Commission of Texas, and to regulate the reports of such properties and the operations thereof."

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

McKAMY, Acting Chairman.

Committee Room,
Austin, Texas, March 1, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 193, A bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate a railway, extending from a point in or near the town of Tyler, in Smith county, to a point in or near the town of Lufkin, in Angelina county, with its franchises and appurtenances, known as the Tyler Southeastern Railway; and to authorize the Tyler Southeastern Railway Company, and the owners thereof, to sell the same, and to authorize a corresponding increase in the authorized aggregate of the bonds and stock of the St. Louis Southwestern Railway Company of Texas, and to regulate reports of such properties and the operations thereof."

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

McKAMY, Acting Chairman.

Committee Room,
Austin, Texas, March 1, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Engrossed Bills, 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 carefully examined said bill and find the same correctly engrossed.

THOMAS of Fannin, Acting Chairman.

Committee Room,
Austin, Texas, March 1, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Engrossed Bills, to whom was referred House bill No. 530, A bill to be entitled "An Act to amend Chapter 12, of Title XVII, Revised Criminal Code of Procedure, so as to place Bowie county under the provisions of this chapter, relating to the recovery of stolen animals and the detection and punishment of thieves, and create an emergency."

Have carefully examined said bill and find the same correctly engrossed.

THOMAS of Fannin, Acting Chairman.

On motion of Mr. Willacy the regular order of business was suspended to take up and place on its second reading and passage to a third reading.

Senate bill No. 114, A bill to be entitled "An Act to amend Articles 3862, 3863 and 3866, Revised Civil Statutes, relating to the government of the Agricultural and Mechanical College of Texas."

The bill was laid before the House, on its second reading.

Whereupon, at 5 p.m., on motion of Mr. Childs, the House adjourned to 9:30 o'clock a.m. tomorrow.

FORTY-FIFTH DAY.

Hall of the House of Representatives.
Austin, Texas,
Thursday, March 2, 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. Goodlett.
Ayors. Graham.
Bailey. Greenwood.
Barbee. Grogan.
Barrett. Grubbs.
Bean. Hamilton.
Beaty. Henderson, Lamar.
Blount. Howard.
Bolin. Hurley.
Caldwell. Jones.
Calvin. Kittle.
Chambers. Lake.
Childers. Lane.
Childs. Lillard.
Clements. Little.
Cocke. Livezey.
Cole. Looney.
Collins. Loyd.
Conoly. Marsh.
Crawford. Masterson.
Culp. Maxwell.
Dean. McAnally.
Decker. McClellan.
Diers. McDowell.
Dorrah. McFarland.
Eckols. McKamy.
Ellis. Kellar.
Evans of Fannin. Meitzen.
Frost. Mercer.
Garner. Monroe.
Garrett. Morris.
Gill. Morrow.
Murphy. Shannon. 
Murray. Shelburne. 
Neff. Shropshire. 
Nolan. Smith of Grayson. 
Oliver. Smith of Collin. 
Palmer. Staples. 
Parish. Stewart. 
Peery. Stripling. 
Pfeuffer. Sutherland. 
Phillips of Camp. Tarver. 
Pitts. Tate. 
Poole. Teagle. 
Powell. Terrell. 
Prince. Thomas of Wise. 
Ratcliff. Thomas of Fannin. 
Robertson, Harrison. Tompkins. 
Robertson of Bell. Vaughan. 
Rochelle. Walton. 
Rogers. Wells. 
Russell. Wills. 
Sansom. Willard. 
Savage. Willrodt. 
Schluter. Wooten. 
Scurry. Wright. 

Absent. 
Evans of Grayson. Kennedy. 
Absent—Excused. 
Bennett. Derden. 
Bridgers. Henderson, Brazos. 
Broune. Tucker. 
Cross. 

A quorum was announced present. 
Prayer by Rev. W. J. Gatlin, Chaplain. 
Pending reading of the Journal of yesterday, 
On motion of Mr. Sutherland, further reading was dispensed with. 

EXCUSED. 

On motion of Mr. Ellis, Mr. Kennedy was excused for today and tomorrow, on account of important business. 
On motion of Mr. Neff, Mr. Cross was excused for today, on account of important business. 
Mr. Wooten rising to a question of personal privilege, explained the circumstances attending majority and minority reports of Judiciary Committee No. 1, on Senate bill No. 93, and moved to recommit the bill to Judiciary Committee No. 1. 
The motion prevailed, and the bill was recommitted. 

PETITIONS AND MEMORIALS. 

By Mr. Blount: 
Petition of 236 citizens of Anderson county, asking that said county be exempt from the operation of the stock laws. 
Read, and referred to Committee on Stock and Stock-raising. 

By Mr. Garrett (by request): 
Petition of Henry Schwechellun and eighteen others, who constitute the Kerr County Minute Men Company, and served as such on the frontier from the 8th day of November, 1874, to February 28, 1877, asking that an appropriation be made to pay them for such service. 
Read, and referred to Committee on Claims and Accounts. 

BILLS AND RESOLUTIONS. 

By Mr. Bolin: 
House bill No. 687, A bill to be entitled "An Act to appropriate $131.25 to pay back to the First National Bank of Mount Pleasant, Texas, for State occupation tax collected from it, the same not being authorized by law." 
Read first time, and referred to Committee on Claims and Accounts. 

By Mr. McAnally: 
House bill No. 688, A bill to be entitled "An Act to create State banks of deposit, exchange and discount by providing a method of organization, to regulate loans and further protect depositors by requiring the semi-annual publication of itemized statements of assets and liabilities, to fix the extent of accountability of officers and stockholders, to prevent the misapplication of funds and securities of such banks by providing a penalty therefor, to provide for and force the merging of private banks into State banks, and to better provide for the depositors of insolvent banks." 
Read first time, and referred to Judiciary Committee No. 2. 

Mr. Peery offered the following resolution: 

Whereas, The second day of March is the anniversary of Texas Independence, and in order to commemorate and refresh our minds of her early struggles for self-government, therefore be it 
Resolved, That the Reading Clerk read to the House of Representatives assembled the Declaration of Texas Independence, as declared by the people assembled in general convention at the town of Washington, March 2, 1836. 
The resolution was read second time, and Mr. Henderson of Lamar moved that it be adopted by a rising vote. 
The vote was taken, and it appeared that there was not a quorum voting, the Clerk announcing 63 yea's and 17 nays. 
Whereupon Mr. Dies offered the following amendment: "Amend by including the speech against saloons and gambling houses by the gentleman from Harris. 

Mr. Sansom offered the following substitute for the amendment:
March 2, 1899

House Journal.

"That the Declaration of Independence of Texas be printed in today's House Journal, in order that the members and their friends may read same at their leisure."

On motion of Mr. Clements, both the substitute and amendment were tabled.

