flint.
Bumpass. Freeman.
Burney. Gilbough.
Burns. Good.
Burnett. Graham.
Callan. Green.
Carpenter. Harris.
Carswell. Henderson.
Childs. Hensley.
Collins. Hill of Gonzales.
Crawford. Hill of Travis.
Crowley. Holland of Burnet.
Hollond of Harris. Reubell.
Humphrey. Rhea.
Jones. Robbins.
Kimbell. Rogan.
Kirk. Rogers.
Lillard. Savage.
Logan. Schlick.
Lotto. Seabury.
Love. Shelburne.
Martin. Shropshire.
Maxwell. Sluder.
McFarland. Smith.
McGaughey. Smyth.
McKamy. Stamper.
McKeller. Staples.
Meade. Stokes.
Melton. Struther.
Mercer. Thaxton.
Moore, Fort Bend. Thompson.
Moore of Lamar. Tracy.
Morris. Tucker.
Morton. Turner.
Mundine. Vaughan of Collin.
O'Connor. Wal.
Oliver. Wallace.
Patterson. Ward.
Peery. Welch.
Pfeuffer. Wilcox.
Pitts. Wolters.
Porter. Wood.
Randolph.  

GRANTED LEAVE OF ABSENCE.

A quorum was announced present.
Prayer by Dr. J. A. Jackson, Chaplain.
Pending reading of the Journal of yesterday.
On motion of Mr. Bounds, further reading was dispensed with.

Absnt.
Bailey. Skillern.
Evans of Hunt. Vaughan, Guad'lupe
Garrison. Williams.
Manson. Excused.
Conoly. Rudd.
Reiger.