road system for Travis county, in the State of Texas.”

Laid before the House, read second time, and ordered engrossed.

On motion of Mr. Humphrey, the regular order was suspended to take up and place on its third reading and final passage,

House bill No. 83, a bill to be entitled “An act to create a more efficient road system for Rains county, Texas,” etc.

Laid before the House, read second time, and ordered engrossed.

On motion of Mr. Humphrey, the regular order was suspended to take up and place on its third reading and final passage,

House bill No. 180, a bill to be entitled “An act to amend Article 5043, of the Revised Statutes of 1895, so as to exempt Maverick county from the provisions of title en, chapter 6, relating to the inspection of hides and animals.”

Read third time, and the following amendments adopted:

By Mr. Welch:

Amend by inserting “El Paso” after the word “Ellis,” in line 15.

By Mr. Melton:

Amend by exempting Concho and Titus counties.

The bill was passed.

On motion of Mr. Carpenter, the House, at 12:30 p.m., adjourned until 10 o'clock a.m. next Monday.

TWENTY-SECOND DAY.

Hall House of Representatives,
Austin, Texas,
Monday, February 8, 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:

Ayers.
Bailey.
Barbee.
Barrett.
Bertram.
Bird.
Blackburn.
Blair.
Bonds.
Brewster.
Brown.
Bumpass.
Burns.
Callan.
Carpenter.
Carrwell.
Childs.
Conoly.
Crowley.
Curry.
Dean.
Dennis.
Dix.
Dorob.
Doyle.
Drew.
Edwards.
Evans of Hunt.
Evans of Grayson.
Schlick.
Ewing.
Feld.
Fields.
Fisher.
Flint.
Freeman.
Garrison.
Graham.
Harris.
Henderson.
Hensley.
Hill of Gonzales.
Holland of Burnet.
Holland of Harris.
Turner.
Humphrey.
Jones.
Kirk.
Lillard.
Logan.
Lotto.
Love.
Manson.
Mason.
A quorum was announced present.

Prayer by Dr. J. A. Jackson, Chaplain.
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PENDING READING OF THE JOURNAL OF SATURDAY.

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

GRANTED LEAVE OF ABSENCE.

On account of sickness:
Mr. Skillern indefinitely, on motion of Mr. Garrison.
Mr. Hill of Travis for today, on motion of Mr. Ward.
Mr. Reiger indefinitely, on motion of Mr. McKamy.
Mr. Neighbors indefinitely, on motion of Mr. Pfeiffer.
Mr. Dickinson indefinitely, on motion of Mr. Turner.

On account of important business:
Mr. Brigance until Tuesday, on motion of Mr. McGaughey.
Mr. Patterson for today, on motion of Mr. Benson.
Mr. Vaughan of Guadalupe for today, on motion of Mr. Pfeiffer.
Mr. Kimbell for today, on motion of Mr. Wood.
Mr. Good for today, on motion of Mr. Henderson.
Mr. Boyd for today, on motion of Mr. Dean.
Mr. Reubell for today, on motion of Mr. Evans of Grayson.
Mr. Collier until Wednesday, on motion of Mr. Brewster.

On motion of Mr. Bumpass, Mr. Stuart, committee clerk, was excused until Wednesday, on account of important business.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, Feb. 8, 1897.
Hon. L. T. Dashiell, Speaker of the House:
Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:
Senate bill No. 17, a bill to be entitled "An act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the 1st day of January, 1887, and which have failed, or are about to fail, to construct their roads and branches or any part thereof within the time required by law," by the following vote: ayes 19, nays 2.

Senate bill No. 67, a bill to be entitled "An act to amend article 669, chapter IV, title 8, of the Code of Criminal Procedure of the State of Texas, relating to the number of peremptory challenges to jurors allowed to the State and defendant in felony cases not capital."

Senate bill No. 76, a bill to be entitled "An act granting to the State Orphans' Home, situated at Corsicana, Navarro county, Texas, 50,000 acres of land out of the unappropriated public domain of Texas, and to provide for carrying out the provisions of this act."

Senate bill No. 54, a bill to be entitled "An act to amend article 549a, title XIV, chapter 1, of the Penal Code of the State of Texas of 1855, by adding article 533 to the said title and chapter, relating to forgery and other offenses affecting written instruments."

Respectfully,
WILL LAMBERT.
Secretary Senate.

