Tabled on motion of Mr. Field.
Mr. Drew moved the previous question, and the main question was ordered.

The bill was passed.
Mr. Drew moved to reconsider the vote by which substitute House bill No. 207 was passed, and to table the motion to reconsider.
The motion to table prevailed.

On motion of Mr. Dennis, the regular order of business was suspended to take up and place on its third reading and final passage substitute House bill No. 221, the wild game bill.

Whereupon Mr. Maxwell raised the point of no quorum.
Mr. Field moved a call of the House, and was seconded.
The clerk was directed to call the roll, and it appeared that the following members were absent without leave: Messrs. Barbee, Blair, Bounds, Brigance, Bumpass, Burney, Burns, Carswell, Childs, Collier, Crawford, Curry, Edwards, Evans of Hunt, Good, Green, Harris, Henderson, James, Kirk, Logan, Lotto, McFarland, Meade, Mercer, Mundine, Neighbors, Pitts, Randolph, Rhea, Savage, Shilburne, Smyth, Stokes, Thaxton, Thomas, Tracy, Vaughan of Gaudalupe, Ward, Welch, Wood.

On motion of Mr. Maxwell, the House, at 6:20 p. m., adjourned until 9 o'clock a. m., to-morrow.

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NINETIETH DAY.

Hall House of Representatives, Austin, Texas, Wednesday, May 12, 1897.

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

Speaker Dashiell in the chair.

Roll called, and the following members present:

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<tr>
<th>Alexander</th>
<th>Burns</th>
<th>Evans of Hunt</th>
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<tr>
<td>Ayers</td>
<td>Carpenter</td>
<td>Evans of Grayson</td>
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<td>Bailey</td>
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<td>Barbee</td>
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A quorum was announced present.

Prayer by Rev. R. M. Hall of San Antonio.

Pending reading of the Journal of yesterday.

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

GRANTED LEAVE OF ABSENCE:

On account of important business: Mr. Reiger and Mr. Morris for to-day, on motion of Mr. Doyle, Mr. Bird for yesterday and to-day, on motion of Mr. Shropshire.
Mr. Patterson for to-day, on motion of Mr. Benson.
Mr. Reubell for to-day, on motion of Mr. Wilcox.
Mr. Ward for yesterday and to-day, on motion of Mr. Hill of Travis.
Mr. Ewing for to-day, on motion of Mr. Smyth.
Mr. Martin for to-day, on motion of Mr. Williams.
On account of sickness:
Mr. Mercer for to-day, on motion of Mr. Carswell.
Mr. Mundine for this week, on motion of Mr. Burney.
Mr. Manson for to-day, on motion of Mr. Cureton.
Mr. Tracy for yesterday, on motion of Mr. Melton.
Mr. Wood for yesterday, on motion of Mr. Barrett.

**BILLS AND RESOLUTIONS.**

By Mr. Boyd:
House bill No. 714, a bill to be entitled "An act to amend article 4397 of the Revised Civil Statutes of the State of Texas, requiring railroad companies to permanently maintain their general offices in Texas when they have contracted to do so."

Read first time and referred to Committee on Internal Improvements.

**COMMITTEE REPORTS.**

By Mr. Williams, acting chairman:
Committee Room, Austin, Texas, May 11, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 344, a bill to be entitled "An act to limit the effect of immaterial clauses in life and fire insurance contracts and policies, and to provide that such statements by the assured as are not material and do not increase the risk of insurance shall be considered as representations, and not as warranties, and shall not avoid contracts of insurance."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass, with the following amendment:
Amend caption by adding the following after the word "insurance, " in lines 9 and 10: "and to provide that no fire insurance policy shall contain a clause requiring arbitration of loss before filing suit."

WILLIAMS, Acting Chairman.

By Mr. Drew, acting chairman:
Committee Room, Austin, Texas, May 12, 1897.
Hon. L. T. Dashiell, Speaker of the House:

Your Committee on Engrossed Bills have carefully examined and compared House bill No. 686, a bill to be entitled "An act to amend the law in regard to taxation, and to regulate the sale of liquor by amending art. 5060a and 5060c, title 104, chapter 1a, of the Revised Civil Statutes of Texas, and adding article 5060j to said chapter, requiring every person, firm, corporation or association of persons selling vinous, malt, or intoxicating liquors or medicated bitters in a local option county, precinct, or subdivision of a county to give bond and to pay a license therefor;"

And find the same correctly engrossed.

DREW, Acting Chairman.

**FREE CONFERENCE COMMITTEE REPORT ON THE GENERAL APPROPRIATION BILL.**

By Mr. Garrison, chairman on part of the House:
Committee Room, Austin, Texas, May 11, 1897.
Hcn. L. T. Dashiell, Speaker of the House, and Hon. George T. Jester, President of the Senate:

We, your free conference committee, to whom was referred Substitute House bill No. 203, a bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes;"

Have had the same under consideration, and have prepared the following substitute, and beg leave to report the same with the recommendation that it be adopted.

Respectfully submitted,
GARRISON,
WILCOX,
O’CONNOR,
TURNER,
MOORE of Lamar,
Committee on part of the House.
STONE,
TURNER,
MORRISS,
COLQUITT,
GOSS,
Committee on part of the Senate.

Free conference committee substitute for substitute House bill No. 203, a bill to be entitled "An act making appropriations for the support of the
State government, for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the Treasury not otherwise appropriated, for the support of the State government, for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes.

Executive Office.
Salary of Governor ...........$4,000
Salary of private secretary .. 1,800
Salary of stenographic clerk, who shall also act as secretary of Penitentiary Board .... 1,200
Salary of porter ........... 360
Salary of State revenue agent .... 1,800
Traveling and other necessary expenses of State revenue agent . . . 300
Payment of rewards and other expenses necessary in the enforcement of the law ..............10,000
Books and stationery ...... 300
Freight, postage and telegraphing ........ 500
Ice ................ 36
Office furniture .......... 100
Contingent expenses, including new typewriter 200
Salaries of Board of Pardons ........ 2,400

Mansion and Grounds.

For Governor's Mansion and furniture, including repairs to mansion and improvements to grounds surrounding mansion, and contingent expenses, to be expended in two years ... 3,000

Provided, that $2000 of the above appropriation, or so much thereof as may be necessary, shall be used for grading and terracing, and otherwise improving grounds surrounding mansion.

Gardener and labor, and keeping up the grounds surrounding mansion ........ 500
Water and ice .............. 200

For housekeeper for mansion .......... 300
Fuel and lights .......... 450
Contingent expenses ....... 200

Department of State.

For salary of Secretary of State .......... 2,000
Salary of chief clerk ........... 1,000
Salary of two assistant clerks ........ 2,400
Salary of one assistant clerk ........... 1,000
Salary of one stenographic and general clerk ........ 900
Salary of porter ........... 390
Salary of extra clerk to copy laws .... 250
Freight, postage and express .......... 1,250
Books and stationery ...... 400
Furniture and files ....... 50
Contingent expenses ....... 100

Comptroller's Office.
Salary of Comptroller ........ 2,500
Salary of chief clerk ........ 1,800
Salary of stenographic clerk, who shall perform such other duties as may be required by the Comptroller ........ 1,000
Salary of chief bookkeeper ........... 1,600
Salary of assistant bookkeeper ........ 1,400
Salaries of two sheriff's clerks, witnesses' and attorneys' accountants 2,800
Salary of clerk for registering city, county and other bonds ....... 1,080
Salary of receiving clerk 1,200
Salary of warrant clerk .... 1,400
Salary of assistant warrant clerk ........... 1,080
Salary of bookkeeper in warrant department ........ 1,080
Salaries of two corresponding clerks ...... 2,400
Salary of chief tax clerk 1,500
Salary of assistant tax clerk ........ 1,080
Salary of redemption clerk ........... 1,400
Salary of assistant redemption clerk ........ 1,080
Salary of examining clerk ........ 1,400
Salary of assistant examining clerk .... 1,080
Salary of auditing clerk 1,300
Salary of assistant auditing clerk .... 1,080
<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Salary of deposit warrant clerk</td>
<td>1,200</td>
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<tr>
<td>Salary of twelve first assistant clerks</td>
<td>12,000</td>
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<td>Salary of nine second assistant clerks</td>
<td>8,100</td>
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<td>Salary of messenger</td>
<td>360</td>
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<td>Salary of porter</td>
<td>420</td>
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<td>Salary of night watchman</td>
<td>540</td>
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<td>Postage, telegraphing, express, office furniture and contingent expenses</td>
<td>3,500</td>
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<td>Books and stationery</td>
<td>1,500</td>
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<td>Binding assessment rolls and tax collectors' reports</td>
<td>1,000</td>
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<td>Roller case and shelving</td>
<td>1,200</td>
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<td>Salary of Treasurer</td>
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<td>Salary of chief clerk</td>
<td>1,800</td>
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<td>Salary of bookkeeper</td>
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<td>Salary of assistant bookkeeper</td>
<td>1,080</td>
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<tr>
<td>Salary of receiving clerk</td>
<td>1,500</td>
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<tr>
<td>Salary of corresponding clerk</td>
<td>1,200</td>
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<tr>
<td>Salaries of two bookkeepers in land department, at $1400 each</td>
<td>2,800</td>
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<tr>
<td>Salary of examining clerk</td>
<td>1,200</td>
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<tr>
<td>Salaries of five assistant bookkeepers in land department, at $1200 each, and three at $1000 each</td>
<td>5,400</td>
</tr>
<tr>
<td>Salary of collector, general office assistant, messenger and porter</td>
<td>600</td>
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<tr>
<td>Books and stationery</td>
<td>400</td>
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<tr>
<td>Postage</td>
<td>750</td>
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<td>Contingent expenses</td>
<td>100</td>
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<td>Keeping in repair time locks, combinations and vaults, or so much thereof as may be necessary</td>
<td>150</td>
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<tr>
<td>Salary of night watchman</td>
<td>600</td>
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<tr>
<td>Office furniture and files</td>
<td>150</td>
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Salary can not issue or possession pass, because of conflict, erroneous sales and other causes, patents can not issue, to be paid out of the respective funds to which said payments were credited, said claims to be approved by the Attorney General and the Governor, to be expended within two years, $10,000.