Mr. Shropshire moved to table the resolution, upon which motion yeas and nays were demanded by Mr. Peery, Mr. Henderson of Lamar and Mr. Bean.

The motion to table was lost by the following vote:

Yea-34.


Nay-75.


Present-Not voting.

Culp. Absent.


Absent-Excused.


Question recurring—shall the resolution be adopted?

Mr. Teagle offered the following substitute for the resolution:

Be it resolved, That this House do now take a recess for thirty-eight minutes in order to give the members an opportunity to peruse the Declaration of Independence in person.

Mr. Bailey moved the previous question, and the main question was ordered.

The substitute was lost.

Question next recurring on the resolution, yeas and nays were demanded by Mr. Peery, Mr. Henderson of Lamar and Mr. Calvin.

The resolution was adopted by the following vote:

Yea-64.


We vote 'no' on the adoption of the resolution, because we believe every member of this House possesses that much patriotism to have familiarized himself with the contents of our 'magna charta' heretofore, and that if the House desires to take any action on the matter, it should now adjourn for the day out of respect for the occasion.

"ROGERS,"
"MAXWELL,"
"CHAMBERS,"
"DIES."

I vote 'no' on this resolution, because I believe that the spirit prompting the introduction of such resolutions is that of sentimental hypocrisy, and can subserve no good, but much harm by delaying the business of the Legislature.

"LANE."

The Clerk was then directed to read the Declaration of Texas Independence, which was read in full and listened to attentively throughout.

Mr. Poole moved to reconsider the vote by which Senate bill No. 19 was passed yesterday, and asked to have the motion to reconsider spread upon the Journal.

Mr. Terrell gave notice that he would on next Tuesday, March 7, call up the motion to reconsider the vote by which the substitute, striking out the enacting clause of House bill No. 48, was adopted, and which motion to reconsider was spread upon the Journal.

PENDING BUSINESS.

The Speaker laid before the House as pending business, Substitute House bill Nos 275 and 313, relating to investment of the permanent public free school fund, on engrossment.

Mr. Smith of Grayson offered the following amendment:

"Amend Section 2 by adding after the word 'fund' in line 23, the following: 'The price paid for the same shall be endorsed thereon, and by adding after the word 'and' in line 23, the following 'if they,' and by adding after the word 'bidder' in line 21, the following: 'In the event the State Board of Education should pay a premium out of the permanent school fund on any bonds purchased as an investment for the permanent school fund, then the principal of such bond and an amount of the interest first accruing on such bond equal to the premium so paid, shall be and be treated as the principal in such investment, and when such first interest is collected, such sum of the same shall be returned to the permanent school fund. And if they purchase said bonds for less than par, the discount they receive in the purchase of said bonds shall be paid to the available school fund when the bonds are paid off and discharged.'"

Pending consideration, the Speaker announced that the hour, 10:30 a.m., had arrived for consideration, on second reading, of House bill No. 523, A bill to be entitled "An Act to secure a system of drainage, and to provide for the payment of expenses incurred therefor, and for the assessment and collection of taxes for said purpose, and to repeal all laws and parts of laws in conflict with this act, and declaring an emergency."

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

Mr. Masterson offered the following substitute for the bill:

A bill to be entitled "An Act to provide for the construction and mainte-
nance of drains, ditches and water courses, for the improvement and enlargement of natural drainage of the several counties within the State of Texas, authorizing commissioners courts to order an election for the purpose of determining upon the levy of a tax to pay for the construction of such ditches, drains and water courses, and providing for assessment and collection of such tax, and declaring an emergency:"

[Signed WHELESS, MASTERTON.]

The substitute was read in full, and on motion of Mr. Dies, further consideration was postponed until next Monday, March 6, 2:30 p. m., and it was made a special order for that hour.

Mr. Sutherland moved that the substitute offered by Messrs. Wheless and Masterson be printed in bill form as bills are usually printed (in lieu of printing in the Journal), and that the same be placed on the desks of the members.

The motion prevailed.

The Speaker here announced that the hour, 11 a. m., had arrived for consideration, as special order, on second reading, House bill No. 130, A bill to be entitled "An Act to amend Article 2439, of the Revised Civil Statutes of 1895, of the State of Texas, relating to the fees and taxes to be collected by the Secretary of State."

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

Mr. Decker offered the following amendment:

"Amend the bill by inserting after the word 'first,' line 10, page 2, the following: 'Provided, the maximum fee to be charged any corporation of this class shall not exceed five hundred dollars.'"

Mr. Lane offered the following substitute for the amendment:

"Amend by striking out all of line 10, on page 1."

Mr. Blount moved to table the substitute and the motion was lost.

After further consideration, the substitute was lost.

Mr. Bailey offered the following amendment to the amendment:

"Amend by adding after the word 'filed,' line 28, page 2, 'provided, that no franchise tax for a permit to do business in this State on any foreign corporation shall exceed the sum of twelve hundred dollars.'"

"And amend further by adding after the word 'first,' line 10, page 2, 'provided, that no fee for granting a charter to any domestic corporation shall exceed the sum of twelve hundred dollars.'"

Mr. Garner offered the following substitute for both amendments:

"Substitute for the amendment and the amendment to the amendment by striking out 'five hundred dollars' where it occurs, and insert in lieu thereof 'twelve hundred and fifty dollars.'"

Pending consideration of the bill with amendments, Mr. Bailey, by unanimous consent, offered the following resolution:

"House Concurrent Resolution No. 27, Whereas, The Hon. Peter Hansborough Bell, patriot, hero, soldier and ex-Governor of Texas, recently departed this life at his home at Littleton, North Carolina; and

Whereas, Immediately previous to his death he requested that the saddle that he rode and the pistols that he used in the Mexican and Indian wars, in which he so gallantly and valiantly served with distinction to himself and honor to the cause for which he fought, be presented to the State of Texas; and

Whereas, The Legislature of Texas in the name of the people are desirous of publicly expressing their appreciation of his worth and distinguished public services, and their gratitude for these quests of historic value; therefore be it

Resolved by the House of Representatives, the Senate concurring, that we have heard with sentiments of profound sorrow of his death, and that in the same his relatives and friends have lost one who was ever ready to serve them whenever called upon, and whose life was devoted to the cause of freedom and the betterment of the people of Texas, who honored him with the highest executive office within their gift.

Resolved, That the State Librarian be and he is hereby authorized to receive, in the name of the people of Texas, the aforesaid tokens of affection and friendship and to deposit them in the State library.

Resolved further, That a copy of these resolutions be properly engrossed and delivered to Col. Charles Alston Cook, at Warrenton, North Carolina, to be delivered to the relatives of the deceased.

[Signed BAILEY, MORRIS.]

Read second time and adopted.

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

"Be it resolved by the Legislature of the State of Texas, that when we adjourn today, we stand adjourned until 9:30 tomorrow, out of respect to the anniversary of the great State of Texas.

Read second time and adopted.
COMMITTEE REPORT.

