Mr. Morrow then offered the following amendment to the amendment: Amend by striking out that portion of the resolution stating "that the sum of $250 should be appropriated for that purpose," and inserting instead thereof, "his friends shall be awarded a suitable location in the State Cemetery for a monument to his memory; provided, they shall provide all means and defray all expenses in the erection of such monument."

On motion of Mr. Tarver, the amendment was tabled.

The amendment by Mr. Tarver was lost.

The resolution as reported was adopted.

Senate Chamber, Austin, Texas, Jan. 23, 1899.

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

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bill, to wit:

Senate bill No. 14, A bill to be entitled "An Act to amend Subdivisions 1 and 2, Article 1093, Title 15, Chapter 2, of the Code of Criminal Procedure of the State of Texas, relating to attached witnesses, and providing fees for same," with engrossed riders.

J. P. Pool,
Secretary of the Senate.

SENATE BILL ON FIRST READING.

The above reported Senate bill No. 14, was read first time, and referred to Judiciary Committee No. 2.

Mr. Savage called up the report of the Committee on Privileges and Elections and the same was laid before the House.

The report was read in full and Mr. Childs moved to adopt.

The report was adopted unanimously.

ELECTION OF U. S. SENATOR.

The Speaker here announced that the hour, 12:15 p.m., set apart by concurrent resolution for election of U. S. Senator had arrived and announced that nominations were in order.

Mr. Wooten nominated Chas. A. Culberson of Dallas county.

The nomination of Chas. A. Culberson was seconded by Mr. Smith of Grayson, Mr. Stewart, Mr. McAnally, Mr. Kittrell, Mr. Decker, Mr. Pitts, Mr. Schluter and Mr. Frost.

On motion of Mr. Greenwood nominations were declared closed.

The clerk was directed to call the roll.

The following members voted for Chas. A. Culberson:

Hon. J. S. Sherrill, Speaker; Messrs.


Total—110.

The following voted for Tom McNeill: Mr. Eckolds. Total—1.

The following voted for C. H. Jenkins: Mr. Howard. Total—1.

The following voted for E. H. R. Green: Mr. Tompkins. Total—1.


Absent—excused—Messrs. Blount, Cook, Crawford, Dorroh, Gogan, Morris, Robertson of Harrison.

The Speaker then announced that the Senate and House of Representatives of the Twenty-sixth Legislature would meet in Joint Session tomorrow at 12 o'clock m. for the purpose of comparing the vote for United States Senator.

On motion of Mr. Schluter, the House, at 1:10 p.m., adjourned until 10 o'clock a.m. tomorrow.

NOTICE.

Mr. Bailey gave notice that he would tomorrow call up the motion of Mr. Henderson of Lamar to reconsider the vote by which a certain resolution of Mr. Ellis was adopted yesterday, and which motion to reconsider was spread upon the Journal today.

FOURTEENTH DAY.

Hall of the House of Representatives, Austin, Texas, Wednesday, Jan. 25, 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:
Adams.
Allen of Colorado.
Allen of Hopkins.
Ayers.
Bailey.
Barbee.
Barrett.
Bean.
Bent.
Bennett.
Blount.
Bolin.
Brigders.
Browne.
Caldwell.
Calvin.
Chambers.
Childers.
Childs.
Clements.
Cole.
Collins.
Conoly.
Coul.
Dean.
Decker.
Derden.
Dies.
Dekoks.
Ellis.
Evans of Fannin.
Evans of Grayson.
Frost.
Garner.
Garrett.
Gill.
Goodlett.
Goodman.
Gordon.
Graham.
Greenwood.
Grogan.
Grubbs.
Hamilton.
Henderson, Brazos.
Henderson, Lamar.
Howard.
Hurley.
Jones.
Kennedy.
Kittrell.
Lake.
Lane.
Lillard.
Livsey.
Loyd.
Looney.
Marsh.
Masterson.
Absent.
Oliver.
Stripling.

