COURT OF CIVIL APPEALS.
Galveston, Texas, March 8, 1899.
Hon. Lee J. Rountree, Clerk House of Representatives, Austin, Texas.

DEAR SIR: In compliance with the resolution contained in yours of the 3rd inst., I beg to submit the following statement, to wit:

To amount of fees collected on cases disposed of during the year ending February 28, 1899 ............................ $2,508 00
To approximate collected for certified copies . . . . . . . . . . . . 150 00
Total collections on business transacted during the year .................... $2,658 00
By amount paid H. L. Garret, deputy .... $660 00
By amount paid Mr. Trumbo, extra work. 20 00 680 00
Showing amount of clerk's compensation for the year. $1,978 00
I certify that the above statement is true and correct.

H. M. KNIGHT, Clerk.

FIFTY-THIRD DAY.

Hall of the House of Representatives,
Austin, Texas,
Saturday, March 11, 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 Hopkins.
Allen of Colorado.
Ayers.
Barbee.
Barrett.
Bean.
Beaty.
Blount.
Bolin.
Caldwell.
Calvin.
Chambers.
Childers.
Childs.
Clements.
Cole.
Collins.
Dean.
Decker.
Derden.
Dies.
Dorroh.

McFarland.
McKamy.
McKellar.
Metczen.
Morris.
Murray.
Nolan.
Palmer.
Phillips, Lampassas. Tarkington.
Phillips of Camp.
Pitts.
Poole.
Powell.
Robertson, Harrison.
Robertson of Bell.
Robertson of Fannin.
Rochelle.
Rogers.
Russell.
Sansom.
Savage.
Schluter.
Scurry.

Shannon.
Shelburne.
Shropshire.
Smith of Grayson.
Smith of Collin.
Staples.
Stripling.
Sutherland.
Tarver.
Tate.
Teagle.
Terrell.
Thomas of Wise.
Thomas of Fannin.
Tucker.
Waltin.
Wells.
Weless.
Willacy.
Willrodt.
Wooten.

Absent.

Bailey.
Cocke.
Conoly.
Crawford.
Cross.
Culp.
Evans of Grayson.
Goodlett.
Gordon.
Greenwood.
Grubbs.
Howard.
Kittrell.
Lake.

Masterson.
Maxwell.
McDowell.
Mercer.
Murphy.
Neff.
Oliver.
Parish.
Peery.
Pfeuller.
Stewart.
Tompkins.
Vaughan.
Wright.

Monroe.
Morrow.
Princo.
Ratcliff.

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

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Barrett for today, on motion of Mr. Collins.
Mr. Neff for today, on motion of Mr. Robertson of Bell.
Mr. Conoly until next Tuesday, on motion of Mr. Lillard.
Mr. Goodlett for today, on motion of Mr. Wells.
Mr. McDowell until next Wednesday, on motion of Mr. Morris.
Mr. Pitts for absence on yesterday, on motion of Mr. Shropshire.
Mr. Murphy for today, on motion of Mr. Thomas of Wise.
Mr. Bailey for today, on motion of Mr. Childers.
Mr. Tompkins for today, on motion of Mr. Willrodt.
Mr. Howard until next Tuesday, on motion of Mr. Frost.
Mr. Kittrell for today, on motion of Mr. Looney.
Mr. Greenwood for today, on motion of Mr. Clements.
Mr. Moore until next Tuesday, on motion of Mr. Bolin.
Mr. Lovett for today, on motion of Mr. Little.

On account of important committee work:
Mr. Stew for today, on motion of Mr. Ayers.
Mr. Lake for today, on motion of Mr. Robertson of Harrison.

On account of sickness:
Mr. Monroe for today, on motion of Mr. Allen of Colorado.
Mr. Crawford until next Tuesday, on motion of Mr. Dies.
Mr. Oliver indefinitely, on motion of Mr. Bolin.

BILL RECOMMENDED.

House bill No. 721 to the Committee on Towns and City Corporations, on motion of Mr. McKamy, Chairman.

SPEAKER'S TABLE.

