FORTY-FIRST DAY.

Hall House of Representatives, 
Austin, Texas, 
Wednesday, March 19, 1897.

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

Speaker Dashell in the chair.

Roll called and the following members present.


A quorum was announced present.

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

Pending reading of the Journal of yesterday,

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

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Meade for to-day, on motion of Mr. Moore of Lamar.

Mr. Burney for to-day, on motion of Mr. Stokes.

Mr. Robbins for to-day, on motion of Mr. Evans of Hunt.

Mr. Good and Mr. Brigance for to-day, on motion of Mr. Bird.

On motion of Mr. Bailey, Mr. Boggs, Sergeant-at-Arms, was excused for to-day, on account of important business.

On account of sickness:

Mr. Martin for last Monday and Tuesday, on motion of Mr. Ayers.

Mr. Dorroh for to-day, on motion of Mr. Beaird.

Mr. Patterson indefinitely, on motion of Mr. Benson.

Mr. Freeman moved to reconsider the vote by which Mr. Patterson was excused indefinitely.

On motion of Mr. Wolters, the motion was tabled.

PETITIONS AND MEMORIALS.

By Mr. Graham:

A petition of C. Gurnsey, asking for certain amendments to the hog law.

Referred to the Committee on Agricultural Affairs.
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By Mr. Maxwell:
A petition of 138 citizens of Eastland county, protesting against the creation of a new county out of parts of Eastland, Brown, Callahan, Comanche and Coleman counties.

Referred to the Committee on Counties and County Boundaries.

By Mr. Mercer:
A petition of 35 citizens of Delta county, opposing the passage of the Evans assignment bill.

Referred to Judiciary Committee No. 1.

By Mr. Bailey:
A petition of 97 citizens of Goliad county, asking for the enactment of such legislation as will prohibit the discharge of firecrackers in or across the streets and alleys of cities, towns and villages within this State.

Referred to Judiciary Committee No. 2.

Also, a petition from the commissioners' court of Goliad county, protesting against the passage of a scalp law.

Referred to Judiciary Committee No. 2.

BILLS AND RESOLUTIONS.

By Mr. Wolters:
House bill No. 579, a bill to be entitled "An act to amend chapter 2, of title 60, of the Revised Statutes of the State of Texas, by adding thereto articles 3315a, 3315b and 3315c, and to give farm hands a prior lien on any and all crops grown upon farms cultivated by them for wages due."

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

By Mr. Bailey:
House bill No. 580, a bill to be entitled "An act to prescribe the time of holding the terms of the district court in the Twenty-fourth Judicial District."

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

By Mr. Bailey:
House bill No. 581, a bill to be entitled "An act to amend article 336, chapter 3, title 9, of the Penal Code of the State of Texas, so as to prohibit the discharge of firecrackers in or across any street or alley within the cities, towns and villages within this State."

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

By Mr. Smith:
House concurrent resolution No. 14.

Whereas, the State of Texas, as compared with other Southern States, possesses a soil more fertile, water power capable of being developed as cheaply, a climate more equable and permitting of longer hours of labor, a never-failing supply of water beneath the surface, inexhaustible beds of coal within and near her borders, a superior home market, and, in addition to the advantages above enumerated, her admirable geographical situation gives us, if properly utilized, absolute command of the trade of Mexico, the Central and Spanish-American States, the West Indies, and the West and Southwest; and

Whereas, our trunk lines of railroad and magnificent system of deep water ports already developed and in process of development, place this trade naturally within our reach; and

Whereas, Texas produces one-third of the cotton crop of America, which, if manufactured at home, would not only enhance the value of the cotton crop by an immense saving of freight and other expenses, and give employment to thousands of laborers, but would enable the Texas manufacturer to fix the price of cotton and cotton goods, to the great material benefit of our people; and

Whereas, it is a fact that despite the natural advantages which we enjoy and the great prosperity which would result if our industries were diversified by engaging in this line of human industry, we have not thus far made much progress in this direction, while the States of Georgia and South Carolina are enjoying a high degree of prosperity by establishing cotton manufactories, and the State of North Carolina consumes 100,000 bales of cotton more than she produces; and

