FIFTEENTH DAY.

Hall of the House of Representatives,
Austin, Texas,
Thursday, Jan. 26, 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.
Beaty.
Bennett.
Blount.
Bolin.
Bridgers.
Broene.
Caldwell.
Calvin.
Chambers.
Childs.
Childs.
Clements.
Cole.
Collins.
Conolly.
Cross.
Culp.
Dean.
Decker.

Willacy.
Willrodt.
Wooten.
Wright.
Absent—Excused.
Cocke.
Crawford.
Dorroh.
Little.

Mr. Bailey called for a verification of the roll call.
The Clerk was then directed to call the roll of those voting "yea," and it was found correct.
The Clerk was then directed to call the roll of those voting "nay," and it was found correct.
The report of the Committee on Rules pending.

Mr. Rochelle moved to adjourn until 10 o'clock a. m. tomorrow, Mr. Meitzen until 9 a. m. tomorrow, and Mr. Powell until 9:30 a. m. tomorrow.

Question being on the longest time first, the motion prevailed, and the House adjourned accordingly.

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..."
shall be referred to the Committee on Privileges and Elections for investigation and report."
Adopted.

Mr. Shropshire offered the following amendment:

Amend by striking out the words "And the Speaker shall not sign the warrants of such absent members."
Adopted.

Division 2 of the report, Rule 56, was then adopted as amended.

Division 3, Rule 81, of the committee report was then read and Mr. Shelburne offered the following substitute:

Amend Rule 81 so as to read as follows:

"If after due notification the members of any committee fail to meet at the time and place designated and it shall be evident that said absentees are wilfully absent for the purpose of impeding the action of the committee, the chairman shall report such matter to the House, and such committeeman shall be subject to reprimand, suspension or expulsion as two-thirds of the members present shall decide."

The substitute was adopted and Division 3 as substituted was adopted.

The last paragraph of the report was then read and Mr. Masterson offered the following amendment:

Amend so as to have names of various committees printed in the book.
Adopted.

Mr. Vaughan moved to reconsider the vote by which Division 1, Rule 51, of the committee report was adopted yesterday, and asked to have the motion to reconsider spread upon the Journal.

Mr. Shropshire called up the motion to reconsider and moved to lay it on the table.

On the motion to table yeas and nays were demanded by Mr. Tarver, Mr. Greenwood and Mr. Masterson.

Yeas—63.

Absents—48.


Phillips of Camp. Poole. Poole.

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Phillips of Camp. Poole. Poole.

Phillips of Camp. Poole. Poole.
clay's or Smith's Digest of Parliamentary Law, and substituting therefor "Robert's Rules of Parliamentary Law."

Mr. Bailey raised the point of order that under the rules, an amendment to the rules must lie over one day.

Sustained by the Chair.

On motion of Mr. Powell the amendment by Mr. Neff was referred to the Committee on Rules.

The report as amended was then adopted.

Mr. Powell moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

PETITIONS AND MEMORIALS.

By Mr. Phillips of Lampasas:
A petition from R. J. Richey, J. B. Owens, B. B. Chamberlain and A. Humphrey, a committee of the teachers of Burnet county, protesting against the appropriation of any money for the support of summer normal schools.

Read, and referred to Committee on Education.

By Mr. Murray:
A memorial from J. D. Byrom of Atascosa county, praying that some legislation be enacted that will enable a homesteader to secure a patent on vacant lands.

Read, and referred to Committee on Public Lands and Land Office.

By Mr. Murray (by request):
A petition from county officers and citizens of Wilson county, asking for aid in building a school house for colored children.

Read, and referred to Committee on Education.

By Mr. Grubbs:
A petition from C. D. Poole, asking for a change in the law prescribing the duties of public weighers.

Read, and referred to Committee on Agricultural Affairs.

By Mr. Grubbs:
A petition of J. M. McReynolds, relative to school lands, and opposing a new Constitution.

Read, and referred to Committee on Public Lands and Land Office.

By Mr. Wooten (by request):
A petition from a committee of the Commercial Club of the city of Dallas, asking for the passage of a law to enable railroad companies which condemn land, to immediately enter upon and take possession of land condemned, upon paying or depositing the amount of the award of the commissioners.