To pay C. C. Gibbs, trustee, or his order, out of the permanent school fund, the sum of $74,560, and out of the general fund the sum of $74,560.

For the purpose of refunding the amount paid into the Treasury of the State, on or about the 3rd day of January, 1891, for the purchase, under applications made by E. M. Bacon and E. G. Graves, of 291 sections of land, of 640 acres each, being surveys numbered from 1 to 291, both inclusive, in block G, Borden and Scurry counties; 58 sections, of 640 acres each, being surveys numbered from 1 to 58, both inclusive, in block M, in Borden and Scurry counties; and 117 sections, of 640 acres each, being surveys numbered 1 to 117, both inclusive, in block B, in Scurry county, being the lands recovered by the State by a judgment against the said E. M. Bacon and E. G. Graves, and C. C. Gibbs, trustees, rendered on the 22nd day of December, 1891, by the district court in and for Mitchell county, Texas, and affirmed on appeal, amounting in the aggregate to the sum of $140,120.

But the said sums shall not, nor shall any part thereof, be paid until Frederick P. Olcott, the purchaser under decree of foreclosure rendered by the Circuit Court for the United States for the Eastern District of Texas, at Galveston, of lands of the Houston and Texas Central Railway Company, shall execute to the State of Texas, and deliver to the Comptroller a release in writing unto the state of Texas, of any and all claims by him and those he represents, in any manner, in or to any of the above named sections of land; said release to be approved by the Attorney General, and to inure to the benefit of the State of Texas, and any person claiming any of said lands under said State, and said release to settle forever the claims of the Houston and Texas Central Railway Company and Frederick P. Olcott and others interested with him as mortgagees in any of said above described 466 sections of land; and upon the delivery of said release, duly executed and acknowledged by said Olcott, to the Comptroller, the Comptroller shall draw his warrant upon the State.
Treasurer in favor of said C. C. Gibbs, trustee, for the amount of money hereby appropriated.

To refund to Tracy & Russell taxes erroneously paid to the State upon lands situated in Edwards county, Texas, said claim to be approved by the Comptroller and Attorney General, §238: 49.

General Land Office.
Salary of Commissioner. 2,500 2,500
Salary of chief clerk ... 1,800 1,800
Salary of first assistant chief clerk .......... 1,500 1,500
Salary of receiving clerk 1,500 1,500
Salary of Spanish clerk. 1,500 1,500
Salary of legal examiner 1,800 1,800
Salary of corresponding clerk .......... 1,200 1,200
Salaries of two patent clerks ............. 2,400 2,400
Salaries of two abstract clerks ............. 2,160 2,160
Salaries of two file-room clerks 2,400 2,400
Salary of one file-room clerk ............. 1,200 1,200
Salaries of two transcript clerks ............ 2,160 2,160
Salary of chief draughtsman ............... 1,600 1,600
Salaries of five compiling draughtsmen .... 7,000 7,000
Salaries of three assistant compiling draughtsmen .......... 3,600 3,600
Salary of letter register 1,200 1,200
Salary of index clerk ... 1,050 1,050
Salary of night watchman .... 600 600
Salary of porter and janitor .......... 420 420
Postage, telegraphing and contingent expenses ........ 1,800 1,800
Stationery, books and fixtures .......... 1,800 1,800
Wood ................................ 200 200
Lithographing and miscellaneous .......... 500 500
Water, and repairs to fixtures .......... 300 300
Repairs to building .... 250 250
To pay for certified copies of judgments obtained in favor of the State against the several railroad companies in the recovery of lands where the certificates were issued in whole or in part for sidings and switches, and in the Bacon and Graves case if necessary; provided, the Attorney General shall approve the cost bill of the clerks for such copies, there is appropriated $750, or so much thereof as may be necessary 750

School Land Department
Salary of chief clerk ... 1,500 1,500
Salaries of three lease clerks ............. 3,600 3,600
Salaries of two corresponding clerks ........ 2,400 2,400
Salary of one draughtsman ............... 1,200 1,200
Salary of bookkeeper .... 1,400 1,400
Salary of file clerk ...... 1,200 1,200
Salaries of two sales clerks ............. 2,400 2,400
Provided, that the Land Commissioner may discharge any clerk not needed in any particular department and apply the money to pay his salary for the purpose of employing help in any other department where additional help may be required; provided further, that no more shall be paid for such help than is provided for the compensation of clerks in the department to which the extra help may be assigned; and provided further, that if any funds appropriated to this department be unexpended, the same, or so much thereof as may be necessary, may be used for the purchase or repair of typewriting machine. (To be paid out of the available school fund.)

Attorney General's Office.
Salary of Attorney General .................. 2,000 2,000
And the further sum each year, or so much thereof as may be necessary, to pay such fees as may be prescribed by law ........ 2,000 2,000
Salary of first office assistant ............ 2,500 2,500
Salary of second office assistant .......... 2,000 2,000
Salary of third office assistant .......... 2,000 2,000
Salary of filing and recording clerk .......... 1,000 1,000
Stationery, postage and telegraphing .... 500 500
Law books and periodicals ............. 200 200
Cost of depositions and procuring evidence .... 400 400
Porter and messenger ... 360 360
Actual traveling expenses incurred by Attor-
May 12, 1897

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ney General, or any of his assistants, in giving attention to the State's business pending elsewhere than in the courts held in the city of Austin, vouchers to be made under official certificates .......... 600 600
Contingent expenses .... 100 100

Court of Criminal Appeals.
Salaries of three judges 12,000 12,000
Salary of stenographer 1,000 1,000
Sheriffs' attendance on the court ........... 200 200
Postage ..... 150 150
Contingent expenses ... 200 200
Fuel and lights ....... 100 100
Law books to be selected by the presiding judge. 150 150
Record books and stationery .... 400 400
Salary, fees and traveling expenses of Assistant Attorney-General 3,000 3,000
Salary of porter ........ 360 360
Telegraphing and contingent expenses for Assistant Attorney-General ............. 50 50
Clerks' fees in criminal cases, or so much thereof as may be necessary 3,000 3,000
Salary of clerk .... 2,500 2,500

Supreme Court.
Salary of stenographer and law clerk .......... 1,200 1,200
Salary of bailiff .......... 150 150
Porter's hire for Judges' and consulting room 360 360
Porter's hire for court room, clerk's office, and library ............... 360 360
Record books and stationery ............. 500 500
Postage ..... 150 150
Contingent expenses .... 200 200
Purchase of books for Supreme Court library, and books for consultation room .......... 1,000 1,000

Department of Education.
Salary of superintendent 2,500 2,500
Salary of chief clerk .... 1,600 1,600
Salary of statistical clerk 1,200 1,200
Salary of auditing and index clerk .......... 1,200 1,200
Salary of stenographer 1,000 1,000
Salary of corresponding and examining clerk 1,200 1,200
Salary of corresponding and general clerk .......... 1,080 1,080
Salary of malling and blank clerk .......... 900 900
Salary of porter ........ 360 360
Traveling expenses of superintendent, visiting schools and teachers' and trustees' meetings, and when on business relating to school interests ............. 300 300
Postage, stationery, office furniture, files, binding reports and other books and pamphlets ............. 1,500 1,500
Express, freight, telegraphing and incidental expenses (to be paid out of the available school fund) ............. 500 500

Railroad Commission.
Salaries of three commissioners 12,000 12,000
Salary of secretary ...... 1,800 1,800
Salary of one rate clerk 1,500 1,500
Salary of one general clerk .......... 1,200 1,200
Pay of experts, and other necessary expenses 12,040 8,040
To pay necessary expenses of commissioners and experts in making investigations and inquiries, to be paid on verified vouchers approved by the chairman of the Railroad Commission .......... 1,000
Sheriffs' and witness fees and mileage .... 500 500
Transportation of the members of the commission and clerks .......... 250 250
Postage, books, stationery, telegraphing and express charges .......... 750 750
Furniture, fixtures and files ............. 100 100
Contingent expenses .... 100 100
Salary of porter .......... 360 360

Department of Agriculture, Insurance, Statistics and History.
Salary of commissioner 2,000 2,000
Salary of chief clerk .... 1,790 1,790
Salary of bookkeeper, stenographer and statistical clerk .......... 1,200 1,200
Salary of agricultural clerk .......... 1,200 1,200
Salary of historical clerk 1,200 1,200
Salary of porter .......... 360 360
Subscription to newspapers and magazines, and binding .......... 100 100
The University.

