Yeas-54.

Adams.  Lillard.
Allen of Hopkins.  Lillard.
Ayres.  Little.
Barrett.  Marsh.
Beaty.  McFarland.
Browne.  Mckenny.
Caldwell.  Meitzen.
Calvin.  Murray.
Chambers.  Nolan.
Childs.  Palmer.
Cole.  Peery.
Comoly.  Poole.
Cross.  Prince.
Culp.  Rochelle.
Deren.  Savage.
Evans of Fannin.  Scurry.
Garner.  Smith of Grayson.
Garrett.  Smith of Collin.
Goodman.  Staples.
Gordon.  Stripling.
Grubbs.  Tate.
Henderson, Lamar.  Whelss.
Kittrell.  Willrodt.
Lake.  Wootten.
Lane.  Wright.

Nays-47.

Allen of Colorado.  Morris.
Bailey.  Morrow.
Barbee.  Oliver.
Bridgers.  Parish.
Childs.  Pfeuffer.
Clements.  Phillips of Camp.
Cocke.  Powell.
Dean.  Ratcliff.
Decker.  Robertson of Bell.
Dies.  Sansom.
Dorroh.  Schluter.
Ellis.  Shannon.
Frost.  Shropshire.
Gill.  Sutherland.
Goodlett.  Tarkington.
Greenwood.  Tarver.
Hamilton.  Teagle.
Howard.  Terrell.
Jones.  Thomas of Wise.
McAnally.  Thomas of Fannin.
McDowell.  Tucker.
McKellos.  Walton.
Mercer.  Wells.
Monroe.

Absent.

Bolin.  Pitts.
Evans of Grayson.  Rogers.
Kennedy.  Russel.
Loyd.  Stewart.
Murphy.

Absent—Excused.

Bean.  Eckols.
Bennett.  Graham.
Blount.  Henderson, Brazos.
Crawford.  Hurley.

Livsey.  Robertson, Harrison.
Loomey.  Tompkins.
Maetserson.  Vaughan.
Neff.

Mr. Peery moved to reconsider the vote by which House bill No. 145 was passed and to table the motion to reconsider.

The motion to table prevailed.

BILL SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof, and its caption had been read, the following bill:

House bill No. 108, "An Act to amend Title IV, Chapter 2, of the Code of Criminal Procedure, relating to the unlawful disposing of mortgaged property, and more particularly fixing the venue of such cases."

The Speaker laid before the House, on second reading, House bill No. 10, relating to legal and conventional rate of interest, with majority favorable report with amendment and minority adverse report,

Whereupon Mr. Lane moved to adjourn until 9:30 o'clock a.m. tomorrow, Mr. Thomas of Wise until 7:30 p.m. today, and Mr. Bridgers until 7:30 p.m. today.

Question recurring on the longest time first, the motion prevailed and the House adjourned until 9:30 a.m. tomorrow.

THIRTY-FIFTH DAY.

Hall of the House of Representatives, Austin, Texas.

Saturday, February 18, 1899.

The House met at 9:30 o'clock a.m., pursuant to adjournment.

Speaker Sherrill in the chair.

Roll called and the following members present:

Allen of Colorado.  Collins.
Ayres.  Cross.
Bailey.  Culp.
Barrett.  Dean.
Beaty.  Decker.
Bolin.  Dies.
Bridgers.  Dorroh.
Browne.  Ellis.
Calcl)w.  Evans of Fannin.
Chambers.  Evans of Grayson.
Childs.  Frost.
Childs.  Garner.
Clements.  Garrett.
Cocke.  Gill.
A quorum was announced present.

Prayer by Rev. J. W. Morris, Chaplain pro tem.

Pending reading of the Journal of yesterday, on motion of Mr. Savage further reading was dispensed with.

CORRECTION ORDERED.

(The following should have appeared in the Journal of January 25, but by some inadvertence was left out of proceedings of that day):

By Mr. Henderson of Lamar:

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.)

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Pfeuffer for today, on motion of Mr. Greenwood.

Mr. Eckols for yesterday and today, on motion of Mr. Greenwood.

Mr. Barbee for today, on motion of Mr. Weakless.

Mr. Jones for Monday and Tuesday next, on motion of Mr. Tarkington.