Whereas, this state of affairs in Texas is not the result of poverty of resources or scarcity of labor, but rather because the advantages possessed by our State, as compared with other States, are not so generally known and utilized; therefore be it

Resolved, by the House of Representatives, the Senate concurring, that a commission of five persons, consisting of two manufacturers, two business men and one farmer, be appointed by the Governor to visit, study and report upon the cotton manufacturing establishments of South Carolina, Georgia and North Carolina, to compare the conditions there existing with those of Texas bearing upon the feasibility of establishing cotton manufacturing establishments in Texas, and that the report containing the results of their investigations be printed and sent out to the mayor and city council of each city.
and town, the presidents of all manufacturing establishments, and the newspapers of the State.

That $20,000, or so much thereof as may be necessary, be and the same is appropriated out of any money in the treasury not otherwise appropriated to defray the expenses of said commission and the publication of their report.

Read second time, and

On motion of Mr. Smith, referred to the Committee on State Affairs.

By Mr. Fields:
Resolved, that Rule 56 be so amended as hereafter to read as follows:

"56. No member shall absent himself from the sitting of the House without leave, unless in case of sickness; and every member absenting himself without leave shall for each day of absence forfeit the pay allowed by law. A majority of the members present may excuse absentees, and no member shall be excused upon his own motion."

The resolution was read, and went over under the rules.

By Mr. Woods:
Whereas, the Hon. Norman G. Kittrell has been invited and kindly consented to address the House of Representatives on the subject of the "South’s Battle Abbey;" and

Whereas, Saturday evening next at 8 o’clock has been set apart for that purpose; therefore be it

Resolved, that a most cordial invitation to be present is hereby extended to the Senate, to the Governor and State officials, and to all others interested in a cause so dear to the Southern heart.

Read second time and adopted.

SPECIAL ORDERS FIXED.

Substitute House bill No. 203, the general appropriation bill, to be considered during the morning session of each day, beginning next Tuesday, March 16, on motion of Mr. Garrison.

Mr. Beard moved as a substitute that the bill be made a special order for the morning sessions of each Monday and Tuesday, and the motion was lost.

COMMITTEE REPORTS.

By Mr. Humphrey, chairman:

Committee Room,
Austin, Texas, March 10, 1897.

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

Your Committee on Labor, to whom was referred House bill No. 538, a bill to be entitled "An act to secure to laborers in and about coal mines, manufactories and other public works in the payment of their wages in lawful money of the United States, and to prevent coercion of employees by their employers."

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. 440, on the same subject, has been reported favorably.

HUMPHREY, Chairman.

By Mr. Wood, chairman:

Committee Room,
Austin, Texas, March 8, 1897.

To Hon. L. T. Dashiel, Speaker of the House of Representatives.

Sir: Your committee appointed to visit and inspect the State Orphan Asylum, located at Corsicana, beg leave to report:

We visited the Orphan Asylum in company with the board of trustees, who showed us through the institution and explained the management, needs and necessities of the same.

We are well pleased with the management, and can only speak in terms of praise of the efficient work and service of the Superintendent, Colonel William A. Wortham, and his assistants. We were especially pleased with the work being done by Miss Mary Chapman in the kindergarten school.

So far as we were able to determine, the various departments are being conducted in a very efficient manner.

The sanitary condition of the institution is splendid, with the exception that the dormitories are crowded beyond their capacity for comfort or health, there being as many as sixty children sleeping in one room about 20x45 feet. Notwithstanding this fact, the health is good, as only eight deaths have been reported since January 1, 1895. We find that the several buildings need repairing and painting badly.

The Superintendent reports 289 inmates, and has application for 14 others, and we think that it is impossible to properly care for the number now in the institution without additional room. The present buildings were erected with the view of accommodating about 150 inmates, but there are now nearly twice that number in the institution. There is not a room in any of the buildings sufficiently large for one-half of the children to assemble in at the same time.
From a close and careful investigation, we submit that there is an imperative necessity for the following improvements.

1st. A school building, having at least seven rooms for school rooms, and one other room large enough for a general assembly and chapel room; estimated cost, $14,000.

