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 district 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.

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:

A quorum was announced present.

Prayer by Rev. W. J. Gatlin, Chaplain.

Pending reading of the Journal of last Saturday, February 18th,

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

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Jones until Wednesday, on motion of Mr. Bridges.

Mr. Kittrell for today, on motion of Mr. Conoly.

Mr. Thomas of Fannin for today, on motion of Mr. Evans of Fannin.

Mr. Rogers for today, on motion of Mr. Goodlett.

On account of sickness:

Mr. Henderson of Brazos indefinitely, on motion of Mr. Allen of Colorado.

Mr. Monroe indefinitely, on motion of Mr. Russell.

Mr. Bennett indefinitely, on motion of Mr. Terrell.

Mr. Steward for Friday and Saturday, of last week, on motion of Mr. Ayers.

Mr. McFarland, Engrossing Clerk, indefinitely, on motion of Mr. Terrell.

PETITIONS AND MEMORIALS.

By Mr. Phillips of Lampasas:

Petition of forty citizens of Lampasas county, asking for the passage of a just and equitable law regulating the amount of toll and manner of exchanging of grist mills in Texas.

Read, and referred to the Committee on State Affairs.

By Mr. Hamilton:

Petition from sixty-eight citizens of Shelby county, asking that the jurisdiction of the County Court of Shelby county be diminished.

Read, and referred to the Committee on Judicial Districts.

By Mr. Gordon:

Communication from the county judge and county commissioners of Hood county, relative to the rate of interest on bonds held by the State school fund.

Read, and referred to the Committee on Finance.

By Mr. Bailey:

Petition of thirty-three colored citizens of DeWitt county, asking for such legislation as will promote and improve the condition of the Prairie View Normal School.

Read, and referred to the Committee on Education.

By Mr. Adams:

Petition from 165 citizens of Wharton county, asking that the stock law be so revised and amended so as to include horses, cattle and mules.

Read, and referred to the Committee on Finance.

By Mr. Grubbs:

Memorial from the trustees of the Greenville public schools, protesting against the extension of the uniform text-book laws to the higher schools.

Read, and referred to the Committee on Education.

BILLS AND RESOLUTIONS.

By Mr. Thomas of Fannin:

House bill No. 583, A bill to be entitled "An Act to amend Articles 3972, 3973a, 3973b, 3973c, 3973d, 3973e (1 and 2), 3974a, 3974b, 3974c, 3974d (3975 repealed), 3976, 3976a, 3976b, 3976c, 3980 and 3980a, Chapter 1, Title LXXXVI, of the Revised Civil Statutes of Texas, relating to boards of examiners of teachers."

Provides that a majority of any county board of examiners may transact business and reduces the fee for examination of teachers to $2. Amends by re-
quiring an applicant for a third grade certificate to be examined in reading; for a first grade in general history, for a permanent certificate in elementary psychology applied to teaching.)

Read first time, and referred to Committee on Education.

By Mr. Wheless:

House bill No. 584, A bill to be entitled "An Act to amend Section 18, Chapter 77, of the Acts of the Twenty-fifth Legislature of the State of Texas, relating to the construction of drains, ditches and watercourses, and for the improvement and enlargement of natural drainage, etc."

Read first time, and referred to Committee on Irrigation.

By Mr. Henderson of Lamar:

House bill No. 585, A bill to be entitled "An Act to authorize railroad companies of this State to accept and exercise the rights and privileges conferred upon them by acts of Congress granting them the right of way for their roads in and through the Indian Territory, without limiting the authority of the laws of Texas over so much of such roads as may be within the State of Texas."

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

By Mr. Derden:

House bill No. 586, A bill to be entitled "An Act to amend Article 1068, of Title XXVIII, Chapter 1, of the Revised Statutes of Texas, 1893, and to prevent district judges from sitting in causes, after the parties have been tried before them, and on appeal or writ of error, have been reversed and remanded for a new trial, unless on agreement in writing of the parties to the suit."

