April 16, 1897

Humphrey.
Jones.
Kimbell.
Kirk.
Logan.
Lotto.
Love.
McFarland.
McGaughey.
McKamy.
McKeller.
Meade.
Melton.
Moore of Lamar.
Morris.
Morton.
Neighbors.
Patterson.
Peery.
Porter.
Randolph.
Relger.

Absent.

Ayres.
Bertram.
Dorroh.
Edwards.
Garrison.
Graham.
Manson.
Maxwell.
Mercer.
Oliver.
Pitts.

Excused.

Alexander.
Barbee.
Bean.
Bell.
Bumpass.
Callan.
Collier.
Flint.

I vote to table the resolution, not out of any discourtesy toward the gentlemen named, but to sustain the Speaker in his efforts to clear the Hall of all persons not authorized under the rules to seats. MARTIN.

Mr. Childs offered the following amendment:

Amend by adding the names of E. P. Curtis and J. W. Hopper. (Signed—Childs, Beaird.)

PENDING CONSIDERATION.

Mr. Blair moved to adjourn until 9:30 a.m. to-morrow; Mr. Bertram until 8 a.m. to-morrow; and Mr. Martin until 8 o'clock p.m. to-day.

Question recurring on the longest time first, the motion prevailed, and the House accordingly, at 5:37 p.m., adjourned until 9:30 o'clock a.m. to-morrow.
A quorum was announced present. Prayer by Dr. J. A. Jackson, Chaplin.

Pending reading of the Journal of yesterday.

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

**GRANTED LEAVE OF ABSENCE.**

On account of important business:
- Mr. Edwards until Monday, on motion of Mr. Seabury.
- Mr. Rudd until Wednesday, on motion of Mr. Wilcox.
- Mr. McGaughey until Monday, on motion of Mr. Morris.
- Mr. Bell and Mr. Ewing for to-day, on motion of Mr. Bailey.
- Mr. Patterson until Monday, on motion of Mr. Benson.
- Mr. Strother until Monday, on motion of Mr. Hill of Gonzales.
- Mr. Jones and Mr. Bertram for to-day, on motion of Mr. Freeman.
- Mr. Robbins until Monday, on motion of Mr. Dean.
- Mr. Shropshire for to-day, on motion of Mr. Boyd.
- Mr. Maxwell until Monday, on motion of Mr. Love.
- Mr. Rogers for to-day, on motion of Mr. Good.
- Mr. Stokes until Monday, on motion of Mr. Skilern.
- Mr. Burney until Monday, on motion of Mr. Bertram.

On account of sickness:
- Mr. Edwards for yesterday, on motion of Mr. Crawford.
- Mr. Shelburne moved to excuse Mr. Pitts until next Monday, on account of important business.

Yea's and nay's were demanded by Mr. Gilbough, Mr. Blair and Mr. Wolters.

Excused by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
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<td>75</td>
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Excused.

<table>
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<tr>
<th>Ayers</th>
<th>Bailey</th>
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<td>Shropshire</td>
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<p>| Curry | Dean | Dickinson | Dorroh | Doyle | Drew | Evans of Hunt | Evans of Grayson | Porter | Feild | Freeman | Garrison | Graham | Green | Henderson | Hensley | Hill of Gonzales | Hill of Travis | Skillern | Holland of Burnet | Sluder | Holland of Harris | Smyth | Humphrey | Jones | Lillard | Logan | Love | Manson | Martin | McKellar | Meade | Melton | Moore of Lamar | Wood | Absent | Beaird | Bird | Blair | Brigance | Dennis | Dies | Gilbough | Harris | Absent |</p>
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Present, and excused from voting.

Mr. Gilbough called up the resolution pending at adjournment yesterday, inviting certain gentlemen to a seat on the floor of the House, with amendment by Mr. Childs pending.
Mr. Gilbough moved to table the amendment, and the motion was lost.

After consideration, Mr. Meade moved the previous question, and the main question was ordered.

Mr. Fields moved to reconsider the vote by which the previous question was ordered.

Reconsidered.

Mr. Blair, then, for the authors of the resolution, by consent of the House, withdrew it. Mr. Childs withdrawing his amendment.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, April 16, 1897.

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

I am instructed by the Senate to inform the House that the Senate has passed

House bill No. 518, entitled "An act to amend articles 5243i, 5243j and 5243k, of chapter 9, title 104, of the Revised Civil Statutes, relating to the taxation of insurance, telephone, sleeping and dining car and other corporations, and to provide for forfeiting the charters of domestic corporations and permits of foreign corporations to do business in this State for failure to pay the franchise tax levied by this act, and to define and prescribe the notice to be given to said corporations previous to such forfeitures,"

With amendments, and by the following two-thirds vote: yeas 23, nays 1.

House bill No. 40, entitled "An act to repeal article 1277, and to amend article 1278, of the Revised Statutes of Texas, relating to continuances,"

With amendment.

House bill No. 77, entitled "An act to amend article 2396 of the Revised Civil Statutes of Texas of 1895, by adding thereto the proviso that the proceeds of the voluntary sale of the homestead of a family shall not be subject to garnishment within twelve months after such sale,"

With amendments.

Respectfully,

WILL LAMBERT, Secretary.

The Speaker laid before the House, Senate bill No. 40, reported above with Senate amendments, and

On motion of Mr. Ward, the House concurred in the amendments.

Mr. Ward moved to reconsider the vote by which the amendments were concurred in, and to table the motion to reconsider.

The motion to table prevailed.

SENATE CONCURRENT RESOLUTIONS 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 Senate concurrent resolutions:

Senate concurrent resolution No. 16, requesting the Texas delegation in Congress to secure the passage of an act indemnifying certain citizens of Washington county.

Senate concurrent resolution No. 22, granting to the Eighth Texas Cavalry Association, known as Terry's Texas Rangers, permission to erect in the capitol grounds a monument to their heroic dead.

SPEAKER'S TABLE.

The Speaker laid before the House, as pending business, on its engrossment, Substitute House bill No. 203, the general appropriation bill, the House considering the bill by departments, and the

ATTORNEY GENERAL'S OFFICE

Being the department under consideration.

Mr. McKamy moved to suspend pending business to take up and place on its second reading.

Senate joint resolution No. 3, "To amend article 8 of the Constitution of the State of Texas, by adding to said article an additional section, to be numbered section 20. (Tending to encourage and develop the business of manufacturing by authorizing the Legislature to exempt the capital stock of persons or incorporations so engaged from taxation for a period of ten years under certain conditions.)"

Lost.

(Mr. Pitts made his appearance in the House, and was marked present.)

Items relating to the

COURT OF CRIMINAL APPEALS

Department were next read, and

Mr. Beaird offered the following amendment:

Amend by striking out "$3000" in each column of lines 8 and 9, page 7, of the bill, and insert in lieu thereof in each column "$4000."
SUPREME COURT

Department were next read, and
Mr. Ward offered the following amendment:
Amend by striking out the figures "$1000, $1000" from page 7, line 13,
and inserting the figures "$1200, $1200," so that the line will read "Salary of
stenographic and law clerk, $1200, $1200."

