have the right to purchase the land after the removal of the timber at not less than $1.00 per acre nor more than $1.50 per acre, by paying to such purchaser of the land and timber one-fifth of the purchase price in cash, and one-fifth annually thereafter of the balance of such purchase money, with interest at six per cent. per annum; provided, that such settler shall not have the right to buy any of said lands that are actually improved or occupied by such purchaser of the land and timber in the first instance, or his assigns; and provided, said actual settler shall buy not less than one hundred and sixty acres.'

GARNER, Acting Chairman.

At 6:13 p.m., on motion of Mr. Blount, the House adjourned until 9:30 o'clock a.m. tomorrow.

SEVENTY-SIXTH DAY.

Hall of the House of Representatives, Austin, Texas, Saturday, April 8, 1899.

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

Speaker Sherrill in the chair.

Roll called, and the following members present:

Present—87.


Absent.


Absent—Excused.


A quorum was announced present.

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

Pending reading of the Journal of yesterday,

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

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Stripling until next Monday week, on motion of Mr. Peery.

Mr. Robertson of Harrison until Tuesday, on motion of Mr. Allen of Hopkins.

Mr. Neff for today, on motion of Mr. Bean.

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

Mr. Nolan for today, on motion of Mr. Shropshire.

Mr. Robertson for today, on motion of Mr. Staples.

Mr. Culp for today, on motion of Mr. Grogan.

Mr. Willacy until next Tuesday, on motion of Mr. Rochelle.

Mr. Wooten until next Tuesday, on motion of Mr. Gill.

Mr. Beaty for today, on motion of Mr. Conoly.

Mr. Grubbs until next Thursday, on motion of Mr. Jones.
Mr. Murray for today, on motion of Mr. Jones.
Mr. Dean until next Wednesday, on motion of Mr. Scurry.
Mr. Wells for today, on motion of Mr. Peery.
Mr. Little for today, on motion of Mr. McAnally.
Mr. Lane until next Wednesday, on motion of Mr. Meitzen.
Mr. Dies until next Tuesday, on motion of Mr. Teagle.
Mr. Allen of Colorado until next Wednesday, on motion of Mr. Willacy.
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Mr. Allen of Hopkins until next Wednesday, on motion of Mr. Walton.
Mr. Allen of Colorado until next Wednesday, on motion of Mr. Willacy.
Later a quorum was announced present, and the bill was passed by the following vote:

Yeas—86.

Adams.  McAnally.
Allen of Hopkins.  McClanahan.
Ayers.  McDowell.
Barbee.  McKamy.
Barrett.  McKeel.
Bean.  Melznik.
Blount.  Mercer.
Bridgers.  Morris.
Caldwell.  Morrow.
Calvin.  Murphey.
Chambers.  Oliver.
Childers.  Palmer.
Childs.  Parish.
Clements.  Peery.
Cocke.  Powell.
Cole.  Prince.
Collins.  Ratcliff.
Conoly.  Robertson of Bell.
Cross.  Rochelle.
Decker.  Rogers.
Dorothy.  Russell.
Ellis.  Savage.
Evans.  Seurry.
Garner.  Shannon.
Gill.  Shelburne.
Goodlett.  Smith of Grayson.
Goodman.  Smith of Collin.
Graham.  Staples.
Grogan.  Sutherland.
Henderson, Brazos.  Tarkington.
Henderson, Lamar.  Tarver.
Hurley.  Tate.
Jones.  Teagle.
Kennedy.  Terrell.
Kittrell.  Thomas of Wise.
Lillard.  Thomas of Fannin.
Livsey.  Tucker.
Loyd.  Vaughan.
Marsh.  Walton.
Masterson.  Whelsea.
Maxwell.  Willrodt.

Mr. Grogan moved to reconsider the vote by which House bill No. 715 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its second reading and passage to a third reading, Senate bill No. 248, A bill to be entitled "An Act to reorganize the Forty-first Judicial District of Texas; to prescribe the time of holding the District Court therein; to make the terms of the Thirty-fourth Judicial District in El Paso county to conform thereto, and to provide for a clerk for the district court of the Forty-first Judicial District in said El Paso county, and empowering the district court of the Thirty-fourth Judicial District to empanel the grand jury for said county, and giving authority to the judges of either of said two courts in said El Paso county to transfer causes from their respective courts to the other of said courts, and to repeal all laws and parts of laws in conflict herewith."