For the support and maintenance of the University of Texas, including such repairs and improvements and extension as the board of regents may deem necessary, all the available fund including under this head, the interest from its land notes, the income from its leases, and the fees from its students to be under the control of the Board of Regents, less the appropriation to be made for the Agricultural and Mechanical College; all yearly fees collected from students to be fixed by the Regents and to be not more than $10 per year for academic department from each student, with such laboratory fees as the regents shall fix, and not more than $50 per year from each student in the law department.

To supplement the available fund in the support and maintenance of the main University, from the general revenue .......... 45,000 45,000

Medical Department, Galveston.

For support and maintenance out of general revenue .......... 38,500 38,500

For repairs out of general revenue, to be expended in two years .. 4,000

In addition to the above revenue, the Board of Regents shall charge each student the matriculation fee of $50 per year, payable in advance, in medicine and pharmacy; also a fee of $5 annually, payable in advance, for each laboratory attended, to cover the cost of material used; the proceeds of the above fees shall also be appropriated and supplemented to any of the above named items for the maintenance and support of the said medical branch of the university, and expended in any manner the Board of Regents may deem for the best interest of the medical college.

Court of Civil Appeals—First District.

Salaries of three judges 10,500 10,500
Salary of bailiff .......... 150 150
Salary of porter .......... 300 300
Postage ................ 75 75
Record books and stationery .......... 200 200
Contingent expenses, including ice, fuel and lights .......... 150 150
Salary of stenographer and typewriter .......... 600 600
Books for library .......... 250 250

Court of Civil Appeals—Second District.

Salaries of three judges 10,500 10,500
Salary of bailiff .......... 150 150
Salary of porter .......... 300 300
Postage ................ 75 75
Record books and stationery .......... 200 200
Contingent expenses, including ice, fuel and lights .......... 150 150
Salary of stenographer and typewriter .......... 600 600
Books for library .......... 250 250

Court of Civil Appeals—Third District.

Salaries of three judges 10,500 10,500
Salary of bailiff .......... 150 150
Salary of porter .......... 300 300
Postage ................ 75 75
Record books and stationery .......... 200 200
Contingent expenses, including ice, fuel and lights .......... 150 150
Salary of stenographer and typewriter .......... 600 600
Books for library .......... 250 250

Court of Civil Appeals—Fourth District.

Salaries of three judges 10,500 10,500
Salary of bailiff .......... 150 150
Salary of porter .......... 300 300
Postage ................ 75 75
Record books and stationery .......... 200 200
Contingent expenses, including ice, fuel and lights .......... 150 150
Salary of stenographer and typewriter .......... 600 600
Books for library .......... 250 250

Court of Civil Appeals—Fifth District.

Salaries of three judges 10,500 10,500
Salary of bailiff .......... 150 150
Salary of porter .......... 300 300
Postage ................ 75 75
Record books and stationery .......... 200 200
Contingent expenses, including ice, fuel and lights .......... 150 150
Salary of stenographer and typewriter .......... 600 600
Books for library .......... 250 250
Judiciary Department.
Salaries of 53 district judges ..........132,500 132,500
Salaries of 38 district attorneys ......... 19,000 19,000
Salary of criminal district attorney .... 500 300
Salaries of two criminal district judges .... 5,000 5,000
Fees and costs of sheriffs, clerks and attorneys in felony cases 375,000 375,000

Nor shall the Comptroller approve the account of any sheriff for conveying a convict from the penitentiary to any county for trial on a felony charge, which if convicted would receive a sentence concurrent with the sentence he was already serving; nor shall such attorneys, clerks or sheriffs be entitled to fees and costs in more than one case, where the defendant is convicted in two or more cases, unless the judgment in the second and subsequent convictions shall be that the punishment shall begin when the judgment and sentence in the preceding conviction have ceased to operate; nor shall the district judge approve accounts for such fees and costs.

To pay costs in civil cases when such costs are adjudged against the State, or when such costs can not be recovered from the defendant, in which only such costs as are incurred by the State in such civil cases, shall be paid out of this fund 2,500 2,500

Expenses of attached witnesses: provided, that neither the district judge nor the Comptroller shall approve the claim of any person attached as a witness while under indictment for a felony in the same court in which he is attached to testify 75,000 75,000

Salary of Supreme Court reporter .......... 3,000 2,000
Salary of Court of Criminal Appeals reporter 3,000 3,000

For compensation for assistant Supreme Court reporter or reporters of Courts of Civil Appeals 2,500 2,500

Fees of county judges, justices of the peace, sheriffs and constables in examining trials 10,000 10,000

Pensions.
Pay of veterans under general laws 51,000 51,000
Mrs. S. L. Cole, special pensioner 150 150
P. H. Bell, special pensioner 150 150
Mrs. Candelari, special pensioner 150 150

Public Debt.
For interest on public debt 224,420 224,420

Miscellaneous.
For relief of liquor dealers 10,000 10,000
Refunding to Allison, a State convict 225
To pay sheriff of Hardeman county, Texas, for boarding J. D. Adams, a prisoner convicted of murder in Greer county and transferred to the jail of Hardeman county for safe keeping, by order of the district judge, pending appeal to the Court of Criminal Appeals, Texas, or so much as may be necessary 350

State Orphan Asylum.
All of the available fund belonging to the Asylum for the support and maintenance, in addition thereto from the general revenue, the following:
Salary of superintendent 1,000 1,000
Salary of matron 600 600
Salaries of six teachers 2,400 2,400
Salaries of three cooks 600 600
Salary of one baker 300 300
Salaries of three laundresses 720 720
Salaries of two seamstresses 480 480
Salary of one physician 720 720
Salary of farm labor 600 600
Salary of trained nurse 300 300
Salaries of six assistant nurses 1,200 1,200
Salary of night watchman 360 360
Maintenance 15,000 15,000
Fuel 500 500
Postage and stationery 100 100
Bedding 600 600
School books, maps, etc. 400 400
Window curtains, towels and table linens 200 200
Transportation 150 150
Telephone 60 60
Table ware, hard ware and crockery 200 200
### State Lunatic Asylum

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of superintendent</td>
<td>2,000</td>
</tr>
<tr>
<td>Salary of physician</td>
<td>1,500</td>
</tr>
<tr>
<td>Salary of first assistant</td>
<td>1,500</td>
</tr>
<tr>
<td>Salary of second assistant</td>
<td>1,500</td>
</tr>
<tr>
<td>Salary of gardener</td>
<td>300</td>
</tr>
<tr>
<td>Salary of supervisor</td>
<td>480</td>
</tr>
<tr>
<td>Salary of supervisoress</td>
<td>480</td>
</tr>
<tr>
<td>Salary of outside supervisor</td>
<td>600</td>
</tr>
<tr>
<td>Salary of chief engineer</td>
<td>720</td>
</tr>
<tr>
<td>Salary of assistant engineer</td>
<td>480</td>
</tr>
<tr>
<td>Salary of gardener</td>
<td>480</td>
</tr>
<tr>
<td>Salary of carpenter</td>
<td>480</td>
</tr>
<tr>
<td>Salary of assistant carpenter and blacksmith</td>
<td>480</td>
</tr>
<tr>
<td>Salaries of five attendants</td>
<td>300</td>
</tr>
<tr>
<td>Salary of head laundress</td>
<td>300</td>
</tr>
<tr>
<td>Salaries of six laundresses</td>
<td>1,440</td>
</tr>
<tr>
<td>Salary of head seamstress</td>
<td>300</td>
</tr>
<tr>
<td>Salaries of six seamstresses</td>
<td>1,440</td>
</tr>
<tr>
<td>Salaries of fifty attendants</td>
<td>as many as necessary, not to exceed $20 per month</td>
</tr>
<tr>
<td>Salary of two trained nurses</td>
<td>720</td>
</tr>
<tr>
<td>Salaries of three farm hands at $18 per month</td>
<td>648</td>
</tr>
<tr>
<td>Salary of dailyman</td>
<td>300</td>
</tr>
<tr>
<td>Salary of plasterer and painter</td>
<td>480</td>
</tr>
<tr>
<td>Salary of storekeeper</td>
<td>480</td>
</tr>
<tr>
<td>Salaries of three dining-room girls and chambermaids at $20 per month</td>
<td>720</td>
</tr>
<tr>
<td>Salary of scavenger</td>
<td>240</td>
</tr>
<tr>
<td>Groceries, fuel, light and water, including pay of Board of Managers at</td>
<td>600</td>
</tr>
</tbody>
</table>