Committee Room, Austin, Texas, Feb. 28, 1899.

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

Sir: Your Committee on Enrolled Bills, to whom was referred
Substitute House bill No. 364, A bill to be entitled "An Act empowering the Governor of the State of Texas, together with the Commissioner of the General Land Office of said State, to employ four additional clerks, or so many thereof as may be necessary, to tabulate the account in the General Land Office between the State of Texas and the permanent school fund, and providing for the ascertaining of the amount of public domain of the State of Texas at the time of the adoption of the Constitution of 1876, and what has been done with same, and showing the present condition of the account between the State of Texas and the permanent school fund growing out of their joint landed interests, and making an appropriation therefor,"

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 11:20 o'clock a.m., presented the same to the Governor.

LILLARD, Acting Chairman.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, March 2, 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 bills, to wit:

Senate bill No. 102, A bill to be entitled "An Act to amend Title XLVII, of the Revised Civil Statutes of Texas of 1895, relating to the closing of schools on legal holidays."

Senate bill No. 190, A bill to be entitled "An Act granting permission to M. T. and M. C. Chapman, or their assigns, to bring suit against the State of Texas in the District Court of Dallas county, to ascertain the amount, if any, the State is indebted to said M. T. and M. C. Chapman, or their assigns, on account of the sinking of an artesian well for the State of Texas at the North Texas Insane Asylum."

Senate bill No. 186, A bill to be entitled "An Act to create a more efficient road system for Wharton county and Lavaca county, in the State of Texas, and making county commissioners of said counties ex-officio road commissioners and prescribing their duties as such, and providing for their compensation as road commissioners, defining their powers and duties as such, and providing for the appointment of road overseers, and their duties, and for the working of county convicts on the public roads of such counties, and providing for the payment of officers' fees and rewards, and penalties for said convicts, and to provide for the summoning of teams for road work, and for an allowance for time of road service known as the Sabine & East Texas Railway, its franchises and appurtenances, and to authorize said railroad company to purchase, own and operate the railroad known as the Texas Trunk Railroad, with its franchises and appurtenances, and the railroad known as the Louisiana Western Extension Railroad, with and franchises and appurtenances; to authorize the owners of each of said railroads to sell the same with its franchises and appurtenances to the said Texas & New Orleans Railroad Company, and to prescribe the conditions upon which such sales shall be valid; to authorize the Texas & New Orleans Railroad Company to issue additional mortgage bonds to the amount of the value, as the same is or may be fixed by the Railroad Commission of Texas, of such of said railroads and their respective franchises and appurtenances as may have been so purchased by it, and to the amount of the value, as the same may be so fixed, of the railroad to be constructed as aforesaid connecting the Sabine & East Texas Railway with the Texas Trunk Railroad; and to regulate the reports of such properties and the operation thereon."

Senate bill No. 186, A bill to be entitled "An Act to amend Article 3910, of the Revised Civil Statutes of Texas of 1895, relating to the closing of schools on legal holidays."

Senate bill No. 144, A bill to be entitled "An Act to authorize the Texas & New Orleans Railroad Company to own and operate, or to amend its charter or articles of incorporation so as to authorize it to own and operate, a railroad connection between the railroad known as the Sabine & East Texas Railway and the railroad known as the Texas Trunk Railroad, and to construct such railroad as may be requisite for the purpose of making such railroad connection; to confirm the purchase by the Texas & New Orleans Railroad Company of said railroad known as the Sabine & East Texas Railway, its franchises and appurtenances, and to authorize said railroad company to own and operate the same; to authorize said Texas & New Orleans Railroad Company to purchase, own and operate the railroad known as the Texas Trunk Railroad, with its franchises and appurtenances, and the railroad known as the Louisiana Western Extension Railroad, with and franchises and appurtenances; to authorize the owners of each of said railroads to sell the same with its franchises and appurtenances to the said Texas & New Orleans Railroad Company, and to prescribe the conditions upon which such sales shall be valid; to authorize the Texas & New Orleans Railroad Company to issue additional mortgage bonds to the amount of the value, as the same is or may be fixed by the Railroad Commission of Texas, of such of said railroads and their respective franchises and appurtenances as may have been so purchased by it, and to the amount of the value, as the same may be so fixed, of the railroad to be constructed as aforesaid connecting the Sabine & East Texas Railway with the Texas Trunk Railroad; and to regulate the reports of such properties and the operation thereon."

Senate bill No. 186, A bill to be entitled "An Act to create a more efficient road system for Wharton county and Lavaca county, in the State of Texas, and making county commissioners of said counties ex-officio road commissioners and prescribing their duties as such, and providing for their compensation as road commissioners, defining their powers and duties as such, and providing for the appointment of road overseers, and their duties, and for the working of county convicts on the public roads of such counties, and providing for the payment of officers' fees and rewards, and penalties for said convicts, and to provide for the summoning of teams for road work, and for an allowance for time of road service known as the Sabine & East Texas Railway, its franchises and appurtenances, and to authorize said railroad company to purchase, own and operate the railroad known as the Texas Trunk Railroad, with its franchises and appurtenances, and the railroad known as the Louisiana Western Extension Railroad, with and franchises and appurtenances; to authorize the owners of each of said railroads to sell the same with its franchises and appurtenances to the said Texas & New Orleans Railroad Company, and to prescribe the conditions upon which such sales shall be valid; to authorize the Texas & New Orleans Railroad Company to issue additional mortgage bonds to the amount of the value, as the same is or may be fixed by the Railroad Commission of Texas, of such of said railroads and their respective franchises and appurtenances as may have been so purchased by it, and to the amount of the value, as the same may be so fixed, of the railroad to be constructed as aforesaid connecting the Sabine & East Texas Railway with the Texas Trunk Railroad; and to regulate the reports of such properties and the operation thereon."

Senate bill No. 186, A bill to be entitled "An Act to amend Article 3910, of the Revised Civil Statutes of Texas of 1895, relating to the closing of schools on legal holidays."

Senate bill No. 190, A bill to be entitled "An Act granting permission to M. T. and M. C. Chapman, or their assigns, to bring suit against the State of Texas in the District Court of Dallas county, to ascertain the amount, if any, the State is indebted to said M. T. and M. C. Chapman, or their assigns, on account of the sinking of an artesian well for the State of Texas at the North Texas Insane Asylum."
for the same, and fixing penalties for the
violation of this act." J. P. Pool,
Secretary of the Senate.

At 12:17 p.m., on motion of Mr. Meitzen, the House took recess until 3 o'clock
p.m. today.

AFTERNOON SESSION.
The House was called to order by the
Speaker at 3 p.m. When the House adjourned yesterday,
the regular order of business, same being
Senate bills on the Speaker's table, had
been suspended to take up and place on
its second reading.

