March 7, 1899

HOUSE JOURNAL

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the small farmers of this State, so that they can procure the best physicians, drugs and medicines that they may need during the year while making their crops by exempting from mortgage lien, at forced sale, two bales of cotton of 500 pounds each, and to repeal such laws as may conflict with this act, 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, as this committee has reported a bill favorably containing the same substance.

WILLACY, Chairman.

Committee Room.

Austin, Texas, March 4, 1899.

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

Sir: Your Committee on Agricultural Affairs, to whom was referred House bill No. 680, a bill to be entitled "An Act for the relief and protection of the small cotton farmers in this State, and to protect the wives and children of the cotton farmers of this State, by exempting from mortgage lien, attachment or other species of forced sale, two bales of cotton of five hundred pounds each, and to repeal such laws as may conflict with this act, 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 pass.

WILLACY, Chairman.

REPORT OF SPECIAL JOINT COMMITTEE.

Mr. Kennedy, Chairman, on part of the House, submitted the following report:

Austin, Texas, March 6, 1899.

Hon. J. S. Sherrill, Speaker of the House of Representatives, and Hon. Jax. N. Browning, President of the Senate.

Sir: We, your Joint Committee to arrange for the reception of the Hon. W. J. Bryan, beg leave to report that Mr. Bryan is expected to arrive in the city Wednesday afternoon. He will be met at the depot by his Excellency, the Governor, and by your committee. Mr. Bryan will be entertained by the Governor. At 8 o'clock p. m., Wednesday, Mr. Bryan will address the House and Senate in joint session assembled in the House of Representatives, the joint session having been provided for in the original resolution.

We have invited the Honorables F. R. Lubbock, R. B. Hubbard, J. S. Hogg and C. A. Culberson, the judges of the Supreme Court, the Railroad Commissioners, the heads of the State departments, the Honorables C. K. Bell, J. W. Blake, James G. Dudley and Waller S. Baker to seats upon the platform.

The Assistant Sergeant-at-Arms of the House and the Assistant Sergeant-at-Arms of the Senate have been requested to act as a committee to properly arrange the seating of the House so as to accommodate the largest crowd possible.

Respectfully,

KENNEDY,

Chairman House Committee.

POTTER,

Chairman Senate Committee.

At 5:25 p. m., on motion of Mr. Greenwood, the House adjourned to 9:30 a. m. tomorrow.

FORTY-NINTH DAY.

Hall of the House of Representatives, Austin, Texas.

Tuesday, March 7, 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:

Bailey. Goodlett.
Barbee. Goodman.
Barrett. Gordon.
Bean. Graham.
Bolton. Greenwood.
Bridgers. Grogan.
Browne. Hamilton.
Caldwell. Henderson, Lamar.
Calvin. Howard.
Chambers. Hurley.
Childs. Kennedy.
Clements. Kittrell.
Cocke. Lake.
Collins. Lillard.
Conoly. Little.
Crawford. Livesey.
Cross. Loyal.
Culp. Marsh.
Dean. Masterson.
Derdan. Maxwell.
Diedes. McAnally.
Doroln. McClellan.
Eckols. McDowell.
Ellis. McFarland.
Evans of Fannin. McKamy.
Evans of Grayson. McKellar.
Prest. Meffan.
Robertson, Harrison.

Morrow.

the following amendment

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all of

Oliver.

in line

February 22:

Robertson of Bell. 

Wells.

Poole.

Pfeuffer. Tarver.

Parish. Sutherland.

Murphy.

Morris.

Monroe.

Mercer.

relating to investment of the permanent

public free school fund. on engrossment.

Nolan.

Neff.

Savage. Wright.

Bennett.

Russell. Willrodt.

Rogers. Willacy.

Rochelle.

Prince.

Powell.

Phillips of Camp.

Pitts.

Poode.

Powell. 

Thomas of Wise.

Prince.

Tompkins.

Ratcliff.

Robertson, Harrison. Walton.

Robertson of Bell. Wells.

Roehelle. 

Rogers. Willacy.

Russell. Willrodt.

Ransom.

Wooten.

Savage. Wright.

Schluter.

Absnt.

Garrett. 

Gill.

Absent—Excused.

Allen of Colorado. Lane.


Ayers. 

Peery.

Bennett. Phillips, Lampasas.

Biount. Tarkington.

Deeker.

Thomas of Fannin.

Henderson, Brazos. Tucker.

A quorum was announced present.

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

Pending reading of the Journal of yes-

terday,

On motion of Mr. Loyd, further reading

was dispensed with.

GRANTED LEAVE OF ABSENCE.

On motion of Mr. Willrodt, Mr. Tompkins

was excused for yesterday, on ac-

count of important business.

PENDING BUSINESS.

When the House adjourned yesterday

it had under consideration,

Substitute House bill Nos. 275 and 313,

relating to investment of the permanent

public free school fund, on engrossment,

with pending motion of Mr. Smith of

Grayson to rescind the vote by which

the following amendment was adopted on

February 22: "Amend by striking out

all of Section 2 after the word 'bidder,'

in line 22."