Lost.
Mr. Bertram offered the following amendment:
Amend by striking out all in line 19, on page 7.
Tabled on motion of Mr. Ward.

Items relating to the
DEPARTMENT OF EDUCATION
were next read, and
Mr. Garrison offered the following amendment:
Amend by inserting after line 18,
page 8, the following, "For the support of Summer Normal Institutes
throughout the State, to be paid out of the available school funds, $20,000,
$20,000.

Mr. Doyle offered the following amendment to the amendment:
Amend the amendment by striking out $20,000 for each year and inserting
$10,000 for each year.
Tabled on motion of Mr. Wallace.

Mr. Crawford offered the following substitute for the amendment:
Substitute by adding after line 18,
page 8, the following: "For support of Summer Normal Institutes for the
white and colored teachers of this State, $20,000 for each year, to be paid
out of the available school fund."

Accepted by Mr. Garrison.

Mr. Bounds moved the previous question on the amendment, and the
main question was ordered.
(Mr. McKamy in the chair.)
On the amendment as substituted, yeas and nays were demanded by Mr.

Drew, Mr. Wood and Mr. Bounds.

Lost by the following vote:
Yeas—43.


Nays—55.

Absent.

Excused.

Mr. Welch offered the following amendment:
Amend line 27, page 7, by inserting "$1000" instead of "$900" in each column.

Mr. Bertram offered the following substitute for the amendment:
Amend by striking out all in line 27,
The amendment by Mr. Welch was lost.
The amendment by Mr. Bertram was lost.
Mr. Lotto offered the following amendment:
Amend line 24, page 7, by striking out "$1600 for each year" and inserting in lieu thereof "$1200."
Tabled on motion of Mr. Hill of Gonzales.
Mr. Henderson offered the following amendment:
Amend by striking out line 26, on page 7.
Tabled on motion of Mr. Welch.
Mr. Martin offered the following amendment:
Amend by striking out "$1500" in line 16, on page 8, and insert in lieu thereof the following: "Postage, freight, express, telegraphing, stationery, office furniture, files, binding reports, books, pamphlets, periodicals and incidental expenses, the sum of twelve hundred and fifty dollars ($1250) for each year."
Tabled on motion of Mr. Wolters.
On the amendment by Mr. Martin, yeas and nays were demanded by Mr. Henderson, Mr. Martin and Mr. Oliver.
Lost by the following vote:

Yeas—43.
Benson. Holland of Harris.
Bertram. Humphrey.
Burns. Kimbell.
Curry. Kirk.
Dickinson. Lillard.
Dorroh. Logan.
Drew. Love.
Drew. Martin.
Fields. Mercer.
Freeman. Morton.
Good. Oliver.
Graham. Streets.
Pfeiffer. Tharton.
Pitts. Thomas.
Porter. Tucker.
Reubell. Turner.
Rhea. Wail.
Rogan. Wolters.
Shelburne. Wood.

Excused.
Alexander. Mundine.
Barbee. Patterson.
Beil. Robbins.
Bumpass. Rogers.
Burney. Rudd.
Callan. Shropshire.
Collier. Smith.
Edwards. Stamper.
Flint. Stokes.
McGaughery. Tracy.
Moore, Fort Bend. Vaughan of Collin.

Mr. Turner offered the following substitute for the amendment:
Amend by striking out in lines 15, 16, 17 and 18, on page 8, and insert in lieu thereof the following: "Postage, freight, express, telegraphing, stationery, office furniture, files, binding reports, books, pamphlets, periodicals and incidental expenses, the sum of twelve hundred and fifty dollars ($1250) for each year."
Tabled on motion of Mr. Wolters.
On the amendment by Mr. Martin, yeas and nays were demanded by Mr. Henderson, Mr. Martin and Mr. Oliver.
Lost by the following vote:

Yeas—53.
Brewster. O'Connor. Wall.
Conoly. Reiger. 
Crawford. Savage. 
Dean. Sluder. 
Dennis. Strother. 
Evans of Grayson. Thompson. 
Garrison. Vaughan, Guadalupe. 
Harris. Wallace. 
Hensley. Ward. 
Hill of Gonzales. Welch. 
Hill of Travis. Wilcox. 

Nays—37.
Carpenter. Kimbell. Wall.
Curry. Lillard. 
Dickinson. Logan. 
Drew. Martin. 
Evans of Grayson. McKellar. 
Feild. Melton. 
Fields. Mercer. 
Freeman. Morton. 
Good. Oliver. 
Graham. Pitts. 
Green. Porter. 
Harris. Rhe.
Henderson. Rogan. 
Holland of Burnet. Schlick.
Shelburne. Tucker.  
Skillern. Wall.  
Thaxton. Wood.  
Thomas.  

Nays-52.  

Ayers.  
Bailey.  
Barrett. Mason.  
Bean. McKamy.  
Bird. Meade.  
Blair. Moore of Lamar.  
Bounds.  
Boyd.  
Brewster.  
Brigance.  
Browne.  
Carpenter.  
Carswell.  
Childs.  
Conoly.  
Crawford.  
Cureton.  
Dean.  
Dennis.  
Ewing.  
Fisher.  
Garrison.  
Hensley.  
Hill of Gonzales.  
Hill of Travis.  
Jones.  

Absent.  

Beard. Maxwell.  
Blackburn. Reiger.  
Crowley. Smyth.  
Dies. Strother.  
Evans of Hunt. Welch.  
Gilbough.  

Excused.  

Alexander. Mundine.  
Barbee. Patterson.  
Bell. Robbins.  
Bumpass. Kogers.  
Burney. Rudd.  
Calian. Shropshire.  
Collar. Stamper.  
Edwards. Stokes.  
Flint. Tracy.  
McGaughey. Vaughan, Collin.  
Moore, Fort Bend.  

On motion of Mr. Seabury, Mr. Childs was excused until next Monday, on account of important business.  

BILLS INTRODUCED.  

(By unanimous consent.)  

By Mr. Bailey and Mr. Turner:  

House bill No. 694, a bill to be entitled "An act to abolish all distinction between principals and accomplices in crimes, to further define who are principal offenders; to amend chapter 1, title 3, of the Penal Code, by adding thereto two articles, to be known as articles 79 and 80, and to repeal articles 79, 80, 81, 82, 83, 84 and 85, of chapter 2, title 3, of the Penal Code." Read first time and referred to Judiciary Committee No. 2.  

On motion of Mr. Burns, the House at 12:37 p.m. took recess until 3 p.m. today.  

AFTERNOON SESSION.  