Senate bill No. 114. A bill to be entitled
"An Act to amend Articles 3862, 3863
and 3866, Revised Civil Statutes, relating
to the government of the Agricultural
and Mechanical College of Texas."
The Speaker laid the same before the
House.

Mr. Childers moved to reconsider the
vote by which Senate bill No. 19
was passed yesterday, and asked to have the
motion to reconsider spread upon the
Journal.

BILL ORDERED PRINTED.
House bill No. 493 (with majority ad-
verse report and minority favorable re-
port), on motion of Mr. Masterson.

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

Senate bill No. 44. A bill to be entitled
"An Act to amend Section 4, of Chapter
5, of the Acts of the Special Session
of the Twenty-fifth Legislature of the State
of Texas, approved June 16, 1897,
relating to the fees of sheriffs and constables,
providing the amount of such fees, and
for payment of sheriffs' and constables' costs."
The bill was laid before the House, was
read second time, and passed to a third
reading.

Mr. Bailey moved to suspend the con-
stitutional rule requiring bills to be read
on three several days in each house, and
that Senate bill No. 44 be put on its
third reading and final passage.

The motion prevailed by the following
vote:

Yeas—101.


Nays—2.

Calvin. Morrow.

Absent.


Absent—Excused.


Senate bill No. 44 laid before the
Mr. Bailey moved to reconsider the vote by which Senate bill No. 44 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

Senate bill No. 193, A bill to be entitled “An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate a railway, extending from a point in or near the town of Tyler, in Smith county, to a point in or near the town of Lufkin, in Angelina county, with its franchises and appurtenances, known as the Tyler Southeastern Railway; and to authorize the Tyler Southeastern Railway Company, and the owners thereof, to sell the same, and to authorize a corresponding increase in the authorized aggregate of the bonds and stock of the St. Louis Southwestern Railway Company of Texas, and to regulate reports of such properties, and the operations thereof.”

The bill was laid before the House, was read second time, and was passed to a third reading.

Mr. Marsh moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 193 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.


Mr. Bailey moved to reconsider the vote by which Senate bill No. 44 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

Senate bill No. 193, A bill to be entitled “An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate a railway, extending from a point in or near the town of Tyler, in Smith county, to a point in or near the town of Lufkin, in Angelina county, with its franchises and appurtenances, known as the Tyler Southeastern Railway; and to authorize the Tyler Southeastern Railway Company, and the owners thereof, to sell the same, and to authorize a corresponding increase in the authorized aggregate of the bonds and stock of the St. Louis Southwestern Railway Company of Texas, and to regulate reports of such properties, and the operations thereof.”

The bill was laid before the House, was read second time, and was passed to a third reading.

Mr. Marsh moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 193 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.


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Yeas—98.

Howard.   Allen of Hopkins.
Hurley.   Ayers.
Jones.    Barbee.
Lake.     Barrett.
Lan.      Bean.
Little.   Beaty.
Loosey.   Blount.
Loyd.     Bolin.
Marsh.    Bridges.
Masterson.    Caldwell.
Maxwell.   Calvin.
McClellan.  Childers.
McKamy.    Childs.
McKellar.  Clements.
Mercer.    Cocke.
Monroe.    Cole.
Morris.    Conoly.
Murphy.    Crawford.
Murray.    Dean.
Neill.     Dies.
Nolan.    Dorroh.
Oliver.    Eckols.
Peery.     Ellis.
Pfeuffer.  Frost.
Phillips of Lampasas.  Gill.
Pitts.     Goodman.
Poole.     Gordon.
Prince.    Graham.
Ratcliff.  Greenwood.
Robertson, Harrison.  Grogan.
Robertson of Bell.  Grubbs.
Rogers.    Hamilton.
Sansom.    Hurley.
Savage.    Jones.
Schluter.  Lake.
Scurry.    Lan.
Scurry.    Little.
Shelburne.  Livsey.
Shropshire.  Looney.
Smith of Grayson.  Lyon.
Staples.    Marsh.
Staples.    Masterson.
Stewart.    Maxwell.
Terrell.    McFarland.
Terry.     Teagle.
Tatum.     Tucker.
Tatum.     Tucker.
Terry.     Wright.
Wills.     Wright.
Wills.     Wright.
Wheat.     Wright.
Willacy.   Willrodt.
Willrodt.  Willrodt.
Willrodt.  Wooten.

Nays—7.

Blount.    Morrow.
Lillard.   Shannon.
McAnally.  Teagle.
Mc Dowell. Absent.

Bailey.    Parish.
Chambers.  Powell.
Collins.   Shropshire.
Culp.      Smith of Collin.
Evans of Fannin.  Thomas of Wise.
Kittrell.  Wooten.

Bennett.  Henderson, Brazos.
Cross.    Tucker.
Derden.   Magee.

Senate bill No. 193 laid before the House, on its third reading and final passage.
The bill was read third time.
Mr. Marsh then exhibited in the House proof which accompanied the introduction of the bill, showing that notice of the intention to apply to the Legislature for the passage of such special law had been duly published and given as required by the Constitution and laws of this State.
The bill was passed by the following vote:

Yeas—7.

Howard.    Morrow.
Lillard.   Shannon.
McAnally.  Teagle.
Mc Dowell. Absent.
Absent—Excused.

Bennett.
Browne.
Derden.

"I vote 'yea' for the passage of Senate bill No. 193, because the people living on said lines petitioned the Legislature for the passage of said bill and from the additional fact that the Railroad Commission make no objection to said act.

"PHILIPS of Lampasas."

Mr. Marsh moved to reconsider the vote by which Senate bill No. 193 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Stewart the regular order of business was suspended to take up and place on its second reading and passage to a third reading, Senate bill No. 141, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances; and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or either or any of such railroads, and its franchises and appurtenances, and to authorize the owners of each of said railroads, and its franchises and appurtenances, to sell the same, and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railroads, franchises and appurtenances so purchased as fixed, or as the same may be fixed, by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof."

The bill was laid before the House, read second time and passed to a third reading.

Mr. Stewart moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 141 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.
Allen of Colorado.
Allen of Hopkins.
Ayers.
Bean.
Beatty.
Bolton.
Bridgers.
Caldwell.
Childers.
Childs.
Clements.
Cole.
Conoly.
Crawford.
Dean.
Decker.
Dies.
Dorroh.
Eckols.
Ellis.
Frost.
Garner.
Gill.
Goodlett.
Goodman.
Gordon.
Graham.
Greenwood.
Grogan.
Grubbs.
Hamilton.
Henderson, Lamar.
Hurley.
Jones.
Kittrell.
Lake.
Little.
Livsey.
Looney.
Loyd.
Marsh.
Masterson.
McClelan.
McKamy.
McMeen.
Howard.
Lillard.
Maxwell.
McAnally.

Nays—8.
Howard.
Lillard.
Maxwell.
McAnally.

Absent.
Adams.
Chambers.
Collins.
Culp.
Evans of Fannin.
Evans of Grayson.
Garrett.
Lane.

