I vote aye on this bill, because I believe it is just to pay assessors for work they have done under the law. I vote aye on the proposition to repeal the law requiring assessors to collect statistics, because the law is inoperative and the people are taxed to support it without any benefit being derived from it.

SHEL BURNE.

INVITATION.

Mr. Childs, by unanimous consent, sent up to the Clerk’s desk and had read the following invitation:

To the Honorable Speaker of the House of Representatives of the State of Texas.

The people of the city of San Antonio hereby extend to you a most cordial invitation to visit said city as its guest on Saturday and Sunday, 13th and 14th instants. A special train will be at the disposal of invited guests in Austin on Saturday afternoon at 3 o’clock and will return Sunday night.

(Signed—O’Connor, Childs, Blair.)

On motion of Mr. Evans of Hunt, the invitation was accepted unanimously.

Mr. Blair moved to adjourn until 9 o'clock a. m. to-morrow; Mr. McKamy until 10 o'clock a. m. to-morrow; and Mr. Burns until 3.30 o'clock p. m. today.

Question being upon the longest time first, yeas and nays were demanded by Mr. Wolters, Mr. Bumpass and Mr. Freeman.

The motion was lost by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>37</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ayers</td>
<td>McGaughey</td>
</tr>
<tr>
<td>Barbee</td>
<td>Mckamy</td>
</tr>
<tr>
<td>Barrett</td>
<td>Morris</td>
</tr>
<tr>
<td>Beaird</td>
<td>Mundine</td>
</tr>
<tr>
<td>Bean</td>
<td>O’Connor</td>
</tr>
<tr>
<td>Bell</td>
<td>Rogers</td>
</tr>
<tr>
<td>Blackburn</td>
<td>Rudd</td>
</tr>
<tr>
<td>Browne</td>
<td>Savage</td>
</tr>
<tr>
<td>Burney</td>
<td>Smith</td>
</tr>
<tr>
<td>Childs</td>
<td>Stamper</td>
</tr>
<tr>
<td>Conoly</td>
<td>Staples</td>
</tr>
<tr>
<td>Crowley</td>
<td>Strother</td>
</tr>
<tr>
<td>Dickinson</td>
<td>Turner</td>
</tr>
<tr>
<td>Field</td>
<td>Vaughan, Guadalupe</td>
</tr>
<tr>
<td>Green</td>
<td>Ward</td>
</tr>
<tr>
<td>Hill of Travis</td>
<td>Wilcox</td>
</tr>
<tr>
<td>Holland of Burnet</td>
<td>Wool</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nays</th>
<th>63</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benson</td>
<td>Bumpass</td>
</tr>
<tr>
<td>Bertram</td>
<td>Burns</td>
</tr>
<tr>
<td>Bird</td>
<td>Callan</td>
</tr>
<tr>
<td>Blair</td>
<td>Carpenter</td>
</tr>
<tr>
<td>Brewster</td>
<td>Crawford</td>
</tr>
<tr>
<td>Brigance</td>
<td>Curry</td>
</tr>
</tbody>
</table>

| Dennis | Mercer |
| Dorroh | Moore, Lamar |
| Doyle | Morton |
| Drew | Neighbors |
| Evans of Hunt | Oliver |
| Evans of Grayson | Peery |
| Fields | Pfeuffer |
| Fisher | Pitts |
| Flint | Porter |
| Freeman | Randolph |
| Garrison | Reubell |
| Gilbough | Rhea |
| Graham | Robbins |
| Harris | Schlick |
| Henderson | Seabury |
| Hensley | Shelburne |
| Hill of Gonzales | Sluder |
| Humphrey | Thaxton |
| Jones | Thompson |
| Kimbell | Vaughan of Collin |
| Kirk | Wall |
| Lillard | Wallace |
| Love | Williams |
| Martin | Wolters |

<table>
<thead>
<tr>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bailey</td>
</tr>
<tr>
<td>Bounds</td>
</tr>
<tr>
<td>Boyd</td>
</tr>
<tr>
<td>Collier</td>
</tr>
<tr>
<td>Dean</td>
</tr>
<tr>
<td>Dies</td>
</tr>
<tr>
<td>Edwards</td>
</tr>
<tr>
<td>Ewing</td>
</tr>
<tr>
<td>Holland of Harris</td>
</tr>
<tr>
<td>Logan</td>
</tr>
<tr>
<td>Manson</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Excused</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
</tr>
<tr>
<td>Carswell</td>
</tr>
<tr>
<td>Cureton</td>
</tr>
<tr>
<td>Good</td>
</tr>
</tbody>
</table>

Question recurring on the next longest time, the motion prevailed, and the House at 1.40 p. m. accordingly adjourned until 9 o’clock a. m. to-morrow.

TWENTY-SIXTH DAY.

Hall House of Representatives, Austin, Texas, Friday, February 12, 1897.

The House met at 9 o’clock a. m., pursuant to adjournment.

Speaker Dashiel in the chair.

