find the same correctly enrolled, and I have this day, at 11:20 o'clock a.m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room,
Austin, Texas, April 14, 1899.

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

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 358, A bill to be 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."

Have carefully examined said bill, and find the same correctly enrolled, and I have this day, at 11:20 o'clock a.m., presented the same to the Governor.

COLLINS, Chairman.

NOTICE.

Mr. Terrell gave notice that on tomorrow he would call up for consideration House Concurrent Resolution No. 20, relating to the establishment of a university for the colored race.

Mr. Palmer moved to adjourn until 9 a.m. tomorrow, Mr. Conoly until 9:30 a.m. next Monday, Mr. Smith of Grayson until 9:30 a.m. tomorrow, and Mr. Decker moved to take a recess until 8 p.m. today.

Question recurring on the longest time first, the motions were lost.

On motion of Mr. Palmer, the House, at 6:13 p.m., adjourned until 9 o'clock a.m. tomorrow.

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EIGHTY-SECOND DAY.

Hall of the House of Representatives,
Austin, Texas.
Saturday, April 15, 1899.

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

Speaker Sherrill in the chair.

The roll was called, and there was not a quorum present, whereupon:

On motion of Mr. Collins, the House adjourned until 9:30 a.m. today.

The House was called to order by the Speaker, pursuant to adjournment.

(Mr. Bailey in the chair.)

Mr. Powell moved a call of the House for the purpose of obtaining a quorum.

The Chair directed the Clerk to call the
roll to ascertain if a quorum be present.
There was not a quorum present, and the call of the House was seconded.
The Clerk was directed to furnish the Sergeant-at-Arms with a list of the absentees.
In the meantime, while this duty was being performed, enough members came in to make a quorum, and the roll call showed the following members present:

Present—90.
Adams. McDowell.
Barrett. McKamy.
Bean. McKeelar.
Bennett. Metzler.
Bolin. Mercer.
Bridgers. Morrow.
Browne. Murphy.
Caldwell. Murray.
Calvin. Nolan.
Chambers. Oliver.
Childers. Palmer.
Childs. Peery.
Cocke. Pfeuffer.
Collins. Powell.
Crawford. Ratcliff.
Cros. Robertson, Harrison.
Culp. Robertson of Bell.
Dean. Rochelle.
Decker. Russell.
Derden. Sansom.
Doroh. Savage.
Eckols. Scurry.
Ellis. Shannon.
Frost. Shelburne.
Garner. Shropshire.
Goodlett. Smith of Grayson.
Goodman. Smith of Collin.
Greenwood. Staples.
Grogan. Stewart.
Hamilton. Sutherland.
Henderson, Lamar. Tarkington.
Howard. Tate.
Jones. Teague.
Kennedy. Terrell.
Kittrell. Thomas of Wise.
Lane. Tucker.
Lillard. Vaughn.
Little. Walton.
Looney. Wells.
Loyd. Wheeler.
Maxwell. Willrodt.
McAnally. Wooten.
McClellan.

Absent.
Allen of Hopkins. Evans.
Ayers. Garrett.
Barbee. Gill.
Beaty. Graham.
Blount. Henderson, Brazos.
Clements. Lake.
Conoly. Marsh.
Dies. Masterson.

Montrose.
Morris. Rogers.
Neff. Thomas of Fannin.
Parish. Tompkins.

Absent—Excused.
Gordon. Schluter.
Grubbs. Stripling.
Livesay. Willacy.
Phillips of Camp. Wright.
Pool.

