SIXTY-NINTH DAY.

Hall of the House of Representatives, Austin, Texas, Friday, March 31, 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—117.

Adams.
Allen of Colorado.
Allen of Hopkins.
Ayers.
Barbee.
Barrett.
Beaty.
Blount.
Bolin.
Browne.
Galdwell.
Calvin.
Chambers.
Childers.
Childs.
Clements.
Cocke.
Collins.
Cook.
Cole.
Collins.
Conoly.
Cross.
Culp.
Dean.
Decker.
Derdan.
Dorroh.
Eckols.
Ellis.
Evans.
Frost.
Garrett.
Gill.
Goodlett.
Goodman.
Gordon.
Graham.
Greenwood.
Grogan.
Grubbs.
Hamilton.
Henderson, Brazos.
Henderson, Lamar.
Howard.
Hurley.
Jones.
Kennedy.
Kittrell.
Lake.
Larue.
Lillard.
Little.
Living.
Looney.
Loyd.
Masterson.
Maxwell.
McClellan.
McDowell.
McFarland.
McKamy.
McKel.1er.
Mercer.
Monroe.
Morris.
Murphy.
Murray.
Nolan.
Oliver.
Palmer.
Parish.
Pfeuffer.
Phillips, Lampasas.
Phillips of Camp. Poole.
Powell.
Prince.
Ratchiff.
Robertson, Harrison.
Robertson of Bell.
Rogers.
Russell.
Sansom.
Savage.
Schluter.
Seurry.
Shannon.
Sheiburne.
Smith of Grayson.
Smith of Collin.
Staples.
Stripling.
Sutherland.
Tarlington.
Tarver.
Tate.
Teagle.
Terrell.
Thomas of Wise.
Thomas of Fannin.
Tompkins.
Tucker.
Vaughan.

Walton.
Wells.
Wheless.
Willacy.

Willrodt.
Wooten.
Wright.

Absent.

Bennett.
Crawford.
Dies.

Garner.
Meitzen.

Absent.—Excused.

Bailey.
Bridgers.

Rochelle.
Stewart.

A quorum was announced present.

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

Pending reading of the Journal of yesterday,

On motion of Mr. Sansom, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Crawford until Tuesday, on motion of Mr. Beaty.

Mr. Garner for yesterday and until Monday, on motion of Mr. Shropshire.

Mr. Pitts for yesterday and today, on motion of Mr. Shropshire.

Mr. Loyd until Monday, on motion of Mr. Looney.

Mr. Garrett until Wednesday, on motion of Mr. Culp.

On account of sickness in his family:

Mr. Meitzen indefinitely, on motion of Mr. Lane.

Mr. Bennett until Monday, on motion of Mr. Lillard.

Mr. Logan, Reading Clerk, until Tuesday, on motion of Mr. Allen of Hopkins.

Mr. Shuburne until Monday, on motion of Mr. Pitts.

On account of committee work:

Mr. Marsh for today, on motion of Mr. Henderson of Lamar.

RESOLUTION.

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

Resolved, That the House of Representatives doth hereby extend to our fellow-citizens of other States who are now guests within our gates a cordial welcome to Texas, and to the capital; coupled with the wish that they may, while sojourning among us, fully realize the grandeur of Texas, and the opportunities here afforded for profitable investment, and for securing all the blessings of liberty and civilization regulated and protected by wise, just and faithfully executed laws.

[Signed—Kittrell, Sutherland, Peery, Teagle, Bean, Eckols, Murray, Clements, Beaty, Dorroh, Conoly, Oliver, Seurry, Schluter, Looney, Shropshire, Sansom.]
Read second time, and adopted unanimously by a rising vote.

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

Whereas, The present number of porters are not sufficient to keep the Hall, up and down stairs, and all the committee rooms, in good order and in a clean and healthy condition; therefore be it

Resolved, That the Speaker of the House is hereby authorized to appoint one more additional porter at the same rate as other porters are now paid, and to serve so long as the Speaker may deem his services necessary.

The resolution was read second time, and Mr. Conoly moved to lay it on the table.

On the motion to table, yeas and nays were demanded by Mr. Peery, Mr. Browne and Mr. Lane.