On account of sickness in his family:

Mr. Logan, Reading Clerk, until next Tuesday, on motion of Mr. Bailey.

SPeaker's Table.

(Local Bills.)

Mr. Tarver, by unanimous consent, offered the following resolution:

Resolved by the members of the House of Representatives, of the Twenty-sixth Legislature, that we have learned with profound sorrow of the death of the brilliant, talented, and versatile newspaper writer, B. M. Vanderhurst, who for so many sessions of the Texas Legislature ably and impartially reported the proceedings of the House of Representatives for the daily press of the State; that our condolence and sympathy is hereby extended to his aged mother, and other relatives; that this resolution be spread upon the Journal of the House, and the Chief Clerk transmit a copy to the mother of the deceased.

Read second time, and Mr. Bailey offered the following amendment:

Amend by adding: And when the House adjourns today is shall be as a tribute to his memory.

The amendment was accepted.

Mr. Conoly moved that it be adopted by a rising vote, and the resolution, as amended, was adopted unanimously.

The Speaker laid before the House, on its third reading and final passage, House bill No. 146, A bill to be entitled...
February 18, 1899  HOUSE JOURNAL.

"An Act to fix the time for holding the terms of the district court in the Forty-sixth Judicial District, and to repeal all laws in conflict therewith."

Read third time, and Mr. Decker offered the following amendment:

'Amend the bill by striking out the word 'three,' the last word in line 20, of Section 1, first page, and insert in lieu thereof the word 'two.'"

Adopted.

The bill was passed by the following vote:

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Absent—Excused.

Barbee | Livey |
| Bean | McClellan |
| Bennett | Neff |
| Blount | Pfeiffer |
| Crawford | Robertson, Harrison |
| Eckols | Rogers |
| Henderson, Brazos | Tompkins |
| Hurley | Vaughan |
| Kennedy | Willacy |

Mr. Decker moved to reconsider the vote by which House bill No. 146 was passed and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its second reading, House bill No. 77. A bill to be entitled "An Act to provide for a special road law for Denton county, Texas, etc."

The bill was read second time, with favorable committee report with amendment.

The committee report was adopted.

Mr. Shelburne offered the following amendments:

"Amend by adding after Section 12, as follows:

'Section 13. The fact that citizens are put to much expense and annoyance in Denton county for the want of a proper law on this subject, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, and that House bill No. 77 be put on its third reading and final passage.'"

Adopted.

"Amend by striking out in Section 10, lines 23 and 24, after the word 'by' the words 'the road overseer of that precinct.'"

Adopted.

The bill was ordered engrossed.

Mr. Shelburne moved to suspend the constitutional rule requiring bills to be read on three several days be suspended, and same is suspended, and this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

The bill was ordered engrossed.

Mr. Shelburne moved to suspend the constitutional rule requiring bills to be read on three several days in each House, and that House bill No. 77 be put on its third reading and final passage.

The motion prevailed by the following vote:

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House bill No. 77, laid before the House on third reading and final passage, read third time, and passed by the following vote:

Yeas—96.
Allen of Colorado. McAnally.
Allen of Hopkins. McDowell.
Ayers. McKamy.
Bailey. McKeithen.
Barrett. Meitzen.
Bent. Mercer.
Bolin. Morris.
Browne. Morrow.
Caldwell. Murphy.
Calvin. Murray.
Chambers. Nolan.
Childers. Oliver.
Childs. Palmer.
Clements. Peery.
Cocke. Phillips of Camp.
Cole. Poole.
Collins. Powell.
Conoly. Prince.
Cross. Ratcliff.
Culp. Robertson of Bell.
Dean. Rochelle.
Decker. Russell.
Derden. Sansom.
Dies. Savage.
Dorroh. Schluter.
Ellis. Seurry.
Evans of Fannin. Shannon.
Evans of Grayson. Shelburne.
Frost. Smith of Grayson.
Garner. Smith of Collin.
Garrett. Smith of Fannin.
Gill. Smith of Wise.
Goodlett. Staples.
Goodman. Stripling.
Gordon. Sutherland.
Grogan. Tarkington.
Grubbs. Tarver.
Hamilton. Tate.
Henderson, Lamar. Teagle.
Howard. Terrell.
Kittrell. Thomas of Wise.
Lake. Thomas of Fannin.
Lamar. Teagle.
Lillard. Tate.
Little. Terrell.
Looney. Thomas of Wise.
Loyd. Thomas of Fannin.
McAnally. Walton.
McDowell. Wells.
McKamy. Wills.
McKellar. Wooten.
Meitzen. Wright.