The Speaker laid the same before the

House.

Whereupon Mr. Schluter, Chairman,
on part of the House, submitted the fol-

lowing report:

Hon. Jas. N. Browning, President of

the Senate, and Hon. J. B. Sherrill,

Speaker of the House.

Your Free Conference Committee, to

whom was referred the differences be-

tween the Senate and House upon

Senate bill No. 154, being a bill to be

entitled "An Act to authorize the Mis-
souri, Kansas & Texas Railway Company

of Texas to acquire by purchase or lease

the railroad of the Sherman, Shreveport

& Southern Railway Company, extend-

ing from the city of McKinney, in Collin

county, to the city of Jefferson, in Ma-

rion county, and any extension thereof

from said city of Jefferson to the eastern

line of Texas, in the direction of Shreve-

port, Louisiana, together with the prop-

ey and franchises pertaining thereto,

and to own, operate, and maintain the

same as part of its 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, and investing said com-

panies and each of them with the power

to make and execute all necessary con-

tracts, agreements and conveyances to

effect such sale or lease; also to author-

ize the said The Sherman, Shreveport

& Southern Railway Company, before

such sale or lease, or the said The Mis-
souri, Kansas & Texas Railway Company

of Texas after such sale or lease, when

the said railway so to be purchased or

leased has been extended from the city of

Jefferson to the eastern line of the State

of Texas, in the direction of Shreveport,

Louisiana, to connect with any railway

extending to said city of Shreveport, and

to acquire from the owner or owners of

such line of railway, in the State of

Louisiana, by lease, trackage or running

rights agreement, the use of such line to

the said city of Shreveport; and further

to authorize the said The Sherman,

Shreveport & Southern Railway Com-

pany, before such sale or lease, or the

said The Missouri, Kansas & Texas Rail-

way Company of Texas, after such sale

or lease, to acquire necessary terminal

facilities in the said city of Shreveport."

Beg leave to report that we have had

the same under consideration, and report

back to the Senate and House the follow-

ing substitute for the House amendment:

"Provided further, that the stock and

bonds of the Missouri, Kansas & Texas

Railway Company of Texas issued in ex-

change for the stock and bonds of the

Sherman, Shreveport & Southern Rail-

way Company shall not exceed the valu-

ation of the said Sherman, Shreveport &
Southern Railroad as fixed by the Railroad Commission of Texas.

"Provided further, that nothing herein contained shall be construed as affecting in any manner any suit pending between the State of Texas and the said Southern Railroad as fixed by the Railroad Commission of Texas, nor as affecting in any manner the discretion of the Attorney-General of Texas to prosecute or not to prosecute any such suit, or as in any manner waiving any cause of action now existing in favor of the State of Texas against said railway company."

And said substitute shall be inserted in said bill at the end of Section 4, and we recommend that said substitute be adopted.

Respectfully submitted,

GOUGH,
ODELL,
GREER,
JAMES,
TURNEY,
Committee on part of Senate.

SCHLUTER,
WOOTEN,
VAUGHAN,
BOLIN,
Committee on part of House.

The report was laid before the House and was read.

Mr. Wooten moved that it be adopted.

The Clerk was directed to call the roll, and it was adopted by the following vote:

Yeas—94.

Barbee.
Barrett.
Bean.
Browne.
Caldwell.
Calvin.
Chambers.
Childers.
Childs.
Clements.
Cole.
Collins.
Comely.
Crawford.
Cross.
Culp.
Dean.
Derden.
Dries.
Dorrough.
Eckols.
Ellis.
Evans of Fannin.
Frost.
Garner.
Gill.
Goodlett.
Goodman.

Nolan.
Oliver.
Farish.
Pfeiffer.
Phillips of Camp.
Poole.
Powell.
Prince.
Ratcliff.
Robertson, Harrison.
Robertson of Bell.
Rogers.
Russell.
Sansom.
Savage.
Staples.
Phillips.
Shropshire.
Smith of Collin.
Staples.
Stewart.
Stripling.
Sutherland.
Tarver.
Tate.
Terrell.

Shannon.
Shebourne.

Wooten.
Wright.

Barbee.
Barrett.
Bean.
Browne.
Caldwell.
Calvin.
Chambers.
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Tarver.
Tate.
Terrell.

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Wooten.
Wright.

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Robertson, Harrison.
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Sansom.
Savage.
Staples.
Phillips.
Shropshire.
Smith of Collin.
Senate bill No. 103. A bill to be entitled "An Act to amend Section 23, of Article 1194, of the Revised Civil Statutes of the State of Texas, regulating the venue of suits against private corporations, associations and joint stock companies, so as to permit suits against carriers to be brought in any county in which the carrier or whose line the freight or baggage originated or was first shipped, has an office or agency, and against whom, with others, damages are claimed, or in any county in which is situated the depot, town or point to which the freight or baggage was consigned or shipped, and to permit two or more carriers to be joined in one suit."

