Mr. Kimbell moved to reconsider the vote by which House bill No. 85 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House as a special order House bill No. 9, regulating assignments, on its second reading, whereupon,

Mr. Wilcox moved to adjourn until 9 o'clock a. m. to-morrow, and Mr. Fields moved to adjourn until 3 o'clock p. m. to-day.

Question recurring on the longest time first, yeas and nays were demanded by Mr. Wolters, Mr. Fields and Mr. Evans of Grayson.

The motion prevailed by the following vote:

Yeas—63.


Nays—40.


Accordingly, the House at 12:08 p. m., adjourned until 9 o'clock a. m. to-morrow.

Pending question, House bill No. 9, the Evans assignment bill, on its second reading.
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Callan.  Melton.
Carpenter.  Mercer.
Carswell.  Moore, Fort Bend.
Collier.  Moore of Lamar.
Conoly.  Morris.
Crowley.  Morton.
Cureton.  Neighbors.
Dean.  Oliver.
Dennis.  Peery.
Dickinson.  Pitts.
Dires.  Porter.
Dorroh.  Randolph.
Doyle.  Reiger.
Evans of Hunt. 农产品.
Evans of Grayson.  Robbins.
Ewing.  Rogers.
Fields of Hill.  Rudd.
Fisher.  Savage.
Freeman.  Schlick.
Garrison.  Sholburne.
Gree.  Shropshire.
Harris.  Sluder.
Hensley.  Smith.
Hill of Gonzales.  Smyth.
Hill of Travis.  Stamper.
Holland of Burnet.  Staples.
Holliday of Harris.  Stokes.
Humphrey.  Strother.
Jones.  Taxton.
Kimbell.  Thomas.
Kirk.  Thompson.
Lillard.  Tracy.
Logan.  Tucker.
Lott.  Turner.
Love.  Vaughan, Guadalupe.
Manson.  Vaughan of Collin.
Martin.  Wall.
Maxwell.  Wallace.
McFarland.  Welch.
McGauhney.  Wilcox.
McKenny.  Williams.
McKeller.  Wolters.
Meade.  Wood.

Absent.

Children.  Graham.
Edwards.  Pfeiffer.
Gilbough.  Ward.

Excused.

Alexander.  Mundine.
Crawford.  Patterson.
Good.  Skillem.
Henderson.

A quorum was announced present.

Prayer by Dr. J. A. Jackson, Chaplain.

Pending reading of the Journal of yesterday.

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

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GRANTED LEAVE OF ABSENCE.

On account of sickness in his family:
Mr. Graham for to-day, on motion of Mr. Doyle.

On account of important business:
Mr. Gilbough for this week, on motion of Mr. Blair.

Mr. Pfeiffer for to-day, on motion of Mr. Savage.

Mr. Holland of Burnet until Tuesday, on motion of Mr. Stokes.

Mr. Welch for to-day, on motion of Mr. Staples.

Mr. Edwards for to-day, on motion of Mr. Seabury.

Mr. Evans of Hunt moved that 150 extra copies of House bill No. 9, relating to assignments, be ordered printed for use of the House.

The motion prevailed, and the bill was ordered printed.

Mr. Wolters sent up to the Clerk's desk and had read a communication from Hon. John R. Mobley, Superintendent of Public Buildings and Grounds, stating that it would be impracticable to comply with a resolution of the House adopted yesterday in regard to removing and cleaning the carpet on the floor of the Hall on account of the paucity of time allowed in the resolution, and that it would give him pleasure to serve any member or officer of the House at any time.

Mr. Wolters then moved to reconsider the vote by which the resolution was adopted.

The motion to reconsider prevailed, and on motion of Mr. Wolters, the resolution was tabled.

PETITIONS AND MEMORIALS.

By Mr. Meade:
A petition from 26 citizens of Fannin county, asking for the passage of a general stock law.

Read and referred to the Committee on Stock and Stock Raising.