### Additional Appropriations for State Lunatic Asylum to Comport with Additions Provided for the Accommodation of More Inmates:

- For groceries, etc. 5,000 12,500
- Dry goods and clothing 1,500 3,000
- Beds and furniture 1,000
- Medical stores and surgical instruments 1,000 1,000
- Literature and amusement 1,000 1,000
- Transportation of patients 1,000 1,000
- Hacks, wagons, harness and farm tools 200
- Trees, seeds and flowers 75 75
- Laundry machinery 300 300
- Repairing roofs 3,000 500
- Engineers' and carpenters' tools 150
- For the erection of an associate dining hall, with apartments for employees attached, and for converting basement of main building into wards 37,500

### Southwestern Insane Asylum

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of Superintendent</td>
<td>2,000</td>
</tr>
<tr>
<td>Salary of assistant superintendent</td>
<td>1,500</td>
</tr>
<tr>
<td>Salary of bookkeeper and steward</td>
<td>1,000</td>
</tr>
<tr>
<td>Salary of engineer and plumber</td>
<td>720</td>
</tr>
<tr>
<td>Salary of matron and superintendents</td>
<td>600</td>
</tr>
<tr>
<td>Salary of ward supervisor</td>
<td>480</td>
</tr>
<tr>
<td>Salary of carpenter</td>
<td>480</td>
</tr>
<tr>
<td>Salary of outside supervisor</td>
<td>480</td>
</tr>
<tr>
<td>Salary of chief cook</td>
<td>480</td>
</tr>
<tr>
<td>Salary of baker</td>
<td>480</td>
</tr>
<tr>
<td>Salary of head laundress</td>
<td>360</td>
</tr>
<tr>
<td>Salaries of three laundresses</td>
<td>300</td>
</tr>
<tr>
<td>Salary of gardener</td>
<td>720</td>
</tr>
</tbody>
</table>

### Notes
- $5 per month for attendance upon meetings of the board, and mileage 62,500 62,500
- Furniture and beds 12,000 12,000
- General repairs 3,000 3,000
- Fire protection 2,000
- Trees, seeds, and flowers 75 75
- Laundry machinery 300 300
- Repairing roofs 1,000 500
- Engineers' and carpenters' tools 150
Salary of dairyman .... 300 300
Salary of first assistant cook .................. 300 300
Salary of second assistant cook .................. 240 240
Salary of head seamstress .................. 300 300
Salary of assistant seamstress .................. 240 240
Salaries of two firemen .................. 720 720
Salaries of two night watchmen .................. 600 600
Salaries of two farm hands, at $18 per mo. ........ 432 432
Salaries of 22 attendants (or as many thereof as may be necessary), at not to exceed $20 per month .................. 5,280 5,280
Groceries, fuel, lights and water, including pay of the Board of Managers at $5 per mo. for attendance upon meetings of the Board, and mileage ............ 25,000 25,000
Dry goods and clothing .... 3,500 3,500
Furniture and bedding ........ 1,000 1,000
Transportation of patients .................. 400 400
Medical stores and surgical instruments .... 750 750
General repairs and preservation .......... 1,000 1,000
Contingent expenses ........ 500 500
Expenses Board of managers to Austin .......... 15
Literature and amusement .... 400 400
Trees, seeds, farm machinery and tools ........ 200 200
Wagons, hacks and harness ........ 200 200
Painting roof and standpipe .......... 500 500
Cows, horses, mules and hogs .......... 200 200
Engineers' and carpenters' tools .......... 100 100
Bridges and grounds .......... 150 150
Anchoring and repairing ward buildings, to be used in two years ........ 2,000
Erecting additional buildings under the supervision of a competent architect, to be appointed by the Governor of Texas, the salary of architect to be paid out of this appropriation 100,000
Maintenance of inmates to be received in new buildings .......... 40,000
Purchasing new boiler .................. 750 750

and piping and necessary repairs for connection and fixtures 1,500

North Texas Insane Asylum.

Salary of superintendent 2,000 2,000
Salary of first assistant physician 1,500 1,500
Salary of second assistant physician 1,500 1,500
Salary of bookkeeper and steward 1,000 1,000
Salary of matron 600 600
Salary of apothecary 600 600
Salary of ward supervisor 480 480
Salary of head farmer and outside supervisor 480 480
Salary of storekeeper 480 480
Salary of head engineer and plumber 720 720
Salary of assistant engineer and electrician 480 480
Salary of supervisoress 480 480
Salary of head carpenter 600 600
Salary of assistant carpenter 360 360
Salaries of three firemen 900 900
Salary of main painter and plasterer 480 480
Salary of gardener 360 360
Salary of assistant gardener and florist 300 300
Salary of scavenger 240 240
Salaries of three farm hands 648 648
Salary of head cook 600 600
Salary of first assistant cook 300 300
Salary of second assistant cook 240 240
Salary of third assistant cook 240 240
Salary of baker 480 480
Salary of head laundress 360 360
Salaries of eight laundresses 1,920 1,920
Salary of head seamstress 300 300
Salaries and stresses 1,680 1,680
Salaries of sixty-three attendants 15,120 15,120
Salaries of four special nurses 1,200 1,200
Salary of outside watchman 360 360
Salaries of five night watchmen 1,800 1,800
Salary of dairyman 300 300
Salary of one assistant dairyman 240 240
Groceries, fuel, light and water 70,000 70,000
Transportation of patients 750 750
Contingent expenses .... 1,000 1,000
Dry goods and clothing..15,000 15,000
Medical stores and surgical instruments .... 1,500 1,500
Trees, seeds and stock.. 250 250
Wagons, hacks and harness .......... 300 300
Carpenter's tools ........ 75 75
Engineer's tools .......... 50 50
Mowers, plows and farm implements ........ 250 250
Furniture and beds .... 2,000 2,000
Expenses board to Austin ............ 37 50
General repairs to be expended in two years... 5,000
Purchase of mules, horses, cows and swine.... 250 250
Painting roof, to be expended in two years...... 1,000
Literature and amusement ............. 500 500
Pipes and piping ........ 1,000 1,000
Basement floors .... 2,000
Bridges, culverts and grounds .......... 300
Laundry machinery .... 300 300
Repairing standpipe ...... 100
Fencing ........ 100 100
Fire hose department .... 500
New roof on administration building .... 1,000
Laundry floor .... 500
Grated doors .... 500
Erection of male hospital .......... 10,000
Erection of an associated dining hall and employees' room .... 27,500

Additional appropriations made for North Texas Insane asylum, to comport with provisions made for additional buildings for the accommodation of more inmates:
Groceries, etc. .... 5,000 12,500
Dry goods and clothing. 1,500 5,000
Beds and furniture .... 1,000
Assistant supervisor ... 180 360
Five attendants .... 600 1,200
Three laundresses .... 360 720

Provided, that the interest on all securities held by the Lunatic Asylum Fund is hereby appropriated in part payment of the appropriations of the three lunatic asylums, the remainder of the appropriation to be paid out of the general revenue. All moneys now in, or which may hereafter be paid into the State treasury for the board and treatment of non-indigent patients and from sales of personal property of the three lunatic asylums, shall be paid over to the State Treasurer monthly and credited by him to the general revenue account.

