bill No. 68, prohibiting hunting on the enclosed lands of another.

Read, and referred to Committee on Stock and Stock-raising.

BILLS AND RESOLUTIONS.

(By unanimous consent.)

By Mr. Palmer and Mr. Gordon:

House bill No. 762. A bill to be entitled "An Act to amend Section 1, of an act passed by the Twenty-sixth Legislature of the State of Texas, and which went into effect on the 22nd day of March, 1899, 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 time 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.'"

(The object of the bill is to prevent a conflict in the time of holding district court in the counties of Hood and Palo Pinto, and an emergency is declared.)

Read first time, and referred to Committee on Judicial Districts.

By Mr. Childs:

House bill No. 763. A bill to be entitled "An Act to repeal Sections 22, 23, 24 and 25, of Chapter 5, of the General Laws of the State of Texas, enacted at the Special Session of the Twenty-fifth Legislature, and approved June 15th, 1897, and making the same inoperative in so far as concerns the fees of the clerks of the district courts, clerks of the county courts, sheriffs and justices of the peace, in civil cases only, in counties having a less voting population than 3500, and to repeal all laws and parts of laws in conflict herewith."

(The bill declares an emergency.)

Read first time, and referred to Committee on State Affairs.

By Mr. Frost:

House Joint Resolution No. 33, to amend Section 24, of Article 16, of the Constitution of the State of Texas, so as to provide for working the public roads by the levy of an ad valorem tax and a poll tax on all male citizens of this State between the ages of 21 and 60 years.

Read first time, and referred to Committee on Constitutional Amendments.

By Mr. Tarver:

House Joint Resolution No. 34. To amend Section 5, Article 10, of the Constitution of the State of Texas, relating to the consolidation of railway corporations owning parallel or competing lines.

(Amends the Constitution by permitting the consolidation of parallel or competing lines of railway by special act of the Legislature.)

Read first time, and referred to Committee on Constitutional Amendments.

By Mr. Powell:

Whereas, There appears in the Journal of February 20th, on page 457, a resolution adopted by the House inquiring into the delay of printing for the House, and it having developed that the resolution was introduced through a misunderstanding of the facts, and;

Whereas, To let same remain in the permanent Journal would likely injure the business reputation of the State printing contractors; therefore, be it

Resolved, That said resolution is hereby recalled, and that the same be expunged and left out of the permanent Journal.

Read second time and adopted.

By Mr. Bennett:

Whereas, Some time ago Grimes county, without my knowledge or consent, and without the knowledge or consent of her people, and against their expressed will and purpose, was changed from the community to the district school system; and

Whereas, The Governor of the State has said that if called upon by the House that he would send this bill back to the house in order that Grimes county be again restored to the community system by striking it out of said bill; therefore, be it

Resolved, That it is the sense of this House that we ask the Governor to return said bill, No. 441, back to the House for that purpose.

Read second time and adopted.

At 6:18 p. m., on motion of Mr. Powell, the House adjourned until 9:30 o'clock a. m. tomorrow.

SIXTY-SEVENTH DAY.

Hall of the House of Representatives,
Austin, Texas,
Wednesday, March 29, 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:

Present—119.

Adams. Bennett.
Ayers. Browne.
Barbee. Caldwell.
Barrett. Calvin.
Bean. Chambers.
Beaty. Childers.
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Children.  
Clements.  
Cocke.  
Cole.  
Collins.  
Conolly.  
Crawford.  
Cross.  
Culp.  
Dean.  
Decker.  
Derdin.  
Dorrah.  
Eckols.  
Ellis.  
Evans.  
Frost.  
Garner.  
Garrett.  
Gill.  
Goodlett.  
Goodman.  
Gordon.  
Graham.  
Greenwood.  
Grogan.  
Grubbs.  
Hamilton.  
Henderson, Brazos.  
Henderson, Lamar.  
Howard.  
Hurley.  
Jones.  
Kennedy.  
Kittrell.  
Lake.  
Lane.  
Lillard.  
Little.  
Livsey.  
Looney.  
Loyd.  
Marsh.  
Maxwell.  
McAnally.  
McClellan.  
McDowell.  
McFarland.  
McKamy.  
McKellar.  
Murphy.  
Murray.  
Absent.  
Dies.  
Masterson.  
Absent—Excused.  
Bailey.  
Bridgers.  
A quorum was announced present.

