was a captain in Colonel Speight's regiment, which was most generally commanded by Lieutenant-Colonel James Harrison. He was slightly wounded in the battle of Burdeaux, in Louisiana, on the 3d day of November, 1863. He served as captain of his company during the war, declining to take promotion, which he could have obtained if he had wished it. Upon the urgent solicitation of the citizens of his section of the State, both Union men and secessionists, in 1866 he was appointed district judge of the district by Governor A. J. Hamilton. Before he would receive that appointment, however, he visited Governor Hamilton at the capital in Austin, bringing with him his recommendations, and stated to the Governor that he was a secessionist and the only regret he had was that he and his comrades in the army did not maintain it successfully, and that if he could appoint him after having made that statement to him he would accept it. Governor Hamilton replied that he only desired to fill the place with a competent lawyer, and he knew him to be such a one, and made the appointment.

In 1866 the caucus composed of secessionists and moderate Union men at Austin, that nominated the State executive officers, placed Richard Coke, with George F. Moore, George W. Fields, Bird, Sluder, Rogan, Curry, Green, Wall, Thomas, Bounds, Brigance, Wood, Strother, Oliver, Conoly, Doyle, Feild, Tracy, Peery, Thaxton, Edwards, Turner, Tucker, Dickinson, Barbee, Harris, Martin, Schlick, Humphrey, Kirk, Logan, Crawford, Dorril, Manson, Staples, Welch, and others.

On motion of Mr. Wolters, he putting the question, the Speaker was, by a unanimous vote, also added to the committee.

NOTICE.

Mr. Seabury gave notice that on Monday next, May 17, he would call up the motion to reconsider the vote by which the free conference report on Senate joint resolution No. 13 failed of adoption, and which motion to reconsider was spread upon the Journal.

In accordance with the resolution just adopted, the House at 6:50 p. m., adjourned until 9:30 a. m. next Monday.
Pending reading of the Journal of last Thursday and Friday.

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

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Collier for to-day, on motion of Mr. Dies.
Mr. Holland of Harris for to-day, on motion of Mr. Barbee.
Mr. Skillern for to-day, on motion of Mr. Boyd.
Mr. Feld for to-day, on motion of Mr. Peery.
Mr. Stamper for to-day, on motion of Mr. Moore of Lamar.
Mr. Henderson for to-day, on motion of Mr. Oliver.
Mr. Reiger for to-day, on motion of Mr. Wood.
Mr. Sluder for to-day, on motion of Mr. Maxwell.
Mr. Burney for to-day, on motion of Mr. Stokes.
Mr. Tucker and Mr. Shropshire for to-day, on motion of Mr. Boyd.
Mr. Reiger for last week, on motion of Mr. McKamy.
Mr. Bailey until Wednesday, on motion of Mr. Patterson.

On account of sickness:
Mr. Crowlev for this week, on motion of Mr. Wilcox.
Mr. Mundine for this week, on motion of Mr. Morton.
Mr. Bertram for to-day, on motion of Mr. Mercer.
Mr. Freeman for to-day, on motion of Mr. Peery.
Mr. Ewing from last Tuesday until to-day, on motion of Mr. Crawford.

FREE CONFERENCE COMMITTEE (No. 2) ON SUBSTITUTE HOUSE BILL NO. 203.

The following committee on part of the House on substitute House bill No. 203, the general appropriation bill, was announced by the Speaker: Messrs. Garrison, Wilcox, Moore of Lamar, Turner and O'Connor.

PETITIONS AND MEMORIALS.

By Mr. McKellar:
A petition of 29 citizens of Polk county, Texas, requesting the restoration of the civil and criminal jurisdiction of said county.
Also, a petition of 50 citizens of Polk county, Texas, against the restoration of the civil and criminal jurisdiction of the county court of said county.

Read and referred to Judiciary Committee No. 1.

A quorum was announced present.
Prayer by Rev. F. S. Jackson, Chaplain of the Senate.
By Mr. Wolters.

A petition of 70 citizens of Fayette county, protesting against the passage of Senate bill No. 258, providing for State uniformity of school text-books.

Read and referred to Committee on Education.

**RESOLUTIONS.**

By Mr. Wolters:

House concurrent resolution No. 31, Be it resolved by the House of Representatives, the Senate concurring, that the Twenty-fifth Legislature stand adjourned sine die at 12 m. on Friday, May 21.

Read second time, and

Mr. Tracy offered the following amendment:

Amend by striking out “Friday” and insert “Monday, May 23.”

Accepted by Mr. Wolters.

Mr. Dies offered the following amendment.

Amend by striking out “Monday, May 24,” and inserting in lieu thereof “Thursday, May 20.”

Mr. McGaughey moved to table the resolution subject to call.