SENATE BILLS ON FIRST READING.

The following bills, received from the Senate, were read first time, and referred as follows:
Senate bills Nos. 67 and 54, to Judiciary Committee No. 2.
Senate bill No. 17, to the Committee on Internal Improvements.
Senate bill No. 76, to the Committee on State Asylums.

SPECIAL ORDER.

The Speaker laid before the House, on its engrossment, as special order for 10 o'clock a. m. to-day.

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 90, of the Acts of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached."
Mr. Henderson moved to postpone further consideration until to-morrow at 10 o'clock a. m.

Mr. Blair moved as a substitute for the motion of Mr. Henderson that further consideration of the bill be postponed until next Monday, February 13, at 10 o'clock a. m.

Mr. Robbins moved to table the motion of Mr. Blair to postpone until next Monday, upon which yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Holland of Harris.

The motion to table prevailed by the following vote:
Yea:s—69.
Ayers. Bell.
Bailey. Benson.
Barrett. Bird.
Beaird. Blackburn.
Bean. Bounds.
Question next recurred on the motion of Mr. Henderson to postpone further consideration until to-morrow at 10 o'clock a. m.

The motion was lost.

Mr. Freeman offered the following amendment to the bill:

Amend by adding after the words “such applicants,” in lines 23 and 24, “Provided, no person, after forfeiting his land, shall have the right to purchase at a less price than former purchase called for.”

Tabled on motion of Mr. Robbins.

Mr. Blair offered the following amendment:

Amend by adding after the word “resold,” in line 17, the following, “also, all other lands sold by the State.”

Tabled on motion of Mr. Robbins.

Mr. Henderson offered the following amendment:

Insert after the word “sales,” in line 18, the words, “were made to actual settlers and.”

Mr. Field moved the previous question, and the main question was ordered.

The amendment by Mr. Henderson was lost.

On engrossment of the bill, yeas and nays were demanded by Mr. Henderson, Mr. Freeman and Mr. Hensley.

The bill was ordered engrossed by the following vote:

**Yeas—72.**

- Ayers.
- Bailey.
- Barrett.
- Bean.
- Bell.
- Benson.
- Blackburn.
- Bounds.
- Brewster.
- Browne.
- Bumpass.
- Callan.
- Carpenter.
- Childs.
- Conoly.
- Crowley.
- Curry.
- Dean.
- Dennis.
- Dorroh.
- Doyle.
- Drew.
- Edwards.
- Evans of Hunt.
- Ewing.
- Field.
- Fisher.
- Flint.
- Graham.
- Hill of Gonzales.
- Humphrey.
- Logan.
- Lotto.
- Manson.
- Martin.
- Maxwell.
- McFarland.
- McKamy.
- Meade.
- Melton.
- Mercier.
- Moore, Fort Bend.
- Moore of Lamar.
- Morris.
- Oliver.
- Pfeffer.
- Randolph.
- Robins.
- Rugg.
- Savage.
- Schlick.
- Seabury.
- Shropshire.
- Shude.
- Smyth.
- Staples.
- Strother.
- Thaxton.
- Turner.
- Ward.
- Welch.
- Wilcox.
- Williams.
- Wood.

**Nays—28.**

- Barbee.
- Bertram.
- Blair.
- Burns.
- Carswell.
- Dies.
- Evans of Grayson.
- Fields.
- Freeman.
- Garrison.
- Harris.
- Henderson.
- Hensley.
- Holland of Burnet.
- Wolters.

**Absent.**

- Childs.
- Cureton.
- Kirk.
- Porter.

**Excused.**

- Alexander.
- Boyd.
- Brigance.
- Burney.
- Collier.
- Crawford.
- Dickson.
- Gilibough.
- Good.
- Green.
- Hill of Travis.

**Present, and excused from voting.**

- McGaughey.
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Staples.  Ward.  Amend by making it five years in the county.  Adopted.
Brother.  Welch.
Thaxton.  Wilcox.
Thomas.  Willams.
Turner.  Wolters.
Wallace.  Wood.

Nays—25.
Barbee.  Jones.
Beaird.  Lillard.
Bertram.  Love.
Blair.  McKellar.
Burns.  Morton.
Carswell.  Mundine.
Dies.  Pitts.
Fields.  Rhea.
Flint.  Smith.
Freeman.  Stokes.
Henderson.  Vaughan of Collin.
Holland of Burnet Wall.
Holland of Harris.