By Mr. Field of Grayson:
A petition from 409 citizens of Grayson county, asking for the passage of a law for the better protection of horses against glanders.

Read and referred to Committee on Stock and Stock Raising.

Also a petition from 28 citizens of Grayson county, against preferences in deeds of trust and assignments.

Read and referred to Judiciary Committee No. 1.

By Mr. Hill of Travis (by request):
A petition of Catherine Beals, asking for the passage of a special relief act, granting her an annuity or donation.
Read and referred to Committee on Claims and Accounts.

By Mr. Seabury:
A petition from 9 citizens of Starr county, protesting against the passage of certain fee bills.

Read and referred to Committee on State Affairs.

By Mr. Fields of Hill:
A protest from the commissioners court, officers and citizens of Hamilton county, against abolishing the office of district attorney in the Twenty-ninth Judicial District.

Read and referred to Judiciary Committee No. 1.

By Mr. Lotto:
A petition from 18 citizens of Austin county, asking for the passage of a bill to prevent tenants selling cotton or other produce on which a landlord has a statutory lien.

Read and referred to Judiciary Committee No. 2.

By Mr. Turner:
A certified copy of an order of the commissioners court of Aransas county, asking for the passage of a general law to authorize the correction of tax rolls.

Read and referred to Judiciary Committee No. 1.

By Mr. Kirk:
A petition from 60 citizens of Lavaca county, protesting against the passage of a bill proposing to change the time for holding court in the Twenty-fifth Judicial District.

Read and referred to Committee on Judicial Districts.

BILLS AND RESOLUTIONS.

By Mr. Reiger:
House bill No. 444, a bill to be entitled "An act to define and punish vagrancy."

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

By Mr. Lotto:
House bill No. 445, a bill to be entitled "An act to amend article 5000e of the Revised Civil Statutes of the State of Texas, 1895, so as to provide for the issuance of special retail liquor license to agricultural societies, fair societies, school communities, and other societies on feasts and festive gatherings held for benevolent or other useful public purposes."

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

By Mr. Callan:
House bill No. 446, a bill to be entitled "An act to provide for redistricting Menard county into public school districts, and declaring an emergency and imperative public necessity."

Read first time and referred to Committee on County Government and County Finance.

By Mr. Reubell:
House bill No. 447, a bill to be entitled "An act to amend article 96, chapter 5, title 2, of the Code of Criminal Procedure of the State of Texas, and to provide for the alternate filing of criminal suits in justice precincts having two or more justice courts."

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

By Mr. Lotto:
House bill No. 448, a bill to be entitled "An act to provide for the taxation of traveling agents of mercantile firms who solicit orders from other persons than merchants."

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

By Mr. Bird:
House bill No. 449, a bill to be entitled "An act to amend chapter 3, article 379, of the Penal Code of the State of Texas, relating to gaming with cards."

(Amends so as to prohibit the common practice of cards playing in the brush.)

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

By Mr. Dies:
House bill No. 450, a bill to be entitled "An act to amend title 13, chapter 5, of the Penal Code of the State of Texas, relating to the protection of fish, birds and game, by adding there- to article 529e, so as to protect fish on their spawning grounds in the cove between Smith's Point and the mouth of Orr creek, in Trinity bay, Chambers county."

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

By Mr. Dies:
House bill No. 451, a bill to be entitled "An act to amend article 1538 of chapter 2 of title 32, Revised Civil Statutes of the State of Texas, relating to the powers and duties of the commissioners court; amends by giving such courts the additional power to levy a tax for the purpose of supporting and maintaining paupers and idiots and lunatics as can not be admitted into the lunatic asylums, residents of their county, not to exceed 10 cents on the $100 valuation."

Read first time and referred to Committee on County Government and County Finance.
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By Mr. Dies:

House bill No. 452, a bill to be entitled "An act to amend article 722 of chapter 14, title 21, of the Revised Statutes of the State of Texas, 1895, relating to the powers of channel and dock corporations."

