Schluter, Chairman of the Committee on Revenue and Taxation.

House bill No. 630, on request of Mr. Robertson of Bell, Chairman of the Committee on County Government and County Finances.

Mr. Smith of Collin moved to take a recess until 8:15 p. m. today, and Mr. Tarver until 2:30 p. m. today. The former motion prevailed, and at 12:31 p. m. the House took recess to 8:15 p. m. today, said hour being set apart to hear an address from Hon. Wm. J. Bryan, of Nebraska.

EVENING SESSION.

The House met at expiration of recess, and was called to order by the Speaker. The Speaker announced that on account of delayed train, Mr. Bryan was late in arriving in the city, and the House stood at ease until the committee escorted him into the Hall.

When Mr. Bryan arrived in the Hall he was conducted to the Speaker's stand, and the Speaker called the House to order again at 9:15 p. m.

Senator Potter in a brief talk introduced Mr. Bryan, who addressed the two houses and the assemblage upon the issues of the day, viz.: The financial question and the issues arising out of the late Spanish-American war.

At the close of Mr. Bryan's address, on motion of Mr. Henderson of Lamar the House, at 11:20 p. m., adjourned until 9:30 o'clock a. m. tomorrow.

FIFTY-FIRST DAY.

Hall of the House of Representatives, Austin, Texas, Thursday, March 9, 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.
Allen of Colorado.
Allen of Hopkins.
Ayers.
Bailey.
Barbee.
Barrett.
Bean.
Beaty.
Blount.
Bolin.
Bridgers.
Brown.
Caldwell.

Derden.
Dies.
Doroh.
Eckols.
Ellrs.
Evans of Fannin.
Evans of Grayson.
Frost.
Garner.
Garrett.
Gill.
Goodlett.
Goodman.
Gordon.
Graham.
Greenwood.
Grogan.
Grubbs.
Hamilton.
Henderson, Lamar.
Howard.
Hurley.
Jones.
Kennedy.
Kittrell.
Lake.
Lane.
Lillard.
Little.
Livesey.
Looney.
Loyd.
Marsh.
Masterson.
Maxwell.
McAnally.
McClellan.
McDowell.
McFarland.
Mckamy.
McKellar.
Meitzen.
Merril.
Morris.
Morrow.
Murphy.
Murray.

Neff.
Nolan.
Oliver.
Palmer.
Parish.
Pfeuffer.
Phillips, Lampasas.
Phillips of Camp.
Pitts.
Poole.
Pratt.
Ratcliff.
Robertson, Harrison.
Robertson of Bell.
Roechelle.
Roger.
Russell.
Sanes.
Savage.
Schluter.
Secory.
Shannon.
Shelburne.
Shropshire.
Smith of Grayson.
Smith of Collin.
Staples.
Stewart.
Stripling.
Sutherland.
Tarkington.
Tarver.
Tate.
Teagle.
Terrell.
Thomas of Wise.
Tompkins.
Tucker.
Vaughan.
Walton.
Wells.
Wheless.
Willacy.
Willcoot.
Wooten.
Wright.

Absent.
Monroe.
Peery.

Absent—Excused.
Bennett.
Powell.
Henderson, Brazos.

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

GRANTED LEAVE OF ABSENCE.

On motion of Mr. Henderson of Lamar, Mr. Morrow, Mr. Browne, Mr. Calvin and Mr. Meitzen, committee to examine the books and count the money in the State
Treasurer’s office, were excused for the morning session, on account of important committee work.

On motion of Mr. Shropshire, Mr. Pitts was excused yesterday and today, on account of important business.

On motion of Mr. Allen of Colorado, Mr. Monroe was excused indefinitely, on account of sickness.

**PENDING BUSINESS.**

When the House adjourned on last Wednesday, the pending question was 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.

Mr. Childs raised the point of order that a motion to rescind is out of order, as it would virtually abrogate Rule 36 of this House, which provides for the reconsideration of all matters adopted by the House, and that the motion must be made by a member of the majority or prevailing side, and must be made on the same or the next sitting day, and that one day’s notice must be given before the motion can be called up and disposed of. This motion to rescind is but another method of reconsideration, and is now made by the party voting with the losing side, and several days after the House adopted the amendment which he proposes to rescind. It establishes a dangerous precedent.

The Speaker stated that as the Chair was in doubt, he would not rule upon the point of order, but would let the matter be submitted to the House to decide.

On the motion of Mr. Smith of Grayson to rescind, yeas and nays were demanded by Mr. Loyd, Mr. Henderson of Lamar and Mr. Childers.