The House was called to order by the Speaker at 3 o'clock p.m. Pending question, House bill No. 665, a bill to be entitled "An act to redistrict the State of Texas into judicial districts, for the purpose of reducing their number and equalizing the work of the judges, to fix the times of holding the court therein, to provide for the appointment of district judges and district attorneys in certain cases, and to repeal all laws and parts of laws in conflict herewith," on its engrossment. On motion of Mr. Rogan, Mr. Blackburn was excused for this evening, on account of important business.  

COMMITTEE REPORTS.  

By Mr. Bailey, chairman:  

Committee Room,  
Austin, Texas, April 14, 1897.  

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

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 226, a bill to be entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies and to legalize dissections by authorized persons." Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it be referred to the Committee on Public Health and Vital Statistics.  

BAILEY, Chairman.  

Committee Room,  
Austin, Texas, April 14, 1897.  

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

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 212, entitled "An act to provide a penalty for the failure or refusal of any president, vice-president, cashier, of a national bank,  

BILL INTRODUCED.  

(By unanimous consent.)  

By Mr. Bailey and Mr. Turner:  

House bill No. 694, a bill to be entitled "An act to abolish all distinction between principals and accomplices in crimes, to further define who are principal offenders; to amend chapter 1, title 3, of the Penal Code, by adding thereto two articles, to be known as articles 79 and 80, and to repeal articles 79, 80, 81, 82, 83, 84 and 85, of chapter 2, title 3, of the Penal Code." Read first time and referred to Judiciary Committee No. 2.  

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Your Judiciary Committee No. 2, to whom was referred Senate bill No. 212, entitled "An act to provide a penalty for the failure or refusal of any president, vice-president, cashier, of a national bank,
to furnish the tax assessor, or the deputy tax assessor, a correct statement of the assets and liabilities of the national bank of which such person is president, vice-president or cashier."

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, April 14, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 153, a bill to be entitled "An act to amend article 271, chapter 6, of title VIII, of the Penal Code of the State of Texas, adopted in 1895, relating to the approval of official bonds, and to repeal all laws and parts of laws in conflict with the same."

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

BAILEY, Chairman.

Committee Room,
Austin, Texas, April 14, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 301, a bill entitled "An act to prevent the sale, the offering for sale, or the giving away of questions or the answers to questions prepared for the examination of applicants for teachers' certificates, to prevent persons in official or public or quasi-public positions from permitting unauthorized persons to acquire a knowledge of such questions or of the answers thereto, and to prevent all carelessness, irregularity, dishonesty or fraud in handling the questions, and prescribing penalties for the violation of this act."

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, April 14, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 102, a bill to be entitled "An act to repeal articles 513b, 513c, 513d and 520, chapter 5, title 13, of the Penal Code of the State of Texas, and to amend articles 510, 511, 512, 513, 514, 515, 516, 517 and 518 of said chapter and title, and to further amend said chapter by adding thereto articles 517a, 518a, 518b, 518c, 518d, 518e, 518f and 518g, relating to the protection of fish, birds and game; and to repeal all laws and parts of laws in conflict herewith."

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, and that this bill be considered with substitute House bill No. 221, on the same subject.

BAILEY, Chairman.

By Mr. Carpenter, chairman:

Committee Room,
Austin, Texas, April 14, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Committee on State Affairs, to whom was referred
House bill No. 158, a bill to be entitled "An act granting a pension of one hundred and fifty dollars per annum to Denisa Matthews, widow of W. H. Matthews, deceased, a Texas veteran, from and after the passage of this act."

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.

CARPENTER, Chairman.

BILL SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof, and its caption had been read, the following bill:

House bill No. 40, a bill to be entitled "An act to repeal article 1277 and to amend article 1278 of the Revised Statutes of Texas, relating to continuances."

BILL RECOMMENDED.

House bill No. 673 (reported favorably), on motion of Mr. Williams, chairman.

SPEAKER'S TABLE.

On motion of Mr. Fisher, pending business was suspended to take up and place on its third reading and final passage:

House bill No. 263, a bill to be entitled "An act to prohibit persons engaged in running pool or billiard tables in a public place, or for profit, permitting minors in or about their
places of business without the written consent of their parents or guardians, and to provide a penalty therefor."

The bill was read third time, and was passed.

Mr. Fisher moved to reconsider the vote by which House bill No. 263 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Peery moved to further suspend pending business to take up and place on its third leading and final passage, House bill No. 22, a bill to be entitled "An act to provide for the redemption of real estate sold for debt."

On the motion to suspend, yeas and nays were demanded by Mr. Peery, Mr. Hensley and Mr. Bertram.

Lost by the following vote:

Yeas—46.

Barrett. Kimbell.
Beard. Kirk.
Bean. Lillard.
Benson. Logan.
Bertram. Lotto.
Blackburn. Manson.
Blair. Martin.
Boyd. McKeller.
Brewster. Melton.
Burns. Morris.
Carswell. Morton.
Crawford. Peery.
Cureton. Rogan.
Curry. Savage.
Ewing. Schlick.
Field. Skillern.
Fisher. Snyder.
Freeman. Smyth.
Graham. Staples.
Hensley. Stokes.
Hill of Gonzales. Tucker.
Holland of Burnet. Wall.
Humphrey. Welch.

Nays—40.

Ayres. McKamy.
Bailey. Meade.
Bounds. Mercer.
Brigance. O'Connor.
Browne. Oliver.
Carpenter. Pfeuffer.
Conoly. Pitts.
Dennis. Porter.
Dickinson. Randolph.
Dorrich. Reiger.
Doyle. Reubell.
Drew. Seabury.
Evans of Grayson. Thaxton.
Fields. Thompson.
Green. Vaughan, Guad'lupe.
Harris. Wallace.
Henderson. Ward.
Holland of Harris. Wilcox.
Love. Wolters.
McFarland. Wood.

Mr. Hailey called up House bill No. 518, a bill to be entitled "An act to amend articles 5243j, 5243k and 5243k, of chapter 9, title 104, of the Revised Civil Statutes, relating to the taxation of insurance, telephone, sleeping and dining car and other corporations, and to provide for forfeiting the charters of domestic corporations and permits of foreign corporations to do business in this State for failure to pay the franchise tax levied by this act, and to define and prescribe the notice to be given to said corporations previous to such forfeiture."

With Senate amendments.

The bill was laid before the House, and the Senate amendments were read.

Mr. Bailey moved that the House concur.

Mr. Blair moved that consideration of the Senate amendments be postponed until next Monday afternoon, and that the Senate amendments be printed in the Journal.

On the motion of Mr. Blair to postponed, yeas and nays were demanded by Mr. Wolters, Mr. Blair and Mr. Brigance.

Lost by the following vote:

Yeas—32.

Ayres. Fields.
Barrett. Fisher.
Beard. Good.
Blair. Holland of Burnet.
Brigance. Holland, Harris.
Crowley. Lotta.
Cureton. Martin.
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McKamy.
Mercer.
O'Connor.
Pitts.
Porter.
Randolph.
Rogers.
Schlick.