Read, and referred to Judiciary Committee No. 1.

BILL AND RESOLUTIONS.

By Mr. Wright, Mr. Garner and Mr. Murphy:
House bill No. 298, A bill to be entitled "An Act to provide for the sale of all lands heretofore or hereafter surveyed and set apart for the benefit of the public schools, and the several asylums, and to lease such lands and to provide for the patent of such lands within certain districts, and to specify and describe such districts, and to prevent the free use and occupancy of such lands."

Read first time, and referred to Committee on Public Lands and Land Office.

By Mr. Decker:
House bill No. 299, A bill to be entitled "An Act to provide for the partition of the public school lands from other lands for refunding to the perpetual school funds the proceeds of lands sold by the State and appropriated to general revenue, to set aside for sale all the vacant unappropriated domain, and all lands which have heretofore or that may hereafter be recovered from railways and other corporations and persons by reason of illegal location thereof, together with all unappropriated lands heretofore reserved by law for any other purpose for the benefit of the perpetual school fund, to validate titles to homestead donations and provide for the issuance of patents of same, and to repeal all laws in conflict herewith."

Read first time, and referred to Committee on Public Lands and Land Office.

By Mr. Schluter:
House bill No. 300, A bill to be entitled "An Act to quiet titles to lands located and surveyed by virtue of land certificates granted under the act of the Legislature of the State of Texas, entitled 'An Act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or the Confederate States, a land certificate for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such location and surveys."

Read first time, and referred to Committee on Public Lands and Land Office.

By Mr. Decker:
House bill No. 301, A bill to be entitled "An Act to repeal Article 491, Chapter 2, Title XIII, of the Penal Code of the State of Texas, relating to the penalty for failure to work on public roads."

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

By Mr. Wells:
House bill No. 302, A bill to be entitled "An Act to amend Article 788, Chapter 3, Title XVII, of the Penal Code of the
January 26, 1899

State of Texas, by adding thereto another article known as Article 788a, providing for the punishment of the malicious cutting of saddles, harness, etc., also the removing of taps from the axle of wagons, buggies and other vehicles.

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

By Mr. Murphy:

House bill No. 303, A bill to be entitled "An Act to amend Article 3189, of the Revised Civil Statutes of the State of Texas, relating to the jury fee in civil suits in the district and county courts, and providing the manner of paying such fee."

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

By Mr. Adams:

House bill No. 304, A bill to be entitled "An Act to amend Article 4560h, Chapter 13, Title XCIV, of the Revised Civil Statutes of Texas, relating to contracts made between railway companies and their employees, after employee has been injured not to hold the railway company responsible and accepting insignificant consideration for same."

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

By Mr. Lake:

House bill No. 305, A bill to be entitled "An Act to protect the public health and prevent the sale of so-called patent or proprietary medicines, without notice to the public of what they are taking."

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

By Mr. Stewart:

House bill No. 306, A bill to be entitled "An Act defining and punishing vagrancy."

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

By Mr. Shelburne:

House bill No. 307, A bill to be entitled "An Act to provide for the working of all short term convicts and all county convicts on the public roads and highways of this State, and to provide regulations herefor."

Read first time, and referred to Committee on County Government and County Finance.

By Mr. Jones:

House bill No. 308, A bill to be entitled "An Act to amend Article 1731, of the Revised Civil Statutes of the State of Texas, relating to suffrage."

(The author of this bill states that its object is to conform the statutes to the amended Constitution of 1895, and to remove all doubt as to the amendment being in effect.)

By Mr. Murphy:

House bill No. 309, A bill to be entitled "An Act to amend Article 5051, of Chapter 11, of the Acts of the first Called Session of the Twenty-fifth Legislature of the State of Texas, relating to county warrants and the payment of taxes, and to provide that all county ad valorem taxes may be paid in the jury and county script of their respective counties."

Read first time, and referred to Committee on County Government and County Finance.

By Mr. Wooten:

House bill No. 310, A bill to be entitled "An Act to amend Title XIV, of the Revised Penal Code of the State of Texas, 1895, by adding thereto Chapter 8, defining and punishing the offense of usury."