The motion prevailed by the following vote:

**Yeas—57.**

Adams.  Dorroh.
Allen of Hopkins.  Eckols.
Bailey.  Garrett.
Chambers.  Gill.
Collins.  Goodlett.
Conoly.  Goodman.
Crawford.  Grogan.
Dean.  Livesey.
Decker.  Marsh.
Derden.  Maxwell.
McAnally.  Smith of Grayson.
McKellar.  Staples.
Mercer.  Stripling.
Murphy.  Sutherland.
Murray.  Tarkington.
Neff.  Tate.
Palmer.  Teagle.
Parish.  Terrell.
Ratcliff.  Tompkins.
Robertson of Bell.  Tucker.
Rogers.  Walton.
Sansom.  Wells.
Savage.  Whelless.
Schulter.  Wooten.
Scurry.  Wright.
Shelburne.  

**Nays—46.**

Barbee.  Lane.
Barrett.  Lillard.
Bean.  Little.
Beaty.  Looney.
Blount.  Loyd.
Bolin.  Masterson.
Bridgers.  McClellan.
Caldwell.  McDowell.
Childers.  Morris.
Childs.  Oliver.
Clements.  Pfeuffer.
Cocke.  Phillips of Camp.
Ellis.  Poole.
Evans of Fannin.  Prince.
Frost.  Robertson, Harrison.
Gordon.  Rochelle.
Graham.  Shannon.
Greenwood.  Shropshire.
Grubbs.  Smith of Collin.
Hamilton.  Stewart.
Henderson, Lamar.  Vaughan.
Howard.  Willacy.
Kennedy.  Willrodt.

**Absent.**

Cole.  McKamy.
Culp.  Nolan.
Dies.  Peery.
Evans of Grayson.  Russell.
Lake.  Tarver.

**Absent—Excused.**

Bennett.  Meitz.
Browne.  Monroe.
Calvin.  Morrow.
Henderson, Brazos.  Pitts.
Hurley.  Powell.
Kittrell.  

Question then recurring on engrossment of the bill, Mr. Smith of Grayson offered the following amendment: “Amend Section 2 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 per-
The permanent school fund, then the principal of such bond and an amount of the interest last accruing on such bond equal to the premium so paid, shall be and be treated as the principal in such investment, and when such last 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.

"Amend by striking out all of Section 2 after the word 'bidder,' in line 21.'"

Yeas and nays were demanded by Mr. Henderson of Lamar, Mr. McClellan and Mr. Savage.

The amendment was adopted by the following vote:

Yeas—68.


Absent.


Absent—Excused.


The Speaker here announced that the hour, 10:30 a.m., had arrived for consideration of House bill No. 181, A bill to be entitled "An Act to amend Article 5049, of Chapter 1, Title CIV, of the Revised Civil Statutes of 1895, relating to occupation taxes, as amended by the Twenty-fifth Legislature by adding subdivision 63," relating to taxes on certain cotton gins, presses, etc., on second reading as special order for this hour.

The Speaker laid the same before the House.

On motion of Mr. Smith of Grayson, the special order was postponed to continue consideration of Substitute House bill Nos. 275 and 313, relating to investment of the permanent public free school fund.

The Speaker laid the same again before the House, and Mr. Henderson of Lamar offered the following amendment:

"Amend by striking out all of the caption after the word 'bonds,' in line 10, and the words 'and incorporated city or town' where they appear in the bill." Mr. Tarver moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Henderson of Lamar, Mr. Blount and Mr. Goodman.

Tabled by the following vote:

Yeas—76.
Mr. Kennedy called for enforcement of Rule 50, which reads as follows: "No person shall be admitted within the bar of the House but members of the Senate, officers of the General State Government, the heads of departments and ex-members of the Legislature of this State, and ladies upon the invitation of members."

The Speaker then directed the Sergeant-at-Arms to enforce the rule.

Mr. Wooten moved that ladies already present among the visitors in the lobby be invited to remain, and the motion prevailed.

Mr. Smith of Grayson offered the following amendment to the pending bill:

"Amend the caption by striking out in lines 12 and 13, 'pay the amount of premium out of the available school fund' and add in lieu thereof 'refund the same.'"

Mr. Tarver moved the previous question, and the main question was ordered. Question first recurred on the amendment, and it was adopted. Question next recurring on engrossment of the bill, yeas and nays were demanded by Mr. Henderson of Lamar, Mr. McAnally and Mr. Howard.

The bill was ordered engrossed by the following vote:

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Mr. Decker (present) who would vote yea, with Mr. Smith of Collin (absent—excused) who would vote nay.