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

(1) "Amend by inserting after the word 'exists' in line 23, on page 2, the following: 'Provided further: that the district attorney of the Thirty-fourth Judicial District shall do and perform all the duties pertaining to said office of district attorney for both of said district courts in and for said El Paso county.'"

Adopted.

(2) "Amend the caption by adding in line 17, on page 1, after the word 'thereof' the following: 'To provide for a district attorney for the Forty-first Judicial District in said El Paso county.'"

Adopted.

The bill was passed to a third reading. Mr. Bridgers moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 248 be put on its third reading and final passage. The motion prevailed by the following vote:

Yeas—85.

Adams.  Bridgers.
Allen of Hopkins.  Caldwell.
Ayers.  Calvín.
Bailey.  Chambers.
Barbee.  Childers.
Barrett.  Childs.
Beam.  Clements.
Blount.  Cocke.

Sansom.  Tompkins.
Schulter.  Wells.
Stewart.  Willacy.
Stripling.  Wooten.

Absent—Excused.

Allen of Colorado.  Lake.
Beaty.  Lane.
Bennett.  Little.
Brown.  Looney.
Crawford.  Monroe.
Culp.  Murray.
Dean.  Neff.
Dies.  Nolan.
Frost.  Pfeiffer.
Grubbs.  Phillips of Camp.
Hamilton.  Poole.
Howard.  Robertson, Harrison
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Cole.
Collins.
Conoly.
Cross.
Decker.
Derden.
Dorothy.
Evans.
Garner.
Gill.
Goodlett.
Goodman.
Graham.
Grogan.
Henderson, Brazos.
Henderson, Lamar.
Hurley.
Jones.
Kennedy.
Kittrell.
Lillard.
Livsey.
Loyd.
Marsh.
Maxwell.
McAnally.
McClellan.
McDowell.
McKamy.
McKellar.
Meitzen.
Mercer.
Morris.
Absent.
Bolin.
Eckols.
Garrett.
Greenwood.

Yeas—85.
Adams.
Allen of Hopkins.
Ayers.
Barbee.
Barrett.
Bean.
Blount.
Bolin.
Bridgers.
Caldwell.
Calvin.
Chambers.
Childers.
Childs.
Clements.
Cocke.
Cole.
Collins.
Conoly.
Cross.
Decker.
Derden.
Dorothy.
Evans.
Garner.
Gill.
Goodlett.
Goodman.
Graham.
Grogan.
Henderson, Brazos.
Henderson, Lamar.
Hurley.
Jones.
Kennedy.
Kittrell.
Lillard.
Livsey.
Loyd.
Marsh.
Maxwell.
McAnally.
McClellan.
McDowell.
McDowell.
McFarland.
McKamy.
McKellar.
Meitzen.
Mercer.
Morris.
Masterson.
Morrow.
Murphy.
Oliver.
Parish.
Peery.
Powell.
Prince.
Ratcliff.
Robertson of Bell.
Robertson of Collin.
Rogers.
Rogers.
Rochelle.
Rogers.
Rochelle.
Rogers.
Rogers.
Russell.
Savage.
Saura.
Shannon.
Shelburne.
Shelburne.
Sheriff.
Scurry.
Scurry.
Shelburne.
Smith of Grayson.
Smith of Collin.
Sutherland.
Tarver.
Tate.
Teagle.
Terrell.
Vaughan.
Walton.
Wheelless.
Willrost.
Masterson.
Pitts.
Wright.
Allen of Colorado.
Allen of Colorado.
Beatty.
Bennett.
Brown.
Crawford.
Culp.
Dean.
Dies.
Frost.
Gordon.
Grubbs.
Hamilton.
Howard.
Lake.
Lane.
Little.
Looney.

(Speaker in the chair.)
Senate bill No. 248 laid before the House, on its third reading and final passage.
Read third time, and passed.
Mr. Bridgers moved to reconsider the vote by which Senate bill No. 248 was passed, and to table the motion to reconsider.
The motion to table prevailed.
The Speaker laid before the House, on its second reading and passage to a third reading.
Senate bill No. 305, A bill to be entitled "An Act to transfer San Augustine county from the community to the district school system."
The bill was read second time, and passed to a third reading.
Mr. Bean moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 305, be put on its third reading and final passage.
The motion prevailed by the following vote:

Yeas—85.
Adams.
Allen of Hopkins.
Ayers.
Barbee.
Barrett.
Bean.
Blount.
Bolin.
Bridgers.
Caldwell.
Calvin.
Chambers.
Childers.
Childs.
Clements.
Cocke.
Cole.
Collins.
Conoly.
Cross.
Decker.
Derden.
Dorothy.
Evans.
Garner.
Gill.
Goodlett.
Goodman.
Graham.
Grogan.
Henderson, Brazos.
Henderson, Lamar.
Hurley.
Jones.
Kennedy.
Kittrell.
Lillard.
Livsey.
Loyd.
Marsh.
Maxwell.
McAnally.
McClellan.
McDowell.
McDowell.
McFarland.
McKamy.
McKellar.
Meitzen.
Mercer.
Morris.
Masterson.
Morrow.
Murphy.
Oliver.
Parish.
Peery.
Powell.
Prince.
Ratcliff.
Robertson of Bell.
Robertson of Collin.
Rogers.
Rochelle.
Rogers.
Russell.
Savage.
Saura.
Shannon.
Shelburne.
Smith of Grayson.
Smith of Collin.
Sutherland.
Tarver.
Tate.
Teagle.
Terrell.
Vaughan.
Walton.
Wheelless.
Willrost.

Absent—Excused.
Allen of Colorado.
Allen of Colorado.
Beatty.
Bennett.
Brown.
Crawford.
Culp.
Dean.
Dies.
Frost.
Gordon.
Grubbs.
Hamilton.
Howard.
Lake.
Lane.
Little.
Looney.

Murray.
Nell.
Nolan.
Pleuffer.
Phillips, Lampasas.
Phillips of Camp.
Poole.
Robertson, Harrison.
Sansom.
Schuler.
Stewart.
Stripling.
Tompkins.
Wells.
Wiley.
Wooten.
Senate bill No. 305 laid before the House, on its third reading and final passage.

Read third time, and passed.

The Speaker laid before the House, on its second reading and passage to a third reading.

Substitute Senate bill No. 133, A bill to be entitled "An Act to prescribe the time for holding the terms of the district court of the Thirty-sixth Judicial District of the State of Texas, and to repeal all laws and parts of laws in conflict with this act."

The bill was read second time, and Mr. Garner offered the following amendment:

"Amend Section 1 as follows: By striking out the words 'fourth' and 'second' in line 27, page 1, and insert in lieu thereof the words 'third' and 'first'; in line 28, strike out the words 'one week' and insert in lieu thereof the words 'two weeks'; in line 29, strike out the words 'first' and 'fourth' and insert in lieu thereof the words 'second' and 'third'; in line 30, strike out the words 'first' and 'second' and insert in lieu thereof the words 'second' and 'first'; in line 32, strike out the words 'second' and 'fourth' and insert in lieu thereof the words 'third' and 'first'; in line 1, page 2, strike out the words 'second' and 'second' and insert in lieu thereof the words 'third' and 'first'; in line 3, strike out the words 'fourth' and 'fourth' and insert in lieu thereof the words 'fifth' and 'third'; in line 4, strike out the words 'fifth' and 'third'; in line 6, strike out the words 'fifth' and 'first'; in line 9, strike out the words 'eighth' and 'fourth' and insert in lieu thereof the words 'ninth' and 'third'; in line 10, strike out the words 'eighth' and 'second' and insert in lieu thereof the words 'ninth' and 'first'; in line 12, strike out the words 'tenth' and 'fourth' and insert in lieu thereof the words 'eighth' and 'third'; in line 13, strike out the words 'tenth' and 'second' and insert in lieu thereof the words 'eighth' and 'third'; in line 15, strike out the words 'twelfth' and 'first' and insert in lieu thereof the words 'thirteenth' and 'first'; and in line 16, strike out the words 'fourteenth' and 'fourth' and insert in lieu thereof the words 'fifteenth' and 'third'; and in line 19, strike out the words 'fourteenth' and 'second' and insert in lieu thereof the words 'fifteenth' and 'first.'"

The amendment was adopted, and the bill was passed to a third reading.

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

House bill No. 345, A bill to be entitled "An Act to remove the minor disabilities of Leslie E. Eason."

The bill was read second time.

Mr. Morrow raised the point of order that the bill is not a local bill, and can not be taken up today, except under suspension of the rules.

Sustained by the Speaker, and the bill ruled out of order.

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

House bill No. 355, A bill to be entitled "An Act to amend Article LXXIX, Revised Civil Statutes of the State of Texas, relating to the contracting, hiring or leasing of State convicts by Board of Commissioners of Penitentiaries to owners, lessees, managers, or receivers of coal mines or collieries."