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

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Conoly for today, on motion of Mr. Crawford.
Mr. Dies until Tuesday, on motion of Mr. Crawford.
Mr. Marsh until Monday, on motion of Mr. Dorroh.
Mr. Neff for today, on motion of Mr. Bean.
Mr. Rogers for today, on motion of Mr. Chambers.
Mr. Morris until next Wednesday, on motion of Mr. McDowell.
Mr. Gill for today, on motion of Mr. Decker.
Mr. Henderson of Brazos for today, on motion of Mr. Decker.
Mr. Clements until Tuesday on account of important business.
Mr. Beaty for today, on motion of Mr. Eckols.
Mr. Monroe for today, on motion of Mr. Shelburne.
Mr. Thomas of Fannin for today, on motion of Mr. Caldwell.
Mr. Evans for today, on motion of Mr. Robertson of Bell.
Mr. Graham until next Wednesday, on motion of Mr. Loyd.
Mr. Lake for today, on motion of Mr. Robertson of Harrison.
Mr. Parish for today, on motion of Mr. Collins.
Mr. Pitts for today, on motion of Mr. Shropshire.
Mr. Tompkins until Tuesday, on motion of Mr. Willrodt.
Mr. Allen of Hopkins until next Thursday, on motion of Mr. Looney.
Mr. Barbee for today, on motion of Mr. Ratcliff.

On account of sickness:
Mr. Blount indefinitely, on motion of Mr. Looney.
Mr. Masterson for last Tuesday, Wednesday, Thursday, yesterday and today, on motion of Mr. Shelburne.

(The Chair requested the members to send up motions for excuses this morning in writing, and any errors above may be accounted for on account of non-compliance with request.)

**SPEAKER’S TABLE.**

Mr. Meitzen called up House bill No. 595, relating to certain stock running at large, with Senate amendments. The bill was laid before the House, and the amendments were read.

Mr. Meitzen moved that the House concur in the Senate amendments. Mr. Walton moved that the House non-concur in the Senate amendments, and request a Free Conference Committee to adjust the differences between the two houses on said bill.

(Speaker in the chair.)

After consideration by the House, Mr. Powell moved the previous question, and the main question was ordered.

Question first recurring on the motion of Mr. Walton, it was lost.

The motion of Mr. Meitzen to concur prevailed.

Mr. Robertson of Bell moved to reconsider the vote by which the House concurred in the previous question, and the motion to reconsider prevailed.

The motion to table prevailed.

The Speaker laid before the House, on its second reading, House bill No. 784, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Bowie county, regulating the fees of officers where convicts serve their time by labor on such public roads, 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 and passage to a third reading, Senate bill No. 243, A bill to be entitled "An Act validating the incorporation for school purposes only of Victoria independent school district, an independent incorporated public school district here-tofore incorporated in Victoria county, including within its limits the municipal corporation of the town or city of Victoria; adding to the same certain territory so as to make the same hereafter co-extensive with the ancient and original town tract of Victoria; validating the acts of the board of trustees thereof; authorizing the board of trustees to levy, assess and collect special taxes; conferring upon the board of trustees plenary power to issue bonds for the purpose of purchasing school plenary powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and further prescribing the duties and authority of said board."

Read second time.

(Mr. Childs in the chair.)

Mr. Bailey offered the following amendment:

"Amend by striking out Section 8, and insert in lieu thereof the following: "The members of the present board of trustees shall hold their offices until the election on the first Tuesday in June, A.D. 1899, and qualification of their successors, and on the first Tuesday in December, 1901, and each alternate year thereafter, there shall be elected by a majority vote of the electors of said independent school district six trustees and a president to serve for two years, and until their successors are elected and qualified."

"The said first election to be held shall be ordered by the county judge of Victoria county, and no notice of said election shall be required further than given by the passage of this act, and all subsequent elections shall be ordered by the board of trustees of said district at least ten days prior to said election, and the secretary of said board shall publish notice of such election in some newspaper published in said district."

Mr. Phillips of Lampasas moved the previous question, and the motion was not seconded.

The amendment by Mr. Bailey was adopted.

The bill was passed to a third reading. The Speaker laid before the House, on its second reading and passage to a third reading, Senate bill No. 218, A bill to be entitled "An Act authorizing the board of managers of the Southwest Texas Insane Asylum at San Antonio, Texas, in conjunction with the Governor of Texas, to lease the sulphur water flowing from the artesian wells on the grounds belonging to said asylum."