Absent.
Bailey. Parish.
Evans of Grayson. Prince.
Garrett. Staples.
Graham. Stewart.
Greenwood. Stripling.
Marsh. Tarver.

Absent—Excused.
Barbee. Livey.
Bean. McClellan.
Bennett. Neff.
Blount. Pfeiffer.
Crawford. Robertson, Harrison.
Eckols. Rogers.
Henderson, Brazos. Tompkins.
Hurley. Vaughan.
Jones. Willacy.
Kennedy.

Barbee. Hurley.
Bean. Jones.
Bennett. Kennedy.
Blount. Livey.
Crawford. McClellan.
Eckols. Neff.
Henderson, Brazos. Pfeiffer.
February 18, 1899

ROBERTSON, Harrison Vaughan.
Rogers. Willacy.
Tomkins.

Mr. Shelburne moved to reconsider the vote by which House bill No. 177 was passed and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its second reading,
House bill No. 167, A bill to be entitled
"An Act to change the time of holding the terms of the District Court in the Fifty-fourth Judicial District.

Read second time, and ordered engrossed.

The Speaker laid before the House, on its second reading,
House bill No. 133, A bill to be entitled
"An Act to amend Title IV, Article 22, Section 12, of the Revised Civil Statutes of the State of Texas, changing the time of holding the terms of the District Court in Trinity county.

The bill was read second time, and Mr. McDowell offered the following amendment:

"Amend the caption of the bill so as to read as follows:

"A bill to be entitled 'An Act to amend Section 12, of Article 22, Title IV, of the Revised Civil Statutes of the State of Texas, changing the time of holding District Court in Trinity county.'

"Also amend line 12, page 1, by striking out all before the word 'of' and inserting the following in lieu thereof:

"That Section 12, Article 22, Title 4.

"Also amend by adding after the word 'of,' in line 25 of first page, the following words, This act shall take effect and be in force from and after August 1, 1899.'

"Also amend by adding another section to this bill, to be known as Section 2, to read as follows:

"Section 2. That all processes and writings hereofere issued or which may be issued up to the time this act takes effect by or from the district court of said county, and made returnable to the terms of said court as now fixed by law, shall be returnable to the next ensuing term of said courts, as prescribed by this act, and all such writs and processes are hereby legalized and validated as if the same had been made returnable to the term of said court as fixed by this act.

"And that all laws and parts of laws in conflict with this act be and the same are hereby repealed.'"

Adopted.

The bill was ordered engrossed.

The Speaker laid before the House, on its second reading,
House bill No. 173, A bill to be entitled
"An Act to create a more efficient road system for Parker county, Texas, etc."

The bill was read second time, with favorable committee report, with amendments:

The committee report was adopted.

Mr. Shropshire offered the following amendments:

"Amend by striking out the word 'May,' in line 31, page 3, and insert in lieu thereof the following, 'January.'"

Adopted.

"Amend by striking out the words 'on or before the first day of May of any year,' in line 2, page 6, and insert the following, 'at any time before the day appointed to work on his road.'"

Adopted.

"Amend by striking out the word 'May,' in line 4, page 6, and insert the following, 'January.'"

Adopted.

Amend by striking out the word 'May,' in line 17, page 6, and insert in lieu thereof the word 'January.'"

Adopted.

"Amend by adding to caption, in line 31, the following: 'Providing for the collection of such sums of money by road overseers, and prescribing penalties for failure to comply with the provisions of this act.'"

Adopted.

The bill was ordered engrossed.

Mr. Shropshire moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 173 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Adams. Dorrh.
Barley. Garrett.
Barrett. Gill.
Bentley. Goodlett.
Bridgers. Goodman.
Browne. Gordon.
Caldwell. Grogan.
Calvin. Grubbs.
Chambers. Hamilton.
Childers. Henderson, Lamar.
Clements. Howard.
Cocke. Kittrell.
Cole. Lake.
Collins. Lillard.
Conoly. Little.
Cross. Looney.
Culp. Loyd.
Dean. Marsh.
Decker. Masterson.
Derden. Maxwell.
Dies. McAnally.
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Yeas-90.