The object is to give additional rights of way for the purpose of constructing a channel across the bay of Sabine Lake.

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

By Mr. Blair:

House bill No. 453, a bill to be entitled "An act to require cities to provide for a board of plumbers, to be known as the examining and supervising board of plumbers, to regulate the duties of said board, and to provide a penalty for a violation of the provisions of this act."

Read first time and referred to Committee on Public Health and Vital Statistics.

By Mr. Blair:

House bill No. 454, a bill to be entitled "An act to amend article 820, title 25, of the Revised Civil Statutes of the State of Texas, relating to county treasurers."

(Fixes the maximum of the bond of such treasurers at $75,000.)

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

By Mr. Seabury:

House bill No. 455, a bill to be entitled "An act to provide for the reprinting and publishing of such of the Supreme Court Reports as are now out of print, and to make an appropriation therefor."

(Provides for the appropriation of the sum of $5000 for this purpose.)

Read first time and referred to Committee on Finance.

By Mr. Kinbrell:

House bill No. 456, a bill to be entitled "An act to amend subdivision 13, article 22, title 4 of the Revised Civil Statutes of the State of Texas, and to change and fix the times of holding courts in the Thirteenth Judicial District of Texas."

Read first time and referred to Committee on Judicial Districts.

By Mr. Sluder (by request):

House bill No. 457, a bill to be entitled "An act to amend section 21 of an act entitled an act to incorporate the city of Waco, and to define its boundaries and powers, being chapter 17 of acts of the Legislature of 1889, by defining the powers of the city council in the registration and control of the opening of business houses and other places on Sunday."

Read first time and referred to Committee on Towns and City Corporations.

By Mr. Drew:

House bill No. 458, a bill to be entitled "An act to provide under contracts for the furnishing of the stationary and the printing papers, and the doing of all the printing and the bookbinding work required for the use of the State, and to fix the highest price that may be paid for such stationary and printing paper and printing and bookbinding work, and to repeal all laws and parts of laws in conflict herewith."

Read first time and referred to Committee on Public Printing.

By Mr. Williams:

House bill No. 459, a bill to be entitled "An act to require bond investment companies doing business in the State of Texas to deposit certain sums of money or securities with the Treasurer of the State of Texas, and providing penalties for failing to comply with the terms of this law."

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

By Mr. Dies:

House joint resolution No. 20, to amend sections 1, 2, 3, 4, 5 and 6 of article 5 of the Constitution of the State of Texas, relating to the Judiciary.

Read first time and referred to Committee on Constitutional Amendments.

By Mr. Doyle:

House joint resolution No. 30, to amend article 8, section 2, of the Constitution of the State of Texas, so as to permit the Legislature to exempt from taxation capital invested in manufactures.

Read first time and referred to Committee on Constitutional Amendments.

By Mr. Walters and Mr. Blair:

Resolved, that Mrs. Annie Dowling Robertson, the only daughter of Dick Dowling, and her husband be invited to accompany us to Galveston to-day.

Read second time and adopted.

By Mr. Evans of Hunt:

Be it resolved, that a committee of three be appointed by the Speaker, whose duty it shall be to formulate and have printed rules and regulations for the government of the House of Representatives of the Twenty-fifth Legislature.

Read second time, and Tabled on motion of Mr. Tracy.
ANNOUNCEMENTS BY THE SPEAKER.

Committee to visit the University and Medical Branch: Messrs. McGaughey, Moore of Lamar, and Freeman.

Committee to notify Mrs. Annie Dowling Robertson of the invitation of the House: Messrs. Wolters, Blair, and Fisher.

COMMITTEE REPORTS.

By Mr. Bailey, chairman:

Committee Room, Austin, Texas, Feb. 15, 1897.

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

Your Judiciary Committee No. 2, to whom was referred
House bill No. 423, a bill to be entitled "An act to restore to and confer upon the county court of Franklin county the criminal jurisdiction heretofore belonging to it under the Constitution and General Statutes of the State, and to conform the Jurisdiction of the district court of said county to such change."