Senator bill No. 130, A bill to be entitled "An Act to amend Sections 1 and 2, of Chapter 133, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, entitled 'An Act to prohibit the taking of fish from the fresh water lakes and streams of this State otherwise than by means of the ordinary hook and line and trot line, and to prohibit the sale or shipment of game fish in this State, and to provide penalties for the violation thereof,' and to exempt the counties of Stephens, Eastland and Palo Pinto from the provisions of said chapter."

Senate bill No. 159, A bill to be entitled "An Act to amend Article 32, of Chapter 2, Title I, of the Code of Criminal Procedure of the State of Texas, relating to the duties of county attorneys."

That the Senate has adopted the report of the Free Conference Committee on Senate bill No. 134 by a two-thirds vote.

J. P. Pool, Secretary of the Senate.

The House resumed consideration of the pending bill, Substitute House bill No. 273 and 274, relating to investment of the permanent public free school fund, with motion of Mr. Smith of Grayson pending.

Mr. Kittrell moved to suspend pending business to take up and place on its second reading House bill No. 340,

And the motion was lost.

Pending consideration of the bill, the Speaker announced that the hour, 10 a.m., had arrived for consideration of House bill No. 452, on its second reading, as special order for said hour.

The Speaker then laid before the House, on its second reading.

House bill No. 452, A bill to be entitled "An Act to appropriate and set apart to the public free school fund of the State of Texas all the unappropriated public domain of the State of Texas, including the lands reserved and appropriated by the Act of July 14, 1879, and to provide for the survey, sale, lease and classification thereof and the patenting of homestead preemption surveys made prior to May 23, 1898, and to repeal Articles 4200, 4201, 4202, 4203, 4204, 4205, 4206 and 4207, Chapter 7, Title LXXXVII, of the Revised Civil Statutes of the State of Texas," with a favorable committee report with amendment.

The bill was read second time, and the committee report was adopted.

Mr. Bolin offered the following amendment:

"Amend by adding "Section 8. All proceeds from the sale of the land mentioned in this act shall be paid into the State treasury, and held by the State Treasurer in trust, to await the adjustment of the account between the State and the free school fund, and if in such adjustment it shall be found that the school fund has received its full portion of the public domain, then and in that event, the said proceeds shall be applied to the permanent and the available free school funds as now provided by law for the sale of other school lands.""

Adopted.

Mr. Smith of Collin offered the following amendment:

"In lines 21 and 22 of Section 1, page 1, strike out the words 'to the permanent free school fund of the State' and add 'for the purpose of building a State industrial school for girls, and said land is hereby set apart, first, to build the proper building for said industrial school, and second, as a permanent fund.'"

Mr. Powell moved the previous question, and it was not seconded.

On motion of Mr. Livsey the amendment was tabled.

Mr. Monroe offered the following amendment:

"Amend by adding the following section:

"Section 9. All laws and parts of laws in conflict herewith are hereby repealed."

Adopted.

Mr. Smith of Collin offered the following amendment:

"Strike out Section 7 of the committee report."

Tabled on motion of Mr. Frost.

Mr. Bolin offered the following amendments:

"Amend by adding "Section 10. Whereas, there has been great confusion and pecuniary loss for want of a law to classify and dispose of the disjointed sections of land in this State, therefore, an emergency exists and
an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted.'"
Adopted.

"Amend the caption by adding the following, 'and to declare an emergency.'"
Adopted.

Mr. Adams offered the following amendment:

"Amend Section 3, pages 1 and 2, by striking out lines 31 and 32 on page 1, and part of line 1, page 2, up to 'and.'"
Mr. Tarver moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Adams, Mr. Smith of Collin and Mr. Childers.

Tabled by the following vote:

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Nays—38.


"I vote 'no,' because we have a statute covering about the same provisions of this bill."

"McClellan."

Mr. Greenwood offered the following amendment:

"Amend by adding after the word 'designated' on page 1, line 23, these words: 'The principal realized from the sale of said lands shall constitute a part of the permanent school fund of this State, and the interest realized from the loan or investment thereof shall constitute a part of the available school fund of this State.'"
Adopted.

Mr. Marsh offered the following amendment:

"Amend by adding in line 6, page 2, the following: 'Provided further, that all such detached and isolated lands in tracts of less than 100 acres may be sold entirely for cash at the option of the purchaser.'"
Adopted.

Mr. Terrell offered the following amendment:

"Amend the caption and also Section 1, by striking out the figure '7' and inserting '11.'"
Adopted.

Mr. Wheless offered the following amendment:

"Amend by adding Section 11: 'Section 11. Nothing herein contained shall be held to embrace lands submerged in the bays of the State, which are susceptible or partially of development for commercial purposes.'"
Adopted.

Mr. Shropshire offered the following amendment:
"Amend by striking out '640' in line 31, page 1, and insert '200.'"

Adopted.

Mr. Childers offered the following amendment:
"Amend by striking out the enacting clause."

Tabled on motion of Mr. Tarver.

Mr. Jones offered the following amendment:
"Amend by striking out the word 'person' in line 10, page 2, and inserting in lieu of it the following: 'Any citizen of the State of Texas, 21 years of age or over.'"