Smyth.
Staples.
Stokes.
Thompson.
Turner.
Vaughan, Gau'lupe.
Vaughan.
Wilson.
Wolters.

Nays—62.

Bailey.
Bean.
Benson.
Bertram.
Bird.
Bounds.
Boyd.
Browder.
Browne.
Burns.
Carpenter.
Carswell.
Childs.
Conolly.
Crawford.
Cureton.
Curry.
Dean.
Dorroh.
Doyle.
Drew.
Evans, Grayson.
Ewing.
Feld.
Freeman.
Garrison.
Graham.
Green.
Henderson.
Hensley.
Hill of Travis.

Hill of Gonzales.
Humphrey.
Jones.
Kimbell.
Kirk.
Lillard.
Logan.
Love.
McKellar.
Meade.
Melton.
Moore of Lamar.
Morris.

Yeas—65.

Barrett. Kirk.
Bean. Lillard.
Benson. Logan.
Bertram. Love.
Bird. Mansan.
Bounds. McKellar.
Boyd. Meade.
Browder. Melton.
Browne. Moore of Lamar.
Carpenter. Morton.
Carswell. Morton.
Conolly. Oliver.
Crawford. Peery.
Cureton. Pfeuffer.
Curry. Reubell.
Dean. Rhea.
Dorroh. Savage.
Doyle. Scabby.
Drew. Shelburne.
Evans, Grayson. Skilern.
Ewing. Skillern.
Feld. Shider.
Freeman. Thaxton.
Garrison. Thomas.
Graham. Tucker.
Green. Wall.
Henderson. Ward.
Hensley. Welch.

Collier. Neighbors.
Dies. Shropshire.
Evans of Hunt. Srother.
Gilbough. Wallace.
Manson. Williams.
Morton.

Yeas—24.

Barbee. Mundine.
Bell. Patterson.
Blackburn. Robbins.
Bumpass. Rogers.
Burney. Rudd.
Callan. Smith.
Edwards. Stamper.
Flint. Tracy.
Maxwell. Vaughan of Collin.
McGaughhey.

Mr. Harris (present), who would vote "yea," with Mr. Wallace (absent), who would vote "nay."

Mr. Blair moved that the House do not concur in the Senate amendments to House bill No. 518, and that a free conference committee be requested to adjust the differences between the two houses on said bill.

Mr. Rogan moved to table the motion of Mr. Blair for a free conference committee, upon which motion yeas and nays were demanded by Mr. Wolters, Mr. Blair and Mr. Harris.

I vote to postpone consideration of this bill till Monday, for the following reasons: I have not had time to consider the amendments added to the bill by the Senate, as I was absent on committee work this morning; and I am opposed to railroad measures through this House, simply because it comes from the Senate. Stokes.

Tabled by the following vote:

Abscent.

Alexander.
Barbee.
Bell.
Blackburn.
Bumpass.
Burney.
Callan.
Edwards.
Flint.
Maxwell.
McGaughhey.

Mr. Rogers (present), who would vote "yea," with Mr. Wallace (absent), who would vote "nay."

Mr. Blair moved that the House do not concur in the Senate amendments to House bill No. 518, and that a free conference committee be requested to adjust the differences between the two houses on said bill.

Mr. Logan moved to table the motion of Mr. Blair for a free conference committee, upon which motion yeas and nays were demanded by Mr. Wolters, Mr. Blair and Mr. Harris.

Tabled by the following vote:

Mr. Blair moved that the House do not concur in the Senate amendments to House bill No. 518, and that a free conference committee be requested to adjust the differences between the two houses on said bill.

Mr. Logan moved to table the motion of Mr. Blair for a free conference committee, upon which motion yeas and nays were demanded by Mr. Wolters, Mr. Blair and Mr. Harris.

Tabled by the following vote:
Mr. Harris (present), who would vote "nay," with Mr. Wallace (absent), who would vote "yea."

Mr. Thompson (present), who would vote "nay," with Mr. Childs (absent), who would vote "yea."

Mr. Wolters moved to postpone indefinitely further consideration of House bill No. 518, with Senate amendments.

Mr. Bailey moved to table the motion to postpone indefinitely, upon which motion yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Harris.

Tabled by the following vote:

Yeas—76.

Ayers.
Bailey.
Barrett.
Beard.
Bean.
Benson.
Bertram.
Bird.
Bounds.
Boyd.
Brewster.
Brown.
Carpenter.
Carswell.
Conoly.
Crawford.
Curenton.
Curry.
Dean.
Dickinson.
Dorroh.
Doyle.

Drew.
Evans of Grayson.
Ewing.
Fields.
Freeman.
Garrison.
Graham.
Green.
Henderson.
Hensley.
Hill of Gonzales.
Hill of Travis.
Holland of Burnet.
Humphrey.
Jones.
Kimbell.
Kirk.
Lillard.
Logan.
Love.
Manson.
Martin.

PAIRED:

Mr. Harris (present), who would vote "nay," with Mr. Wallace ( absent), who would vote "yea."

Mr. Thompson (present), who would vote "nay," with Mr. Childs (absent), who would vote "yea."

Mr. Blair moved to adjourn until 9 a.m. to-morrow, upon which motion yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Pitts.

Lost by the following vote:

Yeas—12.

Blair.
Brigance.
Crowley.
Good.
McFarland.
Pitts.

PAIRED:

Mr. Harris (present), who would vote "nay," with Mr. Wallace ( absent), who would vote "yea."

Mr. Thompson (present), who would vote "nay," with Mr. Childs (absent), who would vote "yea."

Mr. Blair moved to adjourn until 9 a.m. to-morrow, upon which motion yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Pitts.

Lost by the following vote:

Yeas—12.

Blair.
Brigance.
Crowley.
Good.
McFarland.
Pitts.
Yeas-11.

Ayers. Jones.
Barrett. Kirk.
Beard. Lillard.
Bean. Logan.
Benson. Manson.
Bertram. Martin.
Bird. McKamy.
Boyd. McKellar.
Brewster. Meade.
Browne. Melton.
Carpenter. Moore of Lamar.
Carswell. Morris.
Conoly. Morton.
Crawford. Oliver.
Curry. Peiffer.
Dean. Pfeiffer.
Dennis. Randolph.
Dickinson. Reiger.
Dorothy. Reubell.
Doyle. Rhea.
Drew. Rogan.
Evans of Grayson. Schlick.
Ewing. Seaury.
Fields. Shelburne.
Fields. Shropshire.
Fisher. Skillern.
Freeman. Sluder.
Garrison. Thaxton.
Graham. Thomas.
Green. Tucker.
Henderson. Turner.
Hensley. Vaughan, Guadalupe.
Hill of Gonzales. Wall.
Hill of Travis. Ward.
Holland of Burnet. Welch.
Humphrey. Wood.

Absent.

Burns. O'Connor.
Colliner. Savage.
Dies. Smyth.
Evans of Hunt. Strother.
Gilbough. Wallace.
Holland of Harris. Wilcox.
Lotto. Williams.
Neighbors.