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

"Amend by adding in line 24, Section 1, between the words 'the' and 'sulphur' the word 'surplus,' and after the word 'water,' in same line, the following, the amount of such surplus water to be determined by the board of managers, and to be stated in the lease;"

"And also at the end of Section 1 the following: 'Provided, however, that the water shall not be leased to any person
or persons unless such person or persons shall enter into bond with two or more good and sufficient sureties in the sum of ten thousand dollars, to be approved by the Governor, conditioned that such person or persons shall erect and construct upon the premises of such person or persons permanent improvements not less in value than the sum of twenty-five thousand dollars; said improvements to be adapted to the purposes of and to be used for a sanitarium and bathing establishment, and such improvements to be completed within one year from the date of said lease.”

(Speaker in the chair.)

Mr. Adams offered the following amendment to the amendment:

"Provided, enough of said sulphur water is reserved for the use of the asylums at San Antonio, and should said water decrease in flow, the supply of the asylums shall not be diminished, but the contractors for said water shall accept the diminished supply according to the decrease of the flow from said wells.”

Mr. Phillips of Lampasas moved the previous question, and the main question was ordered.

The amendment to the amendment was lost.

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

Mr. Childs moved to reconsider the vote by which Senate bill No. 218 was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, April 15, 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 a substitute in lieu of House bill No. 176, A bill to be entitled "An Act to regulate the terms and fix the times of holding the District Court in the Twenty-third Judicial District of Texas," with Senate amendments on bill as substituted.

Also Substitute House bill Nos. 275 and 313, A bill to be entitled "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education in the investment of the permanent free school fund, and adding thereto Article 3891a and Article 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is "paid for bonds the Board of Education shall refund the same."

Senate bill No. 321, A bill to be entitled "An Act to repeal an act entitled 'An Act to incorporate the town of San Patricio, in the county of San Patricio,' approved February 7, 1853."

Senate bill No. 87, A bill to be entitled "An Act to permit sheriffs and constables and other officers to demand a bond of indemnity before levying a writ of execution."

J. P. Pool,
Secretary of the Senate.

The Speaker laid before the House, on its final passage, House bill No. 596, A bill to be entitled "An Act to amend Section 7, Chapter 149, General Laws of Texas of the Twenty-fifth Legislature, 1897, relating to the preservation and protection of wild game and wild fowl of the State, and providing adequate penalties for the unlawful taking, slaughter, sale or shipment thereof, and exempting the counties of Jasper, Newton, San Augustine, Sabine, Shelby and Nacogdoches, and to repeal all laws and parts of laws in conflict herewith."

(Read third time, and amended April 1st.)

Mr. Hamilton offered the following amendment:

"Amend the caption of Substitute House bill No. 596 by striking out the words 'Section 1,' in line 5, and inserting the words 'from all the provisions of this act,' in line 10, after the word 'Nacogdoches.'"

Adopted.

Mr. McKeelar offered the following amendment:

"Amend by adding to the exempt counties the county of Polk."

Adopted.

Mr. Staples offered the following amendment:

"Amend by exempting the county of Bastrop."

Mr. Kittrell offered the following amendment to the amendment:

"Strike out the words 'Jasper, Newton, San Augustine, Shelby, Nacogdoches and Polk' wherever such words occur in the bill or amendments."

Mr. Powell offered the following substitute for all pending amendments:

"Amend by striking out line 12, on page 1."

Mr. Murphy moved the previous ques-
tion on the substitute by Mr. Powell, and the main question was ordered.

The substitute was lost.

Mr. Thomas of Wise moved to postpone further consideration of the bill until next Saturday, and the motion was lost.

The amendment by Mr. Kittrell to the amendment by Mr. Staples was adopted, and the amendment as amended was adopted.

Mr. Shropshire offered the following amendments:

(1) "Amend by striking out the words: 'Provided, that nothing herein contained shall be construed to prohibit the sale or shipment of wild ducks and wild geese,' as appears in lines 22, 23 and 24, page 3."

Adopted.

(2) "Amend by striking out the words: 'Provided, that nothing herein contained shall be construed to prohibit the sale or shipment of wild ducks and wild geese,' as appears in lines 30, 31 and 32, on page 1."

Adopted.

Mr. Garner offered the following amendment:

"Amend by striking out all in line 28, after the word 'dollars,' on page 1, and all of line 29 and 30."

Adopted.