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

By Mr. Grubbs:

House bill No. 587, A bill to be entitled "An Act to amend Article 388, of the Revised Penal Code of Texas, prescribing penalties for gaming."

(Provides a penalty of not less than $20 nor more than $200 for betting on gaming table or bank or pigeon hole, or Jenny Lind table, or nine or ten pin alleys, etc.)

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

By Mr. Grubbs:

House bill No. 588, A bill to be entitled "An Act to amend Article 402, of the Revised Penal Code of Texas, prescribing penalties for unlawfully selling intoxicating liquors in local option counties, precincts, cities or towns or other subdivisions of a county."

(Provides a fine of not less than $25, nor more than $100, and by imprisonment in the county jail for not less than twenty nor more than sixty days.)

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

By Mr. Wooten:

House bill No. 589, A bill to be entitled "An Act to regulate the matter of the residence and maintenance of the officers and employees of the various elemenary institutions of the State of Texas, to prohibit the free subsistence of such officers and employees and their families, and friends and guests at the expense of the State except as herein provided, to require such officers and employees and their families to be boarded and lodged upon separate account from the ordinary current expenses of such institutions, to require such officers and employees and their families to defray their own expenses, except as herein provided, to declare an emergency, and to repeal all laws and regulations in conflict herewith."

Read first time, and referred to Committee on Education.

By Mr. Wooten:

House bill No. 590, A bill to be entitled "An Act to provide for the record of any and all suits filed in any of the courts of this State affecting the title to real estate or any interest in lands, or seeking to establish a lien on lands or any interest therein, in order to give notice of the same, providing for the contents and authentication of such memoranda, allowing fees for authenticating and recording the same, and regulating the legal effect of the same when so registered or recorded."

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

By Mr. Ellis:

House bill No. 591, A bill to be entitled "An Act to amend Article 2475, Chapter 4, Title LXV, of the Revised Civil Statutes of the State of Texas, and add thereto Article 2475a, providing for the furnishing of stationery, furniture and office rooms to county officers."

Amends the law so as to provide that such furniture, etc., shall be provided by the commissioners court or upon an order of such court. An emergency is declared.

Read first time, and referred to Committee on Public Printing.

By Mr. Maxwell (by request):

House bill No. 592, A bill to be entitled "An Act for the relief of A. Wyschetzki, Dimmit, Maverick, Zavala, Kinney and Webb, as special surveyor of the General Land Office of the State of Texas."
Read first time, and referred to Committee on Claims and Accounts.

By Mr. Decker:
House bill No. 593, A bill to be entitled "An Act to amend Article 812, Chapter 3, Title XVIII, of the Revised Civil Statutes, relating to the removal of county seats."
(The object of the bill is to provide that in counties where there are less than one hundred freeholders, the petition of a majority of them will be sufficient for the ordering of an election to decide upon the removal of the county seat.)
Read first time, and referred to Committee on State Affairs.

By Mr. Barrett and Mr. Stewart:
House bill No. 594, A bill to be entitled "An Act to require owners, lessees, engineers or other persons operating steam fire engines for the purpose of cutting or threshing grain or stacking straw or baling hay or straw, to have securely attached to such engine, spark arrester or spark destroyer."
Read first time, and referred to Committee on State Affairs.

By Mr. Childers:
House bill No. 595, A bill to be entitled "An Act to regulate the running of stock at large in Cooke county, Texas, or in any subdivision of said county."
(The object of the bill is to provide for an election in Cooke county, to decide whether or not stock shall be permitted to run at large, and an emergency is declared.)
Read first time, and referred to Committee on Stock and Stock-raising.

