plain and the means at our command more than sufficient. All that will be required is united, active and earnest effort, supplemented by a lofty and patriotic ambition. We should not be satisfied with a less exalted position than that which puts us in the lead of the commonwealths of America. To upbuild the State, to promote her moral, intellectual and material advancement and to make her influence and power correspond to her domain, population and wealth of resource, should be the supreme ambition of every son and daughter.

The past is secure, the present is certain, and the future full of hope and encouragement.

I know not how to more strongly accentuate our duty than to quote from a public address by the Ex-President of the Confederacy. Speaking for the last time to those whom he loved so well, and whom he had served so faithfully, that soldier and statesman said: "Men in whose hands the destinies of our Southland lie, for love of her I break my silence to speak now a few words of respect and admiration. The past is dead. Let it bury its dead with its hopes and aspirations. Before you lies the future—a future of expanding national glory, before which the whole world shall stand amazed."

Upon the verge of the grave itself, and amid the closing scenes of an eventful and honorable career, forgetting his own misfortunes and disappointments, and imbued with a lofty patriotism for the whole country and with a sincere affection for the entire people, he stood like the prophet of old—upon the mount of observation, and looking forward, as with inspired view, into the future, he foretells a "reunited country and an expanding glory, before which the whole world shall stand amazed."

Men of Texas—women of Texas—of whatever race, nationality or faith, I call upon you to lay aside all rancor, all bitterness, all differences, and to unite harmoniously in an earnest effort for the development of our State and for the promotion of her best interests, not forgetting that she is one of many great commonwealths, united in bonds that will never be broken, each moving in its own constitutional sphere and exercising every constitutional power, yet under the same flag and with a common destiny.

At the close of Governor Sayer's address, Speaker Sherrill introduced Lieutenant-Governor George T. Jester, who introduced Lieutenant-Governor James N. Browning.

James N. Browning, Associate Justice of the Supreme Court, T. J. Brown, was directed by Lieutenant-Governor Jester, President of the Senate, to administer the oath of office to Lieutenant-Governor-elect James N. Browning, who came forward and the same ceremonies were had as in the case of the Governor.

Ex-Lieutenant-Governor Jester then introduced Lieutenant-Governor James N. Browning, who said:

"Senators, Representatives, Ladies and Gentlemen:

"I am profoundly grateful to the people of Texas for the distinguished honor conferred in electing me to this high position of trust and confidence. I am also deeply impressed with the importance of the duties and responsibilities of the office, and shall do my best at all times to discharge and perform faithfully and impartially each and every one of those obligations according to the best of my skill and understanding, and in accordance with the Constitution and laws of the country."

Speaker Sherrill then announced that the business of the Joint Session was concluded, whereupon motion of Senator McGee, the Senate retired to its chamber.

IN THE HOUSE.

On motion of Mr. Browne, the House adjourned until 10 o'clock a. m. tomorrow.

EIGHTH DAY.

Hall of the House of Representatives, Austin, Texas, Wednesday, Jan. 18, 1899.

The House met at 10 o'clock a. m. pursuant to adjournment.

Speaker Sherrill in the chair.

Roll called and the following members present:

Allen of Colorado. Childs.
Allen of Hopkins. Clements.
Barbee. Cooks.
Barrett. Cole.
Bean. Collins.
Beaty. Conoly.
Bennett. Cross.
Bolton. Culpe.
Bolton. Dean.
Bridgers. Decker.
Browne. Derden.
Caldwell. Dies.
Calvin. Dorr.
Chambers. Eckols.
Childers. Ellis.
Mr. McAnally.

Prayer by Rev. W. J. Gatlin, Chaplain. Pending reading of the Journal of yesterday, on motion of Mr. Blount further reading was dispensed with.

On motion of Mr. Powell, the House, at 10:10 a. m., took recess until 11 a. m., today. The House was called to order by the Speaker at 11 a. m.

GRANTED LEAVE OF ABSENCE.

On account of sickness—

Mr. Little indefinitely, on motion of Mr. McAnally.

PETITIONS AND MEMORIALS.

By Mr. Tarver:

A petition of Eligio Herrero for a special pension.

Read first time, and referred to Committee on State Affairs.

BILLS AND RESOLUTIONS.

By Mr. Greenwood:

House bill No. 136, A bill to be entitled “An Act to amend Chapter 18, of the general laws of the Twenty-fifth Legislature, Special Session of 1897, page 47, entitled ‘An Act to amend Article 5049, Chapter 1, Title XIV, of the Revised Civil Statutes of 1895, relating to general occupation taxes, and to provide for a more adequate collection of such taxes.”

