There was not a quorum voting, whereupon
Mr. Conoly moved a call of the House.

The call was seconded.

Later a quorum was developed, and
the motion to reject prevailed by the
following vote:

**Yeas-67.**

<table>
<thead>
<tr>
<th>Bailey</th>
<th>Kirk</th>
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<tbody>
<tr>
<td>Barbee</td>
<td>Lillard</td>
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<tr>
<td>Barrett</td>
<td>Lotte</td>
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<tr>
<td>Bertram</td>
<td>Manson</td>
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<tr>
<td>Blackburn</td>
<td>Martin</td>
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<tr>
<td>Blair</td>
<td>McGaughen</td>
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<tr>
<td>Bounds</td>
<td>McKellar</td>
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<tr>
<td>Brewer</td>
<td>Meade</td>
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<tr>
<td>Bragance</td>
<td>Melton</td>
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<tr>
<td>Bumpass</td>
<td>Morris</td>
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<tr>
<td>Burney</td>
<td>Morton</td>
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<tr>
<td>Burns</td>
<td>O'Connor</td>
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<tr>
<td>Carswell</td>
<td>Porter</td>
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<tr>
<td>Collier</td>
<td>Randolph</td>
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<tr>
<td>Conoly</td>
<td>Reubell</td>
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<tr>
<td>Cureton</td>
<td>Reha</td>
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<tr>
<td>Curry</td>
<td>Rogan</td>
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<tr>
<td>Dennis</td>
<td>Shelburne</td>
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<tr>
<td>Dies</td>
<td>Shropshire</td>
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<td>Doyle</td>
<td>Skilern</td>
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<td>Drew</td>
<td>Sluder</td>
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<td>Edwards</td>
<td>Smith</td>
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<td>Feld</td>
<td>Smyth</td>
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<td>Gilbough</td>
<td>Stamper</td>
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<tr>
<td>Good</td>
<td>Strother</td>
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<tr>
<td>Graham</td>
<td>Thomas</td>
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<tr>
<td>Green</td>
<td>Tracy</td>
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<tr>
<td>Harris</td>
<td>Tucker</td>
</tr>
<tr>
<td>Hill of Gonzales</td>
<td>Vaughan of Collin</td>
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<tr>
<td>Hill of Travis</td>
<td>Wall</td>
</tr>
<tr>
<td>Holland of Burnet</td>
<td>Wallace</td>
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<tr>
<td>Holland, Harris</td>
<td>Wolters</td>
</tr>
<tr>
<td>Humphrey</td>
<td>Wood</td>
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<tr>
<td>Kimbell</td>
<td></td>
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</tbody>
</table>

**Nays-20.**

<table>
<thead>
<tr>
<th>Beard</th>
<th>Maxwell</th>
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</thead>
<tbody>
<tr>
<td>Dickinson</td>
<td>McKamy</td>
</tr>
<tr>
<td>Evans, Grayson</td>
<td>Moore of Lamar</td>
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<tr>
<td>Ewing</td>
<td>Oliver</td>
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<tr>
<td>Fields</td>
<td>Peery</td>
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<tr>
<td>Freeman</td>
<td>Reiger</td>
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<tr>
<td>Garrison</td>
<td>Seabury</td>
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<tr>
<td>Hensley</td>
<td>Thaxton</td>
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<tr>
<td>Jones</td>
<td>Welch</td>
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<tr>
<td>Logan</td>
<td>Wilcox</td>
</tr>
</tbody>
</table>

**Absent.**

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Henderson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ayers</td>
<td>Moore, Ft. Bend</td>
</tr>
<tr>
<td>Bird</td>
<td>Mundine</td>
</tr>
<tr>
<td>Browne</td>
<td>Pfeuffer</td>
</tr>
<tr>
<td>Childs</td>
<td>Pitts</td>
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<tr>
<td>Crawford</td>
<td>Rogers</td>
</tr>
<tr>
<td>Crowley</td>
<td>Rudd</td>
</tr>
<tr>
<td>Evans of Hunt</td>
<td>Schlick</td>
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<tr>
<td>Fisher</td>
<td>Staples</td>
</tr>
<tr>
<td>Thompson</td>
<td>Ward</td>
</tr>
<tr>
<td>Vaughan, Guadalupe</td>
<td>Williams</td>
</tr>
</tbody>
</table>

Mr. Blair moved to reconsider the vote by which the report was rejected, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Bragance moved that the House take a recess until 9 o'clock a.m. tomorrow.