2d. An addition to the dining room, which should be enlarged to increase its capacity at least 50 per cent; estimated cost, $2500.

3d. A hospital, isolated and apart from the other buildings; estimated cost, $4000.

At present, one of the dormitory rooms is used as a hospital room, but is so connected with other rooms as to compel the sick children and well to be together.

The above improvements we deem absolutely necessary. The Board of trustees, in addition, ask for an appropriation for an industrial school building, a standpipe, and for the purchase of 200 acres of land, in order to be enabled to keep all the boys at work when not in school.

While we recognize that such improvements would be of great benefit to the institution, yet we do not deem it so imperative as the first three items above mentioned, and while we will not take the liberty of recommending the appropriation for the latter purposes at this time, but, should the Legislature see fit in its wisdom to make such an appropriation, we can safely assure the members that it will be money well spent. The erection of the school building and the enlargement of the dining room will increase the capacity of the institution about 25 per cent, as the school rooms now used will be converted into dormitories; therefore, there should be a corresponding increase in the maintenance fund and two extra teachers.

WOOD, BUMPASS, WILCOX.

Committee Room.

Austin, Texas, March 8, 1897.

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

Sir: Your committee appointed to visit and inspect the North Texas Insane Asylum, located at Terrell, beg leave to report:

We are well pleased with the management and control of the institution by Superintendent Gaillard and his assistants.

The patients are well cared for; the various wards, bedding and clothing, etc., were found to be clean and comfortable.

So far as we were able to determine, the various departments of the asylum are being conducted in a very efficient manner.

The following improvements are asked for by the Board of Managers:

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
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<tbody>
<tr>
<td>Male infirmary</td>
<td>$12,000</td>
</tr>
<tr>
<td>Large dining room</td>
<td>6,000</td>
</tr>
<tr>
<td>Hose for fire department</td>
<td>500</td>
</tr>
<tr>
<td>New roof on administration building, and raising roof</td>
<td>2,000</td>
</tr>
<tr>
<td>General repairs</td>
<td>5,000</td>
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<tr>
<td>Laundry door</td>
<td>500</td>
</tr>
<tr>
<td>44S grated doors</td>
<td>500</td>
</tr>
<tr>
<td>Screens for 1000 doors and windows</td>
<td>400</td>
</tr>
<tr>
<td>Windmill for purifying air in building</td>
<td>1,000</td>
</tr>
</tbody>
</table>

While we concede that all the improvements asked for are needed for the convenience and comfort of the inmates of the asylum, we submit that the following are absolutely necessary, to-wit:

First. A male infirmary, estimated cost $12,000. We deem this necessary, as there is now no room or ward in the institution that can be used for the sick separate and apart from the well, the sick and well patients being now in the same ward.

Second. Hose for the fire department.

Third. Four hundred and forty-eight grated doors.

Fourth. Screens for 1000 windows.

The grated doors and screens are an absolute necessity if the comfort, health and safety of the unfortunate inmates is to be considered.

Fifth. New roof on the administration building. This is a necessity, as the roof is leaking in many places, which is seriously damaging the walls and paper of the building.

The other improvements asked for, while needed, yet in our judgment can be dispensed with for the present.

WOOD, BUMPASS, WILCOX.

By Mr. Williams, chairman: Committee Room; Austin, Texas, March 10, 1897.

Hon. George T. Jester, President of the Senate, and Hon. L. T. Dashiel, Speaker of the House of Representatives:

We, your conference committee on Senate bill No. 52, a bill to be enti-
tled “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;”

Have had the House amendments to said Senate bill No. 52 under consideration, and recommend:

First. That the Senate concur in House amendments Nos. 1, 2, 3, 5 and 6.

Second. That the House recede from its amendment No. 4.

Respectfully submitted,

COLQUITT,
BURNS,
WOODS,
BEALL,
TERRELL,

On part of the Senate.

WILLIAMS,
LOGAN,
LILLARD,
HENSLEY,

On part of the House.

Adopted.

By Mr. Bailey, Chairman:

Committee Room,
Austin, Texas, March 9, 1897.