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.

Committee Room, Austin, Texas, Feb. 15, 1897.

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

Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 101, a bill to be entitled "An act to amend article 879, title 17, chapter 2, of the Penal Code of the State of Texas, in regard to theft from the person."

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, Feb. 15, 1897.

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

Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 127, a bill to be entitled "An act to provide for the prosecution and punishment of a person found guilty of inducing, or attempting to induce, a witness not to appear or testify in any case in any of the courts of this State, or before any grand jury."

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, Feb. 15, 1897.

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

Your Judiciary Committee No. 2, to whom was referred
House bill No. 234, a bill to be entitled "An act to amend title 68, of the Civil Statutes of the State of Texas, in relation to landlords and tenants, by adding thereto article 3252a, to prohibit tenants from selling agricultural products or other property on which the landlord has a valid lien, and to provide 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.

BAILEY, Chairman.

MAJORITY REPORT.

Committee Room, Austin, Texas, Feb. 15, 1897.

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

Your Judiciary Committee No. 2, to whom was referred
House bill No. 392, a bill to be entitled "An act to amend article 453 of the Code of Criminal Procedure of the State of Texas, and to further define the mode of prosecuting the offense of perjury in certain cases."

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, Texas, Feb. 15, 1897.

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

We, a minority of your Judiciary Committee No. 2, to whom was referred
House bill No. 392, a bill to be entitled "An act to amend article 453 of the Code of Criminal Procedure of the State of Texas, and to further define the mode of prosecuting the offense of perjury in certain cases."

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.

REUBELL, PITTS.

BAILEY.
Committee Room,  
Austin, Texas, Feb. 15, 1897.  
Hon. L. T. Dashiell, Speaker of the House.  
Your Judiciary Committee No. 2, to whom was referred  
House bill No. 419, a bill to be entitled "An act for the protection of life and property against loss or damage from steam boilers and steam machinery operated by incompetent persons."

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, Feb. 15, 1897.  
Hon. L. T. Dashiell, Speaker of the House:  
Your Judiciary Committee No. 2, to whom was referred  
House bill No. 419, a bill to be entitled "An act to amend article 200, of chapter 2, title 7, of the Penal Code of the State of Texas, relating to the exemption of the sale of certain articles of merchandise from the provisions of the Sunday law."

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.

By Mr. Rogers, chairman:  
Committee Room,  
Austin, Texas, Feb. 16, 1897.  
Hon. L. T. Dashiell, Speaker of the House.  
Your Committee on Constitutional Amendments, to whom was referred  
House joint resolution No. 26, to amend article 7 of the Constitution of the State of Texas, and to provide for the levying and collecting of an annual county poll tax or county school ad valorem tax, or both taxes, for the support of the public schools of the county.

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.  
ROGERS, Chairman.

MAJORITY REPORT.  
Committee Room,  
Austin, Texas, Feb. 16, 1897.  
Hon. L. T. Dashiell, Speaker of the House.  
Your Committee on Constitutional Amendments, to whom was referred  

- House.
By Mr. Carpenter, chairman:

Committee Room,
Austin, Texas, Feb. 16, 1897.
Hon. L. T. Dashiell, Speaker of the
House.

Your Committee on State Affairs, to
whom was referred

House bill No. 296, a bill to be enti-
tled "An act to set apart and grant unto
the Prairie View Normal School
50,000 acres of land, and to set apart
the same in alternate sections out of
300,000 acres, granting and setting
apart the other alternate sections,
amounting to 50,000 acres, to the
permanent free school fund of Texas and
providing for the location and survey
of said lands, and appropriating funds
to cover expense of said survey."

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

EVANS of Grayson, Chairman.

By Mr. Lillard, chairman:

Committee Room,
Austin, Texas, Feb. 16, 1897.
Hon. L. T. Dashiell, Speaker of the
House.