Excused.

Alexander. McGaughey.
Bell. Mundine.
Blackburn. Patterson.
Bumpass. Robbins.
Burney. Rogers.
Callan. Rudd.
Childs. Smith.
Edwards. Stamper.
Flint. Tracy.
Maxwell. Vaughan of Collin.

PAIRED.

Mr. Harris (present), who would vote "yea," with Mr. Wallace (absent), who would vote "nay."

Mr. Drew moved the previous question, which was seconded.

On ordering the main question, Mr. Blair moved a call of the House, and it was not seconded.

Yeas and nays were demanded by Mr. Wolters, Mr. Blair, and Mr. Pitts.

The main question was ordered by the following vote:

Yeas-78.

Ayers. Kimbell.
Barrett. Lillard.
Beard. Logan.
Bean. Love.
Benson. Manson.
Bertram. Martin.
Bird. McKamy.
Boyd. McKellar.
Brewster. Meade.
Browne. Melton.
Carpenter. Moore of Lamar.
Carswell. Morris.
Conoly. Morton.
Crawford. O'Connor.
Cureton. Oliver.
Curry. Peery.
Dean. Pfeiffer.
Dennis. Reiger.
Dorothy. Reubell.
Doyle. Rhea.
Drew. Rogan.
Evans of Grayson. Savage.
Ewing. Seaury.
Fields. Shelburne.
Fields. Shropshire.
Fisher. Skillern.
Freeman. Sluder.
Garrison. Staples.
Graham. Stock.
Gree. Thaxton.
Henderson. Thomas.
Hensley. Tucker.
Hill of Gonzales. Turner.
Hill of Travis. Wall.
Holland of Burnet. Ward.
Humphrey. Welch.
Jones. Wood.

Nays-15.

Blair. Pitts.
Crowley. Porter.
Dennis. Randolph.
Good. Schlick.
Harris. Thompson.
Holland of Harris. Vaughan, Guadalupe.
Lotto. Wolters.
McFarland.

Absent.

Brigance. Dies.
Burns. Evans of Hunt.
Colliner. Gilbough.
Mr. Harris (present), who would vote "nay," with Mr. Wallace (absent), who would vote "yea."

Mr. Ward moved a call of the House, which was seconded.

The clerk was directed to call the roll, and it appeared that the following members were absent without leave: Messrs. Brigance, Burns, Dies, Evans of Hunt, Gilbough, Good, Maxwell, Mercer, Neighbors, Smyth, Strother, Wallace and Wilcox.

Mr. Wood moved to excuse the absentees, upon which motion yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Bailey.

Excused by the following vote:

Yea—77.

Ayers.
Bailey.
Barrett.
Bean.
Benson.
Bertram.
Bird.
Bounds.
Boyd.
Brewster.
Browne.
Carpenter.
Carswell.
Conoly.
Crawford.
Cureton.
Curry.
Dean.
Dickinson.
Dorroh.
Doyie.
Drew.
Evans of Grayson.
Ewing.
Fields.
Freeman.
Garrison.
Graham.
Green.

Seabury.
Shelburne.
Shropshire.
Skillern.
Sluder.
Smith.
Staples.
Stokes.

Thaxton.
Thomas.
Tucker.
Wall.
Ward.
Welch.
Williams.
Wood.

Nays—13.

Beaird.
Blair.
Crowley.
Crow.
Dennis.
Denn.
Fisher.
Flint.
Holland of Harris.
Vaughan, Guad'lup
Lotto.
Wolters.

Absent.

Alexander.
Barbee.
Bell.
Blackburn.
Bumpass.
Burney.
Callan.
Childs.
Edwards.
Flint.
Maxwell.

McGaughey.
Moore, Fort Bend.
Mundine.
Patterson.
Robbins.
Rogers.
Rudd.
Smith.
Stamper.
Tracy.

Ayers.
Bailey.
Barrett.
Bean.
Benson.
Bertram.
Bird.
Bounds.
Boyd.
Brewster.
Browne.
Carpenter.
Carswell.
Conoly.
Crawford.
Cureton.
Curry.
Dean.
Dickinson.
Dorroh.
Doyie.
Drew.
Evans of Grayson.
Ewing.
Fields.
Freeman.
Garrison.
Graham.
Green.

Henderson.
Hensley.
Hill of Gonzales.
Hill of Travis.
Holland of Burnet
Humphrey.
Jones.
Kimbell.
Kirk.
Lillard.
Logan.
Love.
Manson.
Martin.
McKamy.
McKellar.
Meade.
Melton.
Moore of Lamar.
Morris.
Morton.
Oliver.
Peery.
Pfeuffer.
Porter.
Reiger.
Reubell.
Rhea.
Rogan.
Savage.

PAIRED.

Mr. Harris (present), who would vote "nay," with Mr. Wallace (absent), who would vote "yea."

Mr. Thompson (present), who would vote "nay," with Mr. Childs (absent), who would vote "yea."

I favor the objects of this bill, therefore vote for the same; but in its present condition have serious doubts as to its validity, because of the subjects embraced therein, as well as to the sufficiency of the caption to support the Senate amendments, and as to the right of the Senate to amend as amended.

AYERS.

Question recurring on the motion of Mr. Bailey that the House concur in the Senate amendments to House bill No. 518, yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Harris.

Concurred in by the following vote:

Yea—73.

Ayers.
Bailey.
Barrett.
Bean.
Mr. Harris (present), who would vote "nay," with Mr. Wallace (absent), who would vote "yea."  
Mr. Thompson (present), who would vote "yea," with Mr. Childs (absent), who would vote "yea."  
Mr. Bailey moved to reconsider the vote by which the House concurred in the Senate amendments to House bill No. 518, and to table the motion to reconsider.  
On the motion to table, yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Harris.  
Tabled by the following vote:  

**Yeas—78:**  
Ayers. Kirk.  
Bailey. Lillard.  
Barrett. Logan.  
Beaird. Love.  
Bean. Manson.  
Benson. Martin.  
Bertch. McKamy.  
Bird. McKellar.  
Bounds. Meade.  
Boyd. Melton.  
Brewster. Moore, Lamar.  
Browne. Morris.  
Burns. Morton.  
Carpenter. Oliver.  
Carswell. Peery.  
Cave. Porter.  
Crawford. Seabury.  
Curry. Shropshire.  
Dean. Smith.  
Dickinson. Skillern.  
Doroh. Wall.  
Drew. Shelburne.  
Evans of Grayson. Shropshire.  
Ewing. Skillern.  
Field. Sluder.  
Freeman. Smith.  
Garrison. Staples.  
Graham. Stokes.  
Green. Thaxton.  
Henderson. Thomas.  
Hensley. Tucker.  
Hill of Gonzales. Turner.  
Hill of Travis. Wall.  
Holland of Burnet. Ward.  
Holland of Harris. Welch.  
Humphrey. Williams.  
Jone. Wood.  