Hon. L. T. Dashiell, Speaker of the House, and Hon. George T. Jester, President of the Senate:

We, your conference committee on House bill No. 65, a bill to be entitled “An act to define and punish the offense of wilfully or maliciously throwing missiles or firing guns or other firearms at or into moving trains or railroads or any railroad depot, private residence, school house, church house, store house, or other public or private buildings, sail boat or steamboat within this State,”

Have had the Senate amendments thereto under consideration, and report with the following recommendations:

First. That the Senate recede from its first, second and fourth amendments.

Second That the House concur in the third Senate amendment.

Third. That the Senate recede from so much of its fifth amendment as is included down to and including the word “buggy” in said amendment, and that the House concur in the remainder of said fifth amendment.

Respectfully submitted,

GOUGH,
STAFFORD,
COLQUITT,
TERRELL,
DARWIN,

On part of Senate.

BAILEY,
TURNER,
REUBELL,
LOVE,
MEADE,

On part of the House.

On motion of Mr. Bailey, the report was adopted.

BILL RECOMMENDED.

Senate bill No. 164 (reported adversely), on motion of Mr. Bailey.

SENATE MESSAGE.

Senate Chamber,
Austin, Texas, March 9, 1897.

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

Sirs: I am instructed by the Senate to inform the House that the Senate passed the following bills:

Senate bill No. 79, a bill to be entitled “An act to amend article 2640 of the Revised Civil Statutes of the State of Texas, relating to loaning money of wards by their guardians,”

By a two-thirds vote: yeas 24, nays 1.

Senate bill No. 227, a bill to be entitled “An act to create a more efficient road system for McLennan county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts on public roads of said county, and providing for officers’ fees, and rewards and penalties for said convicts, and rewards for the capture of escaped convicts, and to provide for the manner and training and maintaining hedges along all public roads, and to provide for the summoning of teams for road work, and for an allowance for time of road service for same, and fixing a penalty for a violation of this act, and to repeal all laws in conflict herewith.”

By the following vote: yeas 25, nays 0.

House bill No. 513, a bill to be enti-
Mr. Turner moved to reconsider the vote by which Senate bill No. 82 was passed, and to table the motion to reconsider. The motion to table prevailed.

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

Senate bill No. 2, a bill to be entitled “An act to amend articles 5139 and 5152 of the Revised Civil Statutes of the State of Texas, adopted at the regular session of the Twenty-fourth Legislature, relating to the assessment and collection of taxes on lands in unorganized counties belonging to non-residents.”

Bill read second time, and passed to third reading.

The Speaker laid before the House, on its second reading, with amendment by the committee,

Senate bill No. 15, a bill to be entitled “An act to amend article 2601, chapter 6, title 51, of the Revised Civil Statutes of the State of Texas.”

The bill was read second time and the committee report was adopted. The bill was passed to a third reading.

The Speaker laid before the House, on its second reading, with amendment by the committee,

Senate bill No. 16, a bill to be entitled “An act to amend article 1942, chapter 8, title 39, of the Revised Statutes of the State of Texas of 1895, relating to bonds of administrators and executors and sureties thereon.”

The bill was read second time and the committee report was adopted. The bill was passed to third reading.

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

Senate bill No. 28, a bill to be entitled “An act to further define the duties of the Railroad Commission of Texas to make and enforce rules,”

On motion of Mr. Ward, the bill was laid on the table subject to call. The Speaker laid before the House, on its second reading.

Senate bill No. 30, a bill to be entitled “An act to enable the Railroad Commission of Texas to make emergency freight rates to prevent the evil effects of interstate rate wars upon the business and interests of the people and railroads of this State,”

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

Amend by striking out the word “commissioner,” in line 20, and insert in lieu thereof the word “commission.”

Adopted.