"I vote 'no' on the engrossment of Substitute House bill Nos. 275 and 313 for the following reasons: 1. In my opinion it is unconstitutional (see Section 5, Article 7, 'Education'). 2. Because in my opinion this bill if enacted into a law would eventually result in the entire permanent school fund being invested in securities of doubtful validity.

"HENDERSON of Lamar."

Mr. Smith of Grayson moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Substitute House bill Nos. 275 and 313 be put on its third reading and final passage. The motion was lost by the following vote (not receiving the necessary constitutional four-fifths majority):

**Yeas—84.**
Bailey. Collins.
Beatty. Conoly.
Bolin. Crawford.
Chambers. Cross.
Clements. Culp.

**Nays—29.**

Dean. Parish.
Decker. Pfeiffer.
Dies. Ratcliff.
Dorroh. Robertson, Harrison.
Ellis. Robertson of Bell.
Evans of Fannin. Rochelle.
Evans of Grayson. Rogers.
Garner. Russell.
Garrett. Sansom.
Goodlett. Savage.
Greenwood. Schluter.
Grogan. Secray.
Grubbs. Shannon.
Hamilton. Smith of Grayson.
Jones. Staples.
Kennedy. Stewart.
Kittrell. Striping.
Lake. Sutherland.
Lan. Tarkington.
Little. Tarver.
Livsey. Tate.
Marsh. Teague.
Masterson. Terrell.
Maxwell. Thomas of Wise.
McAnally. Thomas of Fannin.
McDowell. Tompkins.
McKamy. Tucker.
McKellar. Walton.
Mercer. Wells.
Morris. Weleas.
Murphy. Willacy.
Neff. Wright.
Nolen. Wooten.
Oliver. Wright.

**PAIRED.**
Mr. Decker (present) who would vote yea, with Mr. Smith of Collin (absent—excused) who would vote nay.

"I vote 'no' on suspension of the rule requiring bills to be read on three days because there has been so much confusion
March 9, 1899

HOUSE JOURNAL.

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

Whereas, The sad news of the death of Col. J. C. Gaither of Falls county has been received, and

Whereas, The Hon. J. C. Gaither represented Falls county in the constitutional convention in 1875, and

Whereas, As he represented the same county in the Sixteenth and Seventeenth Legislature, and was the first Superintendent of the State Orphan Home at Corsicana, Texas, and one of the commissioners appointed by Governor L. S. Ross that located the State Reformatory at Gatesville, Texas; and

Whereas, The said Col. J. C. Gaither was a lifelong democrat and a faithful citizen, therefore be it

Resolved, That we, the members of the Twenty-sixth Legislature of Texas, extend our heartfelt sympathy to the bereaved and sorrowing family and friends, and that a page of the House Journal be appropriately inscribed to his memory.

The resolution was read second time, and adopted unanimously by a rising vote.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House this morning, after giving due notice thereof, and their captions had been read severally, the following bills:

Senate bill No. 34, "An Act to require city and county treasurers to report condition of interest and sinking fund to the State Comptroller; to prohibit them from diverting said funds, and providing penalties."

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

Senate bill No. 47, "An Act to create and maintain a more efficient public road system for Cass county."

Senate bill No. 154, "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas, to acquire by purchase or lease the railroad of the Sherman, Shreveport & Southern Railway Company."

MESSAGE FROM THE SENATE.

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. 172, A bill to be entitled "An Act to create the office of State Purchasing Agent for the various charitable institutions of the State of Texas; to define his duties, to prescribe mode of qualification and compensation; to abolish the office of steward, quartermaster or of similar position in said institutions; to require all supplies to be purchased by said agent under competitive bids or contracts; to provide for the appointment of storekeepers or accountants in said institutions, and define the duties thereof: to make an appropriation for the salary of said purchasing agent; to provide for the appointment of two clerks for said purchasing agent, and to make appropriation for their salaries," with engrossed rider.

Senate bill No. 71, A bill to be entitled "An Act to amend Article 1011, of the Revised Statutes of Texas, relating to compensation for clerks of the several Courts of Civil Appeals; fixing their fees and charges, providing for reports, and fixing penalties for failure to make same."

Senate bill No. 214, A bill to be entitled "An Act to authorize the lease of any railroad connecting at the State line, not exceeding thirty miles in length, by any railroad company so connecting with same."

J. P. Poot,
Secretary of the Senate.
SENATE BILLS ON FIRST READING.

(By unanimous consent.)