Absent—Excused.
Cooke.
Dorrah.
Robertson, Harrison.
Crawford.
Prayer by Rev. W. J. Gatlin, Chaplain.
Pending reading of the Journal of yesterday, on motion of Mr. Childers, further reading was dispensed with.
GRANTED LEAVE OF ABSENCE.
Mr. Oliver indefinitely on account of sickness, on motion of Mr. Schulte.
Mr. Stripling for today on account of sickness, on motion of Mr. Hamilton.
PETITIONS AND MEMORIALS.
By Mr. Tompkins:
A petition of A. L. Wright of Waller county, asking for the passage of a law providing for a better system of public roads.
Read and referred to Committee on Roads, Bridges and Ferries.
By Mr. Bailey:
A resolution adopted by the teachers attending the summer normal school at Yorktown, asking for an extension of the term of summer normal institutes to five weeks.
Read and referred to Committee on Education.
By Mr. Decker:
A petition from W. D. Collins and fifty-nine other citizens of Collingsworth county, protesting against any changes in the school laws.
Read and referred to Committee on Education.
By Mr. Decker:
A petition of A. W. Hunter and fifty-nine other citizens of Collingsworth county, asking for the passage of a law providing for the destruction of prairie dogs.
Read and referred to Committee on Stock and Stock-raising.
BILLS AND RESOLUTIONS.
By Mr. Greenwood:
House bill No. 282, A bill to be entitled "An Act to define libel and privileged communications, and to more effectively secure the liberty of the press, and to provide protection against libelous writings and publications, and fixing the venue in suits therefor."
Read first time, and referred to Judiciary Committee No. 1.
By Mr. Pfeuffer:
House bill No. 283, A bill to be entitled "An Act to amend Title IV, 'Apportionment,' Article 21, Subdivisions 3 and 4, of the Revised Civil Statutes of the State of Texas of 1895, dividing the State of..."
Texas into five supreme judicial districts for the purpose of constituting and organizing Courts of Civil Appeals therein, so as to place Mason county in the Third Supreme Judicial District, and Comal county in the Fourth Supreme Judicial District."

Read first time, and referred to Committee on Judicial Districts.

By Mr. Adams:
House bill No. 284, A bill to be entitled "An Act to compel street railway companies of this State to so arrange their cars that motorman, gripman or driver shall not be exposed to the weather, and provide a penalty for violations thereof."

Read first time, and referred to Committee on Internal Improvements.

By Mr. Barbee (by request):
House bill No. 285, A bill to be entitled "An Act to amend Article 993, of the Revised Civil Statutes of the State of Texas, 1895, relating to the duties of the Board of Public Printing, and to decrease the number of printed reports of the Courts of Civil Appeals and the Court of Criminal Appeals." Read first time, and referred to Committee on Public Printing.

By Mr. Shropshire:
House bill No. 286, A bill to be entitled "An Act to provide for the payment of tax assessors for taking agricultural statistics in the several counties, where they were taken for the year 1895, and appropriating money therefor."

Read first time, and referred to Committee on Finance.

By Mr. Meitzen:
House bill No. 287, A bill to be entitled "An Act to provide a fine for any tenant, renter or lessee to sell or otherwise dispose of any agricultural products, animals, tools or implements upon which the landlord has a preference statutory lien; and to provide a punishment therefor."

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

By Mr. Lillard and Mr. Beaty:
House bill No. 288, A bill to be entitled "An Act relating to the surveying of lands in the State of Texas, and to regulate the fee thereof, and to provide proper penalties for its violation; said bill prohibits any person to survey lands and charge fee for same unless he be a regularly elected surveyor or a deputy."

Read first time, and referred to Committee on Private Land Claims.

By Mr. Lillard and Mr. Beaty:
House bill No. 289, A bill to be entitled "An Act requiring the president, manager or cashier of National and private banks in this State to furnish to assessors of taxes true and correct lists of certain depositors in such banks, together with the amounts of money to the credit of each of such depositors on the first day of January of each year for which said lists are made; to require assessors of taxes to obtain said lists of depositors, and to provide penalties for violations of this act."

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

By Mr. Maxwell:
House bill No. 290, A bill to be entitled "An Act to authorize and require the county commissioners' courts of counties of this State to cause to be printed and distributed all election tickets to be voted in elections to be held in this State to be the expense of the respective counties, and to forbid the printing and use of election tickets except those printed under the direction of the commissioners' court; and provide penalties therefor."