Blind Asylum.
Salary of superintendent 2,000 2,000
Salary of oculist .......... 900 900
Salary of bookkeeper and steward .......... 720 720
Salary of first matron .... 440 440
Salary of second matron .... 440 440
Salaries of the principal teacher and six assistant teachers in literary department, teacher of kindergarten and physical culture, and four teachers in music department ........ 8,520 8,520
Salary of one music reader .......... 540 540
Salary of teacher of sewing, crochet and wool work .......... 400 400
Salary of teacher of trades .......... 360 300
Salary of assistant teacher of trades ...... 315 315
Salary of sick nurse and monitress for large girls .... 270 270
Salary of sick nurse and monitor for large boys .... 270 270
Salary of monitress and seamstress for small girls .... 180 180
Salary of monitress and seamstress for small boys ........ 180 180
Salary of night watchman .... 500 500
Salary of engineer and electrician .......... 900 900
Salary of hostler and yard man .... 360 300
Salaries of four cooks and one baker .... 900 900
Salaries of head laundress and three assistants .......... 800 800
Salary of housekeeper for large boys' department .... 180 180
Salaries of three chambermaids .......... 472 472
Salaries of four dining room girls .......... 630 630
Salaries of five trustees .......... 300 300
Transportation of indigent pupils .......... 1,200 1,200
Clothing for indigent pupils .......... 900 900
Groceries, printing necessary for school, labor, contingent expenses and miscellaneous .... 16,500 16,500
Ordinary repairs .......... 750 750
Relaying and casing heating pipes .......... 500
Removing overhead plastering, and ceiling old building ................ 1,000

Deaf and Dumb Asylum.
Salary of Superintendent 2,000 2,000
Salary of principal, educational department 1,500 1,500
Salary of first academic teacher ....................... 1,000 1,000
Salaries of two second academic teachers ............ 1,800 1,800
Salaries of two teachers 1,200 1,200
Salaries of four teachers 2,400 2,400
Salaries of five teachers 2,400 2,400
Salary of first oral teacher 720 720
Salary of second oral teacher ....................... 600 600
Salary of third oral teacher ....................... 480 480
Salaries of two oral teachers ...................... 800 800
Salary of art teacher 600 600
Salary of secretary and steward ..................... 900 900
Salary of first matron 480 480
Salary of second matron 480 480
Salary of monitor 480 480
Salary for monitress for small girls 360 360
Salary for monitress for small boys 360 360
Salary of instructor in printing ................... 900 900
Salary of instructor in shoemaking .................. 720 720
Salary of instructor in carpentry ................... 720 720
Salary of instructor in tailoring ................... 600 600
Salary of teacher of sewing and dressmaking ........ 300 300
Salary of engineer 900 900
Salary of night watchman 360 360
Salary of farmer and gardener 300 300
Salaries of two laborers 540 540
Salaries of five laundresses 900 900
Salary of baker 360 360
Salaries of two cooks 600 600
Supplies, provisions, etc. 22,500 22,500
Water and electric lights 1,200 1,200
For furnishing .................................. 500 500
Clothing and transportation for indigent pupils 1,000 1,000
Art material and supplies ....................... 100 100
Repairs on main building 4,000
Salaries of five trustees 300 300

and Blind Asylum funds are hereby appropriated in part payment of the above appropriations, the remainder to be paid out of the general revenue.

House of Correction and Reformatory.
Salary of Superintendent 1,800 1,800
Salary of farm supervisor 500 500
Salary of engineer 600 600
Salary of assistant engineer 300 300
Salary of bookkeeper and steward 900 900
Salaries of two teachers 960 960
Salaries of four night guards 1,440 1,440
Salaries of eight day guards 2,400 2,400
Salary of baker 300 300
Salary of physician 400 400
Salaries of three trustees 300 300
Maintenance 16,000 16,000
Fuel 1,200 1,200
Books and slates 100 100
Medicine 200 200
Postage and express 150 150
Discharge and transportation of discharged inmates 800 800
Literature and library for inmates 150 150
Farm implements 200 200
Bathing pool and contingent expenses 500 500

Provided, that the products and labor of said Reformatory are hereby appropriated in part payment of the above appropriation, the remainder to be paid out of the general revenue; provided further, that the superintendent of the Reformatory is hereby required to rent sufficient land to keep all the inmates employed.

Confederate Home.

For maintenance of inmates, including compensation as prescribed by law to the members of the Board of Directors for attending the meetings of the board, 28,000 32,000
Salary of superintendent 1,500 1,500
Salary of quartermaster 600 600
Salary of surgeon 1,000 1,000
Medicine 400 400
Salary of chief cook 480 480
Salary of assistant cook 240 240
Salaries of four waiters, who shall do all work required of them by the superintendent 720 720
Salaries of nurses, who shall do any work required of them by the

Provided, that the interest on all securities held by the Deaf and Dumb
superintendent and surgeon .......... 1,440 1,440
Salary of one helper .......... 240 240
Salary of laundress .......... 240 240
Salary of two assistant launderesses .......... 360 360
Transfer of inmates to their homes .......... 200 200
Salary of night watchman .......... 300 300
For moving stables .......... 100
For fire hose .......... 335
Dining room and kitchen for hospital and for necessary furniture therefor .......... 1,500
Kitchen for main building .......... 900
Salary of hospital cook .......... 360 360
Salary of assistant hospital cook .......... 240 240
Salary of matron .......... 300 300
Building and furnishing one cottage, to be used when needed .......... 2,250

Provided, that the money now to the credit of the available Confederate Home fund is hereby appropriated in part payment of the above appropriation, the remainder to be paid out of general revenues.

Quarantine Department.
For maintaining quarantine department .......... 33,000 33,000
For moving quarantine station at Sabine Pass .......... 3,500
Maintenance of a quarantine guard at Corpus Christi pass, to be under the supervision of the quarantine physician at Harbor Island, said guard to furnish his own boat and supplies, at a salary of $75 per month; for each year .......... 600 600

Deaf, Dumb and Blind Asylum for Colored Youths.
Salary of Superintendent .......... 1,500 1,500
Salary of principal teacher .......... 675 675
Salaries of three classroom teachers and one music teacher .......... 1,800 1,800
Salary of shoemaker .......... 450 450
Salary of seamstress .......... 300 300
Salary of matron .......... 360 360
Salary of oculist .......... 600 600
Salary of night watchman .......... 300 300
Salary of engineer and plumber .......... 500 500
Salary of cook and assistant .......... 500 500
Salary of farmer and gardener .......... 300 300
School apparatus .......... 125 125
Transportation of indigent pupils .......... 400 400
Clothing for indigent pupils .......... 450 450
General repairs and erection of new building .......... 12,000
Furniture .......... 200 200
Tools and apparatus for shoe shop .......... 25 25
Stationery and postage .......... 50 50
Salary of monitor .......... 225 225
For groceries, provisions and miscellaneous, including pay of members of the board, at $5 per month, for attending meetings of the board, and mileage .......... 8,000 8,000
Sam Houston Normal Institute.
For support and maintenance .......... 27,500 27,500
For library apparatus, repairs and improvements .......... 2,000 2,000
($14,000 of this appropriation to be paid out of the available school fund.)
State Penitentiaries.
For conveying convicts to the penitentiaries and reformatory .......... 18,000 18,000
Penitentiary library .......... 250 250
Traveling expenses of superintendent .......... 500 500
All the proceeds of convict labor, and in addition thereto for making up deficiencies in monthly expenses and to purchase material to carry on prison industries, which shall be paid out of the treasury on the warrant of the Comptroller, whenever demanded by the financial agent of the State penitentiaries, to be used, if needed, for each year; provided, that this sum shall not be drawn out of the treasury except as needed .......... 40,000 40,000
Purchase of farm lands to work convicts .......... 50,000
Agricultural and Mechanical College.
For the support and maintenance of the Agricultural and Mechan-
<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Repairing and painting buildings and equipping for experimental station</td>
<td>1,500</td>
</tr>
<tr>
<td>Student labor fund</td>
<td>5,000</td>
</tr>
<tr>
<td>Repair of military arms</td>
<td>2,000</td>
</tr>
<tr>
<td>Building and equipping mess hall</td>
<td>20,000</td>
</tr>
<tr>
<td>Inspection of arms and troops</td>
<td>250</td>
</tr>
<tr>
<td>Protection of the frontier and suppression of lawlessness and crime</td>
<td>25,000</td>
</tr>
<tr>
<td>Payment of the Volunteer Guard when called into active service under the law, including transportation of the troops and for all other military expenses</td>
<td>5,000</td>
</tr>
<tr>
<td>Book cases for preservation of war records and maps</td>
<td>100</td>
</tr>
<tr>
<td>Public Printing</td>
<td></td>
</tr>
<tr>
<td>For the first, second and third classes of printing and binding, and for printing papers for first and second classes of public printing</td>
<td>20,000</td>
</tr>
<tr>
<td>For publishing Supreme Court reports, three volumes</td>
<td>4,000</td>
</tr>
<tr>
<td>For publishing Court of Criminal Appeals reports, three volumes</td>
<td>4,000</td>
</tr>
<tr>
<td>For publishing Court of Civil Appeals reports, six volumes</td>
<td>6,000</td>
</tr>
<tr>
<td>For salary of expert printer and secretary for the State Printing Board</td>
<td>1,600</td>
</tr>
<tr>
<td>For publishing constitutional amendments, proposed by the Twenty-fifth Legislature, or so much thereof as may be necessary</td>
<td>17,000</td>
</tr>
<tr>
<td>For printing for educational department as follows, to be paid for out of the available school fund, the distribution to be made made by the Department of Education:</td>
<td></td>
</tr>
<tr>
<td>Printing county superintendents' record books, Treasurers' record books and blank forms</td>
<td>1,200</td>
</tr>
<tr>
<td>Printing scholastic census blanks, teachers' daily registers, trustees' reports and other blank forms for the use of school officers, teachers and trustees</td>
<td>2,000</td>
</tr>
<tr>
<td>Printing school laws, courses of study, examination questions, circulars to school officers and teachers, and other matter for the advancement of education</td>
<td>1,000</td>
</tr>
</tbody>
</table>
Live Stock Sanitary Commission.