Tabled on motion of Mr. Clements.

Pending consideration of the bill, the hour, 11 a. m., arrived which had been set apart for consideration of House Joint Resolution No. 20, on its second reading, and Mr. Wooten insisted that the special order be taken up.

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

The resolution was read second time.

Mr. Wells offered the following amendment:
"Amend by striking out on page 2, Section 3, after the word 'contemplated' line 22, 'they shall receive the same per diem as members of the Legislature,' and insert in their place 'they shall serve without compensation.'"

[Signed WELLS, SMITH of Collin.]

Mr. Tarver raised the point of order:
First.—That the House was not in the "Committee of the Whole."

Second.—That no appropriation of money shall be made except by bill.

Third.—That the proceedings before the House is a joint resolution carrying an appropriation of $2500, and cited Rule 73 of the House, which reads: "All proceedings touching appropriations of money shall be discussed in the Committee of the Whole House, and no appropriations of money shall be made except by bill," and that for the foregoing reasons the joint resolution is not properly before the House.

Overruled.

Mr. Goodman moved to table the resolution.

On the motion to table yeas and nays were demanded by Mr. McAnally, Mr. Morrow and Mr. Childers.

The motion to table was lost by the following vote:


Absent—Excused.
Allen of Colorado. Lane.
Ayers. Peery.
Bennett. Phillips, Lampasas.
Blount. Tarkington.
Decker. Thomas of Fannin.
Henderson, Brazos. Tucker.

On motion of Mr. Barrett, Mr. Powell was excused until next Monday, on account of sickness in his family.

Question recurring on the amendment by Mr. Wells, Mr. Little offered the following substitute:

"Amend by striking out all of line 24, on page 1, which is the enacting clause."

Mr. Masterson moved to table the substitute, and the motion was lost.

On the question—Shall the substitute be adopted?—yeas and nays were demanded by Mr. Wooten, Mr. Kittrell and Mr. Masterson.

After further consideration by the House, Mr. Kennedy moved the previous question, and it was not seconded.

After still further consideration by the House, Mr. Tate moved the previous question and the main question was ordered.

The substitute was lost by the following vote:

Yeas——46.

Bean. Kennedy.
Beaty. Little.
Chambers. Loyd.
Childers. McAnally.
Childs. McFarland.
Clements. McKellar.
Cocke. Meitzen.
Crawford. Morrow.
Cross. Murray.
Dean. Rochelle.
Deren. Rogers.
Dies. Sansom.
Dorroh. Savage.
Eckols. Smith of Collin.
Ellis. Staples.
Frost. Stewart.
Graham. "Iraver.
Greenwood. Teagle.
Grogan. Thomas of Wise.
Grubbs. Vaughan.
Howard. Wells.
Hurley. Willrodt.

Nays——55.

Adams. Collins.
Barbee. Conoly.
Barrett. Evans of Fannin.
Bridgers. Goodlett.
Browne. Goodman.
Caldwell. Gordon.
Calvin. Jones.

Barbee. Graham.
Bean. Greenwood.
Beaty. Grogan.
Bridgers. Grubbs.
Calwell. Howard.
Calvin. Hurley.
Chambers. Kennedy.
Childers. Lake.
Cocke. Lillard.
Collins. Little.
Crawford. Livsey.
Cross. Looney.
Deren. Loyd.
Dies. McAnally.
Eckols. Meitzen.
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Question next referred to engrossment of the resolution, upon which yeas and nays were demanded by Mr. Frost, Mr. Morrow and Mr. Cross.

Ordered engrossed by the following vote:

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BILLS 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. 140, "An Act to transfer Sabine county from the district school system to the community school system, and to authorize and empower the county to organize and conduct all of her public free schools under the community system, as provided by the laws now in force."

Mr. Tarver moved to take a recess until 2:30 p.m. today, and Mr. Little until 3 p.m. today.

Question recurring on the longest time first, the motion prevailed, and the House, at 12:44, took recess until 3 o'clock p.m. today.

—

AFTERNOON SESSION.

The House met at 3 o'clock p.m., at expiration of recess, and was called to order by the Speaker.

Pending question—Substitute House bill Nos. 275 and 313, relating to investment of the permanent public free school fund, on engrossment, with motion of Mr. Smith of Grayson to rescind the vote by which a certain amendment was adopted pending.

Pending consideration, Mr. Childs called up Senate Concurrent Resolution No. 7:

Resolved by the Senate, the House concurring, that the Regular Session of the Twenty-sixth Legislature of Texas stand adjourned sine die at 11:30 o'clock a.m., March 10, 1899.

The resolution was laid before the House and read.

Mr. Childs then requested that the Clerk read from the Journal of yesterday the message from the Senate conveying to the House the information that the Senate had passed a resolution, "Rescinding the action of the Senate in adopting Senate Concurrent Resolution No. 7, providing for sine die adjournment on March 10, 1899, and requesting the House to return said concurrent resolution to the Senate."