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

By Mr. Kittrell:

House bill No. 311, A bill to be entitled "An Act to allow affidavits to be made and recorded on questions of heirship and family history and tradition of deceased persons, and providing for their introduction in evidence in suits, and the effect to be given to such evidence."

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

By Mr. Gill:

House bill No. 312, A bill to be entitled "An Act to amend Article 3742, of the Revised Civil Statutes of the State of Texas, relating to county convicts, and providing for the payment of fines and costs in certain cases.

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

By Mr. Smith of Grayson:

House bill No. 313, A bill to be entitled "An Act to amend Article 3893, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties of the Board of Education in investing the permanent school fund, and defining such duties."

Read first time, and referred to Committee on Education.

By Mr. Teagle:

House bill No. 314, A bill to be entitled "An Act to provide for the issuance of a subpoena or a subpoena duces tecum, to any county in this State for any witness falling or refusing to answer interrogatories or evading same, or failing to produce any paper, writing, written instrument, book or other document which, or a copy of which, is called for in the interrogatories, the same being in his possession, and to provide for enforcing obedience to such process."
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Smith of Grayson:
House bill No. 315, A bill to be entitled
"An Act to amend Articles 879, 890, 891, 893, 894 and 918b, Chapter 2, Title XXV, of the Revised Civil Statutes of the State of Texas, fixing the rate of interest on municipal bonds."

Read first time, and referred to Committee on Towns and City Corporations.

By Mr. Tarkington:
House bill No. 316, A bill to be entitled
"An Act to amend Article 3235, of the Revised Statutes of the State of Texas, relating to landlord and tenants, and to exempt twenty-five bushels of potatoes from the operations of the lien provided for in said article."

Read first time, and referred to Committee on Labor.

By Mr. Kittrell:
House bill No. 317, A bill to be entitled
"An Act to provide an additional method of preparing transcripts in civil cases on appeal or writ of error, and to have the same printed, and prescribing a method of preparing and printing the same and prescribing the costs and fees to be charged and collected therefor."

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

By Mr. Sutherland:
House bill No. 318, A bill to be entitled
"An Act to amend Article 3973, of the Revised Civil Statutes of the State of Texas, relating to school teachers attending normal schools and institutes, and recommending that such teachers subscribe regularly for some educational magazine."

Read first time, and referred to Committee on Education.

By Mr. Smith of Grayson:
House bill No. 319, A bill to be entitled
"An Act to amend Articles 3099, 3103, 3104 and 3105, Title LIX, of the Revised Civil Statutes of the State of Texas, prescribing and fixing the rate of conventional interest."

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

By Mr. Derden:
House bill No. 320, A bill to be entitled
"An Act to provide a rule of pleading and practice in actions of debt, requiring the plaintiff to allege and prove that no usurious interest nor any element thereof enters into or constitutes any part of the amount sued for, and to repeal all laws in conflict herewith."

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

By Mr. Murphy:
House bill No. 321, A bill to be entitled
"An Act to amend Article 3212, of the Revised Civil Statutes of the State of Texas, and to provide that each party to a civil suit in the district court shall be entitled to three peremptory challenges."

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

By Mr. Beatty:
House bill No. 322, A bill to be entitled
"An Act to amend Title XCIV, Chapter 10, of the Revised Civil Statutes of the State of Texas, relating to passenger fare on all railroads in this State, by adding thereto Article 4542a, fixing the rate of passenger fare on mixed trains and defining the term 'mixed trains.'"

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

By Mr. Grubbs:
House bill No. 323, A bill to be entitled
"An Act to create and establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences."

Read first time, and referred to Committee on Education.

By Mr. Bolin:
House bill No. 324, A bill to be entitled
"An Act requiring the cancellation of all mortgages or other liens upon real or personal property, which by law are required to be recorded or registered, when and after said mortgage or lien has been paid off and satisfied, and making it a misdemeanor to violate the provisions of this act, and prescribing a penalty therefor."

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

By Mr. Ellis:
House bill No. 325, A bill to be entitled
"An Act to amend Article 2475, Chapter 4, Title XLV, of the Revised Civil Statutes of the State of Texas, and to add thereto Article 2475a, providing for the furnishing of stationery, furniture and office rooms to county officers. (Prohibits the payment of bills for such stationery until ordered paid by the commissioners' court.)"