Tabled by the following vote:

Yeas—65.
Allen of Colorado. McAnally.
Ayers. McClellan.
Barbee. McDowell.
Bean. Morrow.
Beaty. Neff.
Bolin. Oliver.
Browne. Palmer.
Calvin. Peery.
Collins. Phillips of Camp.
Conoly. Poole.
Dean. Powell.
Derdan. Ratliff.
Dorroh. Robertson, Harrison
Ekols. Rogers.
Ellis. Sansom.
Evans. Savage.
Frost. Scarry.
Gill. Shropshire.
Gordon. Smith of Grayson.
Graham. Smith of Collin.
Henderson, Lamar. Stripling.
Howard. Sutherland.
Hurley. Tate.
Jones. Terrell.
Kittrell. Thomas of Wise
Lake. Thomas of Fannin.
Lane. Tompkins.
Lillard. Tucker.
Little. Wells.
Livsey. Willrodt.
Loyd. Wooten.
Adams. Culp.
Barrett. Goodlett.
Blount. Goodman.
Caldwell. Greenwood.
Childs. Grogan.
Clements. Grubbs.
Cocke. Kennedy.
Cole.

Mr. Terrell called up House Concurrent Resolution No. 37, relating to sine die adjournment, April 10.

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

Mr. Terrell offered the following amendment:

"Amend by striking out 'April 10th,' and insert 'April 20th,' and by striking out 'Monday' and insert 'Thursday.'"

Mr. Peery offered the following amendment to the amendment:

"Amend by striking out all from and including the first word 'whereas' to and including the words 'therefore be it,' also amend by changing the time to 'Thursday, April 20th.'"

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

Question first recurring on the amendment by Mr. Peery to the amendment, it was accepted by Mr. Terrell, and the amendment as amended was adopted.

Question next recurring on the resolution, yeas and nays were demanded by Mr. McClellan, Mr. Robertson of Harrison and Mr. Wells.

The resolution was lost by the following vote:

Yeas—45.
Allen of Colorado. Childs.
Ayers. Collins.
Barrett. Conoly.
Bean. Dean.
Beaty. Dorroh.
Blount. Evans.
Calvin. Gill.
Chambers. Goodman.
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Gordon. Monroe.
Graham. Morris.
Greenwood. Jackson.
Grubbs. Peery.
Hurley. Ratcliff.
Lane. Rogers.
Little. Schluter.
Livsey. Stripling.
Marsh. Sutherland.
Masterson. Tarkington.
McClellan. Tate.
McDowell. Terrell.
McKamy. Terrell.

Nay—62.
Adams. Nell.
Barbee. Palmer.
Bolin. Parish.
Caldwell. Phillips, Lampasas.
Childers. Phillips of Camp.
Clements. Poole.
Cocke. Prince.
Cole. Robertson of Bell.
Culp. Russell.
Decker. Sansom.
Derdan. Savage.
Eckols. Scurry.
Ellis. Shannon.
Frost. Shropshire.
Goodlett. Smith of Grayson.
Grogan. Smith of Collin.
Hamilton. Staples.
Howard. Tarver.
Jones. Teagle.
Kennedy. Thomas of Wise.
Kittrell. Thomas of Fannin.
Lillard. Tompkins.
Looney. Tucker.
Maxwell. Wagner.
McAnally. Walton.
McKellar. Wells.
Mercer. Whelles.
Morrow. Willacy.
Murphy. Willrodt.
Murray. Wooten.

Absent.
Cross. Pfeuffer.
Dies. Wright.
Henderson, Brazos.

Absent—Excused.
Bailey. Loyd.
Bennett. Meinzen.
Bridgers. Pitts.
Crawford. Rochelle.
Garner. Shelburne.
Garrett. Stewart.

"Second.—There are many other matters of importance pending that should be disposed of before final adjournment, and the time stated in said resolution is too short for same.

"PHILLIPS of Lampasas."

"I vote 'no' as we are not advised as to the time which will be necessary to fully consider the appropriation bill, therefore, think it would be bad policy to restrict the time for its intelligent consideration."

"PARISH."