Absent.
Bird.  Porter.
Cureton.  Shelburne.
Evans of Grayson.  Thompson.
Kirk.  Tracy.

Excused.
Boyd.  Neighbors.
Brigance.  O'Connor.
Burney.  Patterson.
Collier.  Peery.
Crawford.  Reiger.
Dickinson.  Reubell.
Gibbough.  Skillern.
Good.  Tucker.
Green.  Vaughan, Guad'rup.

Hill of Travis.

Present and excused from voting.
McGaughey.

The Speaker laid before the House, on its second reading, as special order for 10 o'clock a.m. to-day,
House bill No. 262, a bill to be entitled "An act to amend article 3973 of the Revised Civil Statutes of the State of Texas, by adding thereto article 3973, 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 certificate to be good for the county of issuance."

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

Amend by adding after the word "void," in line 23, the following: "Provided, that no permanent third grade certificate shall be issued."

Adopted.

Mr. Wood offered the following amendment:

Amend article 3973e, line 17, by adding "trustees of public free school." Lost.

Mr. Turner offered the following amendment:

Amend by striking out the word "said" at the end of line 17.

Mr. Lotto moved the previous question, and the main question was ordered.

The amendment by Mr. Turner was adopted, and the bill was ordered engrossed.

The Speaker laid before the House, as special order, on its second reading and passage to a third reading,
Senate bill No. 18, a bill to be entitled "An act to amend article 386c, chapter 1, of the Revised Civil Statutes of Texas, relating to cities and towns."

Mr. Henderson moved to adjourn until to-morrow at 10 o'clock a.m., and the motion was lost.

Senate bill No. 18 was read second time, and was passed to a third reading.

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:

Yea—100.

Ayers.  Dennis.
Bailey.  Dies.
Barbee.  Dorroh.
Barrett.  Doyle.
Beaird.  Drew.
Bean.  Edwards.
Bell.  Evans of Hunt.
Benson.  Evans of Grayson.
Bertram.  Ewing.
Bird.  Field.
Blackburn.  Fields.
Blair.  Fisher.
Bounds.  Flint.
Brewster.  Freeman.
Brown.  Garrison.
Bumpass.  Graham.
Burns.  Harris.
Callan.  Henderson.
Carpenter.  Hensley.
Carswell.  Hill of Gonzales.
Childs.  Holland of Burnet.
Conoly.  Holland of Harris.
Curry.  Humphrey.
Dean.  Jones.
Mr. Robbins moved to reconsider the vote by which Senate bill No. 18 was passed, and to table the motion to reconsider. The motion to table prevailed.

**PETITIONS AND MEMORIALS.**

By Mr. Carpenter and Mr. Meade:
A petition from 100 citizens of Fannin county, asking for the passage of a general stock law. Referred to Committee on Stock and Stockraising.

By Mr. Melton:
A petition from citizens of Runnels

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county, asking for the passage of a scalp or bounty law.

Referred to Committee on Stock and Stockraising.

By Mr. Turner:
A petition from 11 citizens residing on Mustang Island, in Nueces county, asking to be permitted to purchase from the State the land upon which they have settled in quantities not less than five nor more than twenty acres.

Referred to Committee on Public Lands and Land Office.

By Mr. Drew:
A petition from 100 citizens of Kaufman county, asking for the passage of a game law, making it a heavy penalty to ship any game out of the State.

Referred to Judiciary Committee No. 2.

By Mr. Doyle:
A petition from 150 citizens of Rusk county, asking permission to have elections held in stock law districts as to whether said stock law shall continue in force or be repealed.

Referred to Committee on Stock and Stockraising.

BILLS AND RESOLUTIONS.

By Mr. Doyle:
House bill No. 376, a bill to be entitled "An act providing a mode of perfecting the records of land deeds that have been recorded describing outstanding vendor's lien notes."

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

By Mr. Doyle:
House bill No. 377, a bill to be entitled "An act amending article 4980, of chapter 5, of the Revised Civil Statutes of the State of Texas, providing that in counties or subdivisions that may have adopted the stock law, as provided for in chapter 5, that an election may be permitted as to whether said stock law shall continue in force or shall be repealed."