Read first time, and referred to Committee on County Government and County Finances.

By Mr. Kittrell:
House bill No. 326, A bill to be entitled
"An Act providing that when any prior decision or opinion of the Supreme Court of this State is overruled, changed or modified by subsequent decision or opinion of said court, all contracts, debts, claims, rights, titles and causes of action, which were made or arose accrued prior to such subsequent decision..."
By Mr. Grogan:

House bill No. 327. A bill to be entitled "An Act to amend Article 402, Chapter 8, of the Revised Statutes of the State of Texas, and to prescribe penalties for unlawfully selling intoxicating liquors in prohibited districts."

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

By Mr. Smith of Grayson:

House Concurrent Resolution No. 13.

Whereas, The railway freight tariffs in Texas, made by the Railway Commission of Texas, which are believed to be just, alike to the railways and the shippers, have for the time been suspended and enjoined by the Federal Court for the Northwestern District of Texas, because they were alleged to be too low; and,

Whereas, The Railway Commission of Texas have appealed from said order and injunction, which appeal will not probably be disposed of for several months; and,

Whereas, The power of making railway freight tariffs is by the Constitution and laws of Texas vested in the Railway Commission of Texas; and,

Whereas, Since said injunction the railways in Texas have put in force freight rates that are excessive and unjust, and by their unjust exactions have crippled and threatened to paralyze the commerce of Texas; therefore, be it

Resolved, By the House of Representatives, the Senate concurring, that it is a sense of the Legislature of Texas that the Railway Commission during the pendency of said appeal from said injunction can make and establish temporary railway freight tariffs for Texas, not so low and just as the ones enjoined by the Federal Court, but vastly lower than those exacted by the railway companies, which will greatly relieve the commercial distress in Texas, and we respectfully recommend and request the making and establishing of such temporary railway freight tariffs by said Railway Commission.

Read, and referred to the Committee on Internal Improvements.

By Mr. Lane:

Whereas, House Bill No. 253, is an act to define and regulate fraternal beneficiary orders, and prescribing penalties for the violation thereof, etc.; and,

Whereas, This bill is one of great interest to a large number of our citizens: and,

Whereas, Many members of this House have been requested by many of their constituents to furnish them with copies of said bill; therefore, be it

Resolved, That 500 copies of said House Bill No. 253 be ordered printed, and that three copies of the same be laid on the desk of each member of this House.

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

By Mr. Powell:

Resolved, That Rule Forty-four (44) of the rules adopted by the House on this day, be so amended as to read:

Rule 44. The previous question shall be put in this manner: "Shall the main question now be put?" It shall only be admitted when seconded by forty (40) members present, and when carried, its effect shall be to put an end to all debate and bring the House to a direct vote:
1. Upon the pending amendment, and so on back to the first amendment offered.
2. Upon amendments reported by committee, if any.
3. Upon the main question.

Read, and on motion of Mr. Powell, referred to the Committee on Rules.

By Mr. Sutherland:

Whereas, There are now many poor indigent ex-Con federate soldiers in Texas, who are entitled to receive a pension under the late amendment to the Constitution of the State; and,

Whereas, Many of them are very old and have but few more days to live, and should be free from want during those few days; and,

Whereas, There is now an urgent and present demand to give these soldiers relief at once; therefore, be it

Resolved, That this matter be taken up at once and be acted upon by this House, so that relief may be given said soldiers at the earliest possible moment.

Read second time, and on motion of Mr. Shannon, referred to the Committee on State Affairs.

By Mr. Wooten:

Resolved, That Rule 24, of the rules of the House, be amended so as to add thereto the following:

Any member desiring to introduce any bills or joint or concurrent resolutions, shall file the same with the Clerk before the hour of meetings of each regular session of the House, and bills and resolutions shall be numbered and placed on the calendar in the order in which they shall be filed, and shall be called, read first time and referred to the proper committees in their regular order, without
the necessity of calling for the presentation of bills and joint and concurrent resolutions in open session of the House. Read, and referred to the Committee on Rules.