Yea and nays were demanded by Mr. Wolters, Mr. Evans of Hunt and Mr. Moore of Lamar.

Tabled subject to call by the following vote:

Yeas—60.

Alexander. Hensley.
Ayers. Hill of Gonzales.
Barbee. Hill of Travis.
Barrett. Holland of Burnet.
Beard. Humphrey.
Bean. Lillard.
Blackburn. Love.
Bounds. Manson.
Boyd. Martin.
Brewster. Maxwell.
Brigance. McGaughey.
Brown. McKamy.
Bumpass. Melton.
Burns. Morris.
Carpenter. Morton.
Carswell. Oliver.
Childs. Peery.
Curry. Porter.
Dean. Randolph.
Dennis. Reubell.
Dickinson. Rhea.
Dorroh. Robbins.
Doyle. Rudd.
Drew. Savage.
Evans of Grayson. Shelburne.
Fisher. Smyth.
Good. Thaxton.
Graham. Thomas.

Tracy. Wall.
Vaughan of Collin. Wallace.

Nays—37.

Benson. Mercer.
Blair. Moore, Lamar.
Crawford. O'Connor.
Cureton. Patterson.
Dies. Ragan.
Edwards. Rogers.
Evans of Hunt. Schlick.
Ewing. Seabury.
Garrison. Stokes.
Gilbough. Strother.
Green. Thompson.
Harris. Turner.
Kimbell. Ward.
Kirk. Welch.
Logan. Wilcox.
Lotto. Williams.
McKellar. Wood.
Meade.

Absent.

Bell. Neighbors.
Bird. Pfeuffer.
Conoly. Pitts.
Fields. Smith.
Flint. Staples.
Jones. Vaughan, Guadalupe.
Moore, Fort Bend.

Excused.

Bailey. Holland of Harris.
Bertram. Mundine.
Burney. Reiger.
Callan. Shropshire.
Collier. Skillern.
Crowley. Sluder.
Feld. Stamper.
Freeman. Tucker.
Henderson.

By Mr. Wallace:

Whereas, Peter Edwards and J. J. Washington, porters, have faithfully discharged their duties as such from the beginning of the session; and

Whereas, said Edwards and Washington were not appointed until the 21st day of January, and have only drawn pay from that date; therefore be it

Resolved, that Peter Edwards and J. J. Washington be allowed pay from the 12th day of January to the 21st day of January, and that the Chief Clerk be and is hereby authorized to draw warrants for same.

Read second time, and after consideration by the House, Mr. Maxwell moved the previous question.

The main question was ordered, and the resolution was adopted.
COMMITTEE REPORT.

By Mr. Garrison, chairman:

Committee Room,
Austin, Texas, May 13, 1897.

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

Your Committee on Finance, to whom was referred Senate bill No. 360, a bill to be entitled an act to amend article 170, title 9, chapter 2, of the Revised Civil Statutes of 1895, relating to the compensation of Superintendent of the State Orphan Asylum.

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.

GARRISON, Chairman.

SPEAKER'S TABLE.

The Speaker laid before the House as pending business, on its passage to a third reading, Senate bill No. 258, a bill to be entitled "An act to empower the State Board of Education to procure, for use in the public free schools of the State of Texas, a series of uniform textbooks; defining the duties of certain officers therein named with reference thereto; making appropriation therefor; defining certain misdemeanors; providing penalties for the violation of the provisions of this act, and declaring an emergency."

Love. 
Rhea.
Martin. 
Rogan.
Maxwell. 
Savage.
McGaughey. 
Scliburne.
McKamy. 
Smyth.
Meade. 
Stokes.
Melton. 
Strother.
Mercer. 
Thaxton.
Morris. 
Thomas.
Morton. 
Tracy.
O'Connor. 
Turner.
Oliver. 
Vaughan of Collin.
Peery. 
Wall.
Porter. 
Wallace.
Randolph. 
Ward.
Reubell. 
Wileox.

Nays—26.
Blair. 
McFarland.
Boyd. 
Moore of Lamar.
Dickinson. 
Neighbors.
Dles. 
Patterson.
Doyle. 
Rogers.
Drew. 
Rudd.
Evans of Hunt. 
Schlick.
Good. 
Seabury.
Harris. 
Smith.
Kirk. 
Thompson.
Logan. 
Welch.
Lotto. 
Williams.
Manson. 
Wolters.

Absent.
Beaird. 
Kimbell.
Beil. 
McKeller.
Bird. 
Moore, Fort Bend.
Browne. 
Pfleiffer.
Dennis. 
Ptts.
Fields. 
Robbins.
Flint. 
Staples.
Jones. 
Vaughn, Guad'lupe

Excused.
Bailey. 
Holland of Harris.
Bertram. 
Mundine.
Burney. 
Reiger.
Callan. 
Shropshire.
Collier. 
Skillern.
Crowley. 
Sluder.
Feld. 
Stapler.
Freeman. 
Tucker.
Henderson. 