The bill was passed to a third reading.
The Speaker laid before the House, on its second reading, Senate bill No. 31, a bill to be entitled "An act to amend article 888 of chapter 6, title 17, of the Penal Code of the State of Texas, defining the crime of bigamy."
The bill was read second time, and On motion of Mr. Seabury, was laid on the table subject to call.
The Speaker laid before the House, on its second reading, Senate bill No. 32, a bill to be entitled "An act to amend chapter 4, title 7, of the Code of Criminal Procedure of the State of Texas, by adding thereunto article 624a, providing for the issuance of attachments for witnesses residing in the county of the prosecution, when such witness is about to remove therefrom," Bill read second time, and passed to third reading.
The Speaker laid before the House, on its second reading, Senate bill No. 38, a bill to be entitled "An act to amend article 363, and repeal articles 354, 355, 356, 357, 358, of title X, chapter 3, of the Penal Code of the State of Texas, in regard to adultery and fornication." Read second time, and On motion of Mr. Beaird, laid on the table subject to call.
The Speaker laid before the House, on its second reading, Senate bill No. 44, a bill to be entitled "An act to amend article 881, title XVII, chapter 11, of the Penal Code of the State of Texas of 1895, relating to the theft of horses, asses and mules."
On motion of Mr. Seabury, laid on the table subject to call.
The Speaker laid before the House, on its second reading, Senate bill No. 50, a bill to be entitled "An act to amend article 878, of title XVII, chapter 9, of the Penal Code of the State of Texas, in regard to receiving stolen property."
The bill was read second time, and Mr. Beaird moved that it be laid on the table subject to call.
Mr. Freeman moved to table the motion, and the motion to table was lost. The motion of Mr. Beaird prevailed, and the bill was tabled, subject to call.

**BILLS SIGNED BY THE SPEAKER.**

The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following bills:

House bill No. 88, "An act to create a more efficient road system for Rains county, Texas, making provision for the appointment by the commissioners court of said county of a county road commissioner for said county, prescribing his duties and compensation; providing for the appointment of road overseers, defining their duties and liabilities; providing for the working of county convicts and delinquent poll tax payers upon the public roads of said county, and regulating the same; providing for officers' fees and rewards in convicting convicts and recapturing escaped convicts; for the summoning of teams, and tools for road work, and compensation for same, and providing penalties for violations of this act, and to repeal all laws in conflict with this act, and providing for county commissioners to act as road commissioners."

Senate bill No. 82, "An act to amend article 256 of the Revised Civil Statutes of Texas, relating to applications for license to practice law."
The Speaker laid before the House, on its second reading, with amendment by the committee.

Senate bill No. 55, a bill to be entitled "An act to amend article 641 and 642, chapter 2, of title 21, of the Revised Civil Statutes of Texas, relating to the creation of corporations."
The bill was read second time and the committee report was adopted.

Mr. Fisher offered the following amendment:

Amend by striking out all of section 37, after the word "company," in line 15, page 5.
Adopted.

Mr. Turner offered the following amendment:

Amend so that subdivision 50, on pages 6 and 7, shall conclude with the word "profit," in line 9 on page 7, and that all of said section after said word, beginning with the words, "the stockholders," in line 9, down to and inclusive of the word "issued," in line 23, on page 7, be added to the end of the bill, as subdivision 56.
Adopted.

Mr. Bailey offered the following amendment:

Amend by striking out section 50, inserting the following in lieu thereof as section 50:

"For the organization of mutual fire or storm insurance companies without an authorized capital; provided, that the members of such mutual fire insurance companies applying for such charters shall be resident citizens of the State of Texas, which fact shall be proven by the affidavit of a credible
person accompanying the articles of incorporation when filed with the Secretary of State, and such affidavit shall state that the person making the same is cognizant of the facts therein stated; and provided further, that no permit to transact business within this State shall be granted to any mutual fire or storm insurance company without an authorized capital incorporated under the laws of any other State.

Mr. Ward offered the following amendment to the amendment:

Amend by adding after the word "storm" the words "or lightning."

Adopted.

The amendment as amended was adopted.

Mr. Turner offered the following amendment:

Amend section 24 by adding after the words "farm products," in line 16, the following: "Provided, that no one not actually engaged in farming in this State shall become an incorporator in any corporation organized under this provision."

Tabled on motion of Mr. Doyle.

Mr. Blair offered the following amendment:

Amend by striking out all words in lines 15 and 16, page 3, subdivision 24, and change number of subdivision accordingly.