The Clerk proceeded to read the Journal, and pending reading of the same, On motion of Mr. Conoly, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business: Mr. Masterson for today, on motion of Mr. Decker.
Mr. Rogers for today, on motion of Mr. Goodlett.

SPEAKER'S TABLE.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 35, A bill to be entitled "An Act requiring the county commissioners court of any county, or the city council of any incorporated town or city in the State to submit propositions for the issuance of bonds to a vote of the qualified tax-payers of such county or incorporated city or town, and to repeal the provisions of all city charters in conflict herewith."

Read third time, and passed.

The Speaker laid before the House, on its third reading and final passage, 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."

Read third time, and Mr. Smith of Collin offered the following amendment:

"Strike out Section 1 of the bill and insert in lieu thereof the words: "That there shall be established at the town or city in the counties of Fannin, Collin, Denton, Grayson, Hunt, Dallas, Tarrant, Cooke, Hopkins, Rockwall, Wise, Kaufman, Ellis, Montague and Lamar a normal school, to be known as the North Texas State Normal College; provided, that the citizens and municipal authorities of the city or town at which said normal college shall be located shall within sixty days after this act takes effect convey or cause to be conveyed to the State of Texas by a good and perfect title not less than thirty thousand dollars worth of property, including grounds, buildings and money; and provided further, that the city or town in either of said counties which offers the greatest sum of money, including property, shall get the normal college located within her limits; and provided further, that buildings to accommodate at least four hundred pupils must be provided by said city or town which secures the location of said college."

Tabled on motion of Mr. Culp.
Mr. Vaughan moved the previous question, and the main question was ordered. Yeas and nays were demanded by Mr. Smith of Collin, Mr. Wells and Mr. Robertson of Harrison.

The bill was passed by the following vote:

**Yeas—73.**

Adams.
Allen of Colorado.
Ayers.
Beaty.
Bennett.
Bolin.
Browne.
Caldwell.
Calvin.
Chambers.
Childs.
Cocke.
Cole.
Collins.
Crawford.
Culp.
Dean.
Decker.
Dorroh.
Eckols.
Frost.
Gill.
Goodlett.
Goodman.
Gordon.
Greenwood.
Grogan.
Grubbs.
Hamilton.
Henderson, Lamar.
Jones.
Lillard.
Looney.
Loyd.
Maxwell.
McClellan.
McFarland.
McKamy.
McKellar.
Monroe.
Morrow.
Murphy.
Nolan.
Oliver.
Palmer.
Parish.
Peery.
Pfeuffer.
Phillips, Lampasas.
Poole.
Prince.
Russell.
Savage.
Seurry.
Shelburne.
Smith of Grayson.
Staples.
Stewart.
Stripling.
Sutherland.
Tarver.
Tate.
Terrell.
Thomas of Wise.
Thomas of Fannin.
Tucker.
Vaughan.
Walton.
Weils.
Whless.
Willacy.
Wooten.

**Nays—39.**

Allen of Hopkins.
Barbee.
Barrett.
Beam.
Beane.
Blount.
Conoly.
Cross.
Derdener.
Ellis.
Evans.
Garner.
Henderson, Brazos.
Howard.
Hurley.
Kennedy.
Kittrell.
Lake.
Lan.
Little.
Livsey.
Marsh.
McAnally.
McDowell.
Meizten.
Morris.
Murray.
Neff.
Phillips of Camp.
Powell.
Ratcliff.
Robertson, Harrison.
Robertson of Bell.
Rochelle.
Sansom.
Shannon.
Shropshire.
Smith of Collin.
Teagle.
Tompkins.
Willrodt.

Absent.
Barrett.
Clements.
Dies.
Garrett.

Graham.
Pitts.
Schutzer.
Tarkington.