Absent—Excused.
Bennett.
Browne.
Cross.
Derden.
Bean.
Beatty.
Bolton.
Bridgers.
Caldwell.
Childers.
Childs.
Clements.
Cole.
Conoly.
Crawford.
Dean.
Decker.
Dies.
Dorroh.
Eckols.
Ellis.
Frost.
Garner.
Gill.
Goodlett.
Goodman.
Gordon.
Graham.
Greenwood.
Grogan.
Grubbs.
Hamilton.
Henderson, Lamar.
Hurley.
Jones.
Kittrell.
Lake.
Little.
Livsey.
Looney.
Loyd.
Marsh.
Masterson.
McClelan.
McKamy.
McMeen.
Howard.
Lillard.
Maxwell.
McAnally.

Mercer.
Monroe.
Morris.
Murphy.
Murray.
Neff.
Noling.
Oliver.
Palmer.
Peery.
Peterson.
Phillips, Lampasas.
Phillips of Camp.
Pitts.
Poole.
Prince.
Ratcliff.
Robertson, Harrison.
Robertson of Bell.
Rochelle.
Rogers.
Russell.
Savage.
Schulter.
Scurry.
Shelburne.
Shropshire.
Smith of Grayson.
Smith of Collin.
Staples.
Stewart.
Sutherland.
Tarkington.
Tarver.
Teague.
Thomas of Fannin.
Tompkins.
Vaughan.
Walton.
Wells.
Wheless.
Willacy.
Willard.
Wright.

McFarland.
McKellar.
Parish.
Powell.
Sansom.
Thomas of Wise.
Wooten.

Henderson, Brazos.
Kennedy.
Tucker.

Henderson, Brazos.
Kennedy.
Tucker.
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Senate bill No. 141 laid before the House, on third reading and final passage. Read third time, and passed by the following vote:

Yeas—89.

Allen of Colorado. Meitzen.
Allen of Hopkins. Mercer.
Ayers. Monroe.
Bailey. Morris.
Barbee. Murphy.
Barrett. Murray.
Beaty. Neff.
Bolin. Nolan.
Caldwell. Oliver.
Calvin. Palmer.
Childers. Peery.
Childs. Pfeuffer.
Cocke. Phillips of Camp.
Conoly. Pitts.
Crawford. Poole.
Dean. Prince.
Decker. Ratcliff.
Dies. Robertson, Harrison.
Dorroh. Robertson of Bell.
Ellis. Rochelle.
Frost. Rogers.
Garner. Savage.
Gill. Schuler.
Goodlett. Senry.
Goodman. Shelburne.
Gordon. Shropshire.
Graham. Smith of Grayson.
Greenwood. Staples.
Grogan. Stewart.
Grubbs. Stripling.
Hamilton. Sutherland.
Jones. Tarleton.
Kittrell. Tarver.
Lake. Tate.
Lane. Teagle.
Little. Thomas of Fannin.
Livsey. Tompkins.
Looney. Vaughan.
Loyd. Wafflon.
Marsh. Wells.
Masterson. Wheless.
McClellan. Willacy.
McDowell. Willrodt.

Bean. Maxwell.
Blount. Mathias.
Cole. Morrow.
Howard. Shannon.
Lillard. Terrell.

Absent—Excused.

Adams. Evans of Fannin.
Chambers. Evans of Grayson.
Collins. Garrett.
Culp. Hurley.
Eckols. McFarland.

McKellar. Smith of Collin.
Parish. Thomas of Wise.
Powell. Wooten.
Samsom. Wright.

Absent—Excused.

Jennett. Deniel.
Bridgers. Henderson, Brazos.
Browne. Kennedy.
Cross. Tucker.

"We vote against the passage of Senate bills Nos. 180 and 141 for much the same reason that we voted yesterday against the consolidation of the Missouri, Kansas & Texas Railway with the Sherman, Shreveport & Southern Railroad. As a general proposition, all railroad consolidations have an element of danger in them, because the concentration of railroad ownership in any State is an acknowledged evil; and in some States, as in California, has proven injurious to the public interests. The permission given yesterday to the Missouri, Kansas & Texas Railroad to purchase the Sherman, Shreveport & Southern Railroad, and allow the former to pay for it the enormous price of the immense and unreasonable bonded debt of $8,751,800, while the Railroad Commission's valuation of it is only $1,609,046, is, in our candid judgment, a most grave and serious error. The permission thus unfortunately given, is in direct contravention of our railroad stock and bond law, passed by the Twenty-third Legislature, to limit the amount of stock and bonded indebtedness which railroad companies may place upon themselves for the ultimate purpose of demanding higher freight rates. The Missouri, Kansas & Texas Railroad has now practically had legalized over $7,000,000 of watered stock and dishonest bonds. We vote against the Houston & Texas Central Railroad consolidation bill mainly because the Austin & Northwestern Railroad, as it exists now, has competing facilities with two other lines reaching to the sea coast. Governor Culberson vetoed practically this same consolidation bill, and gave as a principal reason therefor that the Austin & Northwestern Railroad was a competing line with the Houston & Texas Central, by virtue of the former road crossing the International & Great Northern Railroad at McNeill station, not far from Austin. If this wholesale consolidation of railroads is kept up, then in a few years all the railroads of Texas may be merged into two or three great systems owned and controlled by Huntington and the Goulds. And when that condition comes upon Texas, railroad building will practically cease, except as to the construction of a few short line
'feeders,' for main lines. With such unwise consolidation of railroads will follow the destruction of the low 'common point' freight rates on interstate freight now enjoyed by so many towns, at or near the junction of competing roads. We also believe with Governor Culberson that the Houston & Texas Central Railroad consolidation bill, merging said road with the Austin & Northwestern and the Fort Worth & New Orleans, is in conflict with the spirit and letter of Section 5, Article 10, of the Constitution of Texas, for which further reason we had to oppose it. Another reason for our vote is, a suit is now pending against the Austin & Northwestern Railroad for forfeiture of its charter, and to this fact the chairman of the Railroad Commission directed the special attention of a subcommittee on said bill, that wrote to them for an opinion regarding it, the chairman stating that what effect said suit should have on the passage of the proposed bill, was a legal question, which he did not feel called upon to answer. The same doubt and uncertainty attaches to the case of the consolidation of the Missouri, Kansas & Texas Railroad with the Sherman, Shreveport & Southern Railway, a forfeiture suit being also pending against the former road. An amendment to protect the State's right of action, after consolidation, was adopted at a committee meeting of the House, to apply to the Missouri, Kansas & Texas bill, but, for some unknown cause, it was not offered when the bill was called up for passage.

"Lillard."
"McAnally."
"Shannon."
"Morrow."

"I vote 'yea' for the passage of Senate bill No. 141, for the following reasons, to wit:

"First.—I think it will be to the interest of both the people and railroad company.