By Mr. Lillard:

Whereas, The old soldiers who are inmates of the Confederate Home are always glad to get newspapers to read, especially the weekly country papers from different parts of the State; therefore, be it

Resolved, That the Postmaster of the House be requested to provide a basket or box at the outside of the postoffice, for the reception of such papers, and that the members of the House, when through reading their various newspapers, be requested to deposit them at the postoffice, that they may be sent to the Confederate Home.

Read second time, and adopted.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 94, A bill to be entitled "An Act to amend Article 1316, Chapter 12, Title XXX, of the Revised Civil Statutes of the State of Texas, and to require the judges of the district and county courts to prepare their charges to the jury before counsel shall argue a cause to the jury, and to repeal all laws in conflict herewith,"

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.

WOOTEN, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 30, A bill to be entitled "An Act to amend Article 4308, Title XC, of the Revised Civil Statutes of the State of Texas, relating to public weighers,"

Also House bill No. 178, A bill to be entitled "An Act to amend Articles 4309, 4310, 4311, 4314, 4316 and add Article 4316a, of Title XC, Revised Civil Statutes of Texas, relating to public weighers;"

Also House bill No. 124, A bill to be entitled An Act to amend Chapter 5, Title CII, of the Revised Civil Statutes of Texas of 1865, by adding thereto Articles 5001a and 5001b, providing for elections in a county or subdivision of a county, to determine whether hogs, sheep, or goats shall be permitted to run at large in county or subdivisions;"

Also House bill No. 129, A bill to be entitled "An Act to amend Article 4997, Chapter 5, of Title CII, of the Revised Civil Statutes of Texas, relating to the mode of preventing animals from running at large."

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 referred to the Committee on Agricultural Affairs.

WOOTEN, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 72, A bill to be entitled "An Act to regulate the abandonment of wives and children and disposing of their property,"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it be returned to the calendar and be referred to Judiciary Committee No. 2.

WOOTEN, Chairman.
Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on Constitutional Amendments, to whom was referred
House Joint Resolution No. 4, To amend Section 9, Article 8, of the Constitution 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 be adopted with the following amendment:
Amend by striking out the words "or other pest" wherever it occurs in the resolution.

POWELL, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on Constitutional Amendments, to whom was referred
House bill No. 117, A bill to be entitled "An Act to amend Section 5, of Article 4574, Title XCV, Chapter 13, of the Revised Civil Statutes of the State of Texas relating to the free transportation by railroads."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it be returned to the calendar and referred to Committee on Internal Improvements.

POWELL, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred
House bill No. 46, A bill to be entitled "An Act to amend Subdivision 19, of an act entitled 'An Act to amend Article 5049, of Chapter 1, and Title CIV, of the Revised Statutes, relating to general occupation taxes.'"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, after being so amended by striking out "one thousand" wherever it occurs and inserting in lieu thereof "two hundred and fifty" and by striking out the emergency clause.

SHELBURNEx, Chairman.

House, January 26, 1899

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred
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."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it be returned to the calendar and referred to the Committee on Public Health and Vital Statistics.

SHELBURNEx, Chairman.

Committee Room,
Austin, Texas, Jan. 20, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred
House bill No. 118, A bill to be entitled "An Act to amend Article 2801, Chapter 1, Title LII, Revised Civil Statutes of 1895, relating to the office of Secretary of State, and requiring the Secretary of State to execute a bond."

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

SHELBURNEx, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred
House bill No. 209, A bill to be entitled "An Act to further define and prescribe the powers and duties of the Railroad Commission of Texas, and to require and empower it to assess all railroad properties in this State for taxation."

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

SHELBURNEx, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on Finance, to whom was referred
Senate bill No. 22. A bill to be entitled "An Act making an appropriation to pay
for publishing the constitutional amendments proposed by the Twenty-fifth Legislature;" have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

HENDERSON of Lamar, Chairman.

Committee Room, Austin, Texas, Jan. 25, 1899.

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

SIR: Your Committee on Education, to whom was referred 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 as now in force."

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

COLE, Chairman.

Committee Room, Austin, Texas, Jan. 14, 1899.

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

SIR: Your Committee on Contingent Expenses acting in harmony with a resolution adopted by the House and recorded on page 44 of the Journal, providing for the payment of parties employed during the organization of the House, beg to report that we have allowed the following claims, to wit: To pages, porters, two committee clerks and Postmistress, $204.00.