Mr. Gilbough moved to adjourn until 9:30 a.m. tomorrow.

Lost.

The motion of Mr. Bragance prevailed, and the House, at 5:45 p.m., took recess until 9 o'clock a.m. tomorrow.

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**MORNING SESSION.**

Saturday, May 8, 1897.

The House was called to order by the Speaker at 9 o'clock a.m.

**GRANTED LEAVE OF ABSENCE:**

On account of Important business:

Mr. Bailey for next week, on motion of Mr. McKellar.

Mr. Alexander and Mr. Wallace for yesterday, on motion of Mr. Oliver.

Mr. Vaughan of Guadalupe for last Thursday and Friday, on motion of Mr. Hill of Travis.

**SENATE MESSAGE.**

Senate Chamber,
Austin, Texas, May 8, 1897.

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

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

Senate bill No. 110, a bill to be entitled "An act to amend article 4221 (3992), and article 4227 (3999), of the Revised Civil Statutes of the State of Texas;"

By a two-thirds vote: ayes 21, noes none.

Respectfully,

WILL LAMBERT, Secretary.

**SENATE BILL ON FIRST READING**

Senate bill No. 110, reported above, was read first time and referred to the Committee on Public Printing.
Mr. Wolters moved to reconsider the vote by which House bill No. 704 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

House bill No. 707, a bill to be entitled "An act to provide for the purchase of public lands in quantities of five acres or less, situated on islands, by actual settlers, who have settled on and placed valuable improvements thereon, in good faith, or to the heirs or legal representatives, prior to the first day of January, 1895, and prescribing the price, terms, manner and time of purchase."

The bill was read second time, and on motion of Mr. Peery was laid on the table subject to call.

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

House bill No. 711, a bill to be entitled "An act to create a more efficient road system for Parker county, Texas, and making the 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 road overseers, and defining their duties, and for the working of county convicts upon the roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and authorizing the working of county convicts partly upon the county convict farm, as well as upon the public roads, or partly upon both, in the discretion of the commissioners court, and making the provisions of this act applicable, so far as practicable, to convicts when worked upon county farms," etc.

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

Bill read second time and ordered engrossed.

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

House bill No. 712, a bill to be entitled "An act to establish a more efficient road system for Matagorda county, Texas."

On motion of Mr. Hensley, 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 per alius to this bill.
Bill read second time, and ordered engrossed.

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

House bill No. 606, a bill to be entitled "An act to prohibit the taking of fish from the fresh waters of this State otherwise than by means of the ordinary hook and line and trout line, and to prohibit the sale and shipping of game fish in this State, and to provide a penalty for the violation thereof."

The bill was read second time and was ordered engrossed.

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

House bill No. 306, a bill to be entitled "An act to amend articles 2514, 2516, 2518, 251Sa, 251Sh, and 251Sn, of title 48, of the Revised Civil Statutes of Texas, and repeal article 2518c of said title 48 said Revised Civil Statutes, and to add articles 2517a, 2517b, 2518q, 2518r, to said title 48 of said Revised Civil Statutes, relating to fish, oysters, etc., and repeal all laws in conflict herewith."

Read second time, and

Mr. Seabury offered the following amendments:

Amend by striking out article 2517 and inserting the following:

"Art. 2517. The fish and oyster commissioner shall for his services be allowed a sum not to exceed $1800 per annum, and a further sum for office rent, stationery, traveling and other expenses, not to exceed $500 per annum, to be deducted by him out of any funds collected by him on behalf of the State. The commissioner is authorized to appoint three district commissioners, to be placed in charge of the three districts hereinafter provided for in article 2517a, who shall be allowed for their services a sum not to exceed $900 per annum each, to be paid by the commissioner out of any funds collected by him on behalf of the State after deducting his own salary and expenses provided in this article. The balance of such funds, after deducting the amounts herein provided for, and the compensation of county deputies as provided in article 2518d, shall be remitted annually to the Comptroller, to be placed to the credit of the "Fish and Oyster Fund." In no case shall the State of Texas be liable for all or any part of the compensation herein provided for the commissioner or his deputies."