Read first time, and referred to Committee on Revenue and Taxation.

By Mr. Ellis:

House bill No. 137, A bill to be entitled “An Act to amend Articles 642, 644, 646, 647, 652 and 654, of Chapter 2, and Articles 655, 677 and 681, of Chapter 3, Title VIII, of the Code of Criminal Procedure of the State of Texas, and by adding to Chapter 2, Article 647a, relating to special venires and the formation of the jury in capital cases, and to repeal all laws in conflict herewith.”

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

By Mr. McAnally:

House bill No. 138, A bill to be entitled “An Act to amend Article 3193, Chapter 13, of the Revised Civil Statutes of the State of Texas, relating to the transfer of school children.”

Read first time, and referred to Committee on Education.

By Mr. Shannon:

House bill No. 139, A bill to be entitled “An Act to amend Title LIX, Articles 3101, 3102, 3103, 3104 and 3105, of the Revised Statutes of the State of Texas, 1895, regulating the rate of interest and defining usury, and to add Article 3105a, to regulate the rate of interest and prevent usury, and to repeal all laws and parts of laws in conflict with the provisions of this act.”

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

By Mr. Hamilton:

House bill No. 140, A bill to be entitled “An Act to transfer Sabine county from the district school system to the community school system, and to authorize and empower the county to organize and conduct all of her public free schools...
under the community system, as provided
by the laws now in force.”

Read first time, and referred to Com-
mittee on Education.

By Mr. Wells:
House bill No. 141, A bill to be entitled
“An Act to amend Article 1346, Chapter
14, Title XXX, of the revised Civil Stat-
utes of the State of Texas, 1895, relating
to the appointment of an attorney to de-
defend a suit where citation has been made
by publication and no answer filed, and
to leave such appointment to the discre-
tion of the judge in such cases.”

Read first time, and referred to Judi-
ciary Committee No. 1.

By Mr. Smith of Collin:
House bill No. 142, A bill to be entitled
“An Act to exempt cotton mills from
taxation for a period of twenty
years.”

Read first time, and referred to Com-
mittee on Revenue and Taxation.

By Mr. Shropshire (by request):
House bill No. 143, A bill to be entitled
“An Act to establish a State Board of
Embalming, to provide for the better
protection of health and life, to prevent
the spread of contagious diseases, and to
regulate the practice of embalming and
the care of and disposition of the dead.”

Read first time, and referred to Com-
mittee on State Affairs.

By Mr. Morrow:
House bill No. 144, A bill to be entitled
“An Act to prescribe the compensation
of members of the Legislature.”

Read first time, and referred to Com-
mittee on State Affairs.

By Mr. Dies:
House Joint Resolution No. 9, To
amend Sections 1, 2, 3, 4, 5 and 6, of the
Constitution of the State of Texas, re-
ating to the judiciary, and to abolish
the Courts of Civil Appeals and increase
the number of supreme judges.

Read first time, and referred to Com-
mittee on Constitutional Amendments.

By Mr. Shropshire:
House Concurrent Resolution No. 5,
Be it resolved by the House of Represen-
tatives, the Senate concurring, that the
Twenty-sixth Legislature do stand ad-
djourned sine die at 12 o’clock noon,
March 10, 1899.

[Signed SHROPSHIRE,
DORROH.]

Read second time, and Mr. Tarver
moved to table subject to call.

Yeas and nays were demanded by Mr.
Kennedy, Mr. Shropshire and Mr. Sav-
age.

Tabled subject to call by the following
vote:

Yeas—70.

Allen of Colorado. Maxwell.
Allen of Hopkins. McClellan.
Barrett. McDowell.
Dean. McFarland.
Beaty. McKamy.
Bennett. McKellar.
Bradgers. Meitzen.
Childs. Monroe.
Clements. Morris.
Cole. Morrow.
Collins. Murray.
Conoley. Neff.
Culp. Palmer.
Derden. Peery.
Eckols. Powell.
Ellis. Robertson, Harrison.
Evans of Fannin. Rochelle.
Frost. Russell.
Gill. Shannon.
Goodlett. Shelburne.
Goodman. Smith of Collin.
Gordon. Staples.
Graham. Stripling.
Greenwood. Tarkington.
Grogan. Tarver.
Henderson, Lamar. Tate.
Hurley. Thomas of Fannin.
Jones. Tucker.
Kittrell. Vaughan.
Lake. Walton.
Lillard. Wehles.
Loyd. Willacy.
Looney. Willrodt.

Nays—40.