By Mr. Hamilton, Mr. Stripling and Mr. Bean:
House bill No. 596, A bill to be entitled "An Act to amend Sections 2 and 8, Chapter 149, of the Acts of the Regular Session of the Twenty-fifth Legislature, approved May 27, 1897, relating to the protection of game, so as to exempt Shelby, Sabine, San Augustine, Jasper, Newton and Nacogdoches counties from the operations of said law."
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Dorroh:
House bill No. 597, A bill to be entitled "An Act to confer authority on the Penitentiary Board to issue paroles to meritorious convicts, and to make and establish rules and regulations to carry the same into effect."
Read first time, and referred to Committee on Penitentiaries.

By Mr. Chambers:
House bill No. 598, A bill to be entitled "An Act to amend Article 950, Chapter 17, Title XVII, of the Revised Criminal Statutes of Texas, relating to fraudulent disposition of mortgaged property."
(Fixes the punishment at imprisonment in the penitentiary at not less than two nor more than five years.)
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Grubbs:
House bill No. 599, A bill to be entitled "An Act authorizing the Commissioner of Agriculture, Insurance, Statistics and History to appoint the necessary clerks, and to provide the means of collecting and publishing the agricultural, horticultural and stock statistics of the State."
Read first time, and referred to Committee on Agricultural Affairs.

By Mr. Shropshire:
House bill No. 600, A bill to be entitled "An Act to require any person, firm, partnership, association or joint stock company doing a mercantile reporting business within the State of Texas, to obtain a permit from the Secretary of State; to give bond and designate a representative residing within the State of Texas before engaging in such business, and to provide penalties for failure to comply with the provisions of this act, and for other purposes."
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Walton:
House bill No. 601, A bill to be entitled "An Act to amend Article 600, of the Code of Criminal Procedure of the State of Texas, relating to number of peremptory challenges in misdemeanor cases tried in district courts."
(Provides that the State and defendant shall each be entitled to three peremptory challenges.)
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Walton:
House bill No. 602, A bill to be entitled "An Act to regulate the punishment of any person receiving or concealing property knowing the same to have been obtained by 'swindling.'"
(Fixes the same punishment as the person perpetrating the swindle would be liable to under the law.)
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Oliver:
House bill No. 603, A bill to be entitled "An Act to make an appropriation of $50,000, or so much thereof as may be necessary, to refund and pay to the several counties in this State the State's pro rata part of the expenses incurred by such counties in the publication of the
Resolved by the House of Representatives, the Senate concurring, that Wednesday of each week be and the same is hereby set apart for the consideration of bills in each house that have passed the other house of the Legislature, and that said bills shall have preference and precedence over all other matters except the morning call so long as any remain unconsidered and not disposed of.

Read second time, and adopted.

By Mr. Masterson:

Whereas, Our regular Chaplain, Rev. W. J. Gatlin, on account of a severe spell of illness, is now in feeble health and not physically able to attend to the duties of his office at all times, and especially not able to visit on the sick members of this House, and

Whereas, There are now several members confined to their beds on account of sickness, and require the attention as has been rendered them by Rev. W. J. Morris; therefore, be it

Resolved, That the Chaplain pro tem be continued in the service as Assistant Chaplain, and that Rev. Gatlin be excused if he so desires for such length of time as is necessary for fully regaining his health.

Read second time, and on motion of Mr. Thompkins referred to the Committee on Contingent Expenses.

By Mr. Wooten:

Whereas, The public printer has failed to print the Rules of the House and other important documents ordered printed by the House for an unreasonable length of time: therefore,

Resolved, That the Committee on Public Printing is instructed to investigate the cause of such delay and report to the House such recommendations as may be necessary to prevent further delay in such matters.

Read second time, and adopted.

By Mr. Kennedy:

Resolved, That the Honorable Chairman of the Committee on Claims and Accounts be requested to furnish the Journal Clerk with a copy of all the testimony given before said committee in reference to the "Hogg fee," and that the same be printed in the House Journal for the information of the members of the House.

Read second time, and adopted.