"I vote 'no' on all resolutions to adjourn this House on some future date, before the appropriation bill has passed, for the reason it will cause a Called Session at five dollars per day. If the appropriation bill was not passed the Governor would be compelled to call this House together before we left the city, to save mileage to the State, and to pass the appropriation bill; and the presumption is the House will be called together next January to enact laws to adjust the assessment of taxes in this State, so that all men will pay their just proportion of taxes as the tax commission created by this House will recommend; and should we adjourn on some future day, and the appropriation bill was not passed, it would cause two Called Sessions."

"SMITH of Collin."

"I vote 'no' on adjournment, because if we should fail to pass appropriation bill by that time, an extra session would be called at great expense to the State."

"ALLEN of Hopkins."

The Speaker laid before the House, on engrossment.

House bill No. 130, relating to the fees and taxes to be collected by the Secretary of State.

With amendment by Mr. Bailey and substitute by Mr. Decker for the amendment, which amendments are printed in the Journal of March 3rd.

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

After further discussion the substitute was adopted, and the amendment as substituted was adopted.

Mr. Murray offered the following amendment:

"Amend by striking out in line 12, page 2, all after the word 'commission' down to and including the word 'effect' in line 13."

Adopted.

Mr. Ayers offered the following amendment:

"Amend by adding after the word
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filed' in line 28, page 2, the words: 'Provided, that no permit shall ever be issued to any corporation loaning money on real estate situated within this State, and taking obligations payable, directly or indirectly, outside of this State, and all permits hereafter issued to such corporations shall be upon the taking effect of this act canceled and withdrawn.'" (Mr. Schluter in the chair.)

The amendment by Mr. Ayers was adopted.

Mr. Lillard offered the following amendment:

"Amend by inserting after the word 'first,' at the end of line 26, page 1, the following words: 'Provided further, that for amendments or supplements; not increasing the capital stock, the sum of $25.00 only shall be charged; but for amendments or supplements increasing the capital stock, then in addition to said $25.00, the same additional rate shall be charged for the increase as is herein provided for the original fee on the whole capital stock.'

And further amend the bill by adding the same words above, after the word 'first' in line 10, page 2."

Adopted.

Mr. Clements offered the following amendment:

"Amend the bill by striking out the words 'authorized capital' wherever they occur, and inserting the words 'paid in capital.'"

Tabled on motion of Mr. Ratcliff.

Mr. Thomas of Fannin offered the following amendment:

"Amend by adding after the word 'State,' line 21, page 2, the following: 'Except such corporations as are required by law to procure permits to do business from the Commissioner of Agriculture, Insurance, Statistics and History.'"

(Speaker in the chair.)

Mr. Ratcliff moved the previous question, and the main question was ordered. Question first recurring on the amendment, it was lost.

The bill was ordered engrossed.

Mr. Ratcliff moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 130 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Adams. Barrett.
Allen of Hopkins. Blount.
Ayers. Bolin.
Barbee. Browne.
Caldwell. Mercer.
Calvin. Morris.
Chambers. Morrow.
Childers. Murphy.
Clements. Murrey.
Cooke. Neff.
Cole. Oliver.
Collins. Palmer.
Comly. Parish.
Culp. Peery.
Dean. Phillips, Lampasas.
Derden. Poole.
Dies. Powell.
Dorroh. Ratcliff.
Eckols. Robertson of Bell.
Echols. Robertson, Harrison.
Evans. Rogers.
Frost. Sansom.
Gill. Savage.
Goodman. Schluter.
Gordon. Shannon.
Grogan. Shelburne.
Grubbs. Smith of Grayson.
Hamilton. Stripling.
Henderson, Lamar. Sutherland.
Howard. Tarkington.
Hurley. Tate.
Kennedy. Teagle.
Lake. Terrell.
Lillard. Thomas of Wise.
Little. Thomas of Fannin.
Livsey. Tompkins.
Looney. Tucker.
Masterson. Vaughn.
Maxwell. Walton.
McAnally. Wells.
McClellan. Willacy.
McDowell. Willrodt.
McFarland. Wooten.
McKamy. Wright.
McKellar. Absent.