PAIRIED.

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

Mr. Wood (present), who would vote "nay," with Mr. Feild (absent), who would vote "yea."

Mr. Seabury offered the following amendment to the bill:

Amend by inserting after the word "English," in line 14, page 5, the following proviso: "Provided, that nothing contained in
this act shall be construed to prevent the adoption or use of text-books printed or written in foreign languages for the purpose of teaching the English language to pupils speaking such foreign language as their vernacular.

Mr. Evans of Hunt offered the following substitute for the amendment:

Amend by striking out in line 14, page 5, the words "shall be printed or written in English."

Mr. Evans of Grayson moved the previous question on the substitute and the amendment, and the main question was ordered.

The substitute was lost.

On the amendment by Mr. Seabury, yeas and nays were demanded by Mr. Fisher, Mr. Shelburne and Mr. Evans of Hunt.

Lost by the following vote:

Yeas—36.


Nays—56.


Excused.


Mr. Schlick (present), who would vote "yea," with Mr. Stamper (absent), who would vote "nay."

Mr. Wood (present), who would vote "nay," with Mr. Feild (absent), who would vote "yea."

Mr. Shelburne offered the following amendment:

Amend section 1, line 9, page 4, by inserting after the word "author" the words "or publishers."

Mr. Evans of Grayson moved the previous question on the amendment, and the main question was ordered.

The amendment was adopted.

Mr. Patterson offered the following amendment:

Amend by adding in line 30, page 3, after the word "act": "provided, that the compensation shall not exceed $5 per day for each day that such members may serve."

Mr. Doyle offered the following substitute for the amendment:

Amend line 28, page 3, by inserting after the word "board" the words, "which compensation shall not be over $4 per day for time actually employed; and not over 5 cents per mile for distance traveled in going to and returning from place of such meeting."

On the substitute, yeas and nays were demanded by Mr. Evans of Hunt, Mr. Lotto and Mr. Williams.

Lost by the following vote:

Yeas—21.

Mr. Schlick (present), who would vote "yea," with Mr. Stamper (absent), who would vote "nay."

The amendment by Mr. Patterson was adopted.

Mr. Meade offered the following amendment:

Amend by adding after the figures "1889" in line 11, page 10, the following, "or until contract here-tofore entered into shall have expired."

Mr. Lotto offered the following substitute for the amendment:

Strike out section 14, page 10.

Tabled on motion of Mr. Evans of Grayson.

Mr. Bounds moved the previous question on the amendment, and the main question was ordered.

On the amendment by Mr. Meade, yeas and nays were demanded by Mr. Fisher, Mr. Tracy and Mr. Bumpass.

Adopted by the following vote:

Yeas—77.


Mr. Wood (present), who would vote

"nay," with Mr. Feild (absent), who

would vote "yea."

Mr. Wolters offered the following

amendment:

Amend by inserting after the word

"German," in lines 2 and 5, page 4,

section 1, the word "Bohemian."

Yea and nays were demanded by

Mr. Wolters, Mr. Blair and Mr. Evans

of Hunt.

Adopted by the following vote:

Yeas—47.


Excused.


PAIRED.

Mr. Wood (present), who would vote

"nay," with Mr. Feild (absent), who

would vote "yea."

Mr. Wolters offered the following

amendment:

Amend by inserting after the word

"German," in lines 2 and 5, page 4,

section 1, the word "Bohemian."

Yea and nays were demanded by

Mr. Wolters, Mr. Blair and Mr. Evans

of Hunt.

Adopted by the following vote:

Yeas—47.


Nays—39.


Excused.


Mr. Rogers moved that pending busi-

ness be temporarily suspended for the

purpose of making a presentation to

the Speaker.

The motion prevailed.

(Mr. Bumpass in the chair.)

Mr. Rountree, Chief Clerk, on behal-

of the officers and clerks of the House,

presented Speaker Dashell with a

gold-headed cane.

In making the presentation, Mr.

Rountree said:

Mr. Speaker: Gathered about you to-

day are the officers and clerks of the

House of Representatives of the Twenty-fifth Legislature, and I have been
chosen by them to present to you this
gift, suitably engraved, not for its
intrinsic value, but as a slight token of
our esteem, confidence and love. To
us you have always been courteous,
exercising toward us charity in what­
ever our shortcomings may have been.
As the sun is about to go down
upon the last day of this Legislature,
I am sure that it will cast no shadow
upon your record. You have had dur­
ing the past few months a mighty re­

Speaker Dashiell, in accepting the
beautifully engraved cane, replied in
feeling terms to the remarks of Chief
Clerk Lee J. Rountree, stating that
during the entire session he had had
no occasion to reprimand any officer or
clerk of the House, and that much
credit was due them for their ef­
ciency in the performance of every
duty. He thanked the donors for this
token of their esteem, and said that
their action to-day would always be
kindly and gratefully remembered.