Read third time.

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

On final passage of the bill, yeas and nays were demanded by Mr. Morris, Mr. Cocke and Mr. Ayers.

The bill was passed by the following vote:

Yeas—75.

Adams. Bridge.
Allen of Hopkins. Caldwell.
Bailey. Calvin.
Barbee. Chambers.
Barrett. Childs.
Bean. Clements.
Blount. Cole.
Mr. Padsh moved to reconsider the vote by which House bill No. 355 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. 782, 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."

Read second time, and ordered engrossed.

The Speaker laid before the House, as pending business, on its second reading, Substitute House bill Nos. 30, 166, 178, 205, 211, 230, 328 and 366, A bill to be entitled "An Act to amend Articles 4308, 4309, 4310, 4311, 4312, 4314, 4315, 4316, Title XC. Revised Civil Statutes of the State of Texas, relating to public weighers, and providing for the appointment and election of public weighers for justice precincts, when so desired by the voters of any justice precinct, and to regulate the fees charged by the public weighers, and regulating the bond of all public weighers, and providing for an election to abolish the public weigher's office in counties where it is not wanted, and repeal all laws and parts of laws in conflict with this act."

The committee having reported a substitute for the bills named above.

Read second time, and committee report adopted.

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

"Amend by adding after the word 'cases' in line 4, on page 5, the following: 'Said private weighers shall charge no fee for weighing same.'"

Mr. Smith, by striking out lines 1, 2, 3, 4 and 5, amended the bill, on page 5, by striking out lines 1, 2, 3, 4 and 5.

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

On motion of Mr. Powell further consideration of the bill was postponed until next Monday, April 10, 4 p. m.

On motion of Mr. Murphy 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. 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 of Texas, in Bexar county, prescribing the jurisdiction, fixing the time of holding said courts, providing for the election of the judges thereof and of the district attorneys of the Thirty-seventh Judicial District; and to create the Fifty-seventh Judicial District of the State of Texas, to fix the time of holding court therein, and to prescribe the jurisdiction thereof, and to provide for the appointment of a district judge of said Fifty-seventh Judicial District; and to prescribe the time for holding the district courts of Bexar county of the Thirty-seventh Judicial District and the Forty-fifth Judicial District, and to define the jurisdiction thereof; and to repeal all laws and parts of laws in conflict therewith.

The bill was read second time, and passed to a third reading.

Mr. Childs moved to reconsider the vote by which Senate bill No. 283 was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

COMMITTEE REPORTS.

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

Sir: Your Judiciary Committee No. 2, to whom was referred Senate bill No. 57, A bill to be entitled "An Act to protect the pipes, conduits, meters and other appliances and machinery of gas companies, and to make interference therewith, or injury thereto, a misdemeanor, and to fix a penalty for same, 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 pass.

BAILEY, Chairman.

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

Sir: Your Judiciary Committee No. 2, to whom was referred House bill No. 777, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railroad Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railroad Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances; the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or either or any of such railroads, with its or their franchises and appurtenances; and to author-
ize the owners of each of said railroads, and its franchises and its appurtenances, to sell the same; and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased as fixed, or as the same may be fixed, by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass, but that substitute herewith do pass in lieu thereof.

The committee recommend that only the substitute herewith be printed.

SMITH of Grayson, Chairman.

APPOINTMENT.

The Speaker announced the appointment of Harry Curl as page in place of John Robert Foster, resigned.

BILL WITHDRAWN.

House bill No. 774, on motion of Mr. Bailey (by request of Mr. Kittrell, the author). On motion of Mr. Powell the regular order of business was suspended to take up, and place on its second reading, House Joint Resolution No. 24, To amend Section 11, Article XVI, of the Constitution of the State of Texas, fixing the legal and contract rate of interest."

The resolution was laid before the House, and was read second time, together with a favorable committee report recommending amendment.

Mr. Mercer raised the point that there was not a quorum present; and the Speaker directed the Clerk to count the members present.

The Clerk announced that he had counted seventy-three members in the Hall, whereupon, on motion of Mr. Tarkington, the House, at 12:10 p. m., adjourned until 9:30 o'clock a. m. next Monday.

SEVENTY-SEVENTH DAY.

Hall of the House of Representatives, Austin, Texas, Monday, April 10, 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—95.


Absent.


Absent—Excused.