For expenses of the Live Stock Sanitary Commission .. 4,000 4,000
Public Buildings and Grounds.
Salary of Superintendent 1,500 1,500
Salary of bookkeeper .. 600 600
Salary of engineer ..... 1,200 1,200
Salary of assistant engineer, who shall perform all work required of him by the Superintendent ... 720 720
Salaries of four watchmen ................. 2,880 2,880
Salaries of two firemen .... 1,200 1,200
For traveling and other necessary expenses of superintendent when away from Austin on official business ...... 500 500
Salaries of four cleaners ... 1,440 1,440
Salary of elevator man .. 720 720
Labor in capitol grounds and keeping sewer in repair ............... 700 700
Keeping cemetery grounds .. ........ 300 300
Headstones for Confederate Veterans buried in the State cemetery.
Headstones for Texas veterans buried in the State cemetery ..... 100 100
Water, fuel, lights and contingencies ............. 10,000 10,000
Oil and waste for engines, dynamos and steam pumps, oil for wainscoting, drawing paper for plans, stationery; oil for lamps .. 600 600
Repairs and painting for two years ........ 5,000 5,000
Tools ........................................ 100 100
For the purchase of one painting of Gov. Culberson, painted by Mrs. Brazelton .......... 250
For the purchase of one painting of Gov. Hogg, painted by Mr. Mc Ardle ............. 250

Sec. 2. It shall be unlawful for the superintendent or head of any of the foregoing departments of the State government or public institutions herein provided for to draw out of the State Treasury all or any part of the money for the maintenance of his respective department or institution and deposit the same in a local bank to his own private account; but said amounts herein before appropriated shall remain in the State treasury and may be drawn or checked out by such heads of departments or superintendents of institutions monthly to pay salaries of employes, or whenever it may be needed to pay for supplies, repairs, improvements or any other thing permitted to be bought or had for the maintenance of the institution.

Recapitulation.

Executive office ... 22,906 22,896
Mansion and grounds .. 4,650 1,850
Department of State .... 10,810 10,900
Comptroller's office .... 59,080 57,880
Treasury Dept. ... 181,108.49 21,730
General Land Office .. 43,220 42,470
School Land Dept'n ... 18,700 18,700
Attorney General's Dept 14,600 14,000
Court of Criminal Appeals ... 20,610 20,610
Supreme Court ... 18,220 18,220
Dep'tment of Education . 13,340 13,340
Railroad Commission .. 31,600 26,600
Department of Agriculture, Insurance, Statistics and history ....... 9,250 9,250
University of Texas ... 45,000 46,000
Medical Department of the University of Texas at Galveston ... 42,500 35,500
Court of Civil Appeals—First District .... 12,225 12,225
Court of Civil Appeals—Second District ... 12,225 12,225
Court of Civil Appeals—Third District .... 11,925 11,925
Court of Civil Appeals—Fourth District .... 12,225 12,225
Court of Civil Appeals—Fifth District .... 12,175 12,175
Judiciary department .... 628,000 628,000
Pensions .......... 51,450 51,450
Public debt .... 224,420.20 224,420.20
Miscellaneous .... 10,575 10,000
State Orphan Asylum ... 41,650 33,150
State Lunatic Asylum.166,283 136,823
Southwestern Insane Asylum .... 155,427 91,912
North Texas Insane Asylum .... 156,650.50 155,553
Blind Asylum .... 41,307 39,867
Deaf and Dumb Asylum.55,360 51,360
House of Correction and Reformatory ... 29,260 29,260
Confederate Home ... 41,705 40,620
Quarantine department .... 33,600 33,600
Deaf, Dumb and Blind Asylum for Colored Youths .... 28,760 16,760
Sam Houston Normal Institute .... 29,500 29,500
State penitentiaries .... 58,750 108,750
Agricultural and Mechanical College .... 55,500 27,500
Prairie View State Normal School ... 15,700 13,100
Adjutant-General's office. 34,885  34,785  
Public printing ........ 56,800 35,300  
Live Stock Sanitary 
Commission ............. 4,000 4,000  
Public buildings and 
grounds ................... 28,360 22,860  
2,572,522.19  2,233,911.20  
RECOMMENDED.

House joint resolution No. 39 (reported favorably), to the Committee on Constitutional Amendments for further consideration, on motion of Mr. Randolph.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, May 12, 1897.
Hon. L. T. Dashiell, Speaker of the House:
I am instructed by the Senate to inform the House that the Senate has adopted the report of the free conference committee on substitute House bill No. 293, the general appropriation bill.

By the following two-thirds vote: yeas 22, nays 3.

Also, that the following free conference committee on House bill No. 539 has been appointed on the part of the Senate: Senators Stone, Yett, Ross, Rogers and Darwin.

Also, that the Senate has passed Senate bill No. 331, a bill to be entitled "An act to amend article 4550, chapter 11, of the Revised Statutes of Texas, relating to railroads."

By the following two-thirds vote: yeas 21, nays none.

Respectfully,

WILL LAMBERT, Secretary.

SENATE BILL ON FIRST READING

Senate bill No. 331, reported above, was read first time and referred to Judiciary Committee No. 1.

BILLS SIGNED BY THE SPEAKER

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

House bill No. 698, entitled "An act to amend article 22 of the Revised Civil Statutes of 1895, so as to change the time of holding the terms of the district courts in Gregg and Upshur counties, and to extend the time of holding court in Gregg county, Texas."

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

SPEAKER'S TABLE.

Mr. Carpenter called up the report of the free conference committee on Senate bill No. 83, known as the Way-land fee bill, which report was printed in full in the Journal of May 10.

The report was laid before the House, and was read in full.

Mr. Carpenter moved that the report be adopted.

Mr. Wolters moved that the report be rejected.

Pending consideration.

On motion of Mr. Wolters, Mr. Bell yielding the floor, the House at 12:32 p. m. took recess until 3 o'clock p. m. to-day.

AFTERNOON SESSION.

The House was called to order by the Speaker at 3 o'clock p. m.

Pending question: The report of the free conference committee on Senate bill No. 83, with pending motions to adopt and reject.

BILLS INTRODUCED.
(By unanimous consent.)

By Mr. Smyth:

House bill No. 715, a bill to be entitled "An act to reorganize the Thirty-first and Forty-seventh judicial districts, and to name the counties composing the same, to fix the times for holding the district courts therein, to provide for the issuance and return of process therein, and to repeal all laws in conflict herewith."

Read first time and referred to the Committee on Judicial districts.

By Mr. Carpenter:

House bill No. 716, a bill to be entitled "An act to reorganize the Sixth judicial district of the State of Texas, and to repeal all laws and parts of laws in conflict herewith."

Read first time and referred to the Committee on Judicial districts.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, May 12, 1897.
Hon. L. T. Dashiell, Speaker of the House:
I am instructed by the Senate to inform the House that the Senate has passed the following bills:

House bill No. 710, a bill to be entitled "An act to amend articles 5243j, 5243j and 5243k, of an act entitled an act to amend articles 5243j, 5243j, 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 forfeiture, and to provide adequate penalties for a violation of this act, passed at the present session and approved April 30, 1897.

By a two-thirds vote: Ayes 26, noes none.

House bill No. 651, a bill to be entitled "An act to prohibit the catching of fish, green turtle, loggerheads, terrapins or shrimp with seine, drag nets, fykes, set nets, gill nets, trammel net, traps, dams or weirs in any of the bays or navigable waters of this State within the limits or within one mile of the limits of certain cities and towns, and to provide a penalty therefore."

By a two-thirds vote: Ayes 26, noes none.

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."

By the following vote: Ayes 24, noes none.

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

Senate bill No. 381, a bill to be entitled "An act to amend article 1337 of chapter 2, title 22, 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 courts authorized to audit, adjust, and settle claims."