The Speaker laid before the House, on its third reading and final passage, House bill No. 412, A bill to be entitled "An Act to amend Article 5043, Chapter 6, Title CII, Revised Statutes, relating to inspection of live stock, so as to place Randall county under the operation of said law, and remove Cochran, Cottle, Bailey, Parmer, Lamb and Hemphill counties from the operation of said law." Read third time, and Mr. Decker offered the following amendment:

"Amend the bill by so adding to 'Statutes,' line 1, page 1, in the caption of said bill the following: 'as amended by the Twenty-fifth Legislature, in Chapters 43 and 107 of said acts,' and further amend by adding the same words after the word 'Statutes' in line 9, page 1, engrossed bill." Adopted.

Mr. Garner offered the following amendment:

"Amend the Decker amendment by striking out the words 'Uvalde, Zavala, Travis, Tarrant, Wichita and Wilbarger counties.'" Adopted.

Mr. Russell offered the following amendment:

"Amend by inserting the word 'elected' after the word 'be' in bill, so as to read: 'Provided, the inspector shall be elected in the counties of Cameron, Hidalgo, Starr, Zapata, Webb and Ector.'"

Adopted.

Mr. Bridgers offered the following amendment:

"Amend so as to include the word 'Maverick' in the Decker amendment."

Adopted.

The bill was passed.

Mr. Decker moved to reconsider the vote by which House bill No. 412 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its engrossment, House bill No. 595, A bill to be entitled "An Act to regulate the running of stock at large in Cooke county, Texas, or in any subdivision of said county," which bill was read second time last Saturday, amended and postponed until today.

Mr. Robertson of Bell offered the following amendment:

"Amend by adding 'Bell county' after 'Cooke county' wherever it appears in the caption and the bill."

[Signed Robertson of Bell, Shannon.]

Adopted.

Mr. Little offered the following amendment:

"Amend by adding the word 'jacks' after the word 'mules' in line 15." On motion of Mr. Barbee further consideration of the bill was postponed until next Saturday, 11 a.m.

The Speaker laid before the House, on its third reading and final passage, House bill No. 540, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Shelby county; to conform to the jurisdiction of the district court thereunto, and to repeal all laws in conflict herewith."

Read third time, and passed by the following vote:

Yeas—86.
Adams. Chambers.
Allen of Hopkins. Clements.
Ayers. Cole.
Barbee. Collins.
Barrett. Culp.
Bean. Dean.
Beatty. Decker.
Blount. Derden.
Bridgers. Dies.
Caldwell. Eekols.
Calvin. Ellis.
Mr. Hamilton moved to reconsider the vote by which House bill No. 540 was passed, and to table the motion to reconsider. The motion to table prevailed. The Speaker laid before the House, on its third reading and final passage, House bill No. 568, a bill to be entitled "An Act to create a more efficient road system for Wood county, Texas." Read third time, and passed by the following vote:

Yeas—87.

Adams. McClellan.
Allen of Hopkins. McKamy.
Ayers. McKellar.
Barbee. Morris.
Bean. Murray.
Beaty. Nolan.
Bridgers. Pitts.
Caldwell. Poole.
Calvin. Powell.
Chambers. Robertson, Harrison.
Childers. Robertson of Bell.
Clements. Rochelle.
Cole. Rogers.
Collins. Russell.
Culp. Sansom.
Dean. Savage.
Decker. Schluter.
Derden. Scurry.
Dies. Shannon.
Dorrough. Shelburne.
Eckols. Shropshire.
Ellis. Smith of Grayson.
Evans of Fannin. Smith of Collin.
Frost. Smith of Grayson.
Garner. Smith of Collin.
Garrett. Smith of Collin.
Gill. Rogers.
Gillan. Rogers.
Gillan of Hopkins. Rogers.
Glogan. Shropshire.
Gordon. Smith of Grayson.
Graham. Smith of Grayson.
Grogan. Smith of Grayson.
Hargrett. Smith of Grayson.
Hurley. Smith of Grayson.
Jones. Smith of Grayson.
Kennedy. Smith of Grayson.
Lillard. Smith of Grayson.
Little. Smith of Grayson.
Livsey. Smith of Grayson.
Looney. Smith of Collin.
Looney. Smith of Collin.
Loyd. Smith of Collin.
Marsh. Smith of Collin.
McAnally. Smith of Collin.
McClennan. Smith of Collin.
McKellar. Smith of Collin.
McKellar of Thomas of Wise.
Murray. Smith of Collin.
Nolan. Smith of Collin.
Pitts. Smith of Collin.
Poole. Smith of Collin.
Powell. Smith of Collin.