Beaty. Nolan.
Childs. Pfeuffer.
Cross. Prince.
Ellis. Russell.
Goodlett. Scurry.
Greenwood. Shropshire.
Henderson, Brazos. Smith of Collin.
Jones. Staples.
Kittrell. Tarver.
Lane. Weless.
Monroe. Absent—Excused.

Barrett. Loyd.
Bennett. Marsh.
Bridgers. Metzfen.
Crawford. Pitts.
Garner. Rochelle.
Garrett. Stewart.

House bill No. 130 laid before the House, on its third reading and final passage.
Read third time, and passed by the following vote:

Yeas—89.

Adams.
Allen of Hopkins.
Barbee.
Barrett.
Bean.
Blount.
Bolin.
Browne.
Caldwell.
Calvin.
Chambers.
Childers.
Clements.
Cole.
Conoly.
Culp.
Dean.
Decker.
Derden.
Dorroh.
Eckols.
Evans.
Frost.
Gill.
Goodlett.
Goodman.
Gordon.
Graham.
Grubbs.
Hamilton.
Henderson, Lamar.
Howard.
Jones.
Kennedy.
Lake.
Lillard.
Little.
Livesey.
Looney.
Masterson.
Maxwell.
McAnally.
McClean.
McDowell.

Nays—3.

Grogan.
Hurley.

Absent—Excused.

Bailey.
Bennett.
Bridgers.
Crawford.
Garner.
Garrett.

Mr. Ratcliff moved to reconsider the vote by which House bill No. 130 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, as pending business, on its third reading and final passage:

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

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

"Mr. Speaker: I raise the point of order that the original resolution offered by the gentleman from Dallas (Mr. McKamy) to take up House bill No. 342 and consider it from day to day until disposed of, was declared out of order by the Speaker. Then the motion was that the bill be made the special order for 10 a. m. Friday, March 24th, and that the motion prevailed (see House Journal for March 23rd, page 870)."

The Chair held the point of order not well taken.

Bill read third time, and Mr. McKamy offered the following amendments:

(1) "Amend Section 119, page 40, by striking out all after the word 'bonds' and insert in lieu thereof the following: 'In lieu thereof with coupons attached, bearing interest not less than the rate of the original bonds.'"

Adopted.

(2) "Amend by adding after the word 'military,' in line 24, page 10, the following, 'by order of the Governor.'"

Mr. Robertson of Bell moved the previous question, and the main question was ordered.

Question first recurred on the amendment (2) by McKamy, and it was adopted.

On final passage of the bill, yeas and nays were demanded by Mr. Blount, Mr. Adams and Mr. Kennedy.

The bill was passed by the following vote:

Yeas—59.

Allen of Hopkins.
Ayers.
Beaty.
Childs.
Coeke.
Cross.
Dies.
Ellis.
Greenwood.
Henderson, Brazos.
Kittrell.

Absnt-Excused.

Bailey.
Bennett.
Bridgers.
Crawford.
Garner.
Garrett.

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The motion to table prevailed.

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Adopted.

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Mr. Robertson of Bell moved the previous question, and the main question was ordered.

Question first recurred on the amendment (2) by McKamy, and it was adopted.

On final passage of the bill, yeas and nays were demanded by Mr. Blount, Mr. Adams and Mr. Kennedy.

The bill was passed by the following vote:

Yeas—59.

Allen of Hopkins.
Ayers.
Beaty.
Childs.
Coeke.
Cross.
Dies.
Ellis.
Greenwood.
Henderson, Brazos.
Kittrell.
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Mr. Henderson of Lamar (present) who would vote nay, with Mr. Dies (absent) who would vote yea.

This bill, No. 342, being the Dallas charter bill, contains many provisions which I do not approve, but believing its more essential provisions wise, and that the people of Dallas endorse it as a whole, I vote 'yea.'

"Morrow."

Mr. McKamy moved to reconsider the vote by which House bill No. 342 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, as pending business, on engrossment, 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., which was read second time March 9, and left pending, with motion of Mr. Conoly to postpone indefinitely further consideration of the bill.

Pending consideration of the motion to postpone,

Mr. Looney, by unanimous consent, called up House bill No. 124, with Senate amendments.

The bill was laid before the House and the amendments were read.

Mr. Looney moved that the House do concur.