The House resumed consideration of
Senate bill No. 258, on its passage to
a third reading, with amendment by
Mr. Lotto pending.

Mr. Shelburne offered the following
amendment to the pending bill:

Amend section 2, line 20, page 4, by
striking out the words "less" and in­
sert in lieu thereof "longer."

Mr. Evans of Grayson moved the
previous question on the amendment,
and the main question was ordered.

Nays-14.

Nays—14.

Yeas—77.

Yeas—77.

Yeas—77.

Yeas—77.

Yeas—77.

Yeas—77.
Mr. Shelburne offered the following amendment:
Amend section 10, page 9, line 17, by striking out the figures "1897" and insert in lieu thereof "1898."

Mr. Blair moved to take a recess until 3 p.m. to-day.

Lost.

Mr. Lotto offered the following substitute for the amendment:
Amend by striking out section 10, page 9, line 17, the number "1897" and insert in lieu thereof "1899."

Mr. Evans of Grayson moved the previous question on the substitute and the amendment, and the main question was ordered.

On the substitute, yeas and nays were demanded by Mr. Fisher and Mr. Shelburne.

Lost by the following vote:

Yeas—25.
Mr. Speaker. Kimbell.
Beard. Kirk.
Blair. Lotto.
Dies. Manson.
Drew. Neighbors.
Evans of Hunt. Rudd.
Ewing. Seabury.
Good. Smith.
Harris. Staples.
Hensley. Williams.
Hill of Travis. Wolters.
Jones. Wood.

Nays—62.
Alexander. Childs.
Ayres. Conoly.
Barbee. Crawford.
Barrett. Cureton.
Bean. Curry.
Benson. Dennis.
Blackburn. Dorroh.
Bounds. Doyle.
Brewer. Evans of Grayson.
Brigance. Fisher.
Brown. Gilbough.
Burns. Garrison.
Burns. Graham.
Carswell. Green.

PAIRED: Mr. Schlick (present), who would vote "yea," with Mr. Stamper (absent), who would vote "nay."

The amendment by Mr. Shelburne was adopted.

On motion of Mr. Blair, the House at 12:46 p.m., took recess until 3 p.m. to-day.

AFTERNOON SESSION.

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

Pending question: Senate bill No. 258, the uniform text-book bill, on its passage to a third reading, with amendment by Mr. Lotto pending.

Mr. Evans of Grayson offered the following amendment to the bill:
Amend section 14, page 10, line 9
by striking out the word "already," and insert "prior to April 1st, 1897."

After consideration by the House, Mr. Bounds moved the previous question on the amendment by Mr. Evans of Grayson, and the main question was ordered.

Yeas and nays were demanded by Mr. Seabury, Mr. Fisher and Mr. Wood.

Adopted by the following vote:

**Yeas—64.**

Alexander.  
Ayers.  
Barbee.  
Barrett.  
Beal.  
Bean.  
Benson.  
Blackburn.  
Bounds.  
Brewster.  
Brigance.  
Bumpass.  
Burns.  
Carpenter.  
Carswell.  
Childs.  
Conoly.  
Crawford.  
Cureton.  
Curry.  
Dean.  
Dennis.  
Dorroh.  
Drew.  
Evans of Grayson.  
Ewing.  
Fisher.  
Gilbough.  
Graham.  
Hill of Gonzales.  
Hill of Travis.  
Humphrey.  
Lillard.  
Love.  
Martin.  
Maxwell.  
Meade.  
Mercer.  
Morris.  
Morton.  
O'Connor.  
Oliver.  
Patterson.  
Peery.  
Reubell.  
Rhea.  
Robbins.  
Rogan.  
Savage.  
Sheilburne.  
Smith.  
Stokes.  
Strother.  
Thomas.  
Turner.  
Vaughan of Collin.  
Wall.  
Wallace.

**Nays—30.**

Blair.  
Browne.  
Dies.  
Doyle.  
Edwards.  
Evans of Hunt.  
Good.  
Green.  
Harris.  
Hensley.  
Jones.  
Kimbell.  
Kirk.  
Logan.  
Lotto.  
Manson.  
Mckamy.  
Moore, Fort Bend.  
Pfeiffer.  
Pitts.  
Porter.  
Staples.  
Tracy.  
Vaughan, Guadalupe.  
Ward.  
Excused.  
Bertram.  
Burney.  
Callan.  
Crowley.  
Field.  
Flint.  
Freeman.  
Stamper.  
Henderson.  
Tucker.  