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

By Mr. Robertson of Bell:
House bill No. 291, A bill to be entitled "An Act to amend Chapter 6, Title XVII, of the Penal Code of the State of Texas, by adding thereto Articles 839a and 845a, defining and punishing the crime of burglary of a private residence at night."

(Fixes punishment at death or imprisonment in the penitentiary for any term not less than ten years.)

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

By Mr. Smith of Collin:
House bill No. 292, A bill to be entitled "An Act to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations made with a view to lessen, or which tend to lessen, free competition in the importation or sale of articles imported into this State, or in the manufacture or sale of articles of domestic growth or of domestic raw material; to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations designed, or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such products or articles: to provide for forfeitures of the charter and franchise of any corporation organized under the laws of this State violating any of the provisions of this act; to prohibit every foreign corporation violating any of the provisions of this act from doing business in this State, etc."

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

By Mr. Smith of Grayson:
House bill No. 293, A bill to be entitled "An Act to make an appropriation to secure a proper defense of the ten suits now pending in the United States Circuit
Court for the Western District of Texas, known as the injunction suits against the Railroad Commission of Texas."

Read first time, and referred to Committee on Finance.

By Mr. Palmer:

House bill No. 294, A bill to be entitled "An Act to amend Sections 29 and 43, of the Revised Civil Statutes of Texas, reorganizing the Twenty-ninth and Forty-third Judicial Districts of the State of Texas, by adding Palo Pinto county to the Forty-third Judicial District; and fixing the time for holding the several district courts in said Twenty-ninth and Forty-third Judicial Districts, and to repeal all laws and parts of laws in conflict with this act."

Read first time, and referred to Committee on Judicial Districts.

By Mr. Kittrell:

House bill No. 295, A bill to be entitled "An Act to fix and define the liability of railroad companies for injuries to their servants and employees."

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

By Mr. Masterson:

House bill No. 296, A bill to be entitled "An Act to amend Article 4471, Title XLIV, of the Revised Civil Statutes of the State of Texas (1895), relating to factors and commission merchants, requiring them to render account of sales with particular, under penalty."

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

By Mr. Wooten (by request):

House Joint Resolution No. 14, To provide for a convention to frame a Constitution for the State of Texas.

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

By Mr. Shannon:

House Joint Resolution No. 15, To amend Section 2, of Article 3, of the Constitution of the State of Texas, so as to provide for thirty Senators and eighty Representatives, and to provide that the number of Senators shall never be increased above thirty-one, and the number of Representatives shall never be increased above ninety-three.

Read first time, and referred to Committee on Constitutional Amendments.

By Mr. Kennedy:

House Concurrent Resolution No. 14.

Whereas, This State and this Union, as a government and a people, have universally allied themselves in harmony with the purity of the government and the purity of the body politic; and,

Whereas, It is contrary to public policy and a menace to the public good for our State or national councils to contain among its members those who flagrantly violate the laws of the State or nation; therefore, be it

Resolved, By the House of Representatives, the Senate concurring, that our Representatives in Congress be requested to make a vigorous protest against the seating of Congressman-elect Roberts of Utah, who confessedly lives in open and willful violation of the laws of the United States prohibiting polygamy.

Resolved, That a copy of this resolution be sent to each of Texas Congressmen-elect.

Read second time, and tabled on motion of Mr. Collins.

By Mr. McAnally:

Whereas, It appears that there is no system at present as to committee meetings, and that many members are yet unacquainted with the assignments given them; therefore, be it

Resolved, That the chairmen and acting chairmen of the several House committees are hereby requested to meet in this Hall, on Thursday afternoon, January 26, 1899, at 2:30 o'clock, for the purpose of agreeing upon a time and place for regular meetings of the several committees of this House, to the end that a better attendance of the members may be secured and the committee work expedited.

Resolved, That a list of the committees, together with the time and place of regular meetings as agreed upon in conformity with this resolution, be published in the Journal of the House, of a date not later than Saturday, January 28, 1899.

Read second time and adopted.

SENATE MESSAGE.