By a two-thirds vote: yeas 22, nays 1.

Senate bill No. 380, a bill to be entitled "An act granting permission to J. W. Benson and B. F. Gholson, or their assigns, to bring suit against the State of Texas in the District Court of Lampasas county, to ascertain the amount, if any, the State is indebted to them for services rendered."

By a two-thirds vote: Ayes 23, noes none.

House bill No. 25, a bill to be entitled "An act to create a judicial district in Harris county additional to the Eleventh Judicial District existing therein, to be the Fifty-fifth Judicial District; to establish a court and provide for a judge and clerk of such new district, and to regulate the venue of the courts of said districts and the disposition of business therein, and define the jurisdictional boundaries and terms thereof."

Also, the Senate requests the return of

Senate bill No. 331, a bill to be entitled "An act to amend article 4550, chapter 11, of the Revised Statutes of Texas, relating to railroads."

Respectfully,

WILL LAMBERT, Secretary.

SENATE BILLS ON FIRST READING.

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

Senate bill No. 380, to the Committee on Claims and Accounts.

Senate bill No. 381, to Judiciary Committee No. 1.

BILL RETURNED TO THE SENATE.

The above request of the Senate for return of Senate bill No. 331 was granted, and the Clerk was directed to return same.

PRIVILEGED REPORTS.

By Mr. Dennis, acting chairman:

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

Hon. L. T. Dashiel, Speaker of the House:
Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 713, a bill to be entitled "An act to appropriate the sum of $10,000, or so much thereof as may be necessary, to pay the per diem of members, officers and employees of the Twenty-fifth Legislature of the State of Texas;"

And find the same correctly engrossed.

DENNIS, Acting Chairman.

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

Hon. L. T. Dashiel, Speaker of the House:
Your Committee on Engrossed Bills have carefully examined and compared
House bill No. 543, a bill to be entitled "An act to authorize the Galveston, La Porte and Houston Railway Company to acquire by purchase, lease or otherwise all the rights, franchises and property of the Galveston and Western Railway Company, and to operate, maintain and use the same,"

And find the same correctly engrossed.

DENNIS, Acting Chairman.

By Mr. Dies, chairman:

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

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

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 306, entitled "An act to amend articles 2514, 2515, 2516, 2517, 2518, 2518a, 2518d, 2518f, 2518h and 2518n, 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,"

And find the same correctly engrossed.

DIES, Chairman.

By Mr. Lillard, chairman:

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

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

Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 13, entitled "An act to validate certain illegal sales of public school, University and asylum lands sold under section 22, chapter 99, of the acts of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached,"

And find the same correctly enrolled, and I have this day, at 3:30 p. m., presented the same to the Governor for his approval.

LILLARD, Chairman.

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

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

Your Committee on Enrolled Bills have carefully examined and compared

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 Reeves 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."

And find the same correctly enrolled, and I have this day, at 3:30 p. m., presented the same to the Governor for his approval.

LILLARD, Chairman.

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

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

Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 157, entitled "An act to amend article 2977, of chapter 4, title 55, of the Revised Statutes of the State of Texas, relating to divorce, so as to permit the wife to obtain a divorce when the husband shall have left her for one year with intention of abandonment, as well as for the continued drunkenness of either the husband or wife, and to repeal all laws in conflict herewith,"

And find the same correctly enrolled, and I have this day, at 3:30 p. m., presented the same to the Governor for his approval.

LILLARD, Chairman.

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

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

Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 79, entitled "An act to prevent immoral publications and to prevent the sale and distribution of such publications, making a violation thereof a felony, prescribing a penalty therefor, and declaring an emergency."

And find the same correctly enrolled, and I have this day, at 3:30 p. m., presented the same to the Governor for his approval.

LILLARD, Chairman.

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

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

Your Committee on Enrolled Bills have carefully examined and compared

Substitute House bill No. 418, entitled "An act to amend article 3384,
title LXIX, of the Revised Civil Statutes of the State of Texas, relating to local option."
And find the same correctly enrolled, and I have this day, at 3:30 p.m., presented the same to the Governor for his approval.

LILLARD, Chairman.

Committee Room,
Austin, Texas, May 12, 1897.
Hon. L. T. Dashiell, Speaker of the House:
Your Committee on Enrolled Bills have carefully examined and compared
House bill No. 391, entitled "An act to relinquish the title and confirm the patents to certain lands herein named."
And find the same correctly enrolled, and I have this day, at 3:30 p.m., presented the same to the Governor for his approval.

LILLARD, Chairman.

Committee Room,
Austin, Texas, May 12, 1897.
Hon. L. T. Dashiell, Speaker of the House:
Your Committee on Enrolled Bills have carefully examined and compared
House bill No. 698, a bill to be entitled "An act to amend article 22 of the Revised Statutes of the State of Texas of 1895, so as to change the time of holding the terms of the district courts of Gregg and Upshur counties, and to extend the time of holding court in Gregg county, Texas."
And find the same correctly enrolled, and I have this day, at 3:30 p.m., presented the same to the Governor for his approval.

LILLARD, Chairman.

SPEAKER'S TABLE.

Resuming consideration of the free conference committee report on Senate bill No. 83, known as the Wayland fee bill, with pending motions to adopt and reject,
Mr. McGaughey moved the previous question, and the main question was ordered.
Question first recurred on the motion of Mr. Wolters to reject, and Mr. Blair moved to reconsider the vote by which the main question was ordered.
On the motion to reconsider, yeas and nays were demanded by Mr. Blair, Mr. Neighbors and Mr. Fisher.
Lost by the following vote:

Yeas—46.
Bailey.
Barbee.
Barrett.
Bealrd.
Bean.
Bell.
Blackburn.
Blair.
Brigance.
Burney.
Burns.
Childs.
Cureton.
Dickinson.
Dies.
Edwards.
Evans of Grayson.
Fields.
Harris.
Hill of Travis.
Holland of Burnet.
Holland of Harris.
Jones.

Nays—48.
Alexander.
Benson.
 Bounds.
Boyd.
Brewster.
 Browne.
Bumpass.

Carpenter.
 Carswell.
Conoly.
Crawford.
Curry.
Dean.
Doyie.
Drew.

Evans of Hunt.
Feild.
Fisher.
Freeman.
Garrison.
Graham.
Hensley.
Hill of Gonzales.
Humphrey.

Yeas—46.
Logan.
Lotto.
Maxwell.
McFarland.
McKamy.
McKeller.
Melton.
Moore, Fort Bend.
Neighbors.
Randolph.
Rudd.
Schlick.
Smith.
Smyth.
Stokes.
Thompson.
Tracy.
Turner.

Holland of Collin.

Hollands of Burnet.

Williams.

Votlers.

Wood.

Kimbell.
Lillard.
Love.
McGaughey.
Meade.
Mercer.
Moore of Lamar.
Morton.
Oliver.
Peery.
Pfeuffer.
Porter.
Rhea.
Rogan.
Savage.
Shropshire.
Sklllern.
Sluder.
Strother.
Thaxton.
Thomas.
Tucker.
Wall.
Wilcox.

Absent.

O'Connor.
Pitls.
Robbins.
Rogers.
Seabury.
Shelburne.
Stamp.

Staples.
Welch.

Excused.

Bird.
Callan.
Crowley.
Ewing.

Flint.
Manson.
Martin.
Morris.
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Mundine. Reubell.
Patterson. Ward.
Reiger.

PAIRED.

Mr. Dennis (present), who would vote "nay," with Mr. Good (absent), who would vote "yea."

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

On the motion of Mr. Wolters to reject the report of the free conference committee on Senate bill No. 83, yeas and nays were demanded by Mr. Wolters, Mr. Dies and Mr. Lotto.

The report was rejected by the following vote:

Yeas-51.

Bailey. McKamy.
Barbee. McKellar.
Barrett. Melton.
Bean. Neighbors.
Bell. Pfeuffer.
Blackburn. Randolph.
Blair. Rogn.
Brigance. Rudd.
Burney. Savage.
Burns. Schlick.
Childs. Seabury.
Conoly. Shelburne.
Dickinson. Smith.
Dies. Snth.
Edwards. Staples.
Fisher. Strother.
Harris. Thaxton.
Holland of Travis. Thompson.
Holland of Burnet. Tracy.
Holland of Harris. Turner.
Logan. Vaughan of Collin.
Lotto. Williams.
McGaughey.
McGaughey.

Nays-48.

Alexander. Fields.
Benson. Freeman.
Bounds. Garrison.
Boyd. Graham.
Bumpass. Humphrey.
Carpenter. Kimbell.
Carswell. Lillard.
Crawford. Love.
Cureton. Maxwell.
Curry. Meade.
Dean. Mercer.
Dorroh. Moore of Lamar.
Doyle. Morton.
Drew. Oliver.
Evans of Hunt. Peery.
Evans of Grayson. Porter.
Field. Rhea.