Mr. Barrett moved to take up House bill No. 107, relating to humane treatment of animals and the effect of alcoholic stimulants on the human system, and make it a special order for next Friday, 11:30 a.m., and the motion was lost.
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. 516, A bill to be entitled "An Act to amend Sections 11 and 16, of Chapter 103, as passed at the Regular Session of 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 be returned to the calendar and referred to the Committee on Revenue and Taxation.

WOOTEN, Chairman.

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

SIR: Your Committee on Internal Improvements, to whom was referred House bill No. 571, A bill to be entitled "An Act to authorize the Gulf, Beaumont & Kansas City Railway Co. to purchase, own and operate the railroad, including all the property, property rights and franchises and appurtenances of the Gulf, Beaumont & Great Northern Railway Company now existing or that may hereafter be built or acquired by the Gulf & Great Northern Railroad Company, and to authorize and empower the Gulf, Beaumont & Great Northern Railway Company to issue bonds secured by a mortgage upon the railway, property, rights and franchises of the Gulf, Beaumont & Great Northern Railway Company as said value may hereafter be ascertained and fixed by the Railroad Commission of Texas, and to regulate the report of such properties and the operation thereof, and to enable said corporation, the Gulf, Beaumont & Great Northern Railway Company, to build, construct and equip its proposed line or lines of railway as provided in its charter, and for said purpose to raise money therefor,"

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.

MAJORITY REPORT.

Committee Room,
Austin, Texas, Feb. 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. 493, A bill to be entitled "An Act for the purpose of appropriating the sum of twenty-five hundred dollars, or so much thereof as may be necessary, to purchase the site of the first capitol of Texas, at West Columbia, Texas, and providing for the manner of such purchase; and further providing for the preservation and resolution of the original capitol building."

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.

SHELBURNE, Chairman.

MINORITY REPORT.

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

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

SIR: We, a minority of your Committee on State Affairs, to whom was referred House bill No. 493, Do not concur in the report of the majority, and ask leave to recommend that it do pass.

DECKER, SCHLUTER, DORROH.

Committee Room,
Austin, Texas, Feb. 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. 66, A bill to be entitled "An Act to amend Title LIH, Articles 3101, 3102, 3103, 3104, 3105 and 3106, of the Revised Statutes of the State of Texas, regulating the conventional rate of interest, and defining usury, and to prevent the same, and to repeal any and all laws in conflict with this provision."

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, because another bill relating to the same subject has been reported favorable.

SHELBURNE, Chairman.

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

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

SIR: Your Committee on State Affairs, to whom was referred House Join Resolution No. 14, Providing for a convention to frame a Constitution for the State of Texas, Have had the same under consider-
tion, and I am instructed to report it back to the House with the recommendation that it do not pass.

SHELBURNE, Chairman.

Committee Room, Austin, Texas, Feb. 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. 508, A bill to be entitled

"An Act to amend Section 22, of 'An Act to fix certain civil fees to be charged by certain county and precinct officers, and to fix and limit the compensation of clerks of the district courts, district attorneys and county attorneys, sheriffs and constables in felony cases to be paid by the State, and to fix the compensation of assessors and collectors of taxes, and to limit and regulate the compensation of the sheriff, clerk of the county court, county judge, district and county attorney, clerk of the district court, assessor and collector of taxes, justices of the peace and constables; and to prescribe penalties for violation of this act, and to repeal all laws in conflict herewith,' approved June 16, 1897, so as to fix and limit the compensation of clerks of the district courts for certain services,"

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

SHELBURNE, Chairman.

Committee Room, Austin, Texas, Feb. 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. 502, A bill to be entitled

"An Act to amend Article 5058, of the Revised Civil Statutes of 1895, of the State of Texas, as passed in 1891, relating to the duties of revenue agents,"

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.

SHELBURNE, Chairman.

Committee Room, Austin, Texas, Feb. 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. 408, A bill to be entitled

"An Act to amend Article 510, Chapter 5, Title XIII, Revised Civil Statutes, so far as to exempt Lavaca county,"

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, because it conflicts with the general laws on the subject.