Nays—1.

Meitzen. Absent.

Bolin. Absent—Excused.

Childs. Absent—Excused.

Cross. Absent—Excused.

Dorrough. Absent—Excused.

Evans of Grayson. Absent—Excused.

Gordon. Absent—Excused.

Grubbs. Absent—Excused.

Henderson, Lamar. Absent—Excused.

Mr. Hamilton moved to reconsider the vote by which House bill No. 540 was passed, and to table the motion to reconsider. The motion to table prevailed. The Speaker laid before the House, on its third reading and final passage, House bill No. 568, a bill to be entitled...
Mr. Sutherland moved to reconsider the vote by which House bill No. 568 was passed, and to table the motion to reconsider.

The motion to reconsider the vote prevailed.

The Speaker laid before the House, on its second reading, House bill No. 381, A bill to be entitled "An Act to amend an act of the Twenty-fifth Legislature, styled Senate bill No. 236, Chapter 57, of the General Laws of the Regular Session, regulating terms of the district courts in Jasper, Newton, Orange, Jefferson and Tyler counties."

The bill was read second time, and ordered engrossed.

Mr. Teagle moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 381 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—86.

Adams. Grogan.
Allen of Colorado. Hamilton.
Ayers. Kennedy.
Barbee. Lillard.
Bean. Little.
Beaty. Livsey.
Blount. McAnally.
Bolin. McClellan.
Bridgers. McKellar.
Caldwell. Meitzen.
Calvin. Morris.
Childers. Morrow.
Childs. Murray.
Clements. Nolan.
Collins. Phillips of Camp.
Cross. Pitts.
Culp. Poole.
Dean. Powell.
Decker. Robertson, Harrison.
Derden. Robertson of Bell.
Dies. Rochelle.
Dorroh. Rogers.
Eckols. Russell.
Ellis. Sansom.

Evans of Fannin. Savage.
Frost. Schuler.
Garrett. Scary.
Gill. Shannon.
Goodman. Shelburne.
Graham. Smith of Grayson.

Smith of Collin. Thomas of Wise.
Staples. Thomas of Fannin.
Stripling. Tucker.
Sutherland. Walton.
Tarkington. Wells.
Tarver. Wholes.
Tate. Willacy.
Teagle. Willrodt.
Terrell. Wooten.

Absent.

Evans of Grayson. Masterson.
Gordon. Maxwell.
Grubbs. McFarland.
Jones. Peery.
Looney. Pfeiffer.
Loyd. Vaughan.
Marsh. Wright.

Absent—Excused.

Bailey. Lane.
Barrett. McDowell.
Bennett. Mercer.
Browne. Monroe.
Cocke. Murphy.
Conolly. Neff.
Crawford. Oliver.
Goodlett. Parish.
Greenwood. Prince.
Henderson, Brazos. Ratcliff.
Howard. Stewart.
Kittrell. Tompkins.
Lake.

House bill No. 381 laid before the House, on its third reading and final passage.

Read third time, and passed by the following vote:

Yeas—87.

Adams. Evans of Fannin.
Allen of Colorado. Frost.
Ayers. Garrett.
Barbee. Gill.
Barrett. Goodman.
Bean. Graham.
Beaty. Grogan.
Blount. Hamilton.
Bolin. Hurley.
Bridgers.
Caldwell. Kennedy.
Calvin. Lillard.
Chambers. Little.
Childers. Livesey.
Clements. McAnally.
Cole. McClellan.
Collins. McFarland.
Culp. McCamy.
Dean. McKellar.
Decker. Meitzen.
Derden. Morris.
Dies. Murray.
Dorroh. Nolan.
Eckols. Palmer.
Ellis. Phillips, Lampasas.
Mr. Teagle moved to reconsider the vote by which House bill No. 381 was passed, and to table the motion to reconsider. The motion to table prevailed.