The following bills received from the Senate were read first time, and referred as follows:
Substitute Senate bill No. 71, to Judiciary Committee No. 1.
Senate bill No. 172, to the Committee on State Affairs.
Senate bill No. 214, to the Committee on Internal Improvements.

Mr. Jones moved to take a recess until 3 o'clock p.m. today.

Mr. Dies moved to adjourn until 9:30 o'clock a.m. tomorrow.

The motion to adjourn was lost and on three several days of recess, and was called to order by the Speaker.

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

SENATE BILLS.

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

Senate bill No. 116, A bill to be entitled "An Act to amend Articles 529, 529e, 529n, of Revised Penal Code of the State of Texas of 1895, and adding thereto Article 529u, and amending Articles 529g and 529n, and repealing Subdivision 18, of Article 529g, 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."

The bill was laid before the House, with favorable committee report with amendments, and was read second time. The committee report was adopted. Mr. Shannon offered the following amendment:

"Amend committee report by striking out lines 19, 20, 21 and 22, on page 6."

VISIT OF GOVERNOR MAINERO.

Pending consideration of the amendment by Mr. Shannon, Governor Mainero of the State of Tamaulipas, Mexico, and party were announced at the bar of the House. They were invited to enter, and proceeded to the Speaker's stand, the whole House rising. The Speaker then introduced Governor Mainero to the House. The Governor thanked the House for the courtesy extended him and his party to visit it and retire, the House rising as the party retired.

The amendment by Mr. Shannon was adopted.

Mr. Schluter offered the following amendment:

"Amend by striking out in lines 6 and 13, page 2, 'two hundred and fifty dollars ($500.00)' and insert in lieu thereof the following: 'Two hundred dollars ($200.00).'")"

Adopted.

The bill was passed to a third reading. Mr. Bailey moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 116 be put on its third reading and final passage. The motion prevailed by the following vote:

Yeas—85:
Adams. 
Allen of Colorado. 
Allen of Hopkins. 
Ayers. 
Bailey. 
Barrett. 
Bean. 
Blount. 
Bridgers. 
Caldwell. 
Chambers. 
Childers. 
Chiles. 
Clements. 
Cooke. 
Cole. 
Conoly. 
Crawford. 
Dean. 
Decker. 
Derdien. 
Dorroh. 
Eckols. 
Ellis. 
Evans of Fannin. 
Frost. 
Garrett. 
Goodlett. 
Goodman. 
Gordon. 
Graham. 
Greenwood. 
Grubbs. 
Hamilton. 
Henderson, Lamar. 
Howard. 
Hurley. 
Jones. 
Kittrell. 
Lake. 
Lillard. 
Little. 
Livesey. 
Looney. 
Loyd. 
Marah. 
Masterson. 
McAnally. 
McCallan. 
McDowell. 
McKamy. 
McKellar. 
Morris. 
Murphy. 
Murray. 
Neff. 
Palmer. 
Phillips, Lampasas. 
Phillips of Camp. 
Poole. 
Robertson, Harrison. 
Robertson of Bell. 
Rogers. 
Samsom. 
Savage. 
Schluter. 
Shannon. 
Smith of Grayson. 
Stewart. 
Stripling. 
Sutherland. 
Tarkington. 
Tate. 
Turrell. 
Thomas of Wise. 
Thomas of Fannin. 
Tompkins. 
Vaughan. 
Walton. 
Wells. 
Willacy. 
Willrodt. 
Wooten. 
Wright.
March 9, 1899

HOUSE JOURNAL

Nays—2.
Teagle. Wheless.
Barbee. Nolan.
Beaty. Oliver.
Bolin. Parish.
Collins. Peery.
Cross. Pfeuffer.
Culp. Prince.
Dies. Ratcliff.
Evans of Grayson. Rochelle.
Garner. Russell.
Gill. Scurry.
Grogan. Shelburne.
Kennedy. Shropshire.
Lane. Smith of Collin.
Maxwell. Staples.
McFarland. Tarver.
Mercer.

Absent—Excused.
Bennett. Monroe.
Browne. Morrow.
Calvin. Pitts.
Henderson, Brazos. Powell.
Meitzen.