"Second.—I understand it is in accordance with the wishes of the Railroad Commission.

"Third.—With the consolidation of the Houston & Texas Central and the Austin & Northwestern Railway Company there will be a possible extension of the road from Burnet to Lampasas."

"Phillips of Lampasas."

Mr. Stewart moved to reconsider the vote by which Senate bill No. 141 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Senate bill No. 114, which was pending business, on second reading when the House met this afternoon, was laid before the House and was read second time.

The bill was passed to a third reading.

Mr. Willacy moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 114 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.
Adams. McKellar.
Allen of Colorado. Meitzen.
Allen of Hopkins. Mercer.
Bailey. Monroe.
Barbee. Morris.
Barrett. Morrow.
Bean. Murphy.
Beatty. Murray.
Bolin. Neff.
Bridgers. Nolan.
Caldwell. Oliver.
Calvin. Peery.
Childers. Peiffer.
Clements. Phillips of Camp.
Cole. Pitts.
Collins. Poole.
Conoly. Prince.
Dean. Ratliff.
Dies. Robertson, Harrison.
Dorroh. Robertson of Bell.
Eckols. Rochelle.
Ellis. Russell.
Frost. Sansom.
Gill. Savage.
Goodlett. Schuler.
Goodman. Sourcy.
Gordon. Snannon.
Graham. Shelburne.
Grogan. Shropshire.
Grubbs. Smith of Grayson.
Hamilton. Smith of Collin.
Henderson, Lamar. Staples.
Howard. Stewart.
Hurley. Stripling.
Jones. Sutherland.
Lake. Tarkington.
Lan.
Lillard. Teague.
Little. Terrell.
Livsey. Thomas of Fannin.
Looney. Tompkins.
Loyd. Vaughan.
Marsh. Walton.
Masterson. Wells.
Maxwell. Weless.
McAnally. Willacy.
McDowell. Williout.
McKamy. Wright.

Absent.
Ayers. Crawford.
Blount. Cross.
Chambers. Culp.
Cocke. Decker.
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Evans of Fannin. Palmer.
Evans of Grayson. Parish.
Garner. Powell.
Garrett. Rogers.
Greenwood. Tarver.
Kitrell. Thomas of Wise.
McClellan. Wooten.
Absent—Excused.

Bennett. Henderson, Brazos.
Browne. Kennedy.
Derden. Tucker.

Senate bill No. 114 laid before the House on its third reading and final passage.

Read third time, and passed by the following vote:

Yeas—103.
Adams.
Allen of Colorado. Loyd.
Allen of Hopkins. Marsh.
Ayers. Masterson.
Bailey. Maxwell.
Barbee. McNally.
Barrett. McDowell.
Bean. McKamy.
Beatty. McLellar.
Blount. Meitzen.
Bolin. Merceer.
Bridgers. Monroe.
Caldwell. Morris.
Calvin. Morrow.
Childs. Murphy.
Clements. Murray.
Cole. Neff.
Conoly. Nolan.
Crawford. Oliver.
Dean. Peery.
Decker. Pfeuffer.
Dorroh. Phillips of Camp.
Eckola. Pitts.
Ellis. Prince.
Frost. Ratcliff.
Garner. Robertson, Harrison.
Garrett. Robertson of Bell.
Gill. Rochelle.
Goodlett. Rogers.
Goodman. Russell.
Gordon. Savage.
Graham. Schluter.
Greenwood. Scurry.
Grogan. Shannon.
Grubbs. Shelburne.
Hamilton. Shropshire.
Howard. Staples.
Hurley. Stewart.
Jones. Stripling.
Kittrell. Sutherland.
Lake. Tarkington.
Lane. Tate.
Lillard. Teagle.
Little. Terrell.
Livsey. Thomas of Wise.

Thomas of Fannin. Weissless.
Tompkins. Willacy.
Vaughan. Willrodt.
Walton. Wright.
Childers. Absent.

Chambers. Palmer.
Cole. Parish.
Collins. Poole.
Culp. Powell.
Evans of Fannin. Sansom.
Evans of Grayson. Smith of Collin.
McClellan. Tarver.
McFarland. Wooten.

Absent—Excused.

Bennett. Henderson, Brazos.
Browne. Kennedy.
Cross. Tucker.
Derden. Derden.

Mr. Willacy moved to reconsider the vote by which Senate bill No. 114 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

Senate bill No. 31, A bill to be entitled "An Act to provide a final method of publishing notices and reports required by law to be published by commissioners courts of the various counties of the State, to be effective in all cases where said courts are unable to secure publication thereof in the manner and for the price now provided by law therefor."

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

Mr. Adams offered the following amendment:

"Amend by adding, 'Provided, that the papers shall be asked to publish such notice, and upon the refusal of the newspaper, then the notice shall be posted as herein provided.'"

Tabled on motion of Mr. Masterson.

The bill was passed to a third reading.

Mr. Masterson moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 31 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.
Adams.
Allen of Hopkins. Bean.
Ayers. Beaty.
Bailey. Blount.
Senate bill No. 31 laid before the House on third reading and final passage. Read third time, and passed by the following vote:

Yeas—96.

Adams.  Meitzen.
Allen of Colorado.  Meitzen.
Allen of Hopkins.  Mercer.
Bailey.  Morris.
Barbee.  Morrow.
Barrett.  Murphy.
Bean.  Murray.
Beaty.  Neff.
Blount.  Nolan.
Bridgers.  Oliver.
Caldwell.  Peery.  Pfeuffer.
Crawford.  Peery.
Culp.  Pfeuffer.
Dean.  Peery.
Dies.  Peery.
Dorroh.  Pfeuffer.
Ellis.  Phillips of Camp.
Frost.  Pitts.
Garner.  Poole.
Gill.  Prince.
Goodlett.  Ratcliff.
Goodman.  Robertson, Harrison.
Gordon.  Robertson of Bell.
Greenwood.  Russell.
Grogan.  Schulters.
Grubbs.  Shurtle.
Henderson, Lamar.  Shropshire.
Howard.  Smith of Grayson.
Hurley.  Smith of Collin.
Jones.  Staples.
Kittrell.  Stripling.
Lake.  Sutherland.
Lane.  Tarver.
Lillard.  Tate.
Little.  Teagle.
Livsey.  Terrell.
Looney.  Thomas of Fannin.
Loyd.  Tompkins.
Marsh.  Vaughan.
Masterson.  Walton.
Maxwell.  Wells.
McAnally.  Whelss.
McDowell.  Willey.
McKamy.  Willrodt.
McKellar.  Wright.
Absent.

Chambers.  Mercer.
Childs.  Parish.
Clements.  Powell.
Cooke.  Rochelle.
Collins.  Rogers.
Decker.  Sansom.
Evans of Fannin.  Savage.
Evans of Grayson.  Shannon.
Garrett.  Stewart.
Graham.  Tarkington.
McClellan.  Thomas of Wise.
McFarland.  Wooten.