House bill No. 173 laid before the House on its third reading and final passage, read third time, and passed by the following vote:

SENATE MESSAGE.

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

To 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, to wit:

House bill No. 353, being a bill to be entitled “An Act to provide for the re-
morial of the remains of the late lamented W. A. A. Wallace, familiarly known as ‘Big Foot’ Wallace, from Frio county, and for their interment in the State cemetery at Austin, and making the necessary appropriation therefor.”

J. P. Pool,
Secretary of the Senate.

Mr. Shropshire moved to reconsider the vote by which House bill No. 173 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its engrossment, House bill No. 223, the Austin City Charter, which was read second time on February 13, with favorable committee report with amendments.

Pending question—Shall the committee report be adopted?

The motion to table prevailed.

Mr. Lillard offered the following amendment:

“Strike out all of Section 12, on page 34, of the bill.”

Tableu on motion of Mr. Oliver.

The bill was ordered engrossed.

Mr. Caldwell moved to suspend the constitutional rule requiring bills to be read on three several days in each House, and that House bill No. 223 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

Nays—3.
Jones. Lillard. Absent.

House bill No. 223 laid before the House on third reading and final passage.

Read third time, and Mr. Caldwell offered the following amendment:

“Amend by striking out in lines 13 and 14, page 9, Section 49, the words ‘first term to the same effect as upon personal service,’ and insert in lieu thereof the words, ‘second term of the court.’”

Adopted.

The bill was passed by the following vote:

Yeas—92.
Mr. Maxwell moved to reconsider the vote by which House bill No. 223 was passed and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its second reading, House bill No. 444, a bill to be entitled "An Act to authorize and create a more efficient system of public roads and bridges for Liberty county, etc."

The bill was read second time, and was ordered engrossed.

The Speaker laid before the House, on its second reading, House bill No. 370, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of San Saba county: to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith."

The bill was read second time, and Mr. Mercer offered the following amendment: "Amend the bill by striking out Section 6, the emergency clause."

Adopted.

The bill was ordered engrossed.

The Speaker laid before the House, on its second reading, House bill No. 338, A bill to be entitled "An Act to create a more efficient road system for Robertson county, etc."

The bill was read second time, and Mr. Parish offered the following amendment: "Amend by adding to Section 14 the following: 'Provided further, that no commissioner shall receive any pay for riding over and inspecting the roads in his precinct until he is satisfied and has satisfied the commissioners court that the overseer of each road in his precinct has called out and used all lawful means to work the hands on his particular road the number of days required by law.'"

Adopted.

The bill was ordered engrossed.

Local bills on the Speaker's table being disposed of, the Speaker announced the morning call in order.
PETITIONS AND MEMORIALS.

By Mr. Shannon (by request):
Petition by the W. C. T. U. of Tyler, asking for the passage of the Loyd anti-tobacco bill.

Read, and referred to Committee on State Affairs.

By Mr. Garner:
Petition of sixty citizens of La Salle county, asking that the ranger force be retained.

Also a petition of eleven citizens of Zavala county, same as above.

Read, and referred to Committee on Finance.

BILLS AND RESOLUTIONS.

By Mr. Bailey:
House bill No. 573, A bill to be entitled "An Act to organize a Board of Pardon Advisers, and to define its powers and duties."

(The object of the bill is to make the Board of Pardon Advisers officers of record. An emergency is declared.)

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

By Mr. McAnally:
House bill No. 574, A bill to be entitled "An Act to provide a pension for indigent and disabled Confederate soldiers and sailors and their widows in indigent circumstances, who have never remarried; to fix the date of beginning and closing of pension year; to provide a method by which those entitled to pensions may establish such fact; to prescribe the duties of the Comptroller under this act; to fix the fees of county judges for administering oaths and other duties under this act; to prohibit the work of pension agents, by prescribing a penalty; to protect the State against the issue of fraudulent pension certificates, and to make an appropriation to discharge the claims created by this act."

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

By Mr. McAnally:
House bill No. 575, A bill to be entitled "An Act to amend Article 1405, of Title XXX, Chapter 19, of the Revised Civil Statutes of Texas, relating to appeal and writ of error."