Senate bill No. 116 laid before the House, on its third reading and final passage, read third time, and passed by the following vote:

Yeas—97.
Adams. Grogan.
Allen of Colorado. Grubbs.
Allen of Hopkins. Hamilton.
Bailey. Howard.
Barrett. Jones.
Bean. Kennedy.
Blount. Kittrell.
Bridge. Lake.
Caldwell. Lillard.
Chambers. Little.
Childs. Looney.
Clements. Loyd.
Coke. Marsh.
Cole. Masterson.
Collins. Maxwell.
Conoly. McAnally.
Crawford. McClellan.
Culp. McDowell.
Dean. McKamy.
Decker. McKellar.
Derden. Morris.
Eckols. Murphy.
Ellis. Murray.
Evans of Fannin. Neff.
Frost. Nolan.
Garrett. Palmer.
Gill. Pfeuffer.
Gordon. Poole.
Graham. Robertson, Harrison.
Greenwood. Robertson of Bell.

Rochelle. Teagle.
Rogers. Terrell.
Sansom. Thomas of Wise.
Savage. Thomas of Fannin.
Schuler. Tompkins.
Scurry. Tucker.
Shelburne. Vaughan.
Smith of Grayson. Walton.
Smith of Collin. Wells.
Stewart. Wheless.
Stripling. Willacy.
Sutherland. Williford.
Tarkington. Wooten.
Tarver. Wright.

Tate.

Absent.
Barbee. Mercer.
Beaty. Oliver.
Bolin. Parish.
Cross. Peery.
Dies. Prince.
Doroh. Ratcliff.
Evans of Grayson. Russell.
Garner. Shannon.
Hurley. Shropshire.
Lane. Staples.
McFarland.

Absent—Excused.
Bennett. Monroe.
Browne. Morrow.
Calvin. Pitts.
Henderson, Brazos. Powell.
Meitzen.

Mr. Bailey moved to reconsider the vote by which Senate bill No. 116 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Savage moved to suspend the regular order of business to take up and place on its second reading, Senate bill No. 70, relating to hiring out and working certain convicts in misdemeanor cases.

The motion was lost.

On motion of Mr. Grogan 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. 20, A bill to be entitled "An Act to set apart and appropriate to the permanent school fund of the State of Texas, all of the lands heretofore or hereafter recovered from firms or corporations or other persons, firms or corpora-
tax, and to provide for the disposition of the same."

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

Mr. Garner offered the following amendment:

"Amend Senate bill No. 20, after line 30, page 2, by adding:

"Section 3a. Where any person or
persons not a corporation, have bought lands from the person, firm or corporation who originally located such land and paid full value therefor without actual knowledge of any defect in title to said land and not having been made party to such suit, such land is now here declared not to be embraced within any of the preceding provisions of this act, that the same shall be hereafter disposed of by the Legislature; said land shall not be subject to location, lease or sale, unless hereafter so provided by the Legislature. Said persons, or their assignees, claiming such land shall have sixty days, and no more, from and after the taking effect of this act to file with the Commissioner of the General Land Office proof of such purchase and payment of full value therefor, and at the time of such purchase, such purchaser, or his assignee, was an innocent purchaser for full value without notice, and thereafter disposed of by the Legislature; said land shall not be subject to location, lease or sale, unless hereafter so provided by the Legislature. Said persons, or their assignees, claiming such land shall have sixty days, and no more, from and after the taking effect of this act to file with the Commissioner of the General Land Office proof of such purchase and payment of full value therefor, and at the time of such purchase, such purchaser, or his assignee, was an innocent purchaser for full value without notice, and thereafter disposed of by the Legislature; said land shall not be subject to location, lease or sale, unless hereafter so provided by the Legislature. Said persons, or their assignees, claiming such land shall have sixty days, and no more, from and after the taking effect of this act to file with the Commissioner of the General Land Office proof of such purchase and payment of full value therefor, and at the time of such purchase, such purchaser, or his assignee, was an innocent purchaser for full value without notice, and thereafter disposed of by the Legislature; said land shall not be subject to location, lease or sale, unless hereafter so provided by the Legislature. Said persons, or their assignees, claiming such land shall have sixty days, and no more, from and after the taking effect of this act to file with the Commissioner of the General Land Office proof of such purchase and payment of full value therefor, and at the time of such purchase, such purchaser, or his assignee, was an innocent purchaser for full value without notice, and thereafter disposed of by the Legislature; said land shall not be subject to location, lease or sale, unless hereafter so provided by the Legislature. Said persons, or their assignees, claiming such land shall have sixty days, and no more, from and after the taking effect of this act to file with the Commissioner of the General

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, March 9, 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. 51. A bill to be entitled "An Act to amend Article 5031, Revised Statutes of Texas, and Articles 932 and 933, of the Penal Code of the State of Texas, and to amend Section 24, Title 4921, Revised Statutes of Texas, relating to the use of marks and brands of live stock."