The message was read, and Mr. Childs moved that the request of the Senate for return of the resolution be not granted.

Mr. Wright moved that the request of the Senate be granted, and that the resolution be returned.

Mr. Smith of Grayson moved to postpone further consideration of the question until Substitute House bill Nos. 275 and 313 should be disposed of.

The motion to postpone was lost.

Pending question—The motion of Mr. Wright that the request of the Senate be complied with.

After consideration by the House, Mr. Mercer moved the previous question, and it was not seconded.

BILLS SIGNED BY THE SPEAKER.

Pending consideration of the resolution, the Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following bills:

Senate bill No. 31, "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."

Senate bill No. 67, "An Act to amend Article 5058, of the Revised Civil Statutes of 1893, of the State of Texas, as passed in 1891, relating to the duties of revenue agents."

After further consideration by the House, Mr. Kennedy moved the previous question, and the main question was ordered.

Question first relicted on the motion of Mr. Wright to comply with the request of the Senate to return Senate Concurrent Resolution No. 7, upon which motion yeas and nays were demanded by Mr. Childs, Mr. Crawford and Mr. Maxwell.

The motion prevailed by the following vote:

Yeas—71.

I vote 'no' on this question because the resolution is the property of the House, and should not be returned.

CLEMENTS.

The Speaker then directed that Senate Concurrent Resolution No. 7 be returned to the Senate.

Mr. Grubbs rising to a question of personal privilege, asked leave to have the following printed in the Journal:

"The following resolution endorsing the course of Hon. Joseph W. Bailey, Congressman from the Fifth District of Texas, in defending the Constitution in the contest involving the right of General Joseph Wheeler to a seat in Congress while holding a commission in the United States volunteer army, was introduced by me on Saturday morning, the 4th day of March, 1899, after consulting with as many of the democratic members as was at all practicable, including Messrs. Wooten, Henderson of Lamar, Shelburne, Stewart, Masterson, Schluter, Prince, Garner, Bailey, McKellar and Vaughan, viz:

Resolved, That we have learned with deep regret the determination of the Hon. Joseph W. Bailey, Congressman of the Fifth District of Texas, to renounce his leadership of the minority in Congress.

Resolved, That we fully and unqualifiedly endorse the manly and courageous action of Mr. Bailey in the defense of the Constitution regardless of personal favoritism.

Resolved, That these resolutions be spread upon the Journal of this House, and that a copy of the same be transmitted by the Chief Clerk to Hon. J. W. Bailey."

The wording of the above resolution was not, however, submitted to their criticism before its introduction. There being evidently no quorum present for some time previous to adjournment, at the suggestion of Mr. Bailey, who was in the Chair, I thought best to let it go over, notifying Mr. Bailey that I could not be present on Monday, and he assured me that there would be no objection to its going over till Tuesday to await my return, as I desired to address the House upon the constitutional questions involved. The Journal of the 6th shows that no notice whatever was taken of my resolution until after the action of the House upon the concurrent resolution subsequently offered by Mr. Wooten and others, when it was laid over under the rules without explanation. From this it will no doubt appear to those not familiar with the history of the proceedings that I was dissatisfied with the form or substance of the con-
current resolution, and made an effort to have my own way about the matter, which was unceremoniously rebuked by the House by ignoring my resolution. To set myself right in the premises I respectfully ask that this explanation be printed in today's Journal.

Mr. Sutherland moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The Speaker then stated that the morning call having been passed over this morning on account of pending business, by unanimous consent the same would now be taken up before adjournment.

There being no objection interposed the morning call was then announced.

PETITIONS AND MEMORIALS.

By Mr. Grubbs:
Petition of 1112 women of Texas, as a Christian Board of Missions, asking for the establishment of an industrial school for girls.

Read, and referred to Committee on Education.

By Mr. Neff:
Petition from 140 citizens of Waco, protesting against the extension of the provisions of the uniform textbook law to cities of 10,000 inhabitants, etc.

Read, and referred to Committee on Education.

By Mr. Smith of Grayson, Mr. Evans of Grayson and Mr. Wells:
Petition from 147 citizens of Sherman, asking the extension of the uniform textbook law to cities of 10,000 inhabitants and high schools.

Read, and referred to Committee on Education.

By Mr. Jones:
Resolutions of citizens of Marfa, protesting against the withdrawal of Otis and Dewey from the Philippines as demanded by the Morrow-Bridgers resolution pending in the House of Representatives.

Read, and referred to Committee on Federal Relations.

By Mr. Culp:
Petition of 100 citizens of Coryell county, asking for the passage of a special law prohibiting the sale of hop ale in school districts.

Read, and referred to Committee on State Affairs.

BILLS AND RESOLUTIONS.