Adopted.

Insert in caption, after the figures "2514," the figures "2515," and after article 2514 in body of bill the following:

"Art. 2515. The commissioner shall keep a record book, which shall be well bound, and in it he shall record:

1. All applications for private oyster beds, and date of filing same.

2. When and how such applications wereexecuted. and whether the examinations were made by tongs, dredges or otherwise.

3. Whether such applications were allowed or disallowed; if allowed, an accurate description of same; if disallowed, the reason for refusal.

4. All applications for seine or set net licenses; if granted, the number and length of such seine or nets; if not granted, the reason for refusal.

5. All applications for long and other oyster licenses; if granted, the number; if not granted, the reason for refusal.

6. All amounts received for fees, rents and licenses, from whom received, and what disposition was made of the same.

7. All amounts of all fines collected, for what purposes collected, and what disposition was made of the same.

8. These records shall be public records, and admitted as evidence, as prescribed in article 2506, Revised Statutes of Texas."

Adopted.

Strike out the words "one dollar." in lines 31 and 32, page 4, and insert in lieu thereof "two dollars."

Adopted.

Amend article 2518d to read as follows: "Any person who secures a location for a private oyster bed shall keep the corners marked by securely fastened buoys of not less than six inches in diameter and not less than two feet long, and shall be marked with initial or initials of the location; and he shall further pay to the State as a rental the sum of 15 cents per acre for the first year or fractional part thereof, and 25 cents per acre for each year of the next four years he occupies such location, and one dollar per acre for each year after the first four years that he may occupy such location; the said rents shall be paid to the fish and oyster commissioner or his deputy, as follows: The first years' rent of 15 cents per acre shall be paid in cash at the time the location is applied for, and all subsequent payments shall be paid by the year, in advance, and shall be paid by the first day of January of each year, as they fall due; and if not paid by March 1st thereafter the location shall forfeit all rights.
May 7, 1897

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to said location, and the said location shall revert to the State. Any person making locations under this act shall have the exclusive use and control of said locations so long as they comply with the requirements of this act.”

Adopted.

Amend by inserting in line 27, page 5, after the word “application,” the following: “and a further sum of $5 per acre as rent for each and every acre so located, said rent to be paid upon the delivery of the permit hereinafter provided for.”

Adopted.

Amend by striking out all of article 2517b, after the word “prescribed,” in line 18, page 3.

Adopted.

Amend in line 1, page 2, by inserting after the word “fees” the words “and rents.”

Adopted.

Amend in line 24, page 3, by inserting after the word “licenses” the words “and for locations.”

Adopted.

On motion of Mr. Seabury, the bill was laid on the table subject to call.

On motion of Mr. Lillard, the regular order of business was suspended to take up and place on its second reading House bill No. 378, a bill to be entitled “An act to amend article 4990, chapter 5, of the Revised Civil Statutes of the State of Texas, page 960, by substituting therefor the following: “In subdivisions of a county in which the stock law has been adopted, any citizen who, as a ‘liner’ lives immediately outside of a stock law district and adjoins it, and in consequence thereof is required to keep his stock enclosed to prevent their trespassing upon such stock law district, shall have the right to petition the commissioners court, setting forth said facts, and ask said court to include his premises, which shall be described by metes and bounds, within such stock law district. On receipt of such petition, it shall be the duty of the commissioners court, if satisfied with the correctness of said petition to issue an order including the lands described therein within the stock law district, as prayed for; and

sield court shall so change and have recorded the boundary lines of such stock law district as to include the lands of said petitioner. And provided further, that when a subdivision of a county, not under the stock law, does not contain the requisite number of qualified voters to petition the commissioners court to order a stock law election in such subdivision, then a majority of the persons therein who are qualified voters may petition the commissioners court, as herein before provided, to embrace said subdivision in a stock law district, and on the presentation of such petition, it shall be the duty of the commissioners court to issue an order placing such subdivision under the stock law, as hereinbefore provided.”

Adopted.

Amend section 1 of the bill by substituting therefor the following: “Section 1. That title 102, chapter 5, of the Revised Civil Statutes of 1895 be amended by adding thereto article 4990a, to read as follows:”

Adopted.