The Speaker laid before the House, on its second reading, House bill No. 578, A bill to be entitled "An Act to fix the terms for holding the courts in the Fiftieth Judicial District, and to repeal all laws in conflict herewith."

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

The Speaker laid before the House, on its second reading, House bill No. 596, A bill to be entitled "An Act to amend Section 2 and 6, Chapter 149, of the Acts of the Regular Session of the Twenty-fifth Legislature, approved May 27, 1897, relating to the protection of game, so as to exempt Shelby, Sabine, San Augustine, Jasper, Newton and Nacogdoches counties from the operations of said law," with a favorable committee report, recommending a substitute in lieu of the original bill.

Read second time, and Mr. Shelburne raised the point of order that the bill proposed to amend the General Laws, and

7, by adding the word 'first' after the word 'the.'"
Adopted.

2. "Amend Section 15, line 18, page 9, by striking out 'or' after the word 'purchase.'"
Adopted.

3. "Amend Section 15, page 9, by striking out the word 'five' and inserting in lieu thereof 'one.'"
Adopted.

4. "Amend Section 15, line 29, page 9, by striking out the word 'commissioners,' and inserting in lieu thereof 'judge,' also by striking out the word 'their,' and inserting in lieu thereof 'his,' same line."
Adopted.

The bill was ordered engrossed.

The Speaker laid before the House, on its second reading, House bill No. 555, A bill to be entitled "An Act to amend an act passed by the Twenty-fifth Legislature in the year 1897, entitled 'An Act to amend Subdivision 13, of Article 22, of the Revised Civil Statutes of the State of Texas, relative to the time of holding the terms of the district court in the Fifteenth Judicial District of Texas, passed by the Twenty-fourth Legislature in the year 1895, and to repeal all laws in conflict with this act,' providing for the selection and empaneling of grand juries for the January term of said court, and to repeal all laws in conflict with this act."

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

The Speaker laid before the House, on its second reading, House bill No. 538, A bill to be entitled "An Act to amend an act entitled 'An Act to incorporate the city of Waco, and to define its boundaries and powers.'"

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

"Amend the bill by striking out on page 4, lines 12 and 13."
Adopted.

The bill was ordered engrossed.

The Speaker laid before the House, on its second reading, House bill No. 578, A bill to be entitled "An Act to amend an act entitled 'An Act to fix the terms for holding the courts in the Fiftieth Judicial District, and to repeal all laws in conflict herewith.'"

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

The Speaker laid before the House, on its second reading, House bill No. 621, A bill to be entitled "An Act to create a more efficient road system for Nacogdoches county."

The bill was read second time, and Mr. Stripling offered the following amendments:

1. "Amend Section 11, line 20, page 7, by adding the word 'first' after the word 'the.'"
Adopted.

2. "Amend Section 15, line 18, page 9, by striking out 'or' after the word 'purchase.'"
Adopted.

3. "Amend Section 15, page 9, by striking out the word 'five' and inserting in lieu thereof 'one.'"
Adopted.

4. "Amend Section 15, line 29, page 9, by striking out the word 'commissioners,' and inserting in lieu thereof 'judge,' also by striking out the word 'their,' and inserting in lieu thereof 'his,' same line."
Adopted.

The bill was ordered engrossed.

The Speaker laid before the House, on its second reading, House bill No. 555, A bill to be entitled "An Act to amend an act passed by the Twenty-fifth Legislature in the year 1897, entitled 'An Act to amend Subdivision 13, of Article 22, of the Revised Civil Statutes of the State of Texas, relative to the time of holding the terms of the district court in the Fifteenth Judicial District of Texas, passed by the Twenty-fourth Legislature in the year 1895, and to repeal all laws in conflict with this act,' providing for the selection and empaneling of grand juries for the January term of said court, and to repeal all laws in conflict with this act."

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

The Speaker laid before the House, on its second reading, House bill No. 538, A bill to be entitled "An Act to amend an act entitled 'An Act to incorporate the city of Waco, and to define its boundaries and powers.'"

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

"Amend the bill by striking out on page 4, lines 12 and 13."
Adopted.