Robbins. Thomas.
Shropshire. Tucker.
Skillern. Wall.
Sluder. Wilcox.
Stokes. Wood.

Absent.

Ayers. Kirk.
Bertram. O'Connor.
Collier. Pitts.
Gibbough. Rogers.
Good. Stamper.
Green. Welch.
Henderson.

Excused.

Bird. Morris.
Callan. Mundine.
Crowley. Patterson.
Ewing. Reubell.
Flint. Reubell.
Manson. Ward.
Martin.

PAIRED.

Mr. Dennis (present), who would vote "nay," with Mr. Good (absent), who would vote "yea."

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

I am paired with Mr. Ayers, but if he were present I would vote against the motion to reject the report of the conference committee, because I am in favor of a fee bill. This bill is not what I want, but I believe, the best we can get at this session of the Legislature.

WALLACE.

I vote "no" upon the rejection of the free conference committee report on the fee bill, not because the report suits me, nor because I believe it to be folly in accord with the democratic platform demand, but because I am a democrat and because I believe it to be the best fee bill that is possible for this Legislature to pass at this late day. The free conference committee bill will save by direct calculation on the facts obtained in the Comptroller's office, $117,000 per annum to the State, and while it cuts fees of officers in the smaller counties in the same proportion that it does fees in the larger counties, which I am seriously opposed to, yet I realize that it is my duty to legislate for the good of all the people of this State, and not in the interest of a few county officials (as a majority of the members of this House seem to think it their duty to do); and, therefore, rather than lose the good the bill would do to the whole people and kill it, I prefer to vote to adopt the report of the commit-
tee, and further perfect the bill at the next regular session of the Legislature. It is the committee’s bill or no bill at all at this session of the Legislature; therefore, I go as far toward fulfilling the pledge of my party as I am permitted to do, as I have done on every measure which I thought was demanded by the people.

HILL of Gonzales.

I vote “aye,” because (1) the substitute bill reported by the free conference committee is, as to five of the county officers, not at all in accordance with the platform demand of the Democratic party, or the recommendations of the Governor made to this and the preceding legislatures; (2) it is based on no rational principle, but is a hotchpotch of crude ideas derived in part from the “maximum” (Wayland) bill, in part from the “scaling” (Carpenter) bill, and in part from an unknown source, and combining many of the worst features of each of these measures; (3) it abandons in most of its provisions the plan of the Wayland bill, approved by both Senate and House, and substitutes therefor, in part, the plan of the Carpenter bill heretofore rejected by a majority of this House; (4) in scaling by 20 per cent the fees paid by the State in felony cases to the district attorneys, the district clerks and sheriffs, it ignores the actual condition of affairs, and, instead of meeting the popular demand for a reduction of the extravagant total of the fees of officers in a few large counties, it attempts to scale certain fees all over the State, a proceeding that would cause particular hardship to such officers in the smaller counties where the proportion of such fees to all other fees received is greatly in excess of the proportion in the larger counties abounding in civil business. No one charges that such officers in the small counties receive too great compensation; but the reverse is universally admitted to be the case. For these reasons I vote against this report, believing it to be neither just nor democratic.

SEABURY.

We vote “yea” to reflect the report of the free conference committee on the fee bill, for the reason that said report, instead of limiting the fees of county officers in the large counties, as anticipated by both the Democratic and Populist platforms, it reduces the salaries of county officers in the small counties, where the said officers receive less than $2000, more in proportion to the amount they now receive than it reduces the salaries of the county officers in large counties. It is a pretense and a subterfuge, and we are opposed to passing such legislation. It is absolutely necessary that in small counties the compensation should be sufficiently large to insure efficient service.

BURNET, SMITH.

I vote “aye” on motion to reject, because I do not consider this a just and equitable fee bill, such as the platform demands. It leaves out entirely the “litigant,” contrary to the pledge made in the Democratic platform. I also believe that this bill would work an unjust hardship on the county officers in the smaller counties, who as a rule get their living from the fees of office and who at present, in many of these counties, hardly make enough to sustain life. As a “revenue measure,” I deem it wrong to lay a heavy tax on a few of our citizens, who are county officers, and many of them unable to bear this additional burden. If a tax must be laid, then let each and every citizen in the State bear his just proportion of the burdens of government. I voted for the Carpenter fee bill on a former day, because I believed it to be the best fee bill offered at this session, and the only one which recognized the unfortunate “litigant,” in compliance with the platform demand. For these and many other reasons, I vote to reject this report.

CHILDS.

I vote “no,” because while it hurts small counties the platform demands a fee system, and there is no chance to recommit nor to get a better bill this session.

KIMBELL.

I vote “no,” because the Democratic party in their platform call for fee legislation, and this is the only legislation that can be had on that subject at this session of the Legislature.

GARRISON.

I vote “aye,” because I do not believe it is the intention of the Democratic party to cut the fees of the officers of small counties, whose emoluments of office are low enough as the law now stands, and for the reason that if the reduction is made, as this bill proposes, good men can not be found to fill the offices in small counties.

PFUEFFER.

I vote “no” on the motion to reject the report of the free conference com-
committee on the fee bill, because the Populist party, as well as the Democratic party, is pledged to the people of Texas to pass a fee bill at this Legislature, and to adopt this motion was to kill this measure, so that all legislation on this line will be impossible at this term; hence, while I did not approve of the committee's report in every particular, yet I did not think it possible to get any other measure before this House. With these views of the subject, I could not vote for the motion to reject.

We vote "no," for the reason that to reject the free conference committee report under the rules it would mean no fee legislation, which the party is pledged to. Our preference would have been the Wayland bill as it originally came to the House with an amendment providing that a part of the excess go back into the treasury of the State, but a bill of this kind is impossible at this time.

Mr. Wolters moved to reconsider the vote by which the report was rejected, and to table the motion to reconsider. On the motion to table, yeas and nays were demanded by Mr. Fields, Mr. Evans of Hunt and Mr. Boyd. The motion to table prevailed by the following vote:

**Yeas—51.**

Bailey.  
Barrett.  
Beard.  
Bean.  
Bell.  
Blackburn.  
Blair.  
Brigance.  
Burney.  
Burns.  
Childs.  
Conoly.  
Curtin.  
Dickinson.  
Dias.  
Edwards.  
Fisher.  
Harris.  
Hill of Travis.  
Holland of Burnet.  
Holland of Harris.  
Logan.  
Lotto.  
McFarland.  
McGaughey.  
McKamy.  

**Nays—48.**

Alexander.  
Barbee.  
Benson.  
Bounds.  
Boyd.  
Brewster.  
Browne.  
Bumpass.  
Carpenter.  
Carswell.  
Crawford.  
Curry.  
Dean.  
Dorrough.  
Doyle.  
Drew.  
Evans of Hunt.  
Evans of Grayson.  
Feld.  
Fields.  
Freeman.  
Garrison.  
Graham.  
Hensley.  
Maxwell.  
Peery.

COMMITTEE REPORTS.

By Mr. Holland of Harris, chairman:

**Committee Room.**

Austin, Texas, May 12, 1897.

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

Your Committee on Judicial Districts, to whom was referred

House bill No. 715, a bill to be entitled "An act to reorganize the Thirty-first and Forty-seventh judicial districts, and to name the counties composing the same, to fix the times for holding the district courts therein, to provide for the issuance and return of process therein, and to repeal all laws in conflict herewith."

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

HOLLAND of Harris, Chairman.

Committee Room,
Austin, Texas, May 12, 1897.
Hon. L. T. Dashiell, Speaker of the House.
Your Committee on Judicial Districts, to whom was referred House bill No. 716, a bill to be entitled "An act to reorganize the Sixth judicial district of the State of Texas, 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 it be not printed.

HOLLAND of Harris, Chairman.

By Mr. Randolph, acting chairman:
Committee Room,
Austin, Texas, May 12, 1897.
Hon. L. T. Dashiell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred Senate bill No. 381, a bill to be entitled "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 courts authorized to audit, adjust and settle claims."

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.

RANDOLPH, Acting Chairman.

Mr. Garrison called up the report of the free conference committee on substitute House bill No. 203, the general appropriation bill, the committee having reported a substitute, and which report was submitted to-day and printed in the proceedings of this forenoon.

The report was laid before the House and read.

Mr. Garrison moved that the report be adopted.

Mr. Shropshire moved that the report be rejected, and that the Senate be requested to appoint another free conference committee to act in conjunction with a like committee from the House, to consider further the differences between the two houses on said bill.

(Mr. Rogan in the chair.)

Mr. Childs moved to table the motion of Mr. Shropshire.