Savage, 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. 105. A bill to be entitled "An Act to amend Article 22, Title IV, of the Revised Statutes of Texas (Judicial Appointment), creating Ellis county, as Judicial District Fifty-six, diminishing and transferring the civil and criminal original and appellate jurisdiction of said district court, fixing the district judge's salary at $2000.00 per annum, to be paid out of the county funds, fixing the terms of said district court and regulating the drawing of the grand jury, the appointment of a district judge, and repealing all laws in conflict herewith, and fixing the time of the taking effect of this act."

Amend Section III so as to read as follows:

Section III. That the county court of Ellis county, Texas, shall have and exercise the general jurisdiction of probate courts, shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis, and common drunkards, including the partition, settlement and distribution of estates of deceased persons, and to apprentice minors as prescribed by law, and to issue all writs necessary to the enforcement of its jurisdiction, and punish contempt under such provisions as are or may be prescribed by general law governing county courts throughout the State; but said county court shall have no other jurisdiction, civil or criminal."

Section IV, to read as follows:

"Sec. IV. That the district court of said county (said Fifth-sixth Judicial District), shall have and exercise jurisdiction in all matters and causes, civil and criminal, over which by general laws of the State, the county court of said county would have jurisdiction, except that provided in Section III of this act, and that all cases other than probate matters and such as are provided in Section III of this act be, and the same are hereby transferred to the district court of said county, and all writs and process, civil and criminal, hereby issued by or out of said county court other than those pertaining to matters over which by Section III of this act jurisdiction is given to the county court of said county, be and the same are hereby made returnable to the next term of the said district court, in and for said county."

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 amend Article 22, Title IV, Revised Civil Statutes of the State of Texas (Judicial Appointment), creating Ellis county, as Judicial District Fifty-six, diminishing jurisdiction of the county court, and fixing the jurisdiction thereof, and conferring civil and criminal original and appellate jurisdiction of said county court on said district court, fixing the district judge's salary at $2000.00 per annum, to be paid out of the county funds, fixing the terms of said district court and regulating the drawing of the grand jury, the appointment of a district judge, and repealing all laws in conflict herewith, and fixing the time of the taking effect of this act."

Passed by the House of Representatives January 26, 1899.
Section V, read as follows:

"Sec. V. That the clerk of the county court of said county be and he is hereby required, within twenty days after the taking effect of this act, to make a fair and complete transcript of all entries on the docket of said courts, thereafter made in causes which by Section IV of this act, are transferred to the said district court of said county, and file the same, together with the original papers of all causes and proceedings, with the clerk of the said district court of said Ellis county; and all such cases shall immediately be docketed by the clerk of the said district court of said county, and shall stand on the docket of said court as appearance cases for the next term of said court; and for each of said transcripts the county clerk, as aforesaid, shall receive twenty cents per hundred words, and fifty cents for a certificate thereto, to be taxed as costs against the party cast in the suit, if a civil suit, and if a criminal, against the defendant, if convicted."

That Section IV of bill be so changed to read Section VI, and amended so as to read as follows:

"Sec. VI. That the salary of the district judge of said Fifty-sixth Judicial District, is hereby fixed at two thousand dollars per annum, and shall be paid by the county of Ellis, out of county funds."

That Section V of the bill do read Section VII.

Add to the bill Section VIII and Section IX of committee report, as follows:

"Sec. VIII. That all laws and parts of laws in conflict with this act, be and the same are hereby repealed."

"Sec. IX. This act shall take effect and be in full force from and after August 15th, 1899."

EVANS of Grayson, Chairman.

Committee Room, Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on Federal Relations, to whom was referred

Resolution by Smith of Collin:

Resolved, That our Senators be instructed to vote for ratification of the treaty of peace made at Paris, France, which closed the war with the United States and kingdom of Spain.

Resolved further, That our Representatives and Senators are requested to vote to give freedom and independence to the island of Cuba, coupled with the provision that the Philippine Islanders be given independence as soon as practical, by their bonding themselves and reim-bursing the United States for the cost of the war.

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

ALLEN of Hopkins, Chairman.