(Amends by providing that an action for the recovery of such rent or hire may be instituted by appropriate motion therefor in the cause in which said bond has been filed, if such motion shall be filed within sixty days after the mandate of the appellate court shall have been filed on the court below, or suit may be instituted on said bond in any court having jurisdiction of the amount involved in the county in which said appeal or writ of error bond has been filed.)

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

By Mr. Morrow:
House bill No. 576, A bill to be entitled "An Act to amend Article 3124, of the Revised Civil Statutes of the State of Texas, relating to the powers of boards of equalization."

(The object of the bill is to give boards of equalization power to correct assessments on the unrendered roll at any time before said taxes have been paid.)

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

By Mr. Schluter:
House bill No. 577, A bill to be entitled "An Act to amend Article 713, of Chapter 11, Title XXI, of the Revised Civil Statutes of the State of Texas, and to add Article 713a to said Chapter 11, Title XXI, of said Revised Civil Statutes, relating to the purposes for which private corporations may be created."

(Provides that the Grand Lodge of Texas, Ancient, Free and Accepted Masons; the Grand Royal Arch Chapter of Texas; the Grand Commandery of Knights Templars [Masonic]; the Grand Lodge of the Independent Order of Odd Fellows of Texas, and other like institutions or orders may become bodies corporate under the provisions of title.)

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

By Mr. Deck:er:
House bill No. 578, A bill to be entitled "An Act to fix the time for holding the courts in the Fiftieth Judicial District, and to repeal all laws in conflict herewith."

(The bill proposes to add one week to the terms of district court in the counties of Cottle and Dickens, takes one week from Lubbock county, and makes some other changes in the times of beginning to conform to above proposed changes.)

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

By Mr. Wright:
House bill No. 579, A bill to be entitled "An Act to prevent any person from taking and carrying away from the enclosed lands of another any tree or wood suitable for fuel, and prescribing a penalty therefore."

(Provides a fine of not less than $10 nor more than $250 for such offenses.)

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

By Mr. Gill:
House bill No. 580, A bill to be entitled
"An Act to fix and define the rights of married woman in and to such money as may be recovered as damages for injury to her person or reputation, and to repeal all laws and parts of laws in conflict therewith."

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

By Mr. Wooten:
House bill No. 581, A bill to be entitled "An Act to prohibit and punish unlawful interference with trade by threats of litigation, prosecution, false and malicious statements respecting the goods, wares, merchandise, solvency and good faith of any person, firm or corporation doing business or soliciting trade in this State, intended to impair the credit, injure the business or diminish the lawful patronage of such person, firm or corporation; punishing the same as a misdemeanor, and declaring an emergency."

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

By Mr. Wooten:
House bill No. 582, A bill to be entitled "An Act abolishing the distinction between a lien expressly reserved to secure unpaid purchase money for land or interest in land and the vendor's lien arising by operation of law to secure unpaid purchase money for land, and providing when it shall be presumed that a vendor's lien has been satisfied."

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

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 476, A bill to be entitled "An Act to add to Title LXIX, an additional article to be known as Article 3395a, providing for the exemption of wines produced from grapes, berries, tomatoes, grown in this State, from the provision of Article 3384, of the Revised Statutes of Texas, relating to local option, while said wines are in the hands of the producers or manufacturers thereof."

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 re-referred to the Committee on State Affairs.

WOOTEN, Chairman.
February 18, 1899

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House bill No. 438, A bill to be entitled "An Act to require the payment of all poll taxes legally assessed against any qualified voter in this State, as a prerequisite to the exercise of the right of franchise at any election to be held there-
in."

Have had the same under considera-
tion, and I am instructed to report it back to the House with the recommendation that it do not pass, it being uncon-
stitutional.

WOOTEN. Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1899.

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

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

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 at the expense of their respective counties, and to forbid the printing and use of election tickets, except those printed under the direction of the commissioners court, and to provide penalties therefor."

Have had the same under considera-
tion, 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, Feb. 17, 1899.

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

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

House bill No. 404, A bill to be entitled "An Act to amend Article 5106 (4741), Chapter 4, Title CIV. of the Revised Civil Statutes of the State of Texas relating to collection of taxes." Have had the same under considera-
tion, 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, Feb. 17, 1899.