**PAIRIED.**

Mr. Schlick (present), who would vote "nay," with Mr. Stamper (absent), who would vote "yea."

Mr. Bean offered the following amendment:

Amend by inserting after the word "contracts," in line 20, section 2, page 5, the following: "Shall exchange the contract books with the dealers for the new books on hand that are rendered unsalable by the adoption provided for in this bill at wholesale list prices."

Mr. Ayers offered the following substitute for the amendment:

Amend by adding after the word "use," in line 17, page 5, "and to take in exchange at cost all books in the hands of dealers, and on hand as stock at the date of the making of the award by the board; provided, that said contractors shall not be compelled to exchange new books to dealers for second-hand books, except in cases where such second-hand books were received by such dealers in exchange for new books under a contract with the trustees or school boards of counties, cities, towns, villages or school communities."

After consideration by the House, Mr. Shelburne moved the previous question on the pending amendment and substitute therefor, and the main question was ordered.

On the substitute, yeas and nays were demanded by Mr. Ayers, Mr. Drew and Mr. Williams.

Lost by the following vote:

**Yeas—44.**

Ayers.  
Beaird.  
Blair.  
Childs.  
Dies.  
Doyle.  
Drew.  
Evans of Hunt.  
Porter.  
Staples.  
Tracy.  
Vaughan, Guadalupe.  
Ward.  
Holland of Harris.  
Mundine.  
Religer.  
Shropshire.  
Skillern.  
Sluder.  
Stamper.  

**Absent.**

Bell.  
Bird.  
Boyd.  
Collier.  
Fields.  
Garrison.  
Holland of Harris.  
Vaughan, Guadalupe.
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Nays—52.

| Alexander. | Humphreys. |
| Barbee. | Kimbells. |
| Barrett. | Lillards. |
| Benson. | Mcgaughey. |
| Blackburn. | Meltons. |
| Bounds. | Morris. |
| Brewer. | Morton. |
| Briggance. | Oliver. |
| Browne. | Patterson. |
| Bumpass. | Peery. |
| Burns. | Rebeull. |
| Carpenter. | Rhea. |
| Carswell. | Robbins. |
| Conolly. | Rogans. |
| Crawford. | Savage. |
| Cureton. | Shelburne. |
| Curry. | Skillerns. |
| Daniels. | Smyths. |
| Dickinson. | Stokes. |
| Dorro. | Strother. |
| Evans of Grayson. | Thaxton. |
| Fisher. | Thomas. |
| Graham. | Tracy. |
| Gree. | Turner. |
| Hill of Gonzales. | Vaughan of Collin. |
| Holland of Burnet. | Wall. |

Abscent.

| Bell. | McKamy. |
| Bird. | Moore of Fort Bend. |
| Boyd. | O'Connor. |
| Dean. | Pitts. |
| Fields. | Porter. |
| Feld. | Staples. |
| Garrison. | Vaughan, Guadalupe. |
| Love. | Excused. |
| Bertram. | Mundine. |
| Burney. | Reiger. |
| Callan. | Shropshire. |
| Collier. | Sluder. |
| Crowley. | Stamper. |
| Flint. | Tucker. |
| Freeman. | PAIRED. |

Mr. Schlick (present), who would vote “yea,” with Mr. Stamper (absent), who would vote “nay.”

On the amendment by Mr. Bean yeas and nays were demanded by Mr. Fisher, Mr. Williams and Mr. Evans of Hunt.

Lost by the following vote:

Yeas—37.

| Ayers. | Manson. |
| Bean. | McFarland. |
| Blair. | McKellar. |
| Browne. | Meade. |
| Childs. | Moore of Lamar. |
| Dies. | Morris. |
| Doyle. | Neighbors. |
| Drew. | Pfeiffer. |
| Evans of Hunt. | Randolph. |
| Ewing. | Rogers. |
| Gilbough. | Seabury. |
| Good. | Thompson. |
| Harris. | Wallace. |
| Hensley. | Welch. |
| Holland of Harris. | Wilcox. |
| Jones. | Williams. |
| Kirk. | Wolters. |
| Lillard. | Wood. |

Nays—56.