SHELBURNE, Chairman.

Committee Room, Austin, Texas, Feb. 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. 530, A bill to be entitled

"An Act authorizing county judges to issue writs of attachment for the detention and return of minors who have gone beyond the control of their guardians,"

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

SHELBURNE, Chairman.
back to the House with the recommendation that it do pass.

SHELBURNE, Chairman.

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

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

Sir: Your Committee on State Affairs, to whom was referred Senate bill No. 97, A bill to be entitled "An Act to amend Section 24, Chapter 5, of the Acts of the Special Session of the Twenty-fifth Legislature, approved June 16, 1897, relating to sheriffs' fees."

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

SHELBURNE, Chairman.

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

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 451, A bill to be entitled "An Act to establish and provide for the maintenance of a State Maritime College."

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.

SHELBURNE, Chairman.

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

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 357, A bill to be entitled "An Act to amend Subdivision 5, Article 3040, Revised Statutes, relating to the occupation tax of brokers, bankers and dealers in county, city and State warrants."

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.

SHELBURNE, Chairman.

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

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

Sir: Your Committee on State Affairs, to whom was referred Senate bill No. 33, A bill to be entitled "An Act requiring the county commissioners court of any county, or the city council of any incorporated town or city in the State, to submit propositions for the issuance of bonds to a vote of the qualified taxpayers of such county or incorporated city or town, and to repeal the provisions of all city charters 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.

SHELBURNE, Chairman.

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

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 564, A bill to be entitled "An Act to amend Article 934, Chapter 1, Title XXVII, of the Revised Civil Statutes of 1893, and to fix the salaries of the chief justice and the associate justice of the Supreme Court."

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.

SHELBURNE, Chairman.

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

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 518, 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 therefor."

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

SHELBURNE, Chairman.

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

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

Sir: Your Committee on State Asylums, to whom was referred House bill No. 526, A bill to be entitled "An Act to create the office of Purchasing Agent for the various elementary institutions of the State of Texas; to define his duties, term of office, mode of qualification and compensation; to abolish the office or position of steward, quartermaster or other similar position in said institutions; to require all supplies to be purchased by said agent, under competitive bids or contracts; to provide
Committee Room, Austin, Texas, Feb. 17, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 108, A bill to be entitled "An Act to amend Title IV, Chapter 2, of the Code of Criminal Procedure, relating to the unlawful disposing of mort-
erged property, and more particularly fixing the venue of such cases,"

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 12:20 o'clock p. m., presented the same to the Governor.

LILLARD, Acting Chairman.

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

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

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 333, a bill to be entitled "An Act to provide for the removal 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;

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 12:20 o'clock p. m., presented the same to the Governor.

COLLINS, Chairman.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, Feb. 20, 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 bill, to wit:

House bill No. 78, a bill to be entitled "An Act to validate patent No. 146, volume 15, issued to A. J. Gray to 426 acres of land in Comanche county, Texas."

Senate Concurrent Resolution No. 10.

Also the following House bills, to wit:

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."

Substitute House bill No. 54, a bill to be entitled "An Act to repeal Article 492, Chapter 2, of Title XIII, of the Penal Code of the State of Texas, and to amend Article 491, of Chapter 2, Title XIII, of the Penal Code of the State of Texas, and declaring an emergency," with Senate amendment.

House bill No. 49, a bill to be entitled "An Act to restore and confer upon the County Court of Bexar county the civil and criminal jurisdiction heretofore be-longing to said court under the Constitution and General Laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act," with Senate amendment.

J. P. Pool,
Secretary of the Senate.

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. 353, "An Act to provide for the removal 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."

SENATE BILL ON FIRST READING.

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

Senate bill No. 78 to Judiciary Committee No. 1.

BILL WITHDRAWN.