The House concurred by the following vote:

Yea—94.

Adams.    Graham.
Allen of Colorado    Grogan.
Allen of Hopkins    Grubbs.
Ayers.    Hamilton.
Blount.    Howard.
Bolin.    Hurley.
Calbwell.    Kennedy.
Calvin.    Kittrell.
Chambers.    Lake.
Childers.    Lillard.
Childs.    Little.
Clements.    Looney.
Cooke.    Marsh.
Collins.    Masterson.
Conoly.    McCannel.
Dean.    McDowell.
Dorothy.    McFarland.
Ellis.    Mr. Conoly.
Evans.    McKellar.
Frost.    Mercer.
Gill.    Monroe.
Goodlett.    Morris.
Goodman.    Morrow.
Gordon.    Murphy.
Grubbs.    Wooten.
Mr. Looney moved to reconsider the vote by which the Senate amendments to House bill No. 124 were adopted, and to table the motion to reconsider. The motion to table prevailed.

Mr. Morrow, by unanimous consent, called up House bill No. 249, with Senator Morrow, by unanimous consent, the motion to table the motion to reconsider. The motion to table prevailed.

Mr. Morrow, by unanimous consent, called up House bill No. 268, with special reference to the amendment of the Senate amendments. The bill was laid before the House, and on motion of Mr. Morrow the House concurred.

MESSAGE FROM THE SENATE.

(Received this forenoon.)

Senate Chamber, Austin, Texas, March 31, 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. 621, A bill to be entitled "An Act to create a more efficient road system for Nacogdoches county, Texas, and making the 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 road overseers and defining their duties, and for the working of county convicts upon the roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and authorizing the working of county convicts partly upon the county convict farm as well as upon the public roads, or partly upon both, in the discretion of the commissioners court, and making provision of act applicable, as far as practicable, to convicts when worked on county farms, and to provide for the summoning of teams for road work, and for an allowance of time for the service of same, and fixing a penalty for a violation of this act, and repeal all laws in conflict with this act as to Nacogdoches county, and to authorize the commissioners court of Nacogdoches county to create the office of superintendent of public roads and bridges for Nacogdoches county, and defining his duties, and providing for compensation of said superintendent, and prescribing bond to be given by said officer; providing, that delinquent poll tax payers shall be subject to three days road duty; providing for the condemnation of any land needed for the widening, straightening, changing or draining of roads; providing for the taking of timber, gravel, earth, stone or other necessary material for the improvement of roads and giving persons summoned to work on roads the right to be relieved from the discharge of such duty on the payment of specific sums of money herein stipulated," with Senate amendments.

Senate bill No. 268, A bill to be entitled "An Act to amend Sections two (2), six (6), ten (10) and fourteen (14), of the Special Laws of the Twenty-fifth Legislature, entitled 'An Act to provide a charter for the city of Houston, Harris county, Texas,' and to add to said act Section forty-one (41a), to provide for the extension of the corporate limits for purposes of improving Buffalo Bayou, and providing that the land embraced in said extension shall not be subject to taxation by said city."

Senate bill No. 283, A bill to be entitled "An Act to amend Section 37, of Article 22, Title IV, Revised Civil Statutes of Texas, adopted at the Regular Session of the Twenty-fourth Legislature, relating to the Thirty-seventh Judicial District Court and the Forty-fifth Judicial District Court in Bexar county, etc."

Senate Concurrent Resolution No. 17, inviting Dr. C. M. Woodward, of Wash-
July, 1823. declared a school in Texas.

The capital thereof.

to your honorable body: a~dermen

The construction of such ditches

To the House substitute for House bill No. 555, "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."

Mr. Wooten sent up and asked consent of the House (which was granted) to have printed in the Journal the proposals of the committees of the town of San Felipe, Austin county, State of Texas; authorizing commissioners courts to order an election for the purpose of determining upon the levy of a tax for the construction of such ditches, drains and water courses; and providing for assessment and collection of such tax, and declaring an emergency."

MEMORIAL.

To the Honorable Legislature of Texas.

The undersigned mayor and board of aldermen of the town of San Felipe, Austin county, State of Texas, respectfully represent to your honorable body:

1. That in 1821 Stephen F. Austin planted the first colony of Texas, and in July, 1823, declared San Felipe de Austin the capital thereof.