| Alexander. | Holland of Burnet. |
| Barbee. | Humphreys. |
| Barrett. | Kimbells. |
| Beaird. | Logan. |
| Benson. | Martin. |
| Blackburn. | Mcgaughey. |
| Bounds. | Melton. |
| Brewer. | Morton. |
| Briggance. | Oliver. |
| Bumpass. | Patterson. |
| Burns. | Peery. |
| Carpenter. | Rebeull. |
| Carswell. | Rhea. |
| Conolly. | Robbins. |
| Crawford. | Rogans. |
| Cureton. | Savage. |
| Curry. | Shelburne. |
| Dean. | Skillerns. |
| Dennis. | Smith. |
| Dickinson. | Smyths. |
| Dorro. | Stokes. |
| Edwards. | Strother. |
| Evans of Grayson. | Thaxton. |
| Fisher. | Thomas. |
| Graham. | Tracy. |
| Green. | Turner. |
| Hill of Gonzales. | Vaughan of Collin. |
| Hill of Travis. | Wall. |

Abscent.

| Bell. | Moore of Fort Bend. |
| Bird. | O'Connor. |
| Boyd. | Pitts. |
| Fields. | Porter. |
| Garrison. | Rudd. |
| Love. | Staples. |
| Maxwell. | Vaughan, Guadalupe. |
| McKamy. | Ward. |
| Mercer. |
Mr. Maxwell moved to excuse the absentees, upon which motion yeas and nays were demanded by Mr. Wolters, Mr. Dies and Mr. Williams.

Excused by the following vote:

Yeas—72.

Alexander. Alexander.
Holland of Harris. Humphrey.
Ayers. Ayers.
Kimb 11.
Barbee. Barrett.
Love.
Bean. Bean.
Martin.
Benson. Benson.
Maxwell.
Blackburn. Blackburn.
McGanghey.
Bouls. Bounds.
McKellar.
Brewster. Brewer.
Meade.
Melton.
Browne. Rumphs.
Merce.
Bumpass. Burns.
Morr.
Burns. Carpenter.
Morton.
Carpenter. Carswell.
Oliver.
Carswell. Childs.
Peery.
Childs. Conoly.
Pfeiffer.
Crawford. Crawford.
Porter.
Cureton. Cureton.
Rebell.
Curry. Drinan.
Rhea.
Dean. Dickenson.
Robbins.
Deann. Dorroh.
Rogan.
Dorris. Doyle.
Savage.
Dorroh. Drew.
Skillern.
Drew. Evans of Grayson.
Smith.
Evans of Grayson. Elwing.
Stokes.
Elwing. Fisher.
Strother.
Fisher. Garrison.
Thaxton.
Garrison. Gilbough.
Thomas.
Gilbough. Graham.
Tracy.
Graham. Hensley.
Turner.
Gill. Holland of Burnet.
Vaughan of Collin.
Holland of Gonzales. Wall.
Wall.
Holland of Burnet. Holland of Gonzales.
Wall.
Nays—24.
Blair. Boyd.
McFarland.
Boyd. Edwards.
Moore of Lamar.
Neighbors.
Evans of Hunt. Good.
Randolph.
Good. Harris.
Rogers.
Harris. Hill of Travis.
Rudd.
Hill of Travis. Jones.
Seabury.
Jones. Kirk.
Thompson.
Kirk. Logan.
Ward.
Logan. Logan.
Welch.
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Mansan.
Mr. Green (present), who would vote "yea," with Mr. Moore of Fort Bend (absent), who would vote "nay."

Mr. O'Connor (present), who would vote "yea," with Mr. Vaughan of Guadalupe (absent), who would vote "nay."

Mr. Wood (present), who would vote "nay," with Mr. Feild (absent), who would vote "yea."

Mr. Schlick (present), who would vote "nay," with Mr. Stamper (absent), who would vote "yea."

Mr. Evans of Hunt demanded a poll of the vote.

The Clerk then called the list of those voting "yea," and it was found correct.

The list of those voting "nay" was then called, and found correct.

The absentees being excused, the House returned to consideration of Senate bill No. 258, on its passage to a third reading, with pending amendments.

The main question was ordered.

Question first recurred on the amendment by Mr. Ayers, upon which motion yeas and nays were demanded by Mr. Fisher, Mr. Dean and Mr. Peery.

Lost by the following vote:

Yeas—48.

Ayers, Hensley, Hill of Travis.
Beard, Kemp, Hockley.
Bean, Humphrey.
Blair, Jones.
Boyd, Kirk.
Crawford, Logan.
Drew, Lotto.
Edwards, Manson.
Evans of Hunt, McFarland.
Ewing, McKellar.
Garrison, Mercer.
Gilbough, Moore of Lamar.
Good, Moris.
Harris, Neighbors.

PAIRED.

Mr. Schlick (present), who would vote "yea," with Mr. Stamper (absent), who would vote "nay."

Mr. Wood (present), who would vote "nay," with Mr. Feild (absent), who would vote "yea."

Question next recurred on the amendment by Mr. Lotto, which was printed in the Journal of yesterday.

Yeas and nays were demanded by Mr. Lotto, Mr. Evans of Hunt and Mr. Schlick.
Lost by the following vote:

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<td>Beaird.</td>
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Nays—72.