Committee Room, Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on Federal Relations, to whom was referred

Resolution by Parish:

Resolved, That we, the Twenty-sixth House of Representatives hereby instruct our Representatives and Senators in Washington to urge upon the Federal government the payment of private claims from the State for subsistence and supplies furnished volunteer soldiers between time of enrollment and mustering in, in the war with Spain.

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it be adopted, with the following amendment: "Strike out the word 'instruct' wherever it occurs in the resolution, and insert the word 'request' in place thereof."

ALLEN of Hopkins, Chairman.

Committee Room, Austin, Texas, Jan. 25, 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. 158, A bill to be entitled "An Act to amend Article 4930, 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 the same back to the House with the recommendation that it do pass.

PEERY, Chairman.

Committee Room, Austin, Texas, Jan. 25, 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. 243, A bill to be entitled "An Act to amend Article 4930, 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 the same back to the House with the recommendation that it be adopted, with the following amendment: "Strike out the word 'require all persons, firms and corporations owning or operating a brand upon live stock to renew same, and to revoke, cancel and annul all brands not renewed.'"

ALLEN of Hopkins, Chairman.
tion, and I am instructed to report it back to the House with the recommendation that it do not pass.

PEERY, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, Jan. 25, 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. 228, A bill to be entitled "An Act to repeal Article 5031, Revised Statutes of Texas, and Articles 932 and 933, of the Penal Code of the State of Texas, to amend Article 4921, Revised Statutes of Texas, relating to the use of marks and brands of live stock;"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, amended, by adding to Section 2, "Provided, that no mark or brand shall be recorded in any county where the same mark or brand is of record by another person."

PEERY, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: We, a minority of your Committee on Stock and Stock-raising, to whom was referred House bill No. 228, A bill to be entitled "An Act to repeal Article 5031, Revised Statutes of Texas, and Articles 932 and 933, of the Penal Code of the State of Texas, to amend Article 4921, Revised Statutes of Texas, relating to the use of marks and brands of live stock;"

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.

CHILDERS,
TUCKER,
RATCLIFF.

Committee Room,
Austin, Texas, Jan. 25, 1899.

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

Sir: Your Committee on Penitentiaries, to whom was referred House bill No. 235, A bill to be entitled "An Act to amend Article 3713, of Chapter 8, General Provisions, Title LXXIX, of the Revised Civil Statutes of the State of Texas, relating to penitentiaries and convicts;"

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: Strike out Section 2, which is the emergency clause.

VAUGHAN, Acting Chairman.

FURTHER TIME GRANTED FOR CONSIDERATION OF BILLS.

House Bill No. 64, 75, 114, 137, 150, 151, 152, 161, 162 and 164, on request of Mr. Bailey, Chairman of Judiciary Committee No. 2.

House Bill No. 170, on request of Mr. Vaughan, Acting Chairman of Committee on Penitentiaries.

House Bills Nos. 10, 93 and 109, on request of Mr. Shelburne, Chairman of the Committee on State Affairs.

House Bills Nos. 130, 181, 136, 234 and 232, on request of Mr. Schluter, Chairman of the Committee on Revenue and Taxation.

House Bill No. 59, on request of Mr. Wooten, Chairman of Judiciary Committee No. 1.

House Joint Resolutions Nos. 1, 5, 3, 2 and House Bill No. 35, on request of Mr. Powell, Chairman of the Committee on Constitutional Amendments.

House bill No. 77, on request of Mr. Barbee, Chairman of the Committee on Roads, Bridges and Ferries.

RESOLUTION WITHDRAWN.

Resolution relating to the Mexican boll weevil, on request of Mr. Murray.

BILL ORDERED PRINTED.

House bill No. 25 (with majority adverse and minority favorable report), on motion of Mr. Schluter.

BILL RE-COMMITTED.

House bill No. 21, to the Committee on Stock and Stock-raising, on motion of Mr. Peery.

ADDITIONS TO COMMITTEES.

Mr. Looney to the Committee on Mining and Minerals, on motion of Mr. Savage, acting chairman.

Mr. Greenwood to the Committee on Contingent Expenses, on motion of Mr. Savage, chairman.

Mr. Calvin to the Committee on Education, on motion of Mr. Cole, chairman.

On motion of Mr. Tarkington, the House, at 12:08 p.m., adjourned until 10 o'clock a.m. tomorrow.