By Mr. Mercer:
House bill No. 714, A bill to be entitled "An Act amending Chapter 135, of the Acts of the Twenty-fifth Legislature, Regular Session of 1897, relating to the regulation of fire and marine insurance, and making it unlawful for any fire or fire marine or marine insurance company, which is legally licensed to transact the business of fire and marine insurance in this State, to place or cause to be placed, to write or cause to be written, any contract or policy of insurance against loss by fire, explosion or the perils of the sea, on any property in this State, except through legally authorized and licensed agents, residents in the State, and prescribing penalties for a violation of same, and to further prescribe conditions to be complied with by any fire, fire and marine or marine insurance company before it shall be licensed or re-licensed by the Commissioner to do business in this State."

(The bill declares an emergency.)

Read first time, and referred to Committee on Insurance, Statistics and History.

By Mr. Robertson of Bell:
House bill No. 715, A bill to be entitled "An Act to amend Title XLIX, of the Revised Civil Statutes of the State of Texas, so as to add thereto four other articles to be known as Articles 2525a, 2525b, 2525c and 2525d, relating to the service and return of citations, and providing the manner of such service and return."

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

By Mr. Kittrell:
House bill No. 716, A bill to be entitled "An Act to provide for the payment of fees of district clerks in tax suits under the Colquitt tax act, where the suits were dismissed by the State, and to make appropriation therefor, and to declare an emergency."

(The bill appropriates the sum of $10,000, or so much thereof as may be necessary, for the payment of said fees.)

Read first time, and referred to Committee on Finance.

By Mr. Caldwell:
House bill No. 717, A bill to be entitled "An Act to define the duties of parties pleading limitation of actions for the recovery of land, and requiring the rendition of the same and payment of taxes thereon."

(The bill declares an emergency.)

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

By Mr. Nolan and Mr. Wheless:
House bill No. 718, A bill to be entitled "An Act ratifying and confirming an ordinance passed by the city council of the city of Galveston, on the fourth day of
February, 1899, entitled ‘An Ordinance abandoning, discontinuing and closing certain streets, avenues and alleys of the city of Galveston, and authorizing and empowering Collis P. Huntington, his heirs or assigns, perpetually to construct and maintain piers on the shores of Galveston bay within the corporate limits of the city of Galveston, upon certain specified conditions,’ and conditionally relinquishing any claim the State of Texas may have to a part of the property therein described."

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

By Mr. Bennett:
House Joint Resolution No. 30. To amend Section 52, Article 3, of the Constitution of the State of Texas, authorizing certain counties and cities to issue bonds to give aid in canalizing the Trinity river.
(The bill empowers counties bordering on the Trinity river to issue bonds for the purpose stated in the caption.)
Read first time, and referred to Committee on Internal Improvements.

By Mr. Childs:
House Concurrent Resolution No. 32, Resolved by the Legislature of the State of Texas, the Senate and House concurring, that the Legislature of the State of Texas stand adjourned sine die on Saturday, April 1, 1899, at high noon, and it is the sense of both branches of the Legislature that both houses work continuously on the appropriation bill until it is finished.
The resolution was read, and went over.

By Mr. Savage:
Whereas, The Chief Clerk of the House is requested to send out numerous resolutions to different sections, and
Whereas, In obedience to this request, he has exhausted the stamps allowed him as an officer of the House; therefore be it
Resolved, That the House allow him additional stamps to the amount of $3.00.
The resolution was read, and went over.

By Mr. Crawford:
Whereas, There are a great many bills accumulating on the desks of the members of this House to the neglect of platform demands, as well as recommendations made in the several special messages of the Governor, therefore be it
Resolved, That platform demands and recommendation by the Governor shall have the right of way for consideration in preference to all other bills until they have been disposed of.

The resolution was read, and went over.

COMMITTEE REPORTS.

Committee Room, Austin, Texas, March 6, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sin: Your Judiciary Committee No. 1, to whom was referred
Senate bill No. 2, A bill to be entitled "An Act to provide for the creation of level premium mutual life insurance companies in this State, and for the regulation thereof."
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

WOOTEN, Chairman.

Committee Room, Austin, Texas, March 6, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sin: Your Judiciary Committee No. 1, to whom was referred
House bill No. 710, A bill to be entitled "An Act to create a more efficient road system for Bell county, 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.

WOOTEN, Chairman.

Committee Room, Austin, Texas, March 6, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sin: Your Judiciary Committee No. 2, to whom was referred
House bill No. 694, A bill to be entitled "An Act to fix the venue and regulate proceedings in prosecutions for murder by mob violence; define and punish murder by mob violence; provide for the suspension and removal of sheriffs, deputy sheriffs, constables, chiefs of police, city marshals and other officers who permit it; and fix the venue and regulate proceedings in such cases, and to fix the liability for the payment of the costs of prosecution for murder by mob violence."
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass with the following amendment:
"Amend the caption so as to read as follows:
"(A bill to be entitled "An Act to amend Chapter 13, of the General Laws of the State of Texas, passed at the first
Called Session of the Twenty-fifth Legislature, entitled "An Act to fix the venue and regulate proceedings in prosecutions for murder by mob violence; define and punish murder by mob violence; provide for the suspension and removal of sheriffs, deputy sheriffs, constables, chiefs of police, city marshals and other officers who permit it; and to fix the venue and regulate proceedings in such cases," and to fix the liability for the payment of costs of prosecution for murder by mob violence."