House bill No. 430, on request of Mr. Schluter.

BILL RECOMMENDED.

House bill No. 225, relating to taking the scholastic census, on motion of Mr. Cole.

SPECIAL ORDER FIXED.

Substitute House bill No. 196, relating to election of school trustees, for next Friday, February 24, 10:30 a.m., on motion of Mr. Savage.

FURTHER TIME GRANTED FOR CONSIDERATION OF BILLS.

House bills Nos. 382 and 282, on request of Mr. Wooten, chairman of Judiciary Committee No. 1.

House bills Nos. 190, 455, 399, 508 and 371, on request of Mr. Shelburne, chairman of the Committee on State Affairs.

House bills Nos. 395, 431, 441, 456, 457, 469, 473, 474, 483, 485, 504, 570, 521 and 328, on request of Mr. Cole, chairman of the Committee on Education.

House bills Nos. 35, 101, 102, 246, 341, 410, 421, 424, 425, 428, 467, 479, 480, 496, 515, 548 and Senate bill No. 14, on request of Mr. Bailey, chairman of Judiciary Committee No. 2.

House Joint Resolutions Nos. 22, 10,
February 20, 1899    HOUSE JOURNAL. 461

23, 6, 15, 12, 5, 2, 13, 11, 8, 9, 21, 7 and 19, on request of Mr. Powell, chairman of the Committee on Constitutional Amendments.

SPEAKER'S TABLE.

The Speaker laid before the House, on its third reading and final passage, House bill No. 3, the Staples real estate redemption bill.

On motion of Mr. Bailey, the regular order of business was suspended to take up and place on its second reading.

House bill No. 350, A bill to be entitled "An Act to require railway companies to receive and transport all freights coming to them from steamships, steamboats and other water craft and vessels, without discrimination for or against any other steamship line, steamboat line, owner or company, or the owner or owners of any other water craft or vessel."

The bill was laid before the House, and was read second time with favorable committee report with amendments. The committee report was adopted. The bill was ordered engrossed.

Mr. Bailey moved to reconsider the vote by which House bill No. 350 was ordered engrossed, and to table the motion to reconsider. The motion to table prevailed.

The Speaker laid before the House, as special order for this hour, 10:30 a. m., House bill No. 43, the general deficiency appropriation bill. The bill was read second time, with substitute reported by a majority of the committee and a minority recommending that the substitute do pass with amendment.

Mr. Pfeuffer moved to substitute the minority report for the majority report. (Pending consideration of the motion, Mr. Wooten occupied the Chair.)

After consideration by the House, Mr. Lane moved the previous question on the committee report, and the main question was ordered.

On the motion of Mr. Pfeuffer to substitute the minority report for the majority report, yeas and nays were demanded by Mr. Savage, Mr. Conoly and Mr. Calvin.

The minority report was lost by the following vote:

Yeas—38.

Nays—79.

Bailey, Clements, Dies, Evans of Grayson, Wooten, Graham, absent—Excused.

Bennett, Crawford, Henderson, Brazos, Hurley, Jones, Kittrell, absent.
"I vote 'no' because Article 1012 of Revised Statutes creates the office and provides the salary, and the court holds that if these parties were permitted could recover by suit, therefore the same should be allowed, and the Legislature should amend the law.

"Powell.

"Barrett.

"I vote for the minority report because I do not believe the Comptroller was authorized to issue deficiency certificates, and as every one was put on notice by the Acts of the Twenty-fifth Legislature, the purchasers of same were not innocent purchasers.

"Tarkington.

Question next recurring on the report of the majority recommending a substitute for House bill No. 43, the report was adopted.

Mr. Henderson of Lamar moved that the House do now go into a committee of the whole House for the purpose of considering Substitute House bill No. 43, the general deficiency appropriation bill.

The motion prevailed, and the House went into a Committee of the Whole.

(In the Committee of the Whole House, Mr. Powell in the Chair.)