Barbee. Oliver.
Biount. Pfeiffer.
Caldwell. Phillips, Lampassas.
Calvin. Phillips of Camp.
Chambers. Pitts.
Childers. Poole.
Dean. Prince.
Decker. Ratcliff.
Dies. Robertson of Bell.
Dorroh. Sansom.
Evans of Grayson. Savage.
Garner. Schluter.
Garrett. Secour.
Grubbs. Shropshire.
Hamilton. Smith of Grayson.
Henderson, Brazos. Teagl.
Kennedy. Terrell.
Livey. Thomas of Wise.
Marsh. Tompkins.
McAnally. Wells.

Absent.

Adams. Lane.
Ayers. Murphy.
Bailey. Parish.
Bolin. Rogers.
Howard. Wooten.
Absence—Excused.
Cocke.        Masterson.
Crawford.     Stewart.
Little.       Sutherland.

"I change my vote to 'aye' because until the message of the Governor is received it cannot be known the required time of this session and the adoption of this resolution may have the effect to call an extra session.

"POWELL."

"I vote 'aye' because, not having considered the Governor's message, I do not wish to handicap the Legislature at this early date, by fixing a time at which to adjourn.

"GROGAN."

"I vote 'nay' because the people of my State have said sixty days is sufficient time.

"CHAMBERS."

By Mr. Savage:
House Concurrent Resolution No. 6,
Resolved by the House of Representatives, the Senate concurring, that a committee be appointed consisting of the Governor, Comptroller and State Revenue Agent, whose duty it will be to diligently inquire into our State financial system, including the matter of levying and collecting taxes, and the system of accounting of the government officials, said committee to formulate such measures of reform looking to a fair and equitable distribution of the burden of government, and to a more expeditious and economical and at the same time provide all proper and necessary safeguards for checking the receiving and disbursing officers charged with the duty of handling State funds.

The said committee to report to the Legislature, making such recommendations as may be deemed wise and practicable.

Read and on motion of Mr. Henderson of Lamar referred to Judicary Committee No. 1.

By Mr. Barbee:
House Concurrent Resolution No. 7,
authorizing the appointment of a joint committee of the two Houses of the Legislature to investigate the damages done by insects to the Court Reports deposited in the basement under the Secretary of State's office, and to ascertain the best means of destroying such insects: also authorizing the Secretary of State to dispose of said damaged reports and the other reports, papers and documents accumulated in said basement in the best manner practicable.

Read and referred to Committee on State Affairs.

By Mr. Prince:
Resolved. That the Speaker be and he is hereby authorized to appoint an additional page who shall serve during the present session, subject to the Speaker's control, and receive same compensation other pages receive.

Read second time and Mr. Shelburne moved to table.

The motion to table was lost.

Mr. Powell moved to refer to Committee on Contingent Expenses.

Mr. Shelburne raised the point that the motion to refer to said committee was not in order.

The point of order was sustained.

The resolution was lost.

By Mr. Tarver:
Whereas, The whole State of Texas has heard with profound sorrow of the passing away of that illustrious patriot, hero and veteran of Texas Independence, the lamented W. A. A. Wallace, so familiarly and kindly known at every hearthstone in this empire State, as "Bigfoot Wallace," and

Whereas, His remains have been interred in a lonely spot in Frio county, therefore be it

Resolved, That the sum of two hundred and fifty dollars, or so much thereof as may be necessary, is hereby appropriated out of any monies in the State treasury not otherwise appropriated, to defray the expenses of removing and interring his remains to the State Cemetery, among those of his brother patriots, and to mark his last resting place with a suitable monument.

Resolved further, That the Speaker of the House appoint a committee of five members to take charge of the removal and reinterment of his remains as provided in this resolution.

Read second time, and referred to Committee on State Affairs.

Senate Chamber,
Austin, Texas, Jan. 18, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed the following resolution, to wit:

Substitute Senate Concurrent Resolution No. 2, relating to pending litigation in the Federal courts against the Railroad Commission of Texas.

Respectfully,
J. P. Pool,
Secretary of the Senate.

On motion of Mr. Schluter, the House, at 11:37 a.m., took recess until 11:50 a.m. today.
The House was called to order by the Speaker at 11:50 a. m. Mr. Powell offered the following resolution:

Resolved, That the Speaker is authorized to appoint one more page with instruction to dispense with said page so soon as his services are no longer required.

Read second time and adopted.

By Mr. Dies:

House Concurrent Resolution No. 8, Resolved by the House of Representatives, the Senate concurring, that the Regular Session of the Twenty-sixth Legislature stand adjourned sine die on March 15, 1899, at 12 o'clock.