**Nays—16:**  
Alexander.  
Barbee.  
Bell.  
Blackburn.  
Bumpass.  
Burney.  
Callan.  
Childs.  
Edwards.  
Flint.  
Maxwell.  

**Excused:**  
Alexander. McGaughey.  
Barbee. Moore, Fort Bend.  
Bell. Mundine.  
Blackburn. Patterson.  
Bumpass. Robbins.  
Burney. Rogers.  
Callan. Ridd.  
Childs. Stamper.  
Edwards. Tracy.  
Flint. Vaughan of Collin.  

**Absent:**  
Beaird. Mercer.  
Burn. Neighbors.  
Collier. Smyth.  
Dels. Staples.  
Evans of Hunt. Strother.  
Fisher. Wallace.  
Gilbough. Wilcox.  

**Excused:**  
Alexander. McGaughey.  
Barbee. Moore, Fort Bend.  
Bell. Mundine.  
Blackburn. Patterson.  
Bumpass. Robbins.  
Burney. Rogers.  
Callan. Ridd.  
Childs. Stamper.  
Edwards. Tracy.  
Flint. Vaughan of Collin.  

**Nays—13:**  
Blair. McFarland.  
Brigance. O'Connor.  
Crowley. Pitts.  
Denn. Schlick.  
Fields. Vaughan, Gu'alpe.  
Fisher. Wolters.  
Lotto.
Absent.

Collier.    Neighbors.
Dies.      Randolph.
Gibbough.  Strother.
Good.      Wallace.
Mercer.    Wilcox.

Excused.
Alexander. McGaughey.
Barbee.     Moore, Fort Bend.
Bell.       Mundine.
Blackburn.  Patterson.
Bumpass.   Robbins.
Burney.     Rogers.
Callan.     Rudd.
Chlds.      Stamper.
Edwards.    Tracy.
Flint.      Vaughan of Collin.
Maxwell.

PAIRED.

Mr. Harris (present), who would vote "nay," with Mr. Wallace (absent), who would vote "yea."

Mr. Thompson (present), who would vote "nay," with Mr. Childs (absent), who would vote "yea."

Mr. McKamy moved to suspend pending business to take up and place on its second reading,
Senate joint resolution No. 3.
Mr. Brigance moved to take a recess until 9 a. m. to-morrow; and Mr. Burns until 8 p. m. to-day.
Both motions were lost.
The motion of Mr. McKamy was lost.

Mr. Browne moved to suspend pending business to take up and place on its second reading,
Senate bill No. 306, entitled "An act to provide a charter for the city of Houston, Harris county, Texas."
Pending which, on motion of Mr. Bertram, the House at 5:55 p. m. took recess until 9 a. m. to-morrow.

MORNING SESSION.

Austin, Texas, April 17, 1897.
The House was called to order by the Speaker at 9 o'clock a. m.
Mr. Savage moved to reconsider the vote by which the amendment by Mr. Garrison to the general appropriation bill, adding to the Department of Education for the support of summer normal schools $20,000 for each year, was lost, and asked to have the motion to reconsider spread upon the Journal.

COMMITTEE REPORT.
By Mr. Holland of Harris, chairman:
Committee Room,
Austin, Texas, April 17, 1897.
Hon. L. T. Dashiell, Speaker of the House.
Your Committee on Judicial Districts, to whom was referred
Senate bill No. 345, a bill to be entitled 
"An act to further amend section 2 of an act entitled an act to reorganize the Fifteenth Judicial District and the Fortieth Judicial District, and to amend chapter 67, section 15, of the general laws of Texas, approved April 9, 1883, redistricting the State for judicial purposes, and to amend section 2 of chapter 58 of the general laws of Texas, approved March 27, 1885, creating the Fortieth Judicial District, and to repeal all laws in conflict with this act, approved March 21, 1893, as amended by an act entitled an act to amend section 2 of an act to be entitled an act reorganizing the Fifteenth Judicial District, and the Fortieth Judicial District; and to amend chapter 67, section 15, of the general laws of Texas, approved April 9, 1883, redistricting the State for judicial purposes, and to amend section 2, chapter 58, of the general laws of Texas, approved March 27, 1885, creating the Fortieth Judicial District, and to repeal all laws in conflict with this act, passed at the present session of the Legislature, and to further amend and fix the times of holding courts in the Fortieth Judicial District, and to repeal all laws in conflict herewith.
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.

HOLLAND of Harris, Chairman.

MESSAGE FROM THE SENATE.
Senate Chamber,
Austin, Texas, April 17, 1897.
Hon. L. T. Dashiell, Speaker of the House:
I am instructed by the Senate to inform the House that the Senate has passed
Senate bill No. 362, being "An act to amend article 1537, chapter 2, title 32, of the Revised Civil Statutes of Texas, adopted and established by the Twenty-fourth Legislature in regular session, 1895, relating to the powers and duties of commissioners court."
By the two-thirds vote—yeas 24, nays 0.
Also, that the Senate has concurred in House amendments to Senate bill
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No. 87, by a two-thirds vote, to-wit—yeas 23, nays 0.
Respectfully,
WILL LAMBERT, Secretary.

SENATE BILL ON FIRST READING.

The above reported Senate bill No. 362 was read first time and referred to Judiciary Committee No. 1.

SPEAKER'S TABLE.

The Speaker laid before the House, on its third reading and final passage, House bill No. 456, a bill to be entitled "An act to amend subdivision 13, article 22, 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."

The bill was read third time, and passed.

Mr. Wood moved to reconsider the vote by which House bill No. 456 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. 300, entitled "An act to diminish the civil and criminal jurisdiction of the county court of King and Stonewall counties; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith,"

The bill was read second time, and passed.

The Speaker laid before the House, on its second reading, Senate bill No. 306, entitled "An act to provide a charter for the city of Houston, Harris county, Texas."

Read second time, and

Mr. Browne offered the following amendments:

Amend on page 45 by inserting in line 5, between the words "street" and "constructing," the word "and," and also by striking out of said line 5 the words "building bridges and constructing," and by striking out of line 6 the words "school buildings and fire houses," and by striking out of line 7 the words "and 1898."

Adopted.

Amend section 19, page 15, printed bill, by striking out the following: In line 13, the words "for labor or;" in lines 14 and 15 the words "and street and bridge committee;" in lines 15 and 16 the words "and street and bridge committee."

Adopted.

Amend section 7, page 4, line 11, by adding after "city engineer" the following: "Chief of fire department."

Amend section 26, page 18, line 26, by striking out "said," and insert in lieu thereof "the."

Strike out "for" in line 27, and insert in lieu thereof the words "to warrant."

Amend section 26a, line 14, by inserting the word "respectively" before the word "heads."

Amend section 26a, line 17, by striking out "departments," and insert in lieu thereof the word "board."

Adopted.

The bill was passed to a third reading.