2. Here was published the first newspaper in Texas.

3. Here was taught the first school, and here was conducted the first Sunday school in Texas.

4. Here, in 1832, was held the first convention of pioneer patriots to petition the Governor of Coahuila and Texas to take steps for carrying out the provision of the Constitution with regard to public free schools, declared to be necessary to the life of a free republic.

5. Here every foot of ground is sacred Texas historic soil.

6. The body of Stephen F. Austin, the "Father of Texas," the man who planted the seeds of a civilization that have grown into a fruitage at once a wonder and a blessing to this empire of the Southwest, lies buried at Peach Point. It is safe to say that few of our people know where the place is, or what the legend of his epitaph.

7. A sense of poetic justice, sacred duty and State pride demand that the ashes of what is left of him be put under the sod here. The place of his choice in life should be his resting place in death. His name was given to it in 1823. Let his body be given to it in this year of grace, 1899.

8. These premises considered, your memorialists respectfully propose, with the consent of the descendant relatives of Stephen F. Austin, that the municipal corporation of San Felipe will bear all the expense of the disinterment of his body, and will reverently bury it in ground here, dedicated forever to the State of Texas for that purpose; provided, that your honorable Legislature will make appropriation for a proper monument to be built over it when this shall have been done.

9. To the consummation of this purpose, it is further respectfully suggested, if this proposition meets with your favor, that you appoint a special committee to confer with us and with the Daughters of the Republic, whose co-operation we may confidently anticipate, with full powers to materialize and crystallize the purpose herein crudely yet most urgently prayed for.

10. No loyal Texan can object to such an appropriation as your discretion may deem proper to be made. Almost in the shadow of the monument at Washington, this commemoration of Texas' independence might have been but a vision of hope had not the fertile brain and patriotic heart of Austin, helped by his faithful, stalwart colonists at San Felipe, made the 2nd of March and the 21st of April calendar days on our page of records. The lessons of Texas history may not all be learned from the books. As we advance in civilization we ought not to retrograde in patriotism. Such a monument to Stephen F. Austin, placed by
the grateful State which he almost liter­ally rough-hewed into shape, guided by a divine hand—such a monument over his bones buried at San Felipe de Austin would be a lesson taught by State pride and love, and hallowed by this hero of romance and man without reproach.

Most respectfully submitted,

JOHN PHILLIPS, Mayor.
JUSTUS S. DAVIDSON, Alderman.
B. F. DAVIS, Alderman.
HENRY DITTERT, Alderman.
WM. GERMAND, Alderman.
W. C. CLIFTER, Alderman.
W. T. KERR, Alderman.
W. J. FREDERICH, Alderman.
W. L. GRAY, Alderman.
J. H. BROWNLEE,
Secretary San Felipe Corporation.
March 28, 1899.

At 12:49 p.m., on motion of Mr. Ayers, the House took recess until 3 o'clock p.m. today.

AFTERNOON SESSION.

The House met at expiration of recess, and was called to order by the Speaker.

Pending question—

House bill No. 181, relating to taxes on certain cotton gins, presses, etc., on engrossment, with motion of Mr. Conoly to postpone indefinitely further consideration of the bill pending.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 31, 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 Senate Concurrent Resolution, to wit:

Senate Concurrent Resolution No. 18, relating to accounting between the Federal government and the State of Texas.

J. P. POOL,
Secretary of the Senate.

(Mr. Schluter in the chair.)

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

Pending consideration of the motion to postpone indefinitely, Mr. Neff moved to adjourn until 9:50 o'clock a.m. tomorrow, Mr. Tucker yielding the floor for same.

SENATE BILLS ON FIRST READING.

(By unanimous consent.)

The following bills received from the Senate were read first time, and referred to appropriate committees, viz.:

Senate bill No. 268, to the Committee on Towns and City Corporations.
Senate bill No. 283, to the Committee on Judicial Districts.
Senate bill No. 299, to Judiciary Committee No. 2.

Mr. Lillard asked unanimous consent, and it was granted, to move that House bill No. 441, which had been returned to the House by the Governor on request of the House, be returned to the Governor.