Mercer.
Rogers.
Wright.

"I favor normal schools, and especially favor the location, but I vote against this bill because I am informed that the present State normal has and will accommodate all that the State can afford to pay for any time soon, and as many other State institutions need attention first."

"POWELL."

Mr. Thomas of Wise moved to reconsider the vote by which Senate bill No. 145 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, as pending business from last Thursday, with the veto message of the Governor thereon.

Senate bill No. 44, "An Act to amend Section 4, of Chapter 5, of the Acts of the Special Session of the Twenty-fifth Legislature of the State of Texas, approved June 16, 1897, relating to the fees of sheriffs and constables, providing the amount of such fees, and for payment of sheriffs' and constables' costs."

Question—Shall the bill pass notwithstanding the objections of the Governor?

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

(Pending consideration, Mr. Childs occupied the chair.)

While the question was under consideration.

(Speaker in the chair.)

Mr. N. A. Cravens, Private Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
STATE OF TEXAS,
Austin, March 29, 1899.

To the Honorable the House of Representatives.

I have to acknowledge the receipt of the resolution of the House of March 28, 1899, requesting the return to the House of Representatives of House bill No. 441.

I do so, but it occurs to me that in order to secure the proper return of the bill it might be held necessary that both houses should join in the request. If
this view of the case be correct, the bill would become law after the lapse of ten days from its receipt at the executive office, excluding the day of its receipt and Sundays, though it might then be in the actual possession of the House.

I have to respectfully request of the House a consideration of the question raised to the end that no complication may arise.

JOSEPH D. SAYERS, Governor.

Returning to consideration of the question—Shall Senate bill No. 44 pass notwithstanding the objections of the Governor after further consideration by the House,

Mr. Oliver moved the previous question, and the main question was ordered. The House refused to pass the bill by the following vote:

Yeas—54.

Allen of Colorado. McCamally.
Ayers. McClellan.
Barrett. McKamy.
Bennett. Meitzen.
Blount. Murphy.
Bolin. Murray.
Childs. Neff.
Cross. Peery.
Dean. Phillips, Lampasas.
Ellis. Phillips of Camp.
Frost. Pitts.
Garrett. Poole.
Gill. Ratcliff.
Goodlett. Robertson of Bell.
Gordon. Rochelle.
Greenwood. Scurry.
Grogan. Shelburne.
Hamilton. Stripling.
Howard. Sutherland.
Hurley. Tarver.
Jones. Tate.
Kennedy. Teagle.
Kittrell. Walton.
Lane. Wells.
Little. Wilrodt.
Maxwell. Woolen.

Nays—56.

Adams. Derden.
Allen of Hopkins. Dorroh.
Barbee. Evans.
Bean. Graham.
Beaty. Grubbs.
Browne. Henderson, Brazos.
Caldwell. Henderson, Lamar.
Calvin. Lake.
Childers. Lillard.
Clements. Livsey.
Cocke. Looney.
Collins. Loyd.
Conoly. Marsh.
Crawford. McDowell.

McKellar. Shannon.
Monroe. Shropshire.
Morris. Smith of Grayson.
Morrow. Smith of Collin.
Oliver. Staples.
Palmer. Tarkington.
Pfeuffer. Terrell.
Powell. Thomas of Wise.
Prince. Thomas of Fannin.
Robertson, Harrison. Tompkins.
Russell. Tucker.
Sansom. Vaughan.
Savage. Weless.
Schluter. Willacy.

Absent.

Culp. Goodman.
Dies. McFarland.
Eckols. Parish.
Garner.

Absent—Excused.

Bailey. Rogers.
Masterson. Wright.
Mercer.

PAIRED.

Mr. Decker (present) who would vote nay, with Mr. Stewart (absent) who would vote yea.

Mr. Chambers (present) who would vote nay, with Mr. Bridgers (absent) who would vote yea.