Senate bill No. 92. A bill to be entitled "An Act to amend Article 3893, Chapter 26, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, 1895, relating to the investment of the permanent school funds of the State of Texas in county bonds."

Senate bill No. 138. A bill to be entitled "An Act to amend Article 1020, Title XXVII, Chapter 16 of the Revised Civil Statutes of the State of Texas, adopted in 1895, relating to the manner of giving notice by the Court of Civil Appeals, and to repeal all laws and rules in conflict herewith."

Senate bill No. 145. A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school to be located at Denton, Texas, and to be known as the North Texas Normal School."

House bill No. 133. A bill to be entitled "An Act to amend Section 12, of Article IV, of the Revised Civil Statutes of the State of Texas, changing the time of holding District Court in Trinity county."

House bill No. 146. A bill to be entitled "An Act to fix the time for holding the courts in the Forty-sixth Judicial District, and to repeal all laws in conflict therewith."

House bill No. 167, A bill to be entitled "An Act to amend Article 892, Title IV, of the Revised Civil Statutes of the State of Texas, and Articles 932 and 933, of the Penal Code of the State of Texas, and to amend Section 24, Title 4921, Revised Statutes of Texas, relating to the use of marks and brands of live stock."
"An Act to change the times of holding courts in the Fifty-fourth Judicial District."

House bill No. 338, A bill to be entitled "An Act to create a more efficient road system for Robertson county, Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers and defining their duties, and for working of county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and to repeal all laws in conflict with this act," with Senate amendment.

House Concurrent Resolution No. 31, Indorsing the position of Hon. Joseph W. Bailey, with Senate amendment.

Also Substitute House bill No. 43, A bill to be entitled "An Act making appropriations for deficiencies in the appropriations heretofore made for the payment of expenses in support of the State government from March 1, 1895, to February 28, 1899, being for claims registered in the Comptroller's office in accordance with law, and for outstanding claims not registered, and for other deficiencies," with Senate amendments.

House bill No. 649, A bill to be entitled "An Act to amend Subdivision 29, of Article 22, Title IV, of the Revised Civil Statutes of the State of Texas, so as to change the times of holding the district court in the Twenty-ninth Judicial District, except in Coryell county, and to extend the time of holding the court in the county of Erath."

J. P. Pool,
Secretary of the Senate.

Pending consideration of Senate bill No. 29, with pending amendments.

Mr. Jones moved to adjourn to 9:30 o'clock a. m., tomorrow.

The Speaker here stated that before putting the motion to adjourn, he would ask unanimous consent to have the following Senate bills referred:

SENATE BILLS ON FIRST READING.

The following bills received from the Senate were read first time and referred as follows:

Senate bill No. 51 to Judiciary Committee No. 2.
Senate bill No. 92 to the Committee on Finance.
Senate bill No. 138 to Judiciary Committee No. 1.
Senate bill No. 145 to the Committee on Education.

PETITIONS AND MEMORIALS.

(By unanimous consent.)

By Mr. Parish:
Resolutions by the Teachers' Institute of Robertson county, favoring the establishment of an industrial school for girls.
Read, and referred to Committee on Education.

By Mr. Bridgers:
Petition from the commissioners court of Robertson county, asking that Burnet county be exempted from the operation of the law preventing the taking of fish from the fresh waters of this State otherwise than by the use of the ordinary hook and line and trot line.
Read, and referred to Judiciary Committee No. 2.

By Mr. Phillips of Lampasas:
Petition of seventy-six citizens of Burnet county, asking that Burnet county be exempted from the operation of the law preventing the taking of fish from the fresh waters of this State otherwise than by the use of the ordinary hook and line and trot line.
Read, and referred to the grand jury of said county, same as above.

BILLS AND RESOLUTIONS.

(By unanimous consent.)

By Mr. Bailey:
House bill No. 719, A bill to be entitled "An Act to amend Articles 2941, 2945, 2948, 2949, Title LIV, of the Revised Civil Statutes of the State of Texas, so as to place the House of Correction and Reformatory under the management and control of the Governor and Board of Penitentiary Commissioners of the State of Texas, to repeal all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Shropshire:
House bill No. 720, A bill to be entitled "An Act to amend Article 4002, Chapter 15, Title LXXXVI, of the Revised Civil Statutes of Texas of 1895, with refer-
ence to the collection of taxes in independent school districts incorporated for free school purposes only."

(The object of the bill is to provide means for the collection of delinquent taxes in towns and villages incorporated for school purposes, and an emergency is declared.)

Read first time, and referred to Committee on Education.