[Signed, DIES, POWELL]

[Mr. Dies stated as his reason for offering the above resolution that, if adopted, it is to be followed by a motion to re-consider and spread on the Journal, after which it will then require three days notice to call up for change or final action. By this means we can obviate the probability of the continual bringing before the House of the question of final adjournment in the early part of the session.]

The resolution was read second time, and pending consideration, the Honorable Senate of Texas appeared at the bar of the House, and being duly announced, were invited into the Hall.

IN JOINT SESSION.

The Senators were seated along the aisle in chairs already prepared for them, while Lieutenant-Governor Jas. N. Browning, President of the Senate, and Chaplain W. C. Denson were invited to seats on the rostrum with the Speaker.

The President announced a quorum of the Senate present.

The Speaker announced a quorum of the House present.

Prayer by Rev. W. C. Denson, Chaplain of the Senate.

The Speaker then announced the two Houses in joint session for the purpose set forth in the following Senate Concurrent Resolution No. 3:

Whereas, the Daughters of the Republic of Texas have signified their desire to present a gavel to the President of the Senate and one to the Speaker of the House of Representatives on Wednesday, January 18, at high noon; and

Whereas, it is deemed more convenient that these presentations be made in Joint Session of the two Houses; therefore be it

Resolved by the Senate, the House of Representatives concurring, that said bodies meet in Joint Session in the Representative Hall at high noon on Wednesday, January 18, for the purpose herein indicated:

Which was adopted by the House on January 16th.

The W. B. Travis Chapter of the Daughters of the Republic then appeared at the bar of the House, and being duly announced were invited to enter the Hall and occupy seats already prepared for them on the left of the Speaker's stand.

They were accompanied by Ex-Governor F. R. Lubbock, Hon. Guy M. Bryan, and J. M. Hill, a veteran of the battle of San Jacinto.

The Joint Session rose and remained standing while they advanced into the Hall.

Ex-Governor Lubbock, then, on part of the W. B. Travis Chapter of the Daughters of the Republic, presented, with appropriate remarks, to Lieutenant-Governor Browning, a gavel made from timber taken from the yard at Columbia, Brazoria county, Texas, where the first session of the Congress of the Republic of Texas was held.

Lieutenant-Governor Browning in accepting the gavel said:

"Daughters of the Republic of Texas, Senators and Representatives of the Texas Legislature, Jan. 18, 1899.

It has been truthfully said that 'The Republic of Texas was born 'mid the clash of arms and rocked in the cradle of war.' When that little band of patriots promulgated the Declaration of Independence of Texas, and established a provisional government for the direction of its governmental affairs, the Republic of Texas became a political entity; but it had neither credit, money or other means with which to organize, equip and maintain an army for its defense. However, it was then, as now, a country of limitless resources and its brave men, hardly waiting for a call, sprang into line and thus formed the army for the protection of the people and the preservation of the Republic. These soldiers were without uniform, and no military uniforms, or beautifully burnished brass buttons, nor glittering shoulder straps indicated the rank or authority of their officers. On the contrary, these officers often appeared in tattered clothes, such as the common soldiers wore. No want of indignation was ever heard to go up from that army of brave and noble men that they had been 'forced to live on nothing but hard-tack, bacon and coffee for three days,' because some shipping officer, whose duty it was to forward provisions to the army, had neglected to properly attend to his duties. No, these
soldiers had to 'forage' for their provisions and often had to go hungry. They went forth to battle for a purpose, and were inspired to greater efforts by the noble and patriotic women of this new country that were left behind to keep the vigil of the rude frontier home. Every day and every night a prayer from each of these good and true women went up to the God, who ruled the universe, to make their army victorious in the great and unequal struggle. The women of the Republic of Texas, as well as the soldiers, underwent many privations and hardships, the greater part of which forms a part of the unwritten history of the country. Having such inspiration and encouragement these men could do nothing else but fight until death overcame them, and hence, the success of the Texas army. Today only a few of those patriotic women are left among us, and they, and their daughters and granddaughters are among us to inspire and urge us on to great and heroic deeds. While we have no actual war for them to encourage us to fight in, yet we do have a constant war between right and wrong going on in our hearts, and I trust that the inspiration to do right for our country's good may reach every Representative and Senator in this Legislature.

"In receiving this token from these noble women, I do so with much fear and trepidation lest I should fall short of what they expect of me, but I am inspired and trust that whatever may be under consideration I may be led by it to do the right, and to wield this gavel in respect of and defense of the people's best interests.