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 6, 1899.

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

SIR: Your Judiciary Committee No. 2, to whom was referred House bill No. 691, A bill to be entitled "An Act to amend Article 406, Chapter 6, Title XI, of the Penal Code 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.

BAILEY, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 6, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 515, A bill to be entitled "An Act to amend Title XIV, of the Penal Code of the State of Texas, by adding thereto an additional chapter, to be called 'Chapter 8, Unjust Discriminations by Railroad and Express Companies;' said chapter being intended to define unjust discriminations in the transportation of freight by the officers, agents, employes, lessees, trustees, receivers and other persons representing railroad and express companies, and to punish the same by confinement in the State penitentiary not less than one year nor more than three years."

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, but that the accompanying committee substitute do pass in lieu thereof.

BAILEY, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 6, 1899.

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

Sir: We, a minority of your Judiciary Committee No. 2, to whom was referred House bill No. 515,

Do not concur with the majority, and recommend that both it and the committee substitute do not pass, for the reason that both, or either, as a State law, will be brought in conflict with interstate shipments that are now governed by interstate law, and that neither are in compliance with the mandatory provisions of our State Constitution, Article 16, Section 25.

PITTS, ELLIS, TARVER, GOODLETT, CHAMBERS.

Committee Room,
Austin, Texas, March 6, 1899.

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

Sir: Your Judiciary Committee No. 2, to whom was referred Senate bill No. 120, A bill to be entitled "An Act to amend Sections 2, 10 and 13 of Chapter 103, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, providing for the collection of taxes heretofore and that may hereafter be levied, making such taxes a lien upon the lands taxed; establishing and continuing such liens, providing for sale and conveyance of lands delinquent for taxes since January 1, 1885, which may have been returned delinquent or reported sold to the State, or to any county, city or town for the tax due thereon and not redeemed, or which may hereafter be returned delinquent or reported sold to the State, or to any county, city or town, to satisfy the lien thereon, as enacted by the Regular Session of the Twenty-fourth Legislature, being Chapter 5a, of Title CIV, of the Revised Civil Statutes of 1895, relating to delinquent taxes, and to repeal all laws in conflict 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 be returned to the calendar and referred to the Committee on Revenue and Taxation.

BAILEY, Chairman.
Committee Room, Austin, Texas, March 6, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 116, A bill to be entitled
"An Act to amend Articles 529, 529e, 529f, of Chapter 5, Title XII of the Revised Penal Code of the State of Texas of 1895, and adding thereto Article 529g, and amending Articles 529g and 529s, and repealing subdivision 18, of Article 259g, of Chapter 98, of the General Laws of the State of Texas of 1897, relating to the offenses for the protection of fish, birds and game, and to repeal all laws in conflict herewith,"
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, with the following amendments:
"Amend Article 259g by striking out all after the words 'two hundred and fifty dollars ($250.00).'"
"Amend Article 529s by striking out all after the words 'five hundred dollars ($500.00)' down to the word 'provided.'"

BAILEY, Chairman.

MAJORITY REPORT.
Committee Room, Austin, Texas, March 7, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred
House bill No. 646, A bill to be entitled
"An Act to amend Sections 10 and 12, of Chapter 5, of the General Laws of Texas, passed at the First Called 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 do not pass.

SHELBURNE, Chairman.

MINORITY REPORT.
Committee Room, Austin, Texas, March 7, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: A minority of your Committee on State Affairs, to whom was referred
House bill No. 646.
Do not concur in the report of the majority, and ask leave to recommend that it do pass.

BARRETT.

Committee Room, Austin, Texas, March 7, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred
House bill No. 652, A bill to be entitled
"An Act to authorize the district judges of the several districts throughout the State of Texas to appoint a board of prison inspectors to examine the jails and other places of imprisonment in the several counties of each district, and to provide for their payment, and to define the duties of said prison inspectors,"
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, March 7, 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. 28, providing for the appointment of a joint committee of five to visit all the State institutions during the year 1899.
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, after being amended by adding to the last clause thereof the following:
"Two thousand dollars, or so much thereof as is necessary to defray expenses of said committee and clerk is hereby appropriated out of any moneys in the treasury not otherwise appropriated."

SHELBURNE, Chairman.
March 7, 1899

Committee Room,
Austin, Texas, March 7, 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. 29, relating to appointment of a joint committee of seven for the purpose of investigating the condition of the different State 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, because another resolution relating to the same subject matter has been reported favorably.

SHELBURNE, Chairman.

Committee Room,
Austin, Texas, March 6, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 441, A bill to be entitled "An Act to transfer Rains and Grimes counties from the community school system to the district system, and to authorize and empower the said counties to organize and conduct all of their public free schools under the district system as provided by the laws now in force," have carefully examined said bill and find the same correctly engrossed.

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, March 6, 1899.