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

Senate bill No. 322, a bill to be entitled "An act to create a more efficient road system for Ellis 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 providing for the appointment of deputy 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 upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict with this act."

On motion of Mr. Williams, House Rule No. 31, requiring that all bills reported favorably be printed and laid on the desk of each member before acted on by the House, was suspended as pertains to this bill.

Bill read second time, committee report adopted, and passed to third reading.

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

House bill No. 491, a bill to be entitled "An act to repeal an act entitled an act to incorporate the town of Castroville, approved January 16, 1850."

Bill read second time, and ordered engrossed.

The Speaker laid before the House, on its second reading, with committee amendment,
House bill No. 601, a bill to be entitled "An act to provide for the disorganization of the county of Loving, in the State of Texas, and to attach said county to the county of Ward for judicial and other purposes, and to provide for the assessment and collection of taxes in said county for the payment of outstanding indebtedness of said county."

The bill was read second time, and the committee report was adopted.

Mr. Crowley offered the following amendments:

Amend by striking out section 2 of the bill and inserting in lieu thereof the following:

"Sec. 2. The county commissioners' court of Reeves county shall hereafter levy a sufficient annual tax, general and special, upon all property subject to taxation, situated in the county of Loving, to liquidate the indebtedness now existing against said county, which taxes shall be assessed and collected in the manner now provided by law for the assessment and collection of taxes in the unorganized counties of this State; provided also, that all taxes due the State of Texas, and such as may be levied for county purposes, as herein provided, upon all property situated in said county for the present year, and for all previous years, during which such taxes have not been paid, shall be assessed and collected by the officers charged by law with such duty, to the same effect as though said Loving county had at all times been an unorganized county, attached to the said county of Reeves.

"Sec. 3. The assessor and collector of taxes, and the county treasurer, of said county of Reeves are each hereby required to execute bonds, in addition to those now given by them, in the sum of $5000 each, for the faithful discharge of their respective duties under this act, which bonds shall be payable to the county judge of Reeves county, and be approved by the commissioners' court thereof, and shall be conditioned as required by law for like bonds to said Reeves county, reciting therein that the same are given for the use of Loving county; provided, that until bonds are given and approved as herein required, said officers shall not assume to discharge the duties or be entitled to compensation for services rendered under this act; and provided further, that all remedies upon and penalties for the breach or failure to give similar bonds under the laws of this State shall apply to said officers respectively.

"Sec. 4. After giving bond, as herein required, the said assessor, collector and treasurer shall be held to the discharge of their duties under the law, and be entitled to receive compensation for their services by way of commissions, to the same effect and subject to the same limitations provided by law, as though said officers were acting for Loving county alone, and said officers shall make separate reports and settlements with the State, and with said commissioners' court, on account of Loving county, to the same effect as now required by law, in the discharge of their duties, as officers of Reeves county, and shall be liable to all penalties provided by law for failure to make such reports and settlements; provided, however, that the treasurer of said Reeves county shall not be the custodian of moneys collected, to pay the interest and sinking fund upon the bonded indebtedness of said Loving county, but shall be entitled to his lawful commissions thereon, nor shall he be required to give bond, under this act, after all other debts known to exist against said county have been paid, and should any funds remain in his hands after payment of all known indebtedness against said county, he shall pay the same over to the State Treasurer, to be used in liquidating the bonded indebtedness of said county; and provided further, that after all other known debts against Loving county have been paid, outside of its bonded indebtedness, the amount of the additional bonds to be given by the assessor and collector of taxes shall be fixed by the commissioners' court of said Reeves county, in any amount not less than double the amount of taxes to be collected upon said bonded indebtedness during the term of such official bonds.

"Sec. 5. All moneys collected by the collector of taxes of Reeves county to pay interest and provide the sinking fund upon the bonded indebtedness of Loving county shall be reported, accounted for and paid to the Treasurer of the State of Texas, in the same manner required by law upon taxes due the State, and such moneys shall be received and paid out by the State Treasurer upon such bonded indebtedness, according to the terms thereof; provided, that the option retained to Loving county to pay said bonds before the maturity thereof may be exercised by the commissioners' court of Reeves county, and with the consent
of the holder or holders of any of said bonds, the same may be paid at any time and provision made therefor by the levy and collection of the full amount of special tax authorized by law for such purpose."

Adopted.

Amend by inserting after the word "thereof," in line 16, page 2, the following: "And shall take all necessary steps by suit in the name of Loving county to recover back to said county all lands and other property properly belonging to it, which may have been wrongfully converted or disposed of by any person assuming to act for said county or otherwise and."

Adopted.

Amend the numbers of the various sections of the bill by striking out 3, 4, 5, 6, 7, 8, 9, 10 and 11, and in lieu thereof insert the following numbers respectively, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Adopted.

Amend the caption by striking out the word "Ward" wherever it occurs, and in lieu thereof insert the word "Reeves."

Adopted.

The bill was ordered engrossed.

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

House bill No. 660, a bill to be entitled "An act to restore to and confer upon the county court of Polk county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of Texas, to define the jurisdiction of said court, to conform the jurisdiction of the district court of said county to such change, to fix the time of holding court, and to repeal all laws in conflict with this act."

Bill read second time, and ordered engrossed.

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

House bill No. 667, a bill to be entitled "An act to render more effective and efficient the present road law of the State of Texas in its operation in the counties of Galveston, Harris, Brazoria and Wharton, and to authorize and empower said counties to issue bonds for the construction and maintenance of public roads and highways within the said respective counties."

On motion of Mr. Rogan, House Rule No. 31, requiring that all bills reported favorably be printed and laid on the desk of each member before being acted on by the House, was suspended as pertains to this bill.

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

Amend by adding the words "Calhoun and Victoria counties" after the words "Wharton county" wherever they occur in the bill.

Adopted.

The bill was ordered engrossed.

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

House bill No. 680, a bill to be entitled "An act to unfinish the civil and criminal jurisdiction of the county court of Borden county, to conform the jurisdiction of the district court there­to, and to repeal all laws and parts of laws in conflict herewith."

The bill was read second time, and ordered engrossed.

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

House bill No. 685, a bill to be entitled "An act to grant to the Waco Water Power and Electric Company the right to construct and maintain a dam across the Brazos river within five miles of the city of Waco."

The bill was read second time, and ordered engrossed.

The Speaker laid before the House, on its third reading and final passage.

House bill No. 391, a bill to be entitled "An act to relinquish the title and confirm the patents to certain lands therein named."

Bill read third time, and passed.

Mr. Gilbough moved to reconsider the vote by which House bill No. 391 passed, and to table the motion to re­consider.

The motion to table prevailed.

The Speaker laid before the House, on its passage to a third reading.

Senate bill No. 268, a bill to be entitled "An act to lease to H. P. N. Gammel of Austin, Travis county, Texas, the stereotyped plates of volumes fifty-six (56) to eighty-six (86), inclusive, of the Texas reports, being reports of the decisions of the Supreme Court of Texas."