"Daughters of the Republic, you are engaged in a noble enterprise. I see that the patriotism still burns in your hearts to perpetuate the heroic deeds of the noble and courageous men of Texas and you have much to do. So far as I am concerned, I pledge you my undivided assistance in aiding you in your grand and noble work. You are engaged, as I said before, in something that would have been overlooked by the men. Historians may write the history of the country, but it takes women like you to see that the heroes' graves are properly marked, so that our young men may be reminded of their great deeds, when they look upon their graves. The soil of Texas has been made richer with the blood of its brave men and heroes. I trust that Texas may never have to engage in war again, but if it does I want to assure you that the young men will rise, as one man, in defense of this great country and defend you and your homes from any and every foe from whatever country they may come. I thank you for this beautiful present on this occasion."

Ex-Governor Lubbock, then, on part of the Daughters of the Republic, with appropriate remarks, presented a gavel to Speaker Sherrill.

"Daughters of the Republic of Texas, Senators and Representatives.

"In accepting this beautiful token of esteem and kindness from the Daughters of the Republic, Wm. B. Travis Chapter of the State of Texas, I feel truly grateful. First, for the motive that prompted this courteous compliment from a band of women representing the heroes of a struggle unequalled in the annals of nations; for this historic instrument fashioned from a relic of our old capitol and adorned with silver plate from the renowned family of Mrs. Rebecca J. Fisher; and lastly, for the honor conferred on all Texas through one of her humblest representatives.

"This emblem of power and authority is no scepter to be wielded by a despot czar, no crown to be worn by a tyrant king, but a simple gavel, symbolizing the royal power of a mighty and a noble people. It shall be used without malice or partisanship—with justice and equity to all.

"To you, sir, presenting this token from the ladies, I am profoundly grateful for the privilege of accepting it from the hands of one who stands today a proud monument of the heroic past, an exalted citizen of the glorious present, one who formed part of the inner circle around the great chieftain of the 'Lost Cause' and took an active part in that mightiest struggle of modern times.

"Please express to the noble ladies my sincere thanks for this valuable memento."

Ex-Governor Lubbock then addressing by request, the Daughters of the Republic, with appropriate remarks, returned thanks on part of the Speaker.

The Speaker announced the business of the Joint Session concluded, and on motion of Senator Goss, the Senate retired to its chamber.

IN THE HOUSE.

APPOINTMENTS ANNOUNCED.

COMMITTEES.

PUBLIC BUILDINGS AND GROUNDS.

Mr. Caldwell, Chairman; Messrs. Allen of Colorado, Barbee, Browne, Maxwell, Cross, Derden, Culp, Goodlett, Henderson of Lamar, Kittrell, Lane, Little, Willacy, Willrodt, Tucker, Robertson of Harrison.
COUXTY GOVERNMENT AND COUNTY FINANCES.

Mr. Robertson of Bell, Chairman; Messrs. Cocke, Dean, Crawford, Gordon, Rochelle, Jones, Murray, Childers, Bennett, Blount, Ayers, Allen of Colorado, McKellar, Meier, Adams, Caldwell.

MILITARY AFFAIRS.

Mr. Vaughan, Chairman; Messrs. Parish, Robertson of Harrison, Dean, Tate, Lane, Evans of Fannin, Eckols, Clements.

Additional Page—Tilden Childs.

General Committee Clerk—Bates Allen.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, Jan. 18, 1899.

Hon. J. S. Sherrill, Speaker of the House of Representatives:

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed the following resolution, to wit:

House Concurrent Resolution No. 3, inviting Hon. William J. Bryan to address the Twenty-sixth Legislature.

And that Messrs. Potter, Terrell and Miller have been appointed as the committee on part of the Senate to notify the said William J. Bryan.

J. P. Pool, Secretary of the Senate.

The Speaker announced the following committee on part of the House:

Messrs. Wetherell, Ellis and Bolin.

On motion of Mr. Dies, the House adjourned until 10 o'clock a. m. tomorrow.

By direction of the Speaker following is ordered printed in the Journal for information:

ELECTION OF UNITED STATES SENATORS.

(Revised Statutes of the United States.)

Section 14.—The Legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress. Sec. 15.—Such election shall be conducted in the following manner: Each House shall openly, by viva-voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof; or, if either House fails to give such majoriy to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each House, or if either House has failed to take proceedings as required by this Section, the joint assembly shall then proceed to choose, by a viva-voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the Legislature, and shall take at least one vote, until a Senator is elected.

NINTH DAY.

Hall of the House of Representatives, Austin, Texas, Thursday, Jan. 19, 1899.

The House met at 10 o'clock a. m. pursuant to adjournment.

Speaker Sherrill in the chair.

Roll called and the following members present:

Beatty. Dean. Ellis.
Dean. Hamilton.
Henderson, Hurley.