By Mr. Kittrell:
House bill No. 721, A bill to be entitled
"An Act to amend Section 8, of an Act passed by the Twenty-fifth Legislature, entitled 'An Act to provide a charter for the city of Houston, Harris county, Texas,' so as to provide for a board of public school trustees of said city, to provide for the election of its members, to prescribe its powers and duties, to provide for the support of the public schools and the disbursement of public school funds, and repealing all laws, general and special, in conflict with this act."

(The bill declares an emergency.)
Read first time, and referred to Committee on Towns and City Corporations.

By Mr. Wheless:
House bill No. 722, A bill to be entitled
"An Act to amend Chapter 4, Title XVIII, of the Revised Civil Statutes of Texas of 1895, by adding after Article 418 of said chapter Article 418a, authorizing cities and towns to condemn property for use in laying pipes, mains, establishing public wells, pumps, pumping stations and reservoirs, providing method of such condemnation and declaring an emergency."

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

By Mr. Kittrell:
House bill No. 723, A bill to be entitled
"An Act to amend Chapter 17, Title XVII, of the Penal Code of the State of Texas, by adding thereto Article 950a, relating to liens upon personal property."

(Provides that if any person, after having given any mortgage or lien in writing upon any personal property, shall dispose of the same, without having first obtained the consent in writing of the holder of such lien, he shall be deemed guilty of a misdemeanor, punishable by fine of not less than $25 nor more than $500.)

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

By Mr. Rogers (by request):
House bill No. 724, A bill to be entitled
"An Act to amend Articles 3294 and 3296, of the Revised Statutes of Texas of 1895, for the better protection of laborers, mechanics and material men, and to extend the operation of mechanics and material men's liens to buildings constructed and repaired for municipal and other corporations."

(The bill declares an emergency.)
Read first time, and referred to Judiciary Committee No. 1.

By Mr. Crawford:
House bill No. 725, A bill to be entitled
"An Act to authorize the Comptroller of the State of Texas to pay a certain sum of money to W. C. Bobbit for services rendered the State of Texas as a physician."

Read first time, and referred to Committee on Claims and Accounts.

By Mr. Grubbs:
House Concurrent Resolution No. 33:
Resolved by the House of Representatives of Texas, the Senate concurring, That we regard the recent manifesto of ex-Governor James S. Hogg as a reflection upon the political integrity of a majority of both Houses of the Twenty-sixth Legislature, favoring the legislation denounced by him in said manifesto as subversive of the best interests of the people of Texas.

Resolved further, That we publicly resent the insinuation therein contained, and proclaim to our constituency and to the world that we shall act at all times in view of our responsibility to the people whom we have the honor to represent, and that we refuse to be dominated or influenced by any man, regardless of his past, present or prospective political standing or personal influence.

The resolution was read second time.

(Mr. Tarver in the Chair.)
On motion of Mr. Cocke the resolution was referred to the Committee on State Affairs.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 9, 1899.

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

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 206, A bill to be entitled "An Act to authorize corporations now or hereafter incorporated under the laws of this State, for the purpose of acquiring, owning and operating union passenger depots to condemn land for the purpose of their incorporation,"

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

SMITH of Grayson, Chairman.
Committee Room, Austin, Texas, March 9, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Internal Improvements, to whom was referred Senate bill No. 214, A bill to be entitled "An Act to authorize the lease of any railroads connecting at the State line, not exceeding thirty miles in length, by any railroad company so connecting with 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.

SMITH of Grayson, Chairman.

Committee Room, Austin, Texas, March 9, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Education, to whom was referred Senate bill No. 145, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school to be located at Denton, Texas, and to be known as the North Texas State Normal College."

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 8, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Revenue and Taxation, to whom was referred House bill No. 277, A bill to be entitled "An Act to provide for the assessment and collection of taxes on incomes of both persons and corporations, and provide penalties for false swearing 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.

SCHLUTER, Chairman.

Committee Room, Austin, Texas, March 8, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Revenue and Taxation, to whom was referred House bill No. 516, A bill to be entitled "An Act to amend Sections 11 and 16, 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 herefore and that may hereafter, etc.,"

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

SCHLUTER, Chairman.

Committee Room, Austin, Texas, March 8, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Revenue and Taxation, to whom was referred House bill No. 126, A bill to be entitled "An Act to amend Sections 2, 10 and 15, of Chapter 103, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature," Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

SCHLUTER, Chairman.

Committee Room, Austin, Texas, March 8, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

SIR: Your Committee on Revenue and Taxation, to whom was referred House bill No. 148, A bill to be entitled "An Act to amend Chapter 1A, Title CIV, Revised Civil Statutes of Texas, by adding thereto Article 5006h, relating to saloons and saloon keepers."