The bill was ordered engrossed.

The Speaker laid before the House, on its second reading, House bill No. 578, A bill to be entitled "An Act to amend an act entitled 'An Act to fix the terms for holding the courts in the Fiftieth Judicial District, and to repeal all laws in conflict herewith.'"

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

The Speaker laid before the House, on its second reading, House bill No. 621, A bill to be entitled "An Act to create a more efficient road system for Nacogdoches county."

The bill was read second time, and Mr. Stripling offered the following amendments:

1. "Amend Section 11, line 20, page 7, by adding the word 'first' after the word 'the.'"
Adopted.

2. "Amend Section 15, line 18, page 9, by striking out 'or' after the word 'purchase.'"
Adopted.

3. "Amend Section 15, page 9, by striking out the word 'five' and inserting in lieu thereof 'one.'"
Adopted.

4. "Amend Section 15, line 29, page 9, by striking out the word 'commissioners,' and inserting in lieu thereof 'judge,' also by striking out the word 'their,' and inserting in lieu thereof 'his,' same line."
Adopted.
that it was not proper to consider the same today.

The Speaker held the point of order not well taken.

The committee report was adopted.

The bill was ordered engrossed.

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

House bill No. 679, A bill to be entitled "An Act to amend Chapter 65, of the Acts of the Twenty-fifth Legislature, being 'An Act to create a more efficient road system for Montague, Red River and Wichita counties, 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, 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,'"

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

Mr. Lillard moved to reconsider the vote by which Substitute House bill No. 596 was ordered engrossed, and asked to have the motion to reconsider spread upon the Journal.

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

House bill No. 710, A bill to be entitled "An Act to create a more efficient road system for Bell county, Texas."

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

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

House bill No. 342, A bill to be entitled "An Act to incorporate the city of Dallas, and to grant it a new charter,"

With favorable committee report recommending amendments. Bill read second time.

(Pending reading of the bill Mr. Murray and Mr. Shelburne occupied the chair.)

While the Clerk was reading the bill, Mr. Teagle moved to adjourn until 9:30 a.m. next Monday.

Mr. Phillips of Lampasas raised the point of order that it was not proper to entertain a motion while the reading of a bill is in progress.

Mr. Shelburne in the chair sustained the point of order.

Mr. Teagle appealed from the ruling of the Chair, and the House sustained the ruling.

The Clerk then proceeded to read the bill, and closed with reading the committee report.

After the Clerk had read the bill, and the Speaker announced the pending question—Shall the committee report be adopted?

Mr. Kennedy rose to a point of order and said:

"Mr. Speaker: For the third time I demand that the Clerk read the bill in full. He has omitted at least two-thirds of it, and I protest against the disregarding of the plain mandates of the Constitution in this manner."

The Speaker stated that the Chair is not responsible for the manner in which the Clerk reads a bill, and announced the pending question—Shall the committee report be adopted?

Mr. McKamy moved to adopt the committee report.

Mr. Shropshire moved to adjourn until 9:30 o'clock a.m. next Monday.

Mr. Phillips of Lampasas moved to take a recess until 3 o'clock p.m. today.

Both motions were lost.

Question recurring on the motion of Mr. McKamy to adopt the committee report, yeas and nays were demanded by Mr. Rochelle, Mr. Culp and Mr. Chambers.

There was not a quorum voting, the roll call showing but 40 yeas and 14 nays.

Whereupon, at 12:22 p.m., on motion of Mr. Wooten, the House adjourned until 9:30 o'clock a.m. next Monday.

FIFTY-FOURTH DAY.

Hall of the House of Representatives, Austin, Texas, Monday, March 13, 1890.

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. Decker.
Allen of Hopkins. Dourney.
Ayers. Dorroh.
Barbee. Eckols.
Barrett. Ellis.
Bean. Evans of Fannin.
Beaty. Frost.
Bolin. Garrett.
Bridgers. Goodlett.
Caldwell. Goodman.
Calvin. Graham.
Chambers. Greenwood.
Childers. Grogan.
Childs. Grubbs.
Clements. Hurley.
Coke. Jones.
Cole. Kennedy.