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PAIRED.

Mr. Schlick (present), who would vote "yea," with Mr. Stamper (absent), who would vote "nay.

Mr. Wood (present), who would vote "yea," with Mr. Feld (absent), who would vote "nay.

Mr. Randolph (present), who would vote "nay," with Mr. Fields (absent), who would vote "yea.

On passage of Senate bill No. 238 to a third reading, yeas and nays were demanded by Mr. Evans of Hunt, Mr. Wood and Mr. Williams.

The bill was passed to a third reading by the following vote:

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<th>Yeas</th>
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Nays—31.

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Logan.   Seabury.
Lotto.    Suder.
Manson.   Smith.
Moore of Lamar. Ward.
Neighbors. Welch.
Pfeiffer.   Williams.
Rogers.    Wolters.
Rudd.

Absent.
Bell.      Patterson.
Bird.      Pitts.
Fields.    Vaughan, Gund'up
Moore, Fort Bend.

Excused.
Bailey.    Freeman.
Bertram.   Henderson.
Burney.    Mundine.
Callan.    Reiger.
Collier.   Shropshire.
Crowley.   Stamper.
Feild.     Tucker.
Flint.

PAIRED.
Mr. Schlick (present), who would vote "nay," with Mr. Stamper (absent), who would vote "yea."
Mr. Randolph (present), who would vote "yea," with Mr. Fields (absent), who would vote "nay."
Mr. Wood (present), who would vote "nay," with Mr. Feild (absent), who would vote "yea."
Mr. Green (present), who would vote "yea," with Mr. Fields of Fort Bend (absent), who would vote "nay."
Mr. Wilcox (present), who would vote "yea," with Mr. Collier (absent), who would vote "nay."
Mr. McKamy (present), who would vote "yea," with Mr. Crowly (absent), who would vote "nay."
Mr. McKellar (present), who would vote "yea," with Mr. Bell (absent), who would vote "nay."
Mr. O'Connor (present), who would vote "yea," with Mr. Vaughan of Guadalupe (absent), who would vote "nay."

I vote "nay" for the following reasons:
First. Because it will necessitate a change in the text-books in present use, thereby entailing a cost of probably $2,000,000 upon the people, a tax upon them that would certainly work a hardship.
Second. Because, so far as I am enabled to inform myself, it seems to be the unanimous verdict of the teachers that this bill would injure the educational interests of the children.
Third. Because a large number of counties, such as Tarrant, Navarro, Eastland and Clay, have already adopted voluntarily a county system of text-books, and so have other counties in substance adopted a uniform series of text-books, and this change would be against their interests. Now, what becomes of the contracts previously entered into by these parties?
Fourth. There has been in Colorado county but very little change of books for the past few years.
Fifth. The book sellers of Texas have invested at least a half-million dollars in books. These books are on their shelves. These persons will be ruined almost, and yet the people will have to buy books over.

SMITH.
I vote for the substitute and against the Presler bill, because it is vicious and tends to the centralization of power against the great majority of the people; it is not local self-government, it is foreign to Democratic principles. The best equipment of schools in this respect demands great liberty of choice by which peculiar needs of each separate locality can be met, but it is impracticable to suppose that a single set of text-books would meet the requirements of so many different communities, and all of the essential benefits of State uniformity can be secured by county uniformity with local option in the choice of books. My judgment is that each county should be allowed to manage its own school affairs as the needs of the county may present themselves to a county board, properly selected.

BOYD.
I vote "yea" on this bill, not because I believe it to be a good bill, but solely because of the great demand of the people of Texas for the passage of a school text-book bill. I think the bill ought to pass, and its merits be tested. In no other way can the people ever really know how much or how little such a bill is worth.

BEARD.
I vote "yea" under many misgivings and with great reluctance. I vote "yea," because a majority of my people demand a uniform system of text-books, and they may be right.

KIMBLE.

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

Senate bill No. 33, entitled "An act
to protect accountants, bookkeepers, artisans, craftsmen, factory operatives, mill operatives, servants, mechanics, quarrymen and common laborers; to provide a lien and to prescribe the time of payment, and in lawful money of the United States; providing for attorney's fees in foreclosing such liens, and prescribing the rights of the assignees of such persons, and to repeal all laws in conflict with this act.

Senate bill No. 281, entitled "An act to authorize towns and villages incorporated under the provisions of chapter 11, title 18, of the Revised Civil Statutes, to condemn the right of way over and across the roadbed and right of way of any railway within the limits of such town or village, when deemed necessary by such town or village for the purpose of opening, widening, or extending the public streets of such towns or villages, to define the duties of railroad companies when their roadbeds and rights of way are condemned for street purposes by such towns and villages, and to prescribe a penalty for violations thereof."