Your Committee on State Affairs, to
whom was referred

Resolution from Kansas, providing for
a joint committee from the States of
Kansas, Texas and the Territory of
Oklahoma to confer upon the subject
of freight rates to the seaboard on the
South.

Have had the same under consideration, and I am instructed to report the
same back to the House with the recom-
mandation that it be referred to the
Committee on Public Lands and Land
Office.

Carpenter, Chairman.

Committee Room,
Austin, Texas, Feb. 16, 1897.
Hon. L. T. Dashiell, Speaker of the
House.

Your Committee on State Affairs,
to whom was referred

House bill No. 406, a bill to be enti-
tled "An act to define legal weights
and measure of flour and meal in this
State, and to provide a penalty for the
violation of the provisions hereof."

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

Carpenter, Chairman.

By Mr. Evans of Grayson, chairman:

Committee Room,
Austin, Texas, Feb. 16, 1897.
Hon. L. T. Dashiell, Speaker of the
House.

Your Committee on Insurance, Sta-
tistics and History, to whom was re-
ferred

House bill No. 421, a bill to be enti-
tled "An act to provide for the crea-
tion of level mutual life and accident
insurance companies in this State, and
for the regulation thereof."

Have had the same under considera-
tion, and I am instructed to report the
same back to the House with the recom-
mandation that it do pass.

Evans of Grayson, Chairman.
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 or branches, or any part thereof, within the time required by law.

And find the same correctly enrolled, and have this day, at 11:40 a.m., presented the same to the Governor for his approval.

LILLARD, Chairman.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, Feb. 17, 1897.

Hon. L. T. Dashell, 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. 151, a bill to be entitled "An act to amend the charter of the city of Sherman, passed by the Twenty-fourth Legislature, by amending section 2 thereof, in regard to the boundary of said city."

By the following vote: Ayes 25, noes none.

Senate bill No. 290, a bill to be entitled "An act to validate and confirm an ordinance passed by the city council of the city of Galveston, ceding to the United States of America certain streets intersecting land purchased by the United States of America for the purpose of erecting fortifications thereon, and to authorize the commissioners' court of Galveston county to cede to the United States of America such portions of public highways in Galveston county for the purpose of establishing fortifications thereon situated outside the limits of the city of Galveston."

By the following vote: Ayes 22, noes none.

House bill No. 434, a bill to be entitled "An act to validate and confirm an ordinance passed by the city council of the city of Galveston, ceding to the United States of America certain streets intersecting land purchased and to be purchased by the United States of America for the purpose of erecting fortifications thereon, and to authorize the commissioners' court of Galveston county to cede to the United States of America such portions of public highways in Galveston county for the purpose of establishing fortifications situated outside the limits of the city of Galveston."

By the following vote: Ayes 25, noes none.

Substitute House bill No. 103, being "An act to amend subdivision 18 of article 22 of the Revised Civil Statutes of Texas, fixing the time for holding court in the Eighteenth Judicial District,"

By the following vote: Ayes 25, noes none.

House bill No. 30, a bill to be entitled "An act to amend article 904, title 10, of the Code of Criminal Procedure of the State of Texas, relating to appeal and writ of error, and to repeal all laws and parts of laws in conflict herewith," with accompanying amendment. By the following vote: Ayes 21, noes 2.

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. 151 and 200 to the Committee on Towns and City Corporations.

TIME EXTENDED.

For consideration of the following bill:

House bill No. 238, on request of Mr. Smyth, chairman.

SPEAKER'S TABLE.

The Speaker laid before the House, on its second reading, with majority favorable and minority adverse reports thereon.

Senate bill No. 36, a bill to be entitled "An act to amend article 723 of the Code of Criminal Procedure of the State of Texas, relating to the reversal of cases by the Court of Criminal Appeals."

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

Mr. Bailey moved to adopt the majority report.

Mr. Beard moved as a substitute that the minority report be adopted.

After consideration.

Mr. Freeman moved the previous question on the motion, and it was not seconded.

(Mr. Wolters in the chair.)