The motion prevailed, and the Clerk was directed to return the bill to the Governor.

BILLS INTRODUCED.

(By unanimous consent.)

By Mr. Tompkins:

House bill No. 767, A bill to be entitled "An Act to amend the Revised Penal Code of the State of Texas, by prescribing a penalty for the violation by the hirer, his agent or employe, of the conditions of the bond of the hirer of any county convict, by inhuman treatment, or failure to furnish such convict with a sufficient quantity of good wholesome food or comfortable clothing or medicine when sick, or require such convict to work unreasonable hours or for a longer time during any one day than other laborers doing the same kind of work are accustomed to work?"

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

By Mr. Schluter:

House bill No. 768, A bill to be entitled "An Act to authorize the Gulf, Beaumont & Kansas City Railway Company to purchase, own and operate the railroad, including all the property, property rights, franchises and appurtenances, of the Gulf, Beaumont & Great Northern Railway Company, now existing or that may hereafter be built or acquired by the Gulf, Beaumont & Great Northern Railway Company; and to authorize the Gulf, Beaumont & Kansas City Railway Company, in the name of the Gulf, Beaumont & Great Northern Railway Company, to issue bonds and to secure the same by mortgage upon the railway property, property rights and franchises of the Gulf, Beaumont & Great Northern Railway Company under orders of the Railroad Commission of Texas; and to enable the said corporation, the Gulf, Beaumont & Great Northern Railway Company, to
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construct this proposed line of railway as provided in its charter, and for said purpose to raise money through the issuance of stock and bonds.

Read first time, and referred to Committee on Internal Improvements.

By Mr. Thomas of Wise:

House bill No. 769, A bill to be entitled "An Act to authorize the Secretary of State to exchange some of the volumes of Texas reports from Dallam to 57th inclusive, now in his possession as the Secretary of State for other volumes, and to purchase other volumes to make continuous sets of the same, and to authorize the sale of same, and to make an appropriation therefor."

(The bill appropriates the sum of $250, and declares an emergency.)

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

By Mr. Thomas of Wise:

House bill No. 770, A bill to be entitled "An Act to amend Article 5243j, of the Revised Statutes of Texas, relating to notice and forfeiture of charters and permits of domestic and foreign corporations."

(The object of the bill is to perfect the law giving the Secretary of State power to declare forfeitures of charters of corporations not complying with the laws of this State, and an emergency is declared.)

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

By Mr. Kennedy:

House bill No. 771, A bill to be entitled "An Act to amend the Acts of the Regular Session of the Twenty-fifth Legislature, adopted 1897, by adding Section 'A' to said act, so as to provide that commissioners' courts shall not make contracts for the building of bridges and improvements, unless they have the cash on hand to pay for same."

(The bill declares an emergency.)

Read first time, and referred to Committee on Roads, Bridges and Ferries.

COMMITTEE REPORTS.

MAJORITY REPORT.

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

SIR: A majority of your Committee on State Affairs, to whom was referred Senate bill No. 233, A bill to be entitled "An Act to amend Section 23, of 'An Act to fix certain civil fees to be charged by certain county and precinct officers, and to fix and limit the fees and compensation of the clerk of the district courts, district attorneys, county attorneys, sheriffs and constables in felony cases, to be paid by the State, and to fix the compensation of assessors and collectors of taxes, and to limit and regulate the compensation of assessors and collectors of taxes, and to limit and regulate the compensation of the sheriff, clerk of the county court, county judge, district and county attorney, clerk of the district court, assessor and collector of taxes, justices of the peace and constables, and to prescribe penalties for the violation of this act, and to repeal all laws in conflict herewith.' approved June 16, 1897, so as to fix and limit the compensation of clerks of the county courts for certain services."

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

SHELBURNE, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 29, 1899.

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

SIR: We, a minority of your Committee on State Affairs, to whom was referred Senate bill No. 233,

Do not agree with the majority of said committee, and recommend that the same do not pass.

SHANNON, SHELBURNE.

Committee Room,
Austin, Texas, March 29, 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. 33, relating to responsibility of members of the Legislature.