"I vote 'no' on the motion to pass Senate bill No. 44 (a bill increasing sheriffs' fees) over the Governor's veto, because the Democratic party in its platform (formulated and promulgated in the summer of 1898) endorsed the scaled fee bill passed by the Democratic Legislature in 1897, and pledged the Democratic party to sustain and maintain that measure, and subsequently at the election in November, 1898, the said Democratic party carried the State by a largely increased majority, thereby indicating that the said fee bill was endorsed by the democracy of the State. Therefore, I propose, by my vote here, to hold democracy to its platform and to sustain the Governor in carrying out his party demands."

"TOMPKINS."

"We vote 'yea' on Senate bill No. 44 for the passage of same over the veto of the Governor for the following reasons, to wit:

"1st. Sheriffs are not sufficiently paid under the existing fee bill for their services in small or sparsely settled counties.

"2nd. This bill will not effect those of the large, wealthy and vastly settled counties in the State where the present fee bill applies, etc.

"PHILLIPS of Lampasas, "Culp, "MAXWELL."
"We vote 'I,' because we believe that the sheriffs of this State, in the main, are good and brave officers, and are not sufficiently paid for the risks of life in apprehending and bringing to justice the violators of the law, and if retrenchment in official fees is necessary to raise more revenue then let the ax fall on gardeners, private secretaries, clerks and ice factories.

"FROST,

"HOYT,

"ELLIS,

"BENNETT."

"I vote 'no' on the motion to pass the fee bill over the Governor's veto because there are four sheriffs in my district and not one of them have intimated to me that they were so undemocratic as to even intimate that they wanted me to vote 'yes.' They all ran for the office, knowing what the compensation was, and I suppose are satisfied. I believe Governor Sayers knows what he is doing.

"ADAMS."

"I vote 'no' on the passage of the bill over the Governor's veto for the following reasons: The Constitution imposes upon the Governor the duty of seeing that the laws are faithfully executed. The sheriffs are an essential instrumentality in the proper discharge of that duty, and as the Governor is of opinion that no further compensation is needed to enable them to give him the necessary aid and support in the administration of his executive function, I am disposed to take him at his word, and sustain his veto of the bill increasing their compensation. If they are actually losing money by holding their offices they should resign, and let the Governor appoint others so as to the same or avail himself of the military arm of the government. Being charged with said duty, he should be permitted to have his own way about it in so far as he keeps within the pale of constitutional propriety. I do not wish that my vote on this question shall be considered an index to my action on other measures which may come before the House clouted by the executive veto, as each of such measures must stand upon its own merits.

"GRUBBS."

SENATE MESSAGE.

Senate Chamber, Austin, Texas, March 29, 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:

House bill No. 379, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of San Saba county, to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith."

Also 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 15, 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 of 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."

Also House bill No. 147, A bill to be entitled "An Act to amend Article 22, Title IV, Revised Civil Statutes 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 and the terms thereof, and declaring an emergency."

Also House bill No. 386, A bill to be entitled "An Act to repeal Section 2, Chapter 183, of the Acts of the Twenty-fifth Legislature, page 219, passed May 21, 1897, entitled 'An Act to prohibit the taking of fish from the fresh water lakes and streams of this State otherwise than by the ordinary hook and line and trot line, and to prohibit the sale or shipping of game fish in the State, and to provide penalties for the violations thereof."

Also House bill No. 530, A bill to be entitled "An Act to amend Chapter 12, Title XVII, Revised Criminal Code of Procedure, so as to place Bowie county under the provisions of this chapter, relating to the recovery of stolen animals and the detection and punishment of thieves, and creating an emergency."

Also House bill No. 578, A bill to be entitled "An Act to fix the time for holding the district courts in the Fiftieth Judicial District, and to repeal all laws in conflict herewith."

J. P. POOL, Secretary of the Senate.
PETITIONS AND MEMORIALS.

By Mr. Sutherland:
Memorial from citizens of Winsboro, Texas, in mass meeting, asking for the passage of the Missouri, Kansas & Texas consolidation bill over the Governor's veto.

By Mr. Frost:
Petition from 1388 citizens of the territory embraced in the proposed new county of Ross, asking for the creation of said county.

BILLS AND RESOLUTIONS.