Senate Chamber,
Austin, Texas, Jan. 25, 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 bill, to wit:

Senate bill No. 22, being a bill to be entitled "An Act making an appropriation to pay for publishing the constitutional amendments proposed by the Twenty-fifth Legislature."

Senate Concurrent Resolution No. 8, Inviting Senator Chas. A. Culberson to address the Legislature in Joint Session today, January 25th. J. P. Poot, Secretary of the Senate.
SENATE BILL ON FIRST READING.

The above reported Senate bill No. 22, read first time, and referred to Committee on Finance.

SPECIAL COMMITTEES ANOUNCED.

Committee on part of the House to receive Hon. Wm. J. Bryan—Messrs. Kennedy, Neff, Whelless, Dean and Calvin.

Mr. Robertson of Bell moved that Mr. Grogan and Mr. Morris, who were absent on important committee duty yesterday, be allowed to have their votes recorded for Chas. A. Culberson for United States Senator.

The motion prevailed and the Clerk was instructed to so record them. (This will make Mr. Culberson's vote in the House, 118.)

Mr. Savage called up the report of the Committee on Contingent Expenses, printed in the Journal of yesterday, relating to printing 5000 copies of the Legislative Record containing Governor Sayers' message.

The report was laid before the House, read in full, and, on motion of Mr. Savage, it was adopted.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Jan. 24, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 145, A bill to be entitled "An Act to provide for the destruction of prairie dogs and fix a penalty against persons who fail or refuse to exterminate the prairie dogs on their lands," and House bill No. 158, A bill to be entitled "An Act to amend Article 4368, of the Revised Statutes of the State of Texas, relating to marks and brands as evidence,"

Have had the same under consideration, and I am instructed to report them back to the House with the recommendation that they be returned to the calendar and re-referred to the Committee on Stock and Stock-raising.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1899.

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

Sir: Your Committee on Internal Improvements, to whom was referred House bill No. 123, A bill to be entitled "An Act to authorize the Southern Kansas Railway Company of Texas to purchase the Panhandle Railway and to operate the same under the charter of the Southern Kansas Railway Company of Texas, as a part of its own line, with the right to extend the same, and to construct branches therefrom, by amendment of its charter under the general laws of the State of Texas."

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

SMITH of Grayson, Chairman.

SCHLUTER, MASTERS, GARNER, HENDERSON of Lamar, DECKER.

MAJORITY REPORT.

Committee Room,
Austin, Texas, Jan. 24, 1899.

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

SIR: Your Committee on Internal Improvements, to whom was referred House bill No. 25, A bill to be entitled "An Act to amend Article 4308, Chapter 3, Title XCIV, of the Revised Civil Statutes of the State of Texas, prescribing the duties of railway companies, with respect to their general and public offices to be kept and maintained within this State."

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

SMITH of Grayson, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, Jan. 24, 1899.

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

Sir: We, a minority of your Committee on Internal Improvements, to whom was referred House bill No. 25, A bill to be entitled "An Act to amend Article 4308, Chapter 3, Title XCIV, of the Revised Civil Statutes of the State of Texas, prescribing the duties of railway companies, with respect to their general and public offices to be kept and maintained within this State."

Do not concur with the majority of this committee, and beg leave to report it back to the House with the recommendation that it do pass.

SCHLUTER, MASTERS, GARNER, HENDERSON of Lamar, DECKER.
Committee Room,
Austin, Texas, Jan. 24, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred
House bill No. 44, A bill to be entitled
"An Act to amend Article 3905, Chapter 7, Title LXXXVI, Revised Civil Statutes of the State of Texas, relating to the scholastic age."
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

COLE, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred
House bill No. 107, A bill to be entitled
"An Act to amend Article 3909a, Title LXXXVI, Chapter 7, of the Revised Civil Statutes of the State of Texas, 1895, relating to the course of study taught in the public schools of Texas, so as hereafter to read as follows:"
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass, with the following amendments, viz.:
1. By striking out the emergency clause.
2. Insert the word "humane," after "such," in line 13.