Senate bill No. 281, 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."

SENATE MESSAGE.

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

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

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

House bill No. 545, 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 rights, privileges, franchises and property of the Galveston and Western Railway Company, and to operate, maintain and use the same."

By the following vote: ayes 13, noes 8.

Senate bill No. 576, a bill to be entitled "An act to extend for the period of two years, from the 1st day of March, 1897, the time in which certain purchasers of timber on school lands in this State may remove the timber from said lands."

By the following vote: ayes 16, noes 8.

House bill No. 704, a bill to be entitled "An act to place Comal county in the Twenty-second judicial district, and to fix the time for holding court in the counties of said district."

By the following two-thirds vote: ayes 22, nays none.

Also, House concurrent resolution No. 30, granting Hon. J. M. Hall, district judge of the Eighteenth judicial district, leave of absence from the State, by a two-thirds vote.

Also, that the Senate has passed Senate bill No. 263, the Guarnelo book bill, the objections of the Governor to the contrary notwithstanding.

By the following two-thirds vote: ayes 16, noes 5.

Also, that the Senate has granted the request of the House for another free conference on substitute house bill No. 263, the general appropriation bill, and that Senators Stone, Turney, Morriss, Colquitt and Goss have been appointed as such committee on the part of the Senate.

Also, the Senate has passed Senate joint resolution No. 20, granting leave of absence from the State for sixty days from the State of Texas to Hon. W. M. Allison, Judge of the Thirty-third district of Texas.

Respectfully,

WILL LAMBERT, Secretary.

SENATE BILLS ON FIRST READING.

Senate bill No. 376, reported above, was read first time and referred to the Committee on Public Lands and Land Office.

Mr. Blair called up the report of the free conference committee on House bill No. 539, the general deficiency bill, which report was printed in the Journal of May 14.

The report was laid before the House, and read, and Mr. Blair moved that it be received and adopted, and that the House insist upon the two amendments contained therein, and the position taken by the House, and to ask the Senate to appoint another free conference committee to adjust the differences between the two houses on said bill.

Mr. Blair, rising to a question of personal privilege, proceeded to read from the columns of a daily newspaper certain reports of proceedings in the Senate.

The Speaker ruled it out of order.
Mr. Blair appealed from the ruling of the Chair, and the appeal was seconded.

On the question, Shall the ruling of the Chair be sustained?

Yeas and nays were demanded by Mr. Maxwell, Mr. Love and Mr. Carpenter.

The ruling of the Chair was sustained by the following vote:

Yeas-68.


Bell. Benson.


Excused.


We vote to sustain the Chair upon the principle that "a soft answer turneth away wrath, but grievous words stir up anger."

MORTON, SMITH, SKILLERN.

I vote against sustaining the Chair, because I do not regard the matter in the light of sustaining the Chair, but regard it as a question involving the right of this House to defend itself when assailed by grave misrepresentation.

EWING.

On the question of sustaining the ruling of the Chair, I vote "yea," because he is clearly right in his ruling that it is not in order for one house to discuss the action of the other. I believe that the members of the Senate who stooped so low deserve condign punishment for their conduct, but it is beneath the dignity of this House to make such a breach of legislative courtesy as to attempt to pay them off in their own coin. We are in no way responsible for want of courtesy and discretion.

HUMPHREY.

Returning to consideration of the report of the free conference committee on House bill No. 538, with motion of Mr. Blair pending,

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

Mr. Evans of Hunt moved to reconsider the vote by which the main question was ordered.

Mr. Brigance moved to table the motion to reconsider.

Yeas and nays were demanded by Mr. Ayers, Mr. Evans of Hunt and Mr. Logan.

Tabled by the following vote:

Yeas-79.

The motion of Mr. Blair prevailed, and the Chair announced the following free conference committee on part of the House:

Free conference committee (No. 3) on part of the House bill No. 539 (the deficiency appropriation bill): Messrs. Dean, Blair, Pfeuffer, Drew, Stamper.

Mr. Fisher moved to take up Senate bill No. 228, to make it a special order for to-morrow at 9:30 a. m., and to be considered from day to day until disposed of.

Yeas and nays were demanded by Mr. Bumpass, Mr. Fisher and Mr. Dean.

Whereupon, Mr. Evans of Hunt moved to adjourn until 9 o'clock a. m. to-morrow.

Mr. Dean moved a call of the House, which was seconded, and the Clerk was directed to call the roll.

Mr. Wolters raised the point that a call of the House was not in order, pending a motion to adjourn.

Sustained by the Chair.

On motion of Mr. Wolters, the House at 6:28 p. m. adjourned until 9 o'clock a. m. to-morrow.