Which bill was read second time and amended April 3, and postponed.

Mr. Reiger offered the following amendment to the bill:

Strike out sections 1, 2, 3 and 4 of the bill and insert the following substitute:

"Section 1. That the State Printing Board be and is hereby authorized to let to the best bidder a contract to print the Supreme Court Reports,
volumes fifty-six (56) to eighty-six (86), inclusive, from the stereotyped plates now in possession of the State, and the said board shall prescribe such conditions, terms and requirements of those contracting to print said Reports as to them may seem right and proper; and exact such bonds as they may deem necessary to protect the property of the State and the fulfillment of the contract.

"Sec. 2. That the contract heretofore authorized shall provide for the furnishing to the State such number of said reports as the board may determine, at a price to be decided upon in said contract, and not to be greater in any case than $2 per volume, and the Secretary of State shall sell the said reports to those desiring to purchase them at the price paid therefor, the buyer to pay all express charges.

"Sec. 3. That the party with whom the contract heretofore authorized is made shall be at liberty to print and sell copies of each of said volumes of reports at the price named in the contract, in no case to exceed $2 per volume.

"Sec. 4. That the work provided for in this bill shall be done within the State of Texas,"

Mr. Dean offered the following amendment to the bill:

Amend line 6, section 2, page 2, by striking out the words and figures "two dollars ($2)" and insert in lieu thereof the following, "one and one-quarter dollars ($1.25)."

Adopted.

Mr. Wall offered the following amendment to the bill:

Amend by adding after the word "him," in line 21, "provided, that if the said Gammel should refuse to enter into this contract as provided in this bill, or should fail to comply with its terms, then the State Printing Board is hereby authorized to make the same contract with any other person or firm."

Adopted.

Mr. Dean offered the following amendment to the bill:

Amend by inserting after the word "bound" in line 32, section 2, the following words, "upon paper and in style and material equally as good."

Adopted.

Mr. Fisher offered the following amendment to the bill:

Amend by adding after the word "excepted" in line 28, page 1, the following, "provided, that the said Gammel shall neither sell nor sublet this lease or contract."

Adopted.

Mr. Dean offered the following amendments to the bill:

(1) Amend page 2, line 13, by adding to section 2 the following, "and conditioned that the said Gammel will not duplicate said plates, nor permit the same to be done."

Adopted.

(2) Amend the caption by striking out the words and figures "fifty-six (56)" and insert in lieu thereof the words and figures "seventy-two (72)."

Adopted.

(3) Amend line 18, section 1, by striking out the words and figures "fifty-six (56)" and insert in lieu thereof the following, "seventy-two (72)."

Adopted.

(4) Amend line 2, of section 2, page 2, by inserting after the word "him," in said line 2, the following words, "provided, that neither the Secretary of State nor the said Gammel shall sell the said reports at a price exceeding $2 per volume, and neither the said Secretary of State nor the said Gammel shall sell the said reports for a less price per volume than the other."

Adopted.

(5) Amend by adding at the end of section 3, on page 2, the following, "provided, that the said Gammel shall not sell said reports at a less price per volume than the Secretary of State, as provided in section 2 of this act."

Mr. Fields moved the previous question, and it was not seconded.

Amendment 5, by Mr. Dean, was adopted.

Question recurring on the amendment by Mr. Reiger,

After further consideration, Mr. Welch moved the previous question, and the main question was ordered.

The amendment by Mr. Reiger was lost.

The bill was passed to a third reading.

Mr. Fields moved to reconsider the vote by which Senate bill No. 263 was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Smyth moved to reconsider the vote by which House bill No. 673, a bill to be entitled "An act to authorize the Houston and Texas Central Railroad Com-
company to purchase and operate the railway extending from a point in or near the town of Bremond, in Robertson county, to a point in or near the town of Ross, in McLennan county, with its franchises and appurtenances, and the railway extending from a point in or near said town of Ross to a point in or near the town of Albany, in Shackelford county, with its franchises and appurtenances, or either of such railways, with its franchises and appurtenances, or any part or parts thereof, and to authorize the owners thereof to sell the same, and to authorize a corresponding increase in the authorized aggregate of the bonds and stock of said Houston and Texas Central Railroad Company, and to regulate reports of such properties and the operations thereof;”

Was recommitted to the Committee on Internal Improvements.

After consideration,

Mr. Fields moved the previous question on the motion to reconsider, and the main question was ordered.

Yea and nays were demanded by Mr. Sluder, Mr. Dean and Mr. Freeman.

Reconsidered by the following vote:

Yeas—69.

Ayers. Kimbell.
Barrett. Logan.
Beard. Martin.
Bean. McKanny.
Benson. McKellar.
Bertram. Mercer.
Bird. Morton.
Blackburn. O'Connor.
Blair. Oliver.
Bounds. Peery.
Brigance. Pitts.
Burns. Porter.
Carswell. Rhea.
Conoly. Rogan.
Crawford. Rogers.
Crowley. Savage.
Curry. Seabury.
Dennis. Shropshire.
Doroth. Skillern.
Doyle. Smith.
Feld. Smyth.
Fields. Staples.
Fisher. Stokes.
Garrison. Thaxton.
Gilbough. Thomas.
Good. Thompson.
Graham. Tucker.
Green. Turner.
Hensley. Ward.
Hill of Gonzales. Welch.
Hill of Travis. Wood.
Hollander of Harris. Wolters.
Humphrey. Wood.

Nays—19.

Boyd. Holland of Burnet.
Brewster. Kirk.
Carpenter. Lillard.
Cureton. Moore of Lamar.
Dean. Randolph.
Drew. Reubell.
Evans of Grayson. Schlick.
Ewing. Sluder.
Fremean. Wall.
Harris. Williams.

Absent.

Bailey. Meade.
Browne. Melton.
Collier. Neighbors.
Dickinson. Pfeiffer.
Dies. Reiger.
Evans of Hunt. Shelburne.
Henderson. Strother.
Lotto. Vaughan, Guadalupe.
Love. Wallace.
Manson. Wilcox.
McFarland.

Excused.

Barbee. Moore, Fort Bend.
Bell. Mundine.
Bumpass. Patterson.
Burney. Robbins.
Callan. Rudd.
Childs. Stamper.
Edwards. Tracy.
Flint. Vaughan of Collin.
Maxwell.

Question recurring on the motion to recommit,

On motion of Mr. Seabury, the motion to recommit was tabled.

Mr. Holland of Harris moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 306 be put on its third reading and final passage.

There being no quorum voting.

On motion of Mr. Drew, the House, at 11 o'clock a.m. adjourned until 10 o'clock next Monday.

SEVENTY-FOURTH DAY.

Hall House of Representatives,
Austin, Texas,
Monday, April 19th, 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:

Mr. Speaker. Barrett.
Ayers. Beard.
Bailey. Bean.
Barbee. Bell.