Absent—Excused.

Bennett.  Henderson, Brazos.
Browne.  Kennedy.
Cross.  Tucker.
Derden.

Bolin.  Grogan.
Chambers.  Kittrell.
Childers.  McFarland.
Cooke.  Parish.
Collins.  Powell.
Decker.  Rogers.
Evans of Fannin.  Sansom.
Evans of Grayson.  Shannon.
Garrett.  Stewart.
Gordon.  Thomas of Wise.
Graham.  Wooten.

Absent—Excused.

Bennett.  Cross.
Browne.  Derden.
Mr. Masterson moved to reconsider the vote by which Senate bill No. 31 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

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."

The bill was laid before the House, together with the committee report recommending a substitute.

The bill was read second time.

COMMITTEE REPORTS.

(By unanimous consent, pending business was suspended and the following committee reports sent up:)

Committee Room, Austin, Texas, March 1, 1899.

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

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

House bill No. 496, A bill to be entitled "Act to make the giving of a rebate by any employe of a railroad company a felony, or the receiving of the same by any person, firm or agent of any person or firm a misdemeanor, and fixing penalty for same, and declaring an emergency."

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

BAILEY, Chairman.

Committee Room, Austin, Texas, March 1, 1899.

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

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

House bill No. 674, A bill to be entitled "An Act making an appropriation to pay the heirs of J. H. Coleman, deceased, eight per centum interest on $4215.41 from January 1, 1873, to September 29, 1881, on claims of teachers of public schools of Texas, for services rendered by said teachers in teaching the public free schools of Texas prior to the first day of July, 1873, and owned by the said J. H. Coleman as assignee prior to his death, and filed by him or his agent in the Comptroller's office of Texas, and are now held by Wm. Coleman as an heir of said J. H. Coleman, deceased, and by transfer from A. R. Coleman, John H. Coleman and Isabella Coleman, the only other heirs of said John H. Coleman, deceased."

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 Claims and Accounts.

BAILEY, Chairman.

Committee Room, Austin, Texas, March 1, 1899.

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

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

House bill No. 636, A bill to be entitled "An Act to amend Article 750, Chapter 6, Title VIII, of the Code of Criminal Procedure, so as to make it the duty of the court to assess the punishment whenever the jury in any criminal case shall find the defendant guilty of a felony."

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.

BAILEY, Chairman.

Committee Room, Austin, Texas, March 1, 1899.

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

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

House bill No. 634, A bill to be entitled "An Act to amend Article 1387, Chapter 19, Title XXX, of the Revised Statutes of the State of Texas, relating to appeals and prescribing the times in which cases must be appealed from a final judgment..."
or judgments overruling motions for new trials;''

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 Judiciary Committee No. 1.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 633, A bill to be entitled "An Act to amend Article 1015, Chapter 16, Title XXVII, of the Revised Statutes of the State of Texas, relating to the filing of transcripts in the courts of civil appeals, in appealed cases or cases carried up on writ of error;''

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.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 631, A bill to be entitled "An Act to define and punish commercial swindling;''

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.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 625, A bill to be entitled "An Act to amend Title XIII, Chapter 4, Article 499, of the Penal Code, so as to include in the amended article the willful injury or destruction, of shade and ornamental trees and shrubbery belonging to public school buildings and churches, and prescribing a penalty for violation thereof;''

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.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 558, A bill to be entitled "An Act to amend Article 1009, Title XVIII, Chapter 12, of the Penal Code of the State of Texas, and add Article 1009a thereto, prescribing the punishment for discrimination in freight charges by the officers and agents of railroads, and the duties of the Railroad Commission in relation thereto;''

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

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 341, A bill to be entitled "An Act to prevent officials, employees or agents of the State of Texas from receiving fees, perquisites, gifts or emoluments not stipulated by law, and providing a penalty for 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.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 681, A bill to be entitled "An Act to make it unlawful for any person to keep within the State any gambling house for the purpose of permitting gambling to be carried on in same, to define gambling houses and gambler, and to provide a penalty for the keeping of any such gambling house;''

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

BAILEY, Chairman.
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Senate bill No. 81. A bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections by authorized persons."

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 Public Health and Vital Statistics.

BAILEY, Chairman.

Committee Room.

AUSTIN, TEXAS, MARCH 1, 1899.

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

Sir: Your Committee on Finance, to whom was referred

House bill No. 660, A bill to be entitled "An Act to amend Article 988, Chapter 11, Title XXVII, of the Revised Civil Statutes of 1895, and to fix the salaries of the chief justices and the associate justices of the several courts of civil appeals at three thousand dollars per annum."

And House bill No. 601, A bill to be entitled "An Act to amend Article 934, Chapter 1, Title XXVII, of the Revised Civil Statutes of Texas, 1895, and to fix the salaries of the chief justice and the associate justices of the supreme court at three thousand five hundred dollars per annum, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that they be returned to the calendar and referred to Judiciary Committee No. 1.

HENDERSON of Lamar. Chairman.

Committee Room.

AUSTIN, TEXAS, MARCH 1, 1899.

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

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

Senate bill No. 153, 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 fees and compensation of clerks of the district courts, district attorneys, 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 assessors and collectors of taxes, and to limit and regulate the compensation of sheriffs, 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 the violation of said 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, MARCH 1, 1899.

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

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

House Concurrent Resolution No. 25, A House Concurrent Resolution that, whereas, many of the true Texas "boys" that enlisted in the army as volunteers to uphold the Stars and Stripes, and drive the Spanish oppressors out of Cuba, have never returned to their wives and loved ones, but sleep in the ditches around San Juan, Miama or Montauk Point, and, whereas, by reason of their death there are now widows and widowed mothers penniless and in want; therefore, be it resolved by the House, the Senate concurring, that a bounty of $50 be given each widow of said volunteers, or widowed mother whose only son was killed, out of a sum to be appropriated by the Twenty-sixth Legislature for that purpose;" 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 Federal Relations.

SHELBURNE, Chairman.

Committee Room.

AUSTIN, TEXAS, MARCH 1, 1899.

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

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

House bill No. 559, A bill to be entitled "An Act to amend Article 988, Chapter 1, Title XXVII, of the Revised Civil Statutes of Texas, 1895, and to fix and limit the compensation of clerks of the district courts for certain services, 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.
the appellate court and be referred to by
the appellate courts, in order to more fully determine the correctness of the facts provided upon the trial of any cause, and to provide a penalty for failing to comply with the provisions of this act."

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 by striking out the word 'agreed,' in line 1, page 2, and insert after the word 'cause,' in line 2, page 2, the following, 'made up by the court when the parties have failed to agree on such facts' or 'bills of exception.'"

SHELBURNE, Chairman.

REPORT.