Amend the caption so as to make it read as follows: “An act to amend title 102, chapter 5, of the Revised Civil Statutes of Texas, by adding thereto article 4990a, requiring the commissioners court, on petition of a citizen who adjoins a stock district, to embrace such citizen in said district; and to allow citizens in certain subdivisions of a county, not under the stock law, to be embraced in a stock law district.”

Adopted.

(Speaker in the chair.)

The bill was ordered engrossed.

The Speaker laid before the House, in its final passage, House bill No. 199, a bill to be entitled “An act to amend title LXIII of the Revised Civil Statutes of the State of Texas, so as to insert article 3235a, permitting the tenant to demand and require of the landlord an itemized account or statement of the advances and rents due or to become due.” Which bill was read third time April 20, amended, and left pending.

Mr. Feild offered the following amendment:

Strike out the word “verified” in the amendment.

Adopted.

Mr. Wolters moved to postpone further consideration of the bill until next Monday.

Mr. Green moved to postpone fur-
Another consideration of the bill until next Saturday.

Lost.

On motion of Mr. Peery, the bill was laid on the table subject to call.

On motion of Mr. Maxwell, the regular order of business was suspended, to take up and place on its second reading.

Senate joint resolution No. 19, granting leave of absence from the State to the Hon. T. H. Connor, judge of the Forty-second judicial district, for a period of sixty days.

The resolution was laid before the House, read second time, and adopted.

On motion of Mr. Evans of Hunt, the regular order of business was suspended, to take up and place on its second reading.

House bill No. 552, a bill to be entitled “An act to amend chapter 3, title 91 of the Penal Code of the State of Texas, and to prohibit the use of profane, obscene, vulgar or indecent language through any telephone or over any wire or line of any telephone system, and fixing a penalty therefor.

The bill was laid before the House, read second time, and ordered engrossed.

On motion of Mr. McKellar, the regular order of business was suspended, to take up and place on its second reading.

House bill No. 494, a bill to be entitled “An act to amend article 788, of chapter 3, of the Penal Code of the State of Texas, relating to the use of animals without the consent of the owner.”

The bill was laid before the House, read second time, and ordered engrossed.

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

House bill No. 279, a bill to be entitled “An act declaring the theft of cotton over the value of twenty dollars a felony, and under the value of twenty dollars a misdemeanor, and affixing penalties therefor.”

Bill read third time and passed.

Mr. Staples moved to reconsider the vote by which House bill No. 279 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Graham moved to suspend the regular order of business, to take up and place on its third reading.

House bill No. 264, a bill to be entitled “An act to prevent the barter, sale and gift of any pistol, dirk, dagger, slugshot, sword-cane, spear or knuckles made of any metal or hard substance, etc., to any minor without the written consent of parent or guardian of such child, or of someone standing in lieu thereof, and providing a penalty for violation thereof.”

Mr. Brigance raised the point of order of business was suspended, to take up and place on its second reading.

On motion of Mr. Blair, the House, at 11:25 a.m., adjourned until 10 o’clock a.m. next Monday.

EIGHTY-EIGHTH DAY.

Hall House of Representatives, Austin, Texas, Monday, May 10, 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. Hill of Gonzales.
Barbee. Hill of Travis.
Barrett. Holland of Burnet.
Beard. Holland of Harris.
Bean. Humphrey.
Bell. Jones.
Blackburn. Kimbell.
Blair. Kirk.
 Bounds. Lillard.
Boy. Logan.
Brewster. Love.
Brigance. Martin.
Bumpass. Maxwell.
Burney. McFarland.
Burns. McGaughey.
Carpenter. McKanny.
Carswell. McKellar.
Childs. Meade.
Crowley. Melton.
Cureton. Mercer.
Curry. Moore, Fort Bend.
Dean. Moore of Lamar.
Dennis. Morton.
Dickinson. Mundine.
Dies. O’Connor.
Doyle. Oliver.
Drew. Peery.
Edwards. Pfeiffer.
Evans of Hunt. Porter.
Evans of Grayson. Randolph.
Ewing. Rhea.
Feld. Robbins.
Fisher. Rogan.
Freeman. Savage.
Garrison. Schlank.
Gilbough. Seabury.
Hill. Shelburne.
Hensley. Shropshire.
Hershi. Skillern.
Henshaw. Sluder.