By Mr. Jones:
House bill No. 764, A bill to be entitled "An Act to amend Article 496, of Chapter 2, Title XIII, of the Penal Code of the State of Texas, relating to irrigating canals, wells, reservoirs, etc., and the protection thereof" (The object of the bill is to reduce the penalty for violations of the provisions of this article. An emergency is declared.)

Read first time, and referred to Committee on Irrigation.

By Mr. Robertson of Bell:
House bill No. 766, A bill to be entitled "An Act to empower companies and corporations chartered or that may hereafter be chartered by the laws of this State for the purpose of owning, constructing or operating sewer systems, to condemn private property for the purpose of laying pipes, mains, laterals, connections, vats, filtering pipes, and for use of private property as a place of ultimate disposition of sewage." (The bill declares an emergency.)

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

By Mr. Grubbs:
House Concurrent Resolution No. 42, relating to gubernatorial vetoes.

Whereas, It has come to the knowledge of this Legislature that certain parties of political influence are endeavoring to forestall public sentiment on the questions involved in the recent gubernatorial vetoes of important measures, which have passed both houses with unusual unanimity; and

Whereas, Political mass meetings are now being held in many counties in the State, at which cut and dried resolutions are being adopted without a fair and impartial consideration of the cogent reasons actuating us in the original passage of said measures; therefore be it

Resolved by the House of Representatives, the Senate concurring, that we respectfully ask our constituents and the people of Texas to delay further expression upon these important matters involving the rectitude and to some extent the political integrity of their representatives in both houses of this Legislature, until a free and fair discussion of the merits of the controversy can be had, and that they pass no resolutions and sign no petitions, for the purpose of influencing further action upon said measures until fully advised in the premises.

Read second time, and, on motion of Mr. Garner, referred to the Committee on Privileges and Elections.

COMMITTEE REPORTS.

Committee Room, Austin, Texas, March 29, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 542, A bill to be entitled "An Act to regulate drilling, operation and abandonment of petroleum oil, natural gas and mineral water wells, and to prevent certain abuses connected therewith,"

have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:50 o'clock a.m., presented the same to the Governor.

Collins, Chairman.

Committee Room, Austin, Texas, March 29, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 233, A bill to be entitled "An Act to prohibit railroad companies, their officers, agents and employees from making excessive charges for carrying and transporting freights, goods, wares
and merchandise, and to require said companies, their officers, agents and employees to deliver freight, goods, wares and merchandise on the payment of the freight charges due as shown by the bill of lading, and to provide penalties for the violation of this act."

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:50 o'clock a.m., presented the same to the Governor.

COLLINS, Chairman.

Mr. Sutherland moved to take a recess until 3 o'clock p.m. today, and Mr. Schluter until 2:30 p.m. today.

Mr. Henderson of Lamar moved to adjourn until 2:30 p.m. today.

Mr. Henderson of Lamar moved to adjourn until 2:30 p.m. today.

Mr. Henderson of Lamar moved to adjourn until 2:30 p.m. today.

Mr. Henderson of Lamar moved to adjourn until 2:30 p.m. today.

REPORT OF COMMITTEE ON MEMORIAL EXERCISES.

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

Sir: Your committee appointed to arrange for memorial services by this body, in honor of our late lamented fellow-member, Hon. S. P. Evans of Grayson county, beg to report that we have made the following arrangements:

1. The services will be held Thursday evening in the Hall of the House of Representatives, beginning at 8:30 o'clock. The Senate, the Governor, Justices of the Supreme Court and Court of Civil Appeals, Heads of Departments, United States Senators and Congressmen from Texas are invited to be present and participate in the services. Hon. J. S. Sherrill, Speaker, assisted by the President of the Senate, will preside.

2. Mesdames W. H. Tobin, Mary Alsworth and L. T. Dashiel, are appointed a committee to have charge of the draping and decoration of the Hall and the music.

3. The Chaplains of the House and Senate and Elder J. W. Lowber of Austin, are requested to arrange and conduct the devotional exercises.


BAILEY, SAVAGE, MCKAMY, DIES, COLLINS, Committee.