COLE, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred
House bill No. 83, A bill to be entitled
"An Act to amend and add to Article 3929, of Revised Civil Statutes, and to change time and date of election for school superintendents of counties."
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

COLE, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred
House bill No. 102, A bill to be entitled
"An Act to amend Article 3073, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 3973e, providing for the issuance of permanent certificates to teachers who have taught five years successfully and continuously in one of the public free schools of this State, said certificate to be good for the county of its issuance."
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

SCHLUTER, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred
House bill No. 174, A bill to be entitled
"An Act to amend Article 5157, and Article 5159, Chapter 4, Title CIV, of the Revised Civil Statutes of Texas of 1895, relating to the State and county bond of the county tax collectors, and provide for a reduction of such State and county bonds in each case to one-third of the State and county tax, respectively."
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

SCHLUTER, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred
House bill No. 84, A bill to be entitled
"An Act to provide for a more efficient system of assessing and collecting taxes, and to declare an emergency."
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

SCHLUTER, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred
House Concurrent Resolution No. 9, Relating to taxable values of railways in Texas.
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it be adopted.

SCHLUTER, Chairman.
January 25, 1899

Committee Room, Austin, Texas, Jan. 24, 1899.

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

SIR: Your Committee on Revenue and Taxation, to whom was referred
House bill No. 132, a bill to be entitled
"An Act to restore and revive the charters, or right to do business of private corporations chartered under the laws of the State of Texas, and all permits issued by the State of Texas to foreign corporations, or their right to transact business within this State, which have, from failure to pay their annual franchise taxes lapsed, or been declared cancelled or forfeited by the Secretary of State,"

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

SCHLUTER, Chairman.

MAJORITY REPORT.

Committee Room, Austin, Texas, Jan. 24, 1899.

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

SIR: Your Committee on Revenue and Taxation, to whom was referred
House bill No. 183, a bill to be entitled
"An Act to amend Article 3897, Chapter 7, Revised Statutes, relating to the apportionment of school funds,"

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

SCHLUTER, Chairman.

MINORITY REPORT.

Committee Room, Austin, Texas, Jan. 24, 1899.

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

SIR: A minority of your Committee on Revenue and Taxation, to whom was referred
House bill No. 99, a bill to be entitled
"An Act to amend Article 5187, Title CIV, Chapter 4, of the Revised Civil Statutes of Texas, relating to taxation, and providing a means of redemption,"

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

SCHLUTER, Chairman.

Committee Room, Austin, Texas, Jan. 24, 1899.

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

SIR: Your Committee on Claims and Accounts, to whom was referred
A resolution instructing the Comptroller to furnish this committee with a certified account of claims of special judges;

Also, a resolution making an appropriation for the payment of fees accruing in examining trials in justices' courts, for the years commencing February 28, 1898, and ending February 28, 1899;

Also, a resolution providing for the payment of fees of peace officers of Brazoria county.

Have had the same under consideration, and I am instructed to report them back to the House with the recommendation that they be referred to the Committee on Finance.

SCHLUTER, Chairman.

Committee Room, Austin, Texas, Jan. 24, 1899.

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

SIR: Your Committee on Stock and Stock-raising, to whom was referred
House bill No. 21, a bill to be entitled
"An Act to amend an act of the Regular Session of the Twenty-third Legislature, entitled 'An Act to provide for the protection of domestic animals, for the creation of a Live Stock Sanitary Commission, rules and regulations, to provide penalties for violating the same, and to make an appropriation to carry out the provisions of this act,' approved April 20, A. D. 1893."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, with the following committee amendments:
After the word "shall" in first line of Section 12, add "between the first day of January and the first day of November of each year."

(Amendment to be amended by striking out the word "first" and inserting the word "fifteenth.")

Amend by adding to Section 12: "provided, however, that any person or persons may ship, drive, drift or lead any cattle across said line at any time between the 15th day of November and the 31st day of December, inclusive, without having them inspected."

Amend by striking out all in Section 12A after the word "line" in 3rd line of said section.

Amend Section 3, by adding after the word "necessary" in line 8, "provided that such rules and regulations are not in conflict with any of the provisions of this act."

PEERY, Chairman.

Committee Room, Austin, Texas, Jan. 24, 1899.