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

SHELBURNE, Chairman.
LXXVIII, of the Revised Civil Statutes of Texas, relating to pawnbrokers, 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 29, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 737, A bill to be entitled “An Act to establish an experimental tobacco station at or near Huntsville, Walker county, Texas, and to provide for the management and operation of the same, and to make an appropriation for such purpose, and to declare 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, but offer in lieu thereof the attached resolution.

SHELBURNE, Chairman.

Committee Room, Austin, Texas, March 29, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 546, A bill to be entitled “An Act to remove the minor disabilities of Leslie E. Eason,”

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

SHELBURNE, Chairman.

Committee Room, Austin, Texas, March 29, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 704, A bill to be entitled “An Act to grant a pension to Joseph Dial for services rendered in the Indian wars of the Republic of Texas from the years 1836 to 1839,”

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass, for the reason that the Constitution does not permit it, but otherwise would report it favorably.

SHELBURNE, Chairman.

Committee Room, Austin, Texas, March 29, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred House bill No. 748, A bill to be entitled “An Act to repeal Sections 22, 23, 24 and 25, of Chapter 5, of the general laws of the Legislature of the State of Texas, enacted at the Special Session of the Twenty-fifth Legislature, and approved June 15, 1897, and making the same inoperative in so far as concerns the fees of the clerks of the county courts, sheriffs and justices of the peace in civil cases only in counties having a less voting population that 3500, and to repeal all laws and parts of 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 not pass.

SHELBURNE, Chairman.

Also the following petitions, which were referred to the Committee on State Affairs, have had due consideration, and are herewith returned to the calendar:

Petition from the citizens of Oglesby, Coryell county, Texas, relating to the prohibiting of any person or persons from opening or keeping open, or in any way selling, hop ale, malt ale or anything of that kind, under whatsoever name, in Oglesby school district.

Petition of eighty-three citizens of Marble Falls, Burnet county, against the passage of Senate bill No. 206.

Petition of twenty citizens of Polk county, Texas, asking that Polk county be exempted from provisions of the law protecting wild game.

SHELBURNE, Chairman.

Committee Room, Austin, Texas, March 31, 1899.

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

Sir: Your Committee on Education, to whom was referred Senate bill No. 206, A bill to be entitled “An Act to provide for the establishment, maintenance and government of a State normal school to be located at San Marcos, in Hays county, Texas, and to be known as the Southwest Texas Normal School.”

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 31, 1899. 
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 486, A bill to be entitled "An Act to amend Section 6, Chapter 149, of the General Laws of the Twenty-fifth Legislature, entitled 'An Act to preserve and protect the wild game, birds and wild fowl of the State; and provide adequate penalties for the unlawful taking, slaughtering, sale or shipment thereof,' have carefully examined said bill and find the same correctly engrossed.

MCCANALLY, Acting Chairman.

Committee Room, Austin, Texas, March 31, 1899. 
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 523, A bill to be entitled "An Act to provide for the construction and maintenance of drains, ditches and water-courses, for the improvement and enlargement of natural drainage of the several counties within the State of Texas, authorizing commissioners courts to order an election for the purpose of determining upon the levy of a tax to pay for the construction of such ditches, drains and water-courses, and providing for assessment and collection of such tax, and declaring an emergency."

Have carefully examined said bill, and find the same correctly enrolled, and I have this day, at 12:30 o'clock p. m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room, Austin, Texas, March 31, 1899. 
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Judicial Districts, to whom was referred 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 Twentieth Judicial District, except in Coryell county, and to extend the time of holding the court in the county of Erath,' have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

CULP, Acting Chairman.

At 5:53 p. m., on motion of Mr. Neff, the House adjourned until 9:30 o'clock a. m. tomorrow.

SEVENTIETH DAY.

Hall of the House of Representatives, Austin, Texas, Saturday, April 1, 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:

Barbee. Cross.
Barrett. Culp.
Bean. Dean.
Beatty. Decker.
Bolin. Dorroh.
Blount. Eckols.
Bridgers. Evans.
Caldwell. Frost.
Calvin. Gill.
Chambers. Goodman.
Childs. Graham.
Childs. Grogan.
Clements. Grubbs.
Cocke. Hamilton.