After further consideration.

Mr. Love moved the previous question on the minority report, and the main question was ordered.

(Speaker in the chair.)
On the motion to adopt the minority report, which would kill the bill, yeas and nays were demanded by Mr. Fields, Mr. Dean and Mr. Shropshire.

The motion was lost by the following vote:

Yeas—17.

Ayers. Ayers.
Baerid. Beaird.
Bell. Bell.
Bird. Bird.
Brigance. Brigance.
Dennis. Dennis.
Dies. Dies.
Lotto. Lotto.
Manson. Manson.

Pitts. Pitts.
Randolph. Randolph.
Rogers. Rogers.
Rudd. Rudd.
Thaxton. Thaxton.
Tracy. Tracy.
Turner. Turner.
Vaughan, Guad'lup. Vaughan, Guad'lup.

Nays—91.

Barbee. Barbee.
Barrett. Barrett.
Dean. Dean.
Benson. Benson.
Bertram. Bertram.
Blackburn. Blackburn.
Blair. Blair.
Bounds. Bounds.
Boyd. Boyd.
Browne. Browne.
Bumpass. Bumpass.
Burney. Burney.
Burns. Burns.
Callan. Callan.
Carpenter. Carpenter.
Carswell. Carswell.
Copoly. Copoly.
Cureton. Cureton.
Curry. Curry.
Dean. Dean.
Dickinson. Dickinson.
Dorrough. Dorrough.
Doyle. Doyle.
Drew. Drew.
Evans of Grayson. Evans of Grayson.
Ewing. Ewing.
Feild. Feild.
Fields. Fields.
Flint. Flint.
Freeman. Freeman.
Garrison. Garrison.
Green. Green.
Hensley. Hensley.
Hill of Travis. Hill of Travis.
Humphrey. Humphrey.
Jones. Jones.
Kimbell. Kimbell.
Lillard. Lillard.
Logan. Logan.

Love. Love.
Martin. Martin.
Maxwell. Maxwell.
McFurland. McFurland.
McGaughey. McGaughey.
McKamy. McKamy.
McKellar. McKellar.
Mead. Meade.
Mercer. Mercer.
Moore, Fort Bend. Moore, Fort Bend.
Morris. Morton.
Neighbors. Neighbors.
O'Connor. O'Connor.
Oliver. Oliver.
Peery. Peery.
Pfeuffer. Pfeuffer.
Porter. Porter.
Rogers. Rogers.
Reubell. Reubell.
Rhea. Rhea.
Robbins. Robbins.
Rogan. Rogan.
Savage. Savage.
Schlick. Schlick.
Seabury. Seabury.
Shelburne. Shelburne.
Shropshire. Shropshire.
Sluder. Sluder.
Smith. Smith.
Snyth. Snyth.
Stamper. Stamper.
Staples. Staples.
Stokes. Stokes.
Strother. Strother.
Thomas. Thomas.
Thompson. Thompson.
Tucker. Tucker.
Vaughan of Collin. Vaughan of Collin.
Wall. Wall.
Wallace. Wallace.
Williams. Williams.
Wolters. Wolters.
Wood. Wood.

Absent.

Collier. Collier.
Crowley. Crowley.

Melton. Melton.

Ward. Ward.

Alexander. Alexander.
Childs. Childs.
Crawford. Crawford.
Gillogh. Gillogh.
Good. Good.
Graham. Graham.

Excused.

Henderson. Henderson.
Holland of Burnet. Holland of Burnet.
Mundline. Mundline.
Patterson. Patterson.
Skillern. Skillern.
Welch. Welch.

I vote yeas because I believe that the poor man who is an unfortunate defendant in a criminal case should be protected by the same rules of practice that a defendant represented by competent counsel can take advantage of; and further, that the trial judge who passes upon the record in the case should not be clothed with authority to take part in the prosecution. I believe the bill goes further than the platform demand, and absolutely leaves the unrepresented defendant at the mercy of the trial court. BELL.