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

SIR: Your Committee on Labor, to whom was referred House bill No. 97, A bill to be entitled "An Act to protect workingmen in the right of organization and the purposes thereof,"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass with the following amendment:

Add at the close of Section 3, "Provided, that nothing herein contained shall be held to interfere with the terms and conditions of private contracts with regard to the time of service or other stipulations between employers and employees."

CONOLY, Chairman.

Committee Room, Austin, Texas, Jan. 24, 1899.

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

SIR: Your Committee on Judicial Districts, to whom was referred House bill No. 106, A bill to be entitled "An Act to amend Section 49, Article 22, Title IV, of the Revised Statutes of Texas, so that the Fortieth Judicial District shall be composed of Kaufman, Collin's and Rockwall counties, and to fix the times of holding courts therein."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass with the following amendments:

Amend the caption so as to read as follows:

A bill to be entitled "An Act to further amend Section 2, of an act entitled "An Act to reorganize the Fifteenth Judicial District and the Fortieth Judicial District, and to amend Chapter 67, Section 15, of the general laws of Texas, approved April 9th, 1883, redesignating the State for judicial purposes, and to amend Section 2, of Chapter 58, of the general laws of Texas, approved March 27th, 1885, creating the Fortieth District and to repeal all laws in conflict with this act," approved March 21st, 1893, as amended by an act entitled "An Act to amend Section 2, of an act to be entitled an act to reorganize the Fifteenth Judicial District and the Fortieth Judicial District and to amend Chapter 67, Section 15, of the general laws of Texas, approved April 9th, 1883, redesignating the State for judicial purposes, and to amend Section 2, of Chapter 58, of the general laws of Texas, approved March 27th, 1885, and to amend Section 2, of Chapter 117, of the general laws of Texas," approved May 4th, 1897, creating the Fortieth Judicial District, and to further regulate and fix the time of holding court in the Fortieth Judicial District, and repeal all laws or parts of laws in conflict herewith."

EVANS of Grayson. Chairman.

FURTHER TIME GRANTED FOR CONSIDERATION OF BILLS.

House bill No. 7, on request of Mr. Savage, Acting Chairman of the Committee on Mining and Minerals.

House bills Nos. 140, 119, 121, 134 and 138, on request of Mr. Cole, Chairman of the Committee on Education.

House bills Nos. 36 and 73, on request of Mr. Wright, Chairman of the Committee on Public Lands and Land Office.

BILL WITHDRAWN.

House bill No. 184, on request of Mr. Teagle.

BILL RE-COMMITTED.

House bill No. 7 (reported adversely), to the Committee on Education, on motion of Mr. Schluter.

ADDITIONS TO COMMITTEES.

Mr. Parish to the Committee on Agricultural Affairs, on motion of Mr. Wilkay.

Mr. Seurry to the Committee on Stock and Stock-raising, on motion of Mr. Peery.

Mr. Sutherland to the Committee on
Private Land Claims, on motion of Mr. Barrett.

SPEAKER'S TABLE.

The Speaker laid before the House, on its second reading, with majority adverse and minority favorable report, House bill No. 9.

Mr. Powell then called up the report of the Committee on Rules, which was printed in the Journal of the 20th. The report was laid before the House and read in full.

Mr. Powell moved that it be adopted. Mr. Shropshire called for a division of the question, and the first section of the report was read, which is Rule 51, as relating to inviting Ex-Governor Culberson to address the Joint Session today.

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

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

The House then resumed consideration of the report of the Committee on Rules. Mr. Kennedy moved the previous question and the main question was ordered.

Mr. Powell while addressing the House on the report, yielded the floor, as the Senate was announced at the bar of the House.

IN JOINT SESSION.

At 12 o'clock m., the Honorable Senate of Texas was duly announced at the bar of the House, and the Speaker invited them to enter. Accompanied by Secretary J. P. Pool and Sergeant-at-Arms C. H. Allen, the Senators advanced into the hall and occupied seats already prepared for them along the aisle.

Hon. James N. Browning, President of the Senate, was invited to a seat on the right of the Speaker.