Roll called, and the following members present:

| Ayers | Bean |
| Bailey | Benson |
| Barbee | Bertram |
| Barrett | Bird |
| Beard | Blair |
Pending the reading of the Journal of yesterday,
On motion of Mr. Burney, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of sickness in his family:
Mr. Thaxton indefinitely, on motion of Mr. Curry.
On account of important business:
Mr. Robbins until Monday, on motion of Mr. Carpenter.
Mr. Melton until Monday, on motion of Mr. Mercer.
Mr. Freeman moved to reconsider the vote by which substitute House bill Nos. 16 and 192, the Johnson grass bill, was on yesterday ordered engrossed, and asked to have that motion spread upon the Journal.

PETITIONS AND MEMORIALS.

By Mr. Benson:
A petition from 138 employes of the Gulf, Colorado and Santa Fe Railways, asking that the present maximum rate of 3 cents per mile for the transportation of passengers on the railways in Texas be not reduced.
Referred to the Committee on Internal Improvements.

By Mr. Hill of Gonzales:
A petition from the Waelder Gun Club, praying that substitute House bill No. 22, for the protection of game, be passed.
Referred to Judiciary Committee No. 2.

BILLS AND RESOLUTIONS.

By Mr. Reiger:
House bill No. 423, a bill to be entitled "An act to provide for the making, development and improvement of public roads."
(Empowers the commissioners’ courts of the several counties, whenever they deem it expedient, to constitute and appoint the several members thereof ex officio road commissioners in their respective precincts and general supervisors therein, and gives them control of all teams, tools, etc.)
Read first time and referred to Committee on Roads, Bridges and Ferries.

By Mr. Martin:
Resolved, that the Speaker be and is hereby authorized to appoint a committee of three to visit the Southwestern Insane Asylum at San Antonio.
Read second time and adopted.

BILL RE-REFERRED.

House bill No. 409, from the Committee on State Affairs to the Commit-
February 12, 1897  HOUSE JOURNAL.  299

tee on Finance, on motion of Mr. Lillard.

BILLS WITHDRAWN.

House bills Nos. 208 and 209, for correction, on request of Mr. Mundine.

By Mr. McGaughey, chairman:

Committee Room,
Austin, Texas, Feb. 11, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 396, a bill to be entitled "An act to amend article 616a of the Revised Statutes of the State of Texas of 1895, relating to the formation of independent school districts, and prohibiting towns within such districts from assuming control of the schools therein while the independent district exists."

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:

Add "Section 2. Independent school districts heretofore organized, which have not the required population in the town proper, but have such population in the whole independent district, shall be validated by this act."

Amend caption by adding thereto the words "and to validate certain independent school districts heretofore organized."

Change section 2 of the bill so as to read section 3.

McGAUGHEY, Chairman.

Committee Room,
Austin, Texas, Feb. 11, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 215, a bill to be entitled "An act to amend article 3933, chapter 9, of the Revised Civil Statutes of the State of Texas, relating to the compensation of county judges who are ex officio superintendents of public instruction."

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.

Committee Room,
Austin, Texas, Feb. 11, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 392, a bill to be entitled "An act to amend article 3933, of the Revised Civil Statutes, relating to the compensation of county judges as ex officio superintendents of public instruction."

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.

Committee Room,
Austin, Texas, Feb. 11, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 287, a bill to be entitled "An act to amend article 3933, chapter 9, title 86, of the Revised Civil Statutes of the State of Texas, relating to public education and the compensation of county judges who are ex officio superintendents of public instruction."

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.

Committee Room,
Austin, Texas, Feb. 11, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 287, a bill to be entitled "An act to amend article 3933, chapter 9, title 86, of the Revised Civil Statutes of the State of Texas, relating to public education and the compensation of county judges who are ex officio superintendents of public instruction."

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.

Committee Room,
Austin, Texas, Feb. 11, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 365, a bill to be entitled "An act to amend article 3933, chapter 9, title 86, of the Revised Civil Statutes of the State of Texas, relating to public education and the compensation of county judges who are ex officio superintendents of public instruction."

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.
schools of the communities or districts in which they live."

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.

Committee Room,
 Austin, Texas, Feb. 11, 1897.

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

Your Committee on Education, to whom was referred

House bill No. 303, a bill to be entitled "An act to authorize the county commissioners' courts of the various counties in this State to retire and fund their outstanding floating indebtedness, and to provide for the payment of the same."

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.

BEAIRD, Chairman.

By Mr. Bertram, chairman:

Committee Room,
 Austin, Texas, Feb. 11, 1897.

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

Your Committee on Claims and Accounts, to whom was referred

House bill No. 422, a bill to be entitled "An act to grant S. F. Parks of Aransas county a pension for services rendered in the war of independence in 1835 and 1836."

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.

BERTRAM, Chairman.

Committee Room,
 Austin, Texas, Feb. 11, 1897.

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

Your Committee on Claims and Accounts, to whom was referred

House bill No. 410, a bill to be entitled "An act to authorize payment of all just claims against the State incurred in enforcing the quarantine laws accruing under the administration of Governor Ross, in the years 1890 and 1891."

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.

BERTRAM, Chairman.