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

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

House bill No. 403, A bill to be entitled "An Act quieting land titles in Texas, and prescribing a period in which actions for the recovery of the title or possession of land may be maintained."

Have had the same under considera-
tion, 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, Feb. 13, 1899.

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

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

House bill No. 397, A bill to be entitled "An Act to require every railroad company, lessee or receiver of such company, operating its trains in the State of Texas, to furnish each coach for the transportation of passengers with one door for the ingress and egress of its passengers, free from any obstruction by gates or other wise, and to provide a penalty for the violation of this act."

Have had the same under considera-
tion, and I am instructed to report it back to the House with the recommendation that it be returned to the calendar and be re-referred to Committee on In-

WOOTEN. Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1899.

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

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

House bill No. 415, A bill to be entitled "An Act to amend Article 4574, Chapter 13, Title XCVI. Revised Civil Statutes, relating to issuance of free passes by railroads to certain persons, free freights and relates."

Have had the same under considera-
tion, 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, Feb. 17, 1899.

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

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

House Joint Resolution No. 20, Relating to the present judicial system of this State, and the various laws governing practice and procedure in the several courts of the State having jurisdiction in civil cases, and to provide for the appointment of a commission to prepare and report measures designed to correct, cheapen and simplify the same."

Have had the same under considera-
tion, and I am instructed to report it
to whom was referred
House bill No. 533, A bill to be entitled
"An Act requiring surveyors of land to
file, and to provide for the performance of their
official duties, and to provide a bond for the honest, faithful
performance of their duties, and to provide a bond for the honest, faithful
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February 18, 1899

**HOUSE JOURNAL.**

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"An Act to amend Article 210, Chapter 1, Title IV, of the Code of Criminal Procedure, relating to prosecutions for the offense of rape,"

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.

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 480, a bill to be entitled

"An Act to amend Article 1132, Chapter 4, Title XV, of the Code of Criminal Procedure 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 not pass.

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 489, a bill to be entitled

"An Act to amend Article 38, of Chapter IV, of the Code of Criminal Procedure 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 not pass.

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 498, a bill to be entitled

"An Act to amend Article 38, of Chapter 2, of the Code of Criminal Procedure 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 not pass.

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 499, a bill to be entitled

"An Act to amend Article 38, of Chapter 99, of the General Laws of the State of Texas, passed at the Regular Session of 1897, relating to cold storage."

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.

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 504, a bill to be entitled

"An Act to amend Articles 2509, 2510, 2514, 2516, 2517, 2518c, 2518h, 2518i, 2518m, 2518n, of Chapter 4, Title XLVIII, of the Revised Civil Statutes of the State of Texas of 1895, and adding thereto Articles 2518q, 2518r, 2518s, 2518t, 2518u, 2518v, of the Revised Civil Statutes of the State of Texas of 1895, relating to fish, oysters, etc., and repealing 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 pass with the following amendments:

1. By adding after the word 'year,' in line 2, of Article 2516, on page 1, the following words, 'or so soon thereafter as practicable, not later than October 1, of each year.'

2. By adding to Section 2, of said Article 2516, the words 'and the amount of rents received therefor.'

3. By adding after the word 'long,' in Section 4 of said Article 2516, the words 'hand and dredge.'

4. By striking out all of line 1 and the words 'such report,' in line 2 of Section 8, on page 2, of this bill.

And also by striking out all of said Section 8, after the word 'specified,' in line 2 of said Section 8, and by adding thereto the following: said commissioner may, in the discretion of the Governor, be dismissed from his said office.'

5. By adding after the word 'office,' in line 10 of Article 2517, on page 2, of this bill, the following words, 'said stationery, books, etc., not to exceed one hundred dollars in value.'

6. And by striking out after the word 'day,' in line 27 of said Article 2517, the words 'and expenses.'

7. By striking out all words after the word 'stocked,' in line 29 of said Article 2517, on page 2, and by striking out all of lines 30 and 31 and the word 'commissioner,' in line 32 of said Article 2517, on page 3.

8. By striking out after the word 'oath,' in line 4 of Article 2518h, on page 3, the words 'when deemed necessary by the,' and by striking out in line 5 of said Article the word 'officer,' and by striking out after the word 'States,' in lines 5 and 6, the words 'and a resident of the State of Texas.'