The Secretary was directed to call the roll, and the following Senators answered to their names:

      Atlee, Burns, Dibrell, Goss, Gough, Greer, Grinnan, Hanger, James, Johnson, Kerr, Lewis, Linn, Lloyd, McGee, Miller, Morris, Neal, Odell, Potter, Ross, Sebastian, Stafford, Stone, Terrell, Turney, Wayland, Yantis, Yet.

     Absent—Excused—Davidson, Patterson.

     The President announced a quorum present.

     The Clerk was directed to call the roll of the House, and the following members answered to their names:


     Absent—Excused—Cocke, Crawford, Dorroh, Garner, Little, Oliver, Robertson of Harrison, Stripling.

     The Speaker announced a quorum present and said:

     "In accordance with law and concurrent resolution, the two houses of the Twenty-sixth Legislature of Texas are now in joint session for the purpose of comparing the proceedings had in separate session on yesterday in the matter of the selection of a United States Senator."

     The President then directed the Secretary to read from the Senate Journal the proceedings had in the Senate Chamber yesterday in the election of United States Senator.

     The Secretary then read the following from the Senate Journal of yesterday:

     (Extract from the Senate Journal of yesterday.)

     "The Chair announced that, as per resolution adopted, the hour fixed for the Senate to proceed to the election of a United States Senator to succeed Hon. R. Q. Mills had arrived, and that nominations were in order.

     "Senator Miller nominated Hon. Chas. A. Culberson of Dallas county.

     "The nomination of Hon. Chas. A. Culberson was seconded by Senators Stafford, Burns, Dibrell, Atlee and Turney.

     "The Chair declared nominations closed, and ordered the Secretary to call the roll, the result being as follows:

     "[Roll call results not shown in this transcription.]"
"For Chas. A. Culberson:
Atlee, Burns, Dibrell, Goss, Gough, Greer, Grinnan, James, Johnson, Kerr, Lewis, Lloyd, McGee, Miller, Morriss, Neal, Odell, Potter, Ross, Sebastian, Stafford, Terrell, Turner, Wayland, Yantis, Yett—Total, 26.

"Absent—Stone.

"Absent—Excused—Davidson, Hanger, Linn, Patterson.

"The Speaker here announced that the hour, 12:15 p. m., set apart by concurrent resolution for election of U. S. Senator, had arrived and announced that nominations were in order.

"Mr. Wooten nominated Chas. A. Culberson of Dallas county.

"The nomination of Chas. A. Culberson was seconded by Mr. Smith of Grayson, Mr. Stewart, Mr. McAnally, Mr. Kittrell, Mr. Decker, Mr. Pitts, Mr. Schluter and Mr. Frost.

"On motion of Mr. Greenwood nominations were declared closed.

"The clerk was directed to call the roll.

"The following members voted for Chas. A. Culberson:

"The following voted for Tom McNell: Mr. Eckols. Total—1.

"The following voted for C. H. Jenkins: Mr. Howard. Total—1.

"The following voted for E. H. R. Green: Mr. Tompkins. Total—1.


"The Speaker then announced that the Senate and House of Representatives of the Twenty-sixth Legislature would meet in Joint Session tomorrow at 12 o'clock m. for the purpose of comparing the vote for United States Senator.

"The Clerk and Secretary were directed to announce the result, which was as follows:

Chas. A. Culberson received 142 votes. Tom McNell received 1 vote.
C. H. Jenkins received 1 vote.
E. H. R. Green received 1 vote.

"(By vote of the House this morning, Mr. Grogan and Mr. Morris, who were absent on committee duty yesterday at roll call on the vote for United States Senator, were allowed to have their votes recorded for Chas. A. Culberson, which makes the total vote for him 144.)

"The Speaker then said:
"The Hon. Chas. A. Culberson having received a majority of all the votes cast in each House, I now declare him duly and constitutionally elected United States Senator for the ensuing term of six years, beginning March 4, 1899.

"Mr. Schluter moved that a committee of three on part of the House and two on part of the Senate be appointed to see Mr. Culberson and inform him of his election and to make known to him the request of the two houses to have him succeed Hon. Roger Q. Mills.

"The committee retired at once and in a brief space of time returned accompanied by Senator-elect Hon. Chas. A. Culberson, the Joint Session rising and remaining standing while they advanced to the Speaker's stand.
Speaker Sherrill then introduced Hon. Chas. A. Culberson to the Joint Session as United States Senator-elect.