Committee Room,
 Austin, Texas, Feb. 12, 1897.

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

Your Committee on Claims and Accounts, to whom was referred

A claim of J. B. Nunnley for $66.55, paid by him upon lands exempted from taxation,

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it be allowed as an approved claim and the amount be repaid.

BERTRAM, Chairman.
By Mr. Moore of Fort Bend, chairman:

Committee Room, Austin, Texas, Feb. 11, 1897.

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

We, your committee appointed to prepare suitable resolutions on the death of Judge John A. Ballowe, beg to report as follows:

Resolution upon the death of Judge John A. Ballowe, Representative to the Twenty-third Legislature from Fort Bend county:

The late Judge John A. Ballowe, who died at his home in Richmond, Texas, on the 14th day of August, 1896, having been a member of this house during the Twenty-third Legislature; be it

Resolved, by the House of Representatives of the Twenty-fifth Legislature:

First. That in the death of Judge Ballowe, Texas loses a loyal and patriotic citizen, who loved her traditions and her history, and a wise and just law-maker, who revered her Constitution and laws.

Second. Be it further resolved, that a page of the House Journal be suitably inscribed and dedicated to his memory; and a copy hereof, duly certified, be transmitted to his family.

MOORE of Ft. Bend, Chairman.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, Feb. 12, 1897.

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

Sir: I am instructed by the Senate to inform the House that the Senate has passed Senate concurrent resolution No. 12, creating a joint committee to inquire into the subject of school textbooks, and that the following committee has been appointed on the part of the Senate: Senators Goss,Presler, Woods, Ross and Kerr.

Also, Senate concurrent resolution No. 11, naming a day for adjournment, sine die, of the Twenty-fifth Legislature.

Also the following bills:

Senate bill No. 104, being an “Act to amend article 3744, chapter 10, title 79, of the Revised Civil Statutes of the State of Texas, relating to the assessment and collection of taxes on lands in unorganized counties belonging to non-residents, by the following vote: Ayes 23, nays none.

Respectfully,

WILL LAMBERT, Secretary.

SENATE BILLS ON FIRST READING.

The following bills, received from the Senate, were read first time and referred as follows:

Senate bills Nos. 104 and 2, to Judiciary Committee No. 1.

SPEAKER’S TABLE.

The Speaker laid before the House, the report of the special committee to draft suitable resolutions on the death of Judge John A. Ballowe, a member of the Twenty-third Legislature, from Fort Bend county.

The report was read and adopted.

The Speaker laid before the House, Senate concurrent resolution No. 9, relating to the consideration of House and Senate bills in each house on certain days, to-wit:

Resolved by the Senate, the House of Representatives concurring, that Wednesday and Thursday of each week be set apart by each house for the consideration of bills coming from the other house.

The resolution was read second time and adopted.

On motion of Mr. Randolph, the regular order of business was suspended to take up and place on its third reading and final passage, House bill No. 108, 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.”

Bill laid before the House and read third time.

After consideration, Mr. Bertram moved to lay it on the table, upon which motion yeas and nays were demanded by Mr. Bertram, Mr. Lillard, and Mr. Burney.

The motion to table was lost by the following vote:

Yeas—36.

Benson.    Collier.    Dorch.    Doyle
Consecrated to the Memory

of

John A. Ballowe,
Of Fort Bend County,

Who served the State with fidelity and distinction
as a Member

of the

House of Representatives

of the

Twenty-third Legislature of Texas.
Mr. Bailey offered the following amendment to the bill:

Amend section 1 of the bill by inserting in line 11 of the printed bill, after the words "turned out," the words "on land not his own or under his control; and further, by inserting in line 13, after the word "adopted," the words "or who shall wilfully allow such stock to trespass upon the land of another in such county or subdivision thereof."

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

Question first recurring on the amendment by Mr. Bailey, it was adopted.

The bill was passed.

Mr. Wolters moved to reconsider the vote by which House bill No. 168 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, as special order for to-day, with majority favorable and minority adverse report thereon,

House bill No. 47, a bill to be entitled "An act to provide for the mode and manner of conducting elections, making returns thereof, and to fix a time for holding the same, and to preserve the purity of the ballot by providing an official form of ballot; by prescribing the time and method in which nominations may be made and certified; by providing for the appointment of officers to conduct said elections, and defining their duties; by providing for the punishment for violations of this law; and to repeal all laws and parts of laws in conflict here-with, and to repeal chapters 1, 2, 3, 4, 5 and 6, title 36, of the Revised Statutes, and amend article 1816 of title 37 of the Revised Statutes, relating to electors for President and Vice President.""

(Mr. O'Connor in the chair.)

The bill was read second time, together with the majority and minority reports thereon.

Mr. Ward moved to adopt the majority report.

Pending consideration of the motion of Mr. Wolters,

On motion of Mr. Carpenter, the House at 12.35 p. m. adjourned until 9 o'clock a. m. to-morrow.

____________________

TWENTY-SEVENTH DAY.

Hall House of Representatives, Austin, Texas,

Saturday, February 13, 1897.

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