Committee Room,
Austin, Texas, March 1, 1899.
Hon. J. S. Sheerrill, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 371, A bill to be entitled "An Act to provide for service of citation in suits against non-resident owners or proprietors of any sewer system, water works, street railway, cotton compress or any manufacturing establishment situated within this State, and fixing a lien on the property of said owners in the county of suit, and for judgment and order of sale, and providing that the said owners be required to file powers of attorney with county clerks, naming agents and authorizing them to accept service, and providing for penalty for failure to comply with this act."

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 matter has been reported favorably.

SHELBURNE, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 1, 1899.
Hon. J. S. Sheerrill, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 605, A bill to be entitled "An Act to create the office of State Veterinarian, defining his duties and fixing his compensation at $2000 per annum, and to appropriate the sum of $5000, to be used in scientific experiments in the discovery of the causes and prevention of Texas or splenetic fever and other contagious and infectious diseases in cattle and live stock, and a more suitable disinfectant for diseased cattle than that now practiced under the Federal quarantine laws."

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

SHELBURNE, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 1, 1899.
Hon. J. S. Sheerrill, Speaker of the House of Representatives.

Sir: The undersigned, a minority of your Committee on State Affairs, beg leave to differ and dissent from the report of said committee on House bill No. 605, in recommending that a substitute for said bill as prepared and reported by said committee do pass. And this minority recommends that said bill do not pass, because, in the opinion of the undersigned, no necessity exists for the passage of the same, and the great expense necessarily incurred in carrying into effect the provisions thereof is at present unnecessary.

2nd. Because, now, at the A. and M. College of Texas there is a "veterinary department," and a professor of veterinary science, who, with the equipment asked for in his report, as contained on pages 22 and 23 of the Report of the Agricultural and Mechanical College of Texas, will be able to meet the needs of the live stock interests of Texas.

3rd. The passage of this bill and the large appropriation it carries would, it is feared, impair the chance of procuring the appropriation asked in said report above mentioned, which is imperative in order to place said "veterinary department" on a basis of efficiency, and in keeping with the magnitude of the live stock interests of this State.

TOMPKINS.
in violation of Section 27, Article 1, of the Constitution of this State.

SHELBURNE, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Committee on Education, to whom was referred

House bill No. 473, A bill to be entitled “An Act to amend Section 14, Chapter 164, of the General Laws passed by the Regular Session of the Twenty-fifth Legislature, providing for the adoption of a uniform system of text-books in the common schools 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, as a bill of similar character has been reported.

COLE, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Committee on Education, to whom was referred

House bill No. 483, A bill to be entitled “An Act to amend Article 3938, Chapter 10, Title LXXXVI, of the Revised Civil Statutes of the State of Texas of 1895, relating to school districts.”

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, March 1, 1899.

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

Sir: Your Committee on Education, to whom was referred

House bill No. 457, A bill to be entitled “An Act to amend Articles 3082 and 3983, of the Revised Civil Statutes, relative to transfers of school children.”

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, for the reason that a similar bill has been reported favorably.

COLE, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: Your Committee on Education, to whom was referred

House bill No. 456, A bill to be entitled “An Act to provide for the appointment of a committee to prepare a uniform course of study for the public schools of the State of Texas; for the publication and distribution of said course of study; for the keeping of records by all teachers, showing the classification and standing of all pupils; for the giving of certificates by teachers to pupils upon request, showing classification and standing of all pupils upon leaving school; for certificates showing completion of course in any school, and providing for transfer to schools of higher grade; for the holding of county teachers conventions, and local teachers meetings, and providing a penalty for non-attendance upon same; to define a school month; to require all reports to conform to definite school months; to provide funds to defray expenses of committee who prepare course of study, not to exceed five ($500) hundred dollars; to repeal all laws in conflict with this chapter.”

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

COLE, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 1, 1899.

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

Sir: We, a minority of your Committee on Education, to whom was referred

House bill No. 456.

Not being able to agree with the majority, beg leave to report that we respectfully recommend that the bill do pass for the following reasons:

We are, by the course of study now taught and attempted to be taught in the common schools, like the country doctor was when he visited a sick child, the disease being something that was not in the books. After careful examination of the patient, he owned up that he did not know what was the matter with it, but said that he could give it something that could throw it into fits, and that he was a dead shot on fits. This bill would have a similar effect on the present school system and make it so complicated, cum-
bersome and impracticable, that the immediate necessity for a radical revision would become so apparent to the Legislature that appropriate action would be taken to that desirable end.

GRUBBS.

Committee Room, Austin, Texas, March 1, 1899.

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

Sir: Your Committee on Education, to whom was referred House bill No. 469, A bill to be entitled "An Act to amend Chapter 6, Title LXXXVI, of the Revised Statutes of the State of Texas, and to add Article 3891a, to said chapter, authorizing the Board of Education to invest the permanent school fund of the State of Texas in bonds of the United States, the State of Texas, and the bonds of the counties 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, as a bill of similar character has been reported by committee.

COLE, Chairman.

Committee Room, Austin, Texas, March 1, 1899.

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

Sir: Your Committee on Education, to whom was referred House bill No. 546, A bill to be entitled "An Act to amend Article 3774a, Chapter 13, Title LXXXVI, Revised Statutes, relating to the issuance of teachers' permanent certificates, and authorizing the issuance of such certificates to regular graduates of certain institutions;"

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 a bill of similar character has been reported.

COLE, Chairman.

Committee Room, Austin, Texas, March 2, 1899.

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

Sir: Your Committee on Penitentiaries, to whom was referred House bill No. 41, A bill to be entitled "An Act to require all convicts, whether worked by the State or otherwise, to work the public roads of the counties in which said convicts may be worked by the State, or anyone else, and to provide a penalty for the violation of this act,''

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

DORROH, Chairman.

BILL SIGNED BY THE SPEAKER.

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

Senate bill No. 156, "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 Indian Territory, without limiting the authority of the laws of Texas over such of said railroads as may be within the State of Texas.''

Pending consideration of Senate bill No. 39, on second reading, with House committee substitute for the same—question being: Shall the committee report be adopted?

On motion of Mr. Tarver, and in accordance with resolution by Mr. Blount adopted today, the House, at 5:10 p. m., adjourned until 9:30 o'clock a. m. tomorrow.

FORTY-SIXTH DAY.

Hall of the House of Representatives, Austin, Texas, Friday, March 3, 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. Culp.
Allen of Colorado. Dean.
Allen of Hopkins. Decker.
Ayers. Dies.
Bailey. Dorroh.
Barbee. Eckols.
Bean. Ellis.
Beaty. Evans of Grayson.
Blount. Frost.
Bridgers. Garrett.
Caldwell. Gill.
Calvin. Goodlett.
Chambers. Goodman.
Childers. Gordon.
Childs. Graham.
Clements. Grogan.
Cocke. Grubbs.
Cole. Greenwood.
Collins. Hamilton.
Conolly. Henderson, Lamar.
Crawford. Howard.