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

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 147, A bill to be entitled "An Act to amend Article 22, Title IV, of the Revised Civil Statutes of Texas of 1895, by adding thereto Section 55, creating a judicial district in Galveston county additional to the Tenth Judicial District therein, to be the Fifty-sixth Judicial District; to establish a court, and provide for a judge and clerk of such new district; to regulate the venue of the courts of said respective districts, and the disposition of the business therein; and to define the jurisdiction, the boundaries and the terms thereof, and declaring an emergency."

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, March 7, 1899.

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

Sir: Your Committee on Contingent Expenses, beg to report that we have passed on the following accounts:

We have allowed A. P. Gordon, chairman of committee appointed to visit Reformatory, railroad fare and hotel bills, $ 16 60

To W. T. Shannon, member of committee, expenses........ 8 00

To I. W. Culp, member of same committee, expenses to the amount of...... 17 65

To expert bookkeeper, who accompanied committee, railroad fare and hotel bills..... 17 65

To seven days work at $5.00....... 35 00

To Assistant Postmaster for carrying mail from February 9, to March 2.............. 8 45

To Sergeant-at-Arms for stamps 200 00

To Chief Clerk for the purpose of sending out public documents, stamps to amount of... 3 00

We have rejected ice accounts, and returned same for verification.

SAVAGE, Chairman.

Committee Room,
Austin, Texas, March 7, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 679, A bill to be entitled "An Act to amend Article 22, Title IV, of the Revised Civil Statutes of Texas of 1895, by adding thereto Section 55, creating a judicial district in Galveston county additional to the Tenth Judicial District therein, to be the Fifty-sixth Judicial District; to establish a court, and provide for a judge and clerk of such new district; to regulate the venue of the courts of said respective districts, and the disposition of the business therein; and to define the jurisdiction, the boundaries and the terms thereof, and declaring an emergency."

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, March 7, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 386, A bill to be entitled "An Act to prohibit the taking of game fish in the State, and to provide penalties for the violations thereof," have carefully examined said bill and find the same correctly engrossed.

McANALLY, Acting Chairman.
and providing for their compensation as road commissioners, and defining the powers and duties of the commissioners courts of said counties, and fixing a penalty for the violation of this act, and to repeal all laws in conflict 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 pass.

BARBEE, Chairman.

Committee Room,
Austin, Texas, March 7, 1899.

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

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred
House bill No. 621, A bill to be entitled “An Act to create a more efficient road system for Nacogdoches county,”

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

BARBEE, Chairman.

FURTHER TIME GRANTED.

For consideration of House bill No. 545, on request of Mr. Shelburne, chairman of the Committee on State Affairs.

SENATE BILL ON FIRST READING.

The following bill reported from the Senate today was read first time, and referred as follows:
Senate bill No. 130, to Judiciary Committee No. 2.
At 5:10 p.m., on motion of Mr. Sutherland, the House adjourned until 9:30 o'clock a.m. tomorrow.

FIFTIETH DAY.

Hall of the House of Representatives, Austin, Texas, Wednesday, March 8, 1899.

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

Speaker Sherrill in the Chair.

Roll called, and the following members present:

Allen of Colorado. Caldwell.
Ayers. Calvin.
Bailey. Chambers.
Barbee. Childers.
Barrett. Childs.
Bean. Clements.
Beaty. Cocke.
Blount. Cole.
Bolin. Collins.
Bridgers. Conoly.

Crawford.

Cros.
Culp.
Dean.
Decker.
Deren.
Dies.
Dorrah.
Eckols.
Ellis.
Evans of Fannin.
Evans of Grayson.
Frost.
Garner.
Garrett.
Gill.
Goodlett.
Goodman.
Gordon.
Greenwood.
Grogan.
Grubbs.
Henderson, Lamar.
Howard.
Hurley.
Jones.
Kennedy.
Kittrell.
Lake.
Lane.
Lillard.
Little.
Livesey.
Looney.
Loyd.
Marsh.
Masterson.
Maxwell.
McAnally.
McClellan.
McDowell.
McFarland.
McKamy.
McKellar.
Meitzen.
Mercer.
Monroe.
Morris.

Morrow.
Murphy.
Murray.
Neff.
Nolan.
Oliver.
Parish.
Pfeuffer.
Phillips, Lampasas.
Phillips of Camp.

Prince.
Ratcliff.
Robertson, Harrison.
Robertson of Bell.
Rochelle.
Rogers.
Russell.
Sansom.
Savage.
Scluter.
Scurry.
Shannon.
Shelburne.
Shropshire.
Smith of Grayson.
Smith of Collin.
Staples.
Stewart.
Stripling.
Sutherland.
Tarleton.
Teraver.
Teage.
Trevell.
Thomas of Wise.
Thomas of Fannin.
Tomkins.
Tucker.
Vaughan.
Waiton.
Wells.
Wheless.
Willacy.
Willrod.
Wooten.
Wright.

Absent.
Hamiton.
Pitts.

Absent—Excused.
Allen of Hopkins.
Palmer.
Bennett.
Peery.
Henderson, Brazos.
Powell.

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.

GRANTED LEAVE OF ABSENCE.

Mr. Hamilton for today, on motion of Mr. Stripling.