(Mr. Seabury in the chair.)

Mr. Ewing moved to table the amendment, upon which yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Turner.

Tabled by the following vote:

Yea's—92.

Alexander. Ayers.
Bailey. Barbee.
Barrett. Benson.
Bertram.
Bird.
Blackburn.
Bounds.
Boyd.
Brewster.
Brown.
Bumpass.
Burns.
Carpenter.
Carswell.
Conolly.
Crawford.
Cureton.
Curry.
Dean.
Dennis.
Dickinson.
Doyle.

Maxwell.
McGaughey.
McKamy.
McKellar.
Meade.

Schlick.
Seabury.
Shelburne.
Shropshire.
Skillern.
Sluder.
Smith.

Morris.
Morton.
Mundine.
Neighbors.
Oliver.
Peery.
Pfeiffer.
Porter.
Randolph.
Reubell.
Rhea.
Rogan.
Savage.

Stamper.
Stokes.
Strother.
Thaxton.
Thompson.
Tucker.
Wall.
Wallace.
Ward.
Wilcox.
Williams.
Wood.

Nays—10.

Beaird.
Blair.
Garrison.
Harris.
Holland of Harris. Wolters.

Absent.
Bell.
Callan.
Collier.
Dies.
Edwards.
Gilbough.

Henderson.
O'Connor.
Pitts.
Rogers.
Smyth.
Tracy.

Excused.
Bean.
Brigance.
Burney.
Childs.
Crowley.
Dorroh.
Dorroh.

McFarland.
Moore, Fort Bend.
Patterson.
Reiger.
Robins.
Vaughan, Guadalupe.

Good.

(Speaker in the chair.)

Mr. Fisher offered the following amendment:

Amend by striking out all of the subdivisions of article 642 of said bill except subdivisions 5, 12, 13, 14, 21, 23, 24, 26, 35, 37 and 86, and change the numbers accordingly.

Pending consideration of the amendment, on motion of Mr. Fisher, further consideration was postponed until 10 o'clock a.m. to-morrow.

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

Question recurring on the longest time first, yeas and nays were demanded by Mr. Kirk, Mr. Cureton and Mr. Peery.

Lost by the following vote:
Yeas—32.


Nays—71.


Absent.


Excused.


The motion of Mr. Kirk prevailed, and the House at 12.45 o'clock p. m. adjourned accordingly.

AFTERNOON SESSION.

The House was called to order at 3 o'clock, pursuant to adjournment.

Speaker Dashell in the chair.

Roll was called and there was not a quorum present, whereupon

Mr. Turner moved a call of the House.

The call was seconded, and the Sergeant-at-Arms was directed to bring

in the absentees.

Whereupon the roll showed the following members present:


Nays—71.


Absent.


Excused.


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Whereupon the roll showed the following members present:


Nays—71.


Absent.


Excused.

Smyth.  Vaughan of Collin.
Stamper.  Wall.
Thaxton.  Wilcox.
Williams.  Thomas.
Walters.  Turner.
Wood.

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Holland of Burnet.

Holland of Harris.

Jones.

Kimbell.

Lillard.

Logan.

Manson.

Martin.

Maxwell.

Strother.  Welch.

Stokes.  Ward.

Vaughan.

Turner.

Thomas.

Thompson.

Turner.  Wood.

Vaughan, Guatlupe.

Absent.

Bird.

Martin.

Drew.

Rhea.

Feld.  Rogers.

Green.  Smith.

Henderson.  Tracy.

Logan.  Tucker.

Excused.

Bean.  McFarland.

Brigance.  Meade.

Burney.  Moore, Fort Bend.

Crowley.  Patterson.

Dorroh.  Reiger.

Good.  Robbins.

A quorum was announced present.

On motion of Mr. Garrison, the Finance Committee were excused for 30 minutes, on account of important committee work.

Mr. McGaughey moved to adjourn until 9 a. m. to-morrow, and the motion was lost.

Mr. Holland of Harris moved to excuse the joint Committee on Judicial Districts for this afternoon, and the motion was lost.

COMMITTEE REPORT.