Mr. Culberson spoke as follows:

"Gentlemen of the Senate and House of Representatives.

"It would be inappropriate to trespass upon your valuable time with an extended address, but I thank you for the opportunity to acknowledge in this manner the distinguished honor you have done me.

"The sentiment uppermost in my heart today is that of gratitude. It is true that to be elected to the Senate of the United States, the highest legislative body in the world, after having filled the two great offices of Attorney-General and Governor, would inspire pardonable pride in any man. But above this to me, above mere achievement and success, however gratifying, is the esteem and trust of the Legislature and the people of Texas, which these high honors indicate. It is better and nobler to be deemed worthy of exalted public station than to exercise its functions and its powers. To you who have honored me with your suffrages, to the splendid array of personal friends throughout the State whose loyalty is precious to me, to the great body of the people whose sturdy manhood has been my reliance and my strength, it is impossible to express my deep sense of gratitude. As long as life shall last, partiality and confidence will be proudly and gratefully remembered.

"What may be accomplished in the Senate in justification of your choice I know not, yet you may be assured of adherence to well known political convictions, and that I will constantly bear in mind that I am the representative of a State and a people who acknowledge no superiors, and whose high aim is the ideal in government and in civilization."

At the conclusion of Mr. Culberson's address, the business of the Joint Session being concluded,

IN THE HOUSE.

The House returned to consideration of the report of the Committee on Rules, which was pending when the two houses went into Joint Session, Mr. Powell resuming the floor.

Question being the adoption of the first section of the committee report, Rule 51, as recommended by the committee, and the main question having been ordered.

Yea and nays were demanded by Mr. Culp, Mr. Shelburne and Mr. Conoly.

It was adopted by the following vote, the vote having been a tie, and Speaker Sherrill voting "yea."

Yea—61.

Hon. J. S. Sherrill, Speaker.

Bean. McDowell.

Beatty. Mercer.

Bennett. Morrow.

Brown. Neff.

Caldwell. Palmer.

Calvin. Peery.

Childers. Phillips of Camp.

Childs. Pitts.

Clements. Pool.

Cole. Powell.

Collins. Prince.

Conoly. Ratliff.

Cross. Robertson of Bell.

Dean. Sansom.

Evans of Fannin. Savage.

Evans of Grayson. Schluter.

Graham. Shepherd.

Grubbs. Shelburne.

Henderson, Brazos. Shropshire.


Hurley. Smith of Grayson.

Jones. Smith of Collin.

Kennedy. Sutherland.

Kittrell. Terrell.

Lake. Thomas of Wise.

Lillard. Thomas of Fannin.

Livesey. Tucker.

Loyd. Vaughn.

Looney. Wells.

McAnally. Wheelless.

Nays—60.

Adams. Lane.

Allen of Colorado. Marsh.

Allen of Hopkins. Masterson.

Ayers. Maxwell.

Bailey. McClellan.


Barrett. McKamy.

Blount. McKellar.

Bolin. Meitzen.

Bridgers. Monroe.

Chambers. Morris.

Culp. Murphy.

Decker. Murray.

Derden. Nolan.

Dyes. Parish.

Eckols. Pfeuffer.

Ellis. Phillips, Lampasas.

Frost. Rochelle.

Garner. Rogers.

Garrett. Russell.

Gill. Scurry.

Goodlett. Staples.

Goodman. Tarkington.

Gordon. Tarver.

Greenwood. Teague.

Gregan. Tompkins.

Howard. Walton.
GRANTED LEAVE OF ABSENCE.

Mr. Russell for today on account of sickness, on motion of Mr. Willacy.  
Mr. Sansom for today on account of important business, on motion of Mr. Caldwell.

PENDING BUSINESS.

When the House adjourned yesterday it had under consideration the report of the Committee on Rules, the House considering the report seriatim, and division 2, Rule 56, as reported by the Committee on Rules, being the part of the report under consideration.  
Mr. Wooten offered the following amendment:  
Amend by adding, “Provided, that before action is taken hereunder the matter