9. By adding after the word 'therein,' in line 13 of said Article 2518k, the words 'for six months.'

10. By striking out after the word 'oath,' in line 4 of Article 2518r, on page 6, the words 'when deemed necessary by
the officer,' and by striking out after the word 'States,' in lines 5 and 6 of said Article 2518r, the following words, 'and a resident of the State of Texas,' and by striking out after the word 'States,' in lines 16 and 17 of said Article 2518r, the words, 'and a resident of the State of Texas.'

"11. By adding to Article 2518s, at the end thereof, the words 'not to exceed two dollars and fifty cents per day.'"

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 137, A bill to be entitled "An Act to repeal Article 16, of the Constitution of the State of Texas, fixing articles for the violation thereof, exempting counties therefrom,''

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.

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Committee on Committee Room, to whom was referred
House bill No. 458, A bill to be entitled "An Act to amend Articles 642, 645, 646, 647, 653 and 654, of Chapter 2, and Articles 655, 672 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,'" 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.

PITTS, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 437, A bill to be entitled "An Act to amend Article 334, Title IX, Chapter 3, Penal Code of Texas, relating to loud and vociferous or obscene, vulgar or indecent language, swearing, cursing, yelling, shouting, exposing of person, displaying of pistol or other deadly weapon in a manner calculated to disturb the inhabitants of such public place or private house, fixing minimum penalty therefore,'"

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.

PITTS, Acting Chairman.
Texas, fixing the legal rate of interest. at

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, as House Joint Resolution No. 24, reported favorably by this committee covers same subject matter.

POWELL, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 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. 24, To amend Section 11, Article XVI, of the Constitution of the State of Texas, fixing the legal and contract rate of interest,

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:

"Strike out the last four lines (paragraph) and insert the words 'And such rate of interest shall not be changed, only by constitutional amendment.'

"Section 3. And be it further resolved, That the Governor is hereby directed to issue the necessary proclamation for submitting this amendment to the qualified voters of Texas, at the next general election, at which election all voters favoring the amendment shall have written or printed on their tickets, 'For amendment to Section 11, Article XVI, of the Constitution of Texas, fixing the legal rate of interest at six and contract rate at eight per cent. per annum, and those opposed to said amendment shall have written or printed on their tickets, 'Against amendment to Section 11, Article XVI, of the Constitution of Texas, fixing the legal rate of interest at six and contract rate at eight per cent. per annum.'"

POWELL, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Finance, to whom was referred

Senate bill No. 39, 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 making appropriation therefor."

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.

HENDESON of Lamar, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 217, A bill to be entitled "An Act to amend Article 4218a, Title LXXXVI, Chapter 12a, of the Revised Civil Statutes of the State of Texas of 1895, relating to the sale of timber on State lands."

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

WRIGHT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 73, A bill to be entitled "An Act to appropriate the vacant and unappropriated lands to the permanent school fund, and to provide for the disposition of the same."

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.

WRIGHT, Chairman.
Committee Room, 
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Committee on Public Lands and Land Office, to whom was referred 
Senate bill No. 29, A bill to be entitled “An Act to set apart and appropriate to the permanent school fund of the State of Texas, all of the lands heretofore or hereafter recovered from firms or corporations or other persons, firms or corporations, and to provide for the disposition of the same,”

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

WRIGHT, Chairman.

Committee Room, 
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Committee on Public Lands and Land Office, to whom was referred 
House bill No. 396, A bill to be entitled “An Act to validate the titles to lands located and patented in Carson, Dallam and Hutchinson counties in July 4, 1879,”

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

WRIGHT, Chairman.

Committee Room, 
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Committee on Public Lands and Land Office, to whom was referred 
House bill No. 281, A bill to be entitled “An Act to amend Article 4201, Chapter 11, Title LXXXVII, of the Revised Civil Statutes of the State of Texas, relating to sale of vacant and unappropriated lands,”

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.

WRIGHT, Chairman.

Committee Room, 
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Committee on Public Lands and Land Office, to whom was referred 
House bill No. 402, A bill to be entitled “An Act granting to the city of Austin a block for public free school purposes,”

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.

WRIGHT, Chairman.