Question recurring on the passage of Senate bill No. 36 to a third reading, Mr. Blair offered the following amendment:

Amend by striking out all words after the word "judgment," in line 25 of article 723, and inserting the following: "May be reversed when the error appears of record and shall have been excepted to at the time of the trial."

Mr. Turner offered the following substitute for the amendment:

Amend by striking out all of the bill after the word "unless," in line 26, and insert in lieu thereof the following: "The failure of the trial court to observe the requirements of said articles was excepted to, and such ruling shown in a bill of exceptions properly authenticated."

Tabled on motion of Mr. Bertram.

Mr. Fisher offered the following substitute for the amendment by Mr. Blair:

Amend by striking out the words, in the 27th line, "which error shall be excepted to at the," and in line 28 the words "time of trial," and add in lieu thereof the words "but when such error appears it shall be reversed, whether it shall be excepted to or not, otherwise it shall be affirmed."

Lost.

The amendment by Mr. Blair was lost.

Mr. Wall offered the following amendment:

Amend by adding: "Provided, the judge shall not express any opinion as to the weight of evidence, nor shall he sum up the testimony, nor shall he dis-
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Mr. Meade offered the following amendment:

Amend by adding in line 28, after the word trial "or on a motion for a new trial."

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

The amendment by Mr. Meade was adopted.

The bill was passed to a third reading.

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

Senate bill No. 43, a bill to be entitled "An act to amend article 672 of title 8, chapter 3, of the Code of Criminal Procedure of the Revised Statutes of the State of Texas of 1895."

The bill was read second time and passed to a third reading.

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

Senate bill No. 52, a bill to be entitled "An act to require every express company to keep a general office in this State and to furnish such information in relation to its property, indebtedness and business as may be required by the Railroad Commission of Texas."

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

Amend by inserting after the word "secretary," in line 17, page 2, the words: "for general manager in Texas," adopted.

Mr. Rogan offered the following amendment: Amend section 3, page 3, line 6, by striking out the words "shall be a misdemeanor, and," adopted.

Mr. Seabury offered the following amendment:

Amend caption by adding thereto: "And to provide a penalty for the violation of such requirements."

The amendment was adopted, and the bill was passed to a third reading.

The Speaker laid before the House, with Senate amendment, House bill No. 59, relating to appeal and writ of error.

On motion of Mr. Bailey, the House concurred.

Mr. Fields, by unanimous consent, offered the following resolution:

Resolved, that Mat Glover and Bobbie Burney, who were appointed temporary pages by resolution adopted on February 6, 1897, be continued in that capacity during the balance of the session.

Read second time and adopted.

Mr. Fields moved to reconsider the vote by which the above resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker announced the following appointment:

Committee on the part of the House to investigate with a committee from the Senate the question of uniformity of text-books, etc.: Messrs. McGaughney, Barrett, Williams, Fields, Hill, and Blair.

On motion of Mr. Blair, the House, at 12 m., adjourned until 10 o'clock a.m. next Monday, February 22, according to time set in House concurrent resolution No. 10.

THIRTY-FIRST DAY.

Hall House of Representatives, Austin, Texas.
Monday, February 22, 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, Evans of Grayson.
Barbee, Ewing.
Barrett, Field.
Beau, Fields.
Berram, Fisher.
Bird, Filtt.
Blair, Freeman.
Bonds, Garrison.
Brewster, Gilbough.
Brisbane, Green.
Burns, Harris.
Burney, Hensley.
Burns, Hill of Gonzales.
Cain, Hill of Travis.
Carpenter, Humphrey.
Childs, Jones.
Crawford, Lillard.
Curston, Logan.
Cryer, Lotro.
Dean, Love.
Dunnill, Manson.
Dickinson, Martin.
Plews, Maxwell.
Doran, McFarland.
Dovey, McGaughney.
Drew, McKamy.
Eddows, McKellar.
Evans of Hunt, Meade.
Melton, Mercer.