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.

SCHLUTER, Chairman.
Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 692, A bill to be entitled "An Act amending Section 17, Chapter 103, of the Acts of the Twenty-fifth Legislature, relating to the collection of delinquent taxes."

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

SCHLUTER, Chairman.

Committee Room,
Austin, Texas, March 8, 1899.

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

SIR: Your Committee on Revenue and Taxation, to whom was referred House bill No. 689, A bill to be entitled "An Act to amend Subdivision 1, of Article 5124, of the Revised Civil Statutes of 1895, relating to property subject to taxation and the mode of rendering the same,"

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

SCHLUTER, Chairman.

Committee Room,
Austin, Texas, March 8, 1899.

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

SIR: Your Committee on Revenue and Taxation, to whom was referred House bill No. 699, A bill to be entitled "An Act to amend Article 5124, of the Revised Civil Statutes of the State of Texas of 1895, relating to the boards of equalization,"

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.

SCHLUTER, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 8, 1899.

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

SIR: We, a minority of your Committee on Revenue and Taxation, to whom was referred House bill No. 274, A bill to be entitled "An Act to transfer Sabine and San Augustine counties from the district school system to the community school system, and to authorize and empower said counties to organize and conduct all of their public free schools under the community system, as provided by the laws now in force."

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:10 o'clock a.m., presented the same to the Governor.

COLLINS, Chairman.

REPORT OF SPECIAL COMMITTEE.

(Supplementary report.)

Austin, Texas, March 9, 1899.

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

SIR: As members of the committee sent to Gatesville to investigate the condition and management of the House of Correction and Reformatory at that place, we beg leave to file the following supplementary report, and say that since printing the testimony in the Journal, we find that the original report stated that "State teams" were used on the farm rented by C. A. Rogers in 1896. This is an error, as the printed testimony shows that the "State teams" were used on Capt. McGuire's farm and not on the
place rented by the said Rogers, and we 
desire to say that the books showed that ... per cent. This loss is occasioned 
by the provisions of the law permitting 
appeals on affidavits of inability to pay
March 3rd, you are respectfully advised during the year ending February 28, 1899, fees as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Misdemeanor fees</td>
<td>700.00</td>
</tr>
<tr>
<td>Felony fees paid by the State</td>
<td>650.00</td>
</tr>
<tr>
<td>Felony fees earned but not yet paid by the State</td>
<td>290.00</td>
</tr>
<tr>
<td>Miscellaneous fees</td>
<td>700.00</td>
</tr>
<tr>
<td>Total</td>
<td>$1,640.00</td>
</tr>
</tbody>
</table>

The above would have had earlier attention but I have been sick, and this is the first day at the office.

Very truly,

W. A. Hudson, Clerk.

P. S.—I have employed no regular deputy, but consequently have paid out nothing for such service.

COURT OF CRIMINAL APPEALS.

Austin, Texas, March 8, 1899.

Hon. Lee J. Rountree, Chief Clerk House of Representatives, Acting Clerk.

Dear Sir: Responding to your request to answer certain questions pronounced by resolution of the House to the clerks of the higher courts, herewith submit the following:

Amount of fees paid into this court for the year ending February 28, 1899

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$1,640.00</td>
</tr>
</tbody>
</table>

I have employed no regular deputy, but have paid the following amounts during that time for assistants, who are as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chas. Stephenson, Austin, Texas, paid regularly $45.00 per month from March 1, 1898, to July 1, 1898, for recording, and about $10.00 per month for extra work</td>
<td>180.00</td>
</tr>
<tr>
<td>Mrs. R. J. McClintock, from March 1, 1899, to July 1, 1899, $40.00 per month</td>
<td>160.00</td>
</tr>
<tr>
<td>Mrs. R. J. McClintock from July 1, 1898, to October 1, 1898, $25.00 per month</td>
<td>75.00</td>
</tr>
<tr>
<td>Mr. J. P. Byrne from March 1, 1898, to July 1, 1898, $20.00 per month</td>
<td>80.00</td>
</tr>
<tr>
<td>Mr. J. P. Byrne from October 1, 1898, to March 1, 1899, $20.00 per month</td>
<td>100.00</td>
</tr>
<tr>
<td>Grand total</td>
<td>$820.00</td>
</tr>
</tbody>
</table>

Hoping the above information will prove satisfactory to you, I am, Yours truly,

E. P. Smith,
Clerk Court Criminal Appeals at Austin, Texas.