By Mr. Bertram, chairman:

Committee Room, Austin, Texas, March 9, 1897.

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

Your Committee on Claims and Accounts, to whom was referred the claim of Lawrence Smith for services as guard at Camp Mabry from October 1, 1894, to March 1, 1895, five months, at $35 per month, $175.

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.

BERTRAM, Chairman.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, March 10, 1897.

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

I am directed by the Senate to inform the House that the Senate has passed House bill No. 85, a bill to be entitled "An act to grant relief to certain teachers who taught during the school year of 1895-96 in Greer county, which was then considered a portion of Texas, but has since been made a part of the territory of Oklahoma."

By two-thirds vote: yeas 23, nays 0.

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

Senate bill No. 251, a bill to be entitled "An act to prohibit in certain cases the gathering of pecan nuts, and the cutting, injuring or destroying of pecan trees, and prescribing a penalty therefor."

Also, that the Senate has adopted the report of the Conference Committee on the differences existing between the two houses on the Senate amendments to

House bill No. 65, a bill to be entitled "An act to define and punish the offense of wilfully or maliciously throwing missiles or firing guns or other firearms at or into moving trains on railroads or any railway depot, private residence, schoolhouse, courthouse, courtroom, hotel or other public or private building, sailboat or steamboat in this State."

Respectfully,

WILL LAMBERT, Secretary.

SENATE BILL ON FIRST READING.

The following bill, received from the Senate, was read first time and referred as follows:

Senate bill No. 251, to Judiciary Committee No. 1.

Mr. Ward moved to adjourn until 9.30 o'clock a. m. to-morrow, upon which yeas and nays were demanded by Mr. Fields, Mr. Dies and Mr. Kirk.

Mr. Turner moved a call of the House, and it was not seconded.

The motion prevailed by the following vote:

Yeas—62.

Alexander.  Dennis.

Ayers.  Dickinson.

Barbee.  Garrison.

Barrett.  Gilbough.

Beard.  Harris.

Bell.  Hill of Travis.

Blackburn.  Holland of Burnet.

Blair.  Holland of Harris.

Bounds.  Jones.

Boyd.  Kimbell.

Burns.  Lillard.

Callan.  Logan.

Carswell.  Manson.

Conoly.  Martin.

Dean.  Maxwell.
I vote to adjourn for the following reason: The Committee on Finance has been excused, and without their presence I do not think we will have a quorum.

STOKES.

I vote "aye" now and on many other occasions because I want time to study the important measures before me and upon which I am called to vote, and because I have to attend the meeting of very important committees.

SMITH.

Accordingly, the House at 3.25 p.m. adjourned until 9.30 o'clock a.m. tomorrow.

FORTY-SECOND DAY.

Hall House of Representatives, Austin, Texas.

Thursday, March 11, 1897.

The House met at 9:30 o'clock a.m., pursuant to adjournment.

Speaker Dashiell in the chair.

Roll called, and the following members present:

Alexander. Hill of Travis.
Ayers. Holland of Burnet.
Bailey. Humphrey.
Barbee. Jones.
Bell. Kimbrell.
Benson. Kirk.
Bertram. Lillard.
Bird. Logan.
Blackburn. Love.
Blair. Mansan.
Bounds. Martin.
Brewster. Maxwell.
Brigance. McGaughey.
Browne. McKamy.
Burney. Watson.
Burns. Meade.
Callan. Mercer.
Carpenter. Moore, Fort Bend.
Carswell. Moore of Lamar.
Childs. Morris.
Conolly. Morton.
Crawford. Mundine.
Cureton. Neighbors.
Curry. O'Connor.
Dean. Oliver.
Dennis. Feery.
Dickinson. Pfeuffer.
Dyes. Pitts.
Doyle. Porter.
Drew. Randolph.
Edwards. Reubell.
Evans of Grayson. Robbins.
Ewing. Rogan.
Fields. Rudd.
Fisher. Savage.
Flint. Schlick.
Freeman. Seabury.
Garrison. Shelburne.
Gilbough. Shropshire.
Graham. Skillern.
Green. Sluder.
Harris. Stamper.
Hensley. Hill of Gonzales.