Committee Room, 
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Committee on Public Health and Vital Statistics, to whom was referred 
Senate bill No. 76, A bill to be entitled “An Act to prevent the sale of cigarettes and tobacco to persons under the age of sixteen years, and to prescribe a penalty for the violation of the same,”

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

OLIVER, Chairman.

Committee Room, 
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Committee on Public Health and Vital Statistics, to whom was referred 
The petition of citizens of Harrison county, Texas:
Also the petition of the physicians of Titus county, Texas;
Also the memorial of the “Homeopathic” and “Eclectic” schools of medicine,
Have given them careful consideration, and herewith return them to the calendar.

OLIVER, Chairman.

Committee Room, 
Austin, Texas, Feb. 17, 1899.

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

Sir: Your Committee on Judicial Districts, to whom was referred 
House bill No. 381, A bill to be entitled “An Act to amend an act of the Twenty-fifth Legislature, styled Senate bill No. 236, Chapter 57, of the General Laws of the Regular Session, regulating terms of the district courts in Jasper, Newton, Orange, Jefferson and Tyler counties,”

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

EVANS of Grayson, Chairman.
Committee Room,
Austin, Texas, Feb. 15, 1899.

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

Sir: Your Committee on Judicial Districts, to whom was referred
House bill No. 498, A bill to be entitled
"An Act to fix the time of holding the
districts courts of the Twenty-seventh
Judicial District of the State of Texas,
amending Article 20, subdivision 27,
Title IV, of the Revised Statutes 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.

EVANS of Grayson, Chairman.
Committee Room,
Austin, Texas, Feb. 15, 1899.

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

Sir: Your Committee on Judicial Districts, to whom was referred
House bill No. 529, A bill to be entitled
"An Act to change and fix the times of
holding the terms of the district courts
in the Thirteenth Judicial
District,"

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

EVANS of Grayson, Chairman.

SENATE MESSAGE.

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

To 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 resolutions, to wit:

House Concurrent Resolution No. 21, authorizing committees to visit State Reformatory, and that Senators Davidson and Wayland have been appointed as a committee from the Senate for such purpose.

House Concurrent Resolution No. 19, relating to election of United States Senator by direct vote of people.

Also Substitute Senate bill No. 72, A bill to be entitled "An Act to incorporate the city of Austin, and to grant it a new charter, and to fix its boundaries."

J. P. POOL,
Secretary of the Senate.

SPECIAL COMMITTEE ANNOUNCED.

In accordance with House Concurrent Resolution No. 21, adopted by the House February 11, the Speaker appointed the following committee on part of the House: Messrs. Gordon, Shannon and Culp.

SENATE BILL ON FIRST READING.

The following bill received from the Senate today was read first time and referred as follows:

Substitute Senate bill No. 72 to the Committee on Towns and City Corporations.

FURTHER TIME GRANTED COMMITTEE FOR CONSIDERATION OF BILL.

House bill No. 342, on request of Mr. McKamy, Chairman of Committee on Towns and City Corporations.

Out of respect to the memory of the late B. M. Vanderhurst (see resolution adopted today), on motion of Mr. Phillips of Lampasas, the House, at 12:53 p. m., adjourned until 9:30 o'clock a. m., next Monday.

THIRTY-SIXTH DAY.

Hall of the House of Representatives.
Austin, Texas, Monday, February 20, 1899.

The House met at 9:30 o'clock a. m., pursuant to adjournment.

Speaker Sherrill in the Chair.

Roll called, and the following members present:

Adams. Eckols.
Allen of Colorado. Ellis.
Allen of Hopkins. Evans of Fannin.
Ayers. Evans of Grayson.
Bailey. Frost.
Barrett. Garrett.
Bean. Gill.
Beaty. Goodlett.
Blount. Goodman.
Bolin. Gordon.
Bridgers. Greenwood.
Caldwell. Grubbs.
Calvin. Hamilton.
Chambers. Henderson, Lamar.
Childs. Howard.
Clements. Kennedy.
Cocke. Lake.
Cole. Lane.
Collins. Lillard.
Conoly. Little.
Cross. Livsey.
Culp. Looney.
Dean. Loyd.
Decker. Marsh.
Derden. Masterson.
Dorrah. Maxwell.
McAnally.