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

By Mr. Doyle:
House bill No. 378, a bill to be entitled "An act to amend article 4980, chapter 5, of the Revised Civil Statutes of the State of Texas, in regard to the mode of preventing certain animals from running at large in counties or subdivisions, so as to permit the commissioners' court, on petition of a citizen who is a lineer, to embrace such citizen in the stock law district."

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

By Mr. Blackburn:
House bill No. 379, a bill to be entitled "An act to prohibit the sale of cannon crackers in the State of Texas."

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

By Mr. Morris:
House bill No. 380, a bill to be entitled "An act to authorize cities and towns, incorporated for municipal purposes, and having assumed control of the public schools within their limits, to annex adjacent territory for school purposes only, and to provide for the support and control of the public schools within the independent district so formed."

Read first time and referred to Committee on Education.

By Mr. Stokes:
House bill No. 381, a bill to be entitled "An act to amend article 3975, chapter 13, title 86, of the Revised Civil Statutes of the State of Texas, and to provide for a reduction of examination fees of school teachers."

Read first time and referred to Committee on Education.

By Mr. Dennis:
House bill No. 382, a bill to be entitled "An act to suppress the running of pool rooms and sale of pool tickets in this State."

(Makes the offense punishable by a fine of from $100 to $1000, and imprisonment in the county jail from ten days to two years.)

Read first time and referred to Committee on Education.

By Mr. Wolters (by request):
House bill No. 383, a bill to be entitled "An act to establish a West Texas Normal Institute, and to provide for the support and management of the same."

(Provides for the location of such institute at a point west of the Missouri, Kansas and Texas Railway, to be selected by the State Board of Education, and that the appropriation for the establishing of same shall not exceed $20,000.)

Read first time and referred to Committee on Education.

By Mr. Turner:
House bill No. 384, a bill to be entitled "An act to amend articles 3984 and 3989, of the Revised Civil Statutes of the State of Texas, limiting the amount of the available school fund that may be used in building and repairing school houses and purchasing school property."
On 1 SPECIAL doorways nrnl en t r:rncE'S
258 IIODSE JOURXAL. February 8, 1897. - - - ------------------ --- --- -- - -- - - - ·· · ·· -- ·
Read first time and ... to Com- House Jill No. 185 , a bill to ?e entl-
mittee on Judicial Districts. tied "An act to repeal an act entitled an
chapter
dissolv e d b e for e final hearing , in
injunction." FURTHER
258 IIODSE JOURXAL.
readetski,
the manner of proceeding in cases of
titted
laws in conflict with the each race separately.''
by the manner of proceeding in cases of
law , shall be appointed, and to add to
said chapter 16, of title 86, an article,
to be known as article 4018a, provi-
for the election of secretaries
and vice-presidents of said boards of
trustees."
Read first time and referred to Com-
mittee on Education.
By Mr. Turner:
House bill No. 385, a bill to be enti-
tled "An act to amend article 4018, of
chapter 16, of title 86, of the Revised
Civil Statutes of the State of Texas,
prescribing the manner in which
boards of trustees of public schools in
cities and towns of 1000 inhabitants or
more, incorporated under the general
law, shall be appointed, and to add to
said chapter 16, of title 86, an article,
to be known as article 4018a, provi-
ing for the election of secretaries
and vice-presidents of said boards of
trustees."
Read first time and referred to Com-
mittee on Education.
By Mr. Dies:
House bill No. 386, a bill to be enti-
tled "An act to amend articles 3006 and
3007, of the Revised Civil Statutes of
the State of Texas, 1895, relating to
the manner of proceeding in cases of
injunction."
(Provides that no injunction shall be
dissolved before final hearing, in cases
where a sale of property has for any
cause been enjoined.)
Read first time and referred to Judi-
 ciary Committee No. 1.
By Mr. Dies:
House bill No. 887, a bill to be enti-
tled "An act to restore to and confer
upon the county court of Orange coun-
ty the criminal jurisdiction heretofore
belonging to it under the Constitution
and General Statutes of the State of
Texas, to conform the jurisdiction of
the district court to such change, and
to repeal all laws in conflict with the
provisions of this act."
Read first time and referred to Judi-
 ciary Committee No. 1.
By Mr. Childs (by request):
House bill No. 388, a bill to be enti-
tled "An act for the relief of A. Wys-
chetski, for services rendered the State
as special surveyor between the years
1877 and 1879, under appointment of
J. J. Groos, Commissioner of the Gen-
eral Land Office."
Read first time and referred to Com-
mittee on Claims and Accounts.
By Mr. Crowley:
House bill No. 389, a bill to be enti-
tled "An act to amend subdivision 32,
of article 22, title 4, of the Revised
Civil Statutes of the State of Texas,
fixing the time for holding the district
court in the Thirty-second Judicial
District."
Read first time and referred to Com-
mittee on Judicial Districts.
By Mr. Stokes:
House joint resolution No. 25, to
amend article 3, of the Constitution, by
striking out section 1 of same, and
creating sections 2a, 3b, 4c and 5d, so
as to place certain legislative acts un-
der the system of the ‘initiative and
referendum.’"
Read first time and referred to Com-
mittee on Constitutional Amendments.
By Mr. Freeman:
Resolved, that the Sergeant-at-Arms
be directed to hang portieres over the
doorways and entrances to the hall on
the right and left of the Speaker’s
stand.
Read second time and adopted.
BILLS WITHDRAWN.
House joint resolutions Nos. 17, 18
and 19, for perfection, on request of
Mr. Wolters.
House bill No. 210, for perfection, on
request of Mr. Melton.
FURTHER TIME GRANTED.
For consideration of House bills Nos.
213, 247, 239, 251 and 253, on request
of Mr. McGaughey, chairman.
 SPECIAL ORDERS.
House bill No. 47, the general elec-
tion bill, for next Friday, February 12,
at 10 o’clock a. m., and to be consid-
ered from day to day until disposed of;
On motion of Mr. Ward.
House bill No. 199, a bill to be enti-
tled “An act to amend article 3963 of
the Revised Statutes of Texas, provid-
ing for the election of white and col-
ored trustees of school districts by
each race separately."
For next Thursday at 10 o’clock a.
m., on motion of Mr. Wolters.
ANNOUNCEMENT.
Speaker Dashiell announced that Mr.
Drew, chairman of the Committee on
Contingent Expenses, had handed in
his resignation as chairman of said
committee, and that he had declined to
accept the same, insisting that Mr.
Drew retain the place.
COMMITTEE REPORTS.
By Mr. McGaughey, chairman:
Committee Room,
Austin, Texas, Feb. 4, 1897.
Hon. L. T. Dashiell, Speaker of the
House:
Your Committee on Education, to
whom was referred
House bill No. 185, a bill to be enti-
tled "An act to repeal an act entitled an
act carrying into effect the constitutional amendment to article 7, section 5, transferring annually one per cent of the permanent to the available school fund, passed at the first call session of the Twenty-second Legislature and approved April 12, 1892."

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.

McGAUGHEY, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, Feb. 4, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 295, a bill to be entitled "An act relating to the investment of State and county public school funds, and providing for the investment of said funds, not otherwise invested in improved farm lands of the State."

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.

McGAUGHEY, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, Feb. 4, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 164, a bill to be entitled "An act to amend article 3929, title 86, chapter 9, of the Revised Civil Statutes of the State of Texas, relating to the qualifications of county superintendents of public instruction."

Beg leave to differ with the majority, and ask that the bill do not pass.

WALLACE, SAVAGE, BARRETT.

By Mr. Dies, chairman:

Committee Room,
Austin, Texas, Feb. 7, 1897.

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

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 168, a bill to be entitled "An act to punish persons for wilfully turning out or permitting to run at large within a county or subdivision of any county in which the stock law has been adopted, stock not permitted to run at large."

And find the same correctly engrossed.

DIES, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1897.

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

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 24, a bill to be entitled "An act to enable cities, towns and villages of this State to pay, provide for the payment of, or revive indebtedness barred by the statute of limitations."

And find the same correctly engrossed.

DIES, Chairman.

On motion of Mr. Turner, the regular order of business was suspended to take up and place on its third reading and final passage,

House bill No. 75, a bill to be entitled "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 thereof at confinement in the penitentiary for not less than two nor more than ten years."

The bill was laid before the House, read third time, and was passed.

Mr. Love moved to adjourn until 10 o'clock a. m. to-morrow; Mr. Wolters until 9 o'clock, and Mr. Bailey until 9.30 o'clock; and Mr. Burns until 2 p. m. to-day.

The motion of Mr. Love prevailed, and the House adjourned accordingly.