Mr. Jones offered the following amendment:

"Amend Section 2, page 1, by adding thereto the following, and provided further, that it shall be unlawful to kill deer for sale either for shipment or for local use at any time, or to sell or offer to sell the hides of same."

Adopted.

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

Whereas, It has come to our knowledge that D. R. Perkins, a colored citizen of Victoria county, this State, has labored as porter in this House of Representatives for over fifteen days without having received one cent for same, and as

Whereas, In the spirit of fairness this man should be paid; therefore, be it

Resolved, That said Perkins be paid for fifteen days of service at the rate of one dollar per day.

[Signed—Henderson of Lamar, Savage, Calvin, Brown, Bailey, Culp, Goodman, Smith of Collin.]

After consideration by the House, Mr. Wooten moved the previous question, and the main question was ordered.

Yeas and nays were demanded by Mr. Morrow, Mr. Howard and Mr. Terrell.

Pending call of roll, and before the result was announced, Mr. Henderson of Lamar moved to postpone further consideration of the resolution until next Monday.

The motion to postpone prevailed.

Mr. Little moved to adjourn until 9:30 a.m. next Monday, and the motion was lost.

The House then resumed consideration of House bill No. 596, on its final passage with pending amendment by Mr. Jones.

Mr. Powell moved the previous question, and the motion was not seconded.

Mr. Whelless raised the point of order that the original purpose of this bill was to exempt certain counties, and that it had been so amended as to change the original purpose of the bill, which is contrary to Section 30, of Article 3, of the Constitution of the State of Texas.

The Speaker held the point of order not well taken.

Mr. Shropshire moved to postpone further consideration of the bill until next Monday, 4 o'clock p.m.

Pending consideration of the motion to postpone, Mr. Wooten called up

House bill No. 176, relating to the Twenty-third Judicial District, with Senate amendments.

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

On motion of Mr. Wooten the House concurred in the Senate amendments.

Question then recurred on the motion of Mr. Shropshire to postpone further consideration of House bill No. 596 until next Monday, 4 o'clock p.m.

Mr. McKellar moved as a substitute for above motion that further consideration of the bill be indefinitely postponed.

Lost.

The motion of Mr. Shropshire prevailed.

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

Senate bill No. 48, A bill to be entitled "An Act to amend Chapter 134, Sections 1, 7 and 15, of the General Laws of the Twenty-fourth Legislature, of 'An Act to create a more efficient road system for Hill, Coke, Hunt, Jackson, Bee and Victoria counties, 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 providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the..."
Texas is hereby authorized and designated the place and point where occurred the war for Texas Independence, and the massacre of J. W. Fannin, leader of the brave band which fell at Goliad, in the war for Texas Independence, and the Governor is hereby vested with the discretion of determining the manner of marking said spot and the character of inscription to be placed on such monument, if any, as may be used to designate the same; and the sum of one thousand ($1000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated in order to carry out the purpose of this act; said money to be expended under the direction of the Governor.

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

COMMITTEE REPORTS.

By Mr. Tarkington and Mr. Kittrell:

House Concurrent Resolution No. 45: Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, that the Governor of Texas is hereby authorized and empowered to have properly marked and designated the place and point where occurred the massacre of J. W. Fannin, leader of the brave band which fell at Goliad, in the war for Texas Independence, and the

BILLS AND RESOLUTIONS.

(No unanimous consent.)

By Mr. Smith of Grayson, Mr. Wooten and Mr. Henderson of Lamar:

House bill No. 804, A bill to be entitled "An Act providing for the punishment of pools, trusts and conspiracies to control prices, and as to evidence and prosecution in such cases."

(Provides that any person, partnership, firm or association violating any of the provisions of this act shall forfeit not less than $200 nor more than $5000 for every such offense, etc. Also providing that any corporation created by or under the laws of this State, which shall violate any of the provisions of this act, shall forfeit its corporate rights, etc.)

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

By Mr. Scurry:

House Joint Resolution No. 35, Amending Article 8, of the Constitution of the State of Texas, by adding thereto Section 20, providing for the organization of irrigation districts, and the levying and collection of a tax for construction of reservoirs, dams and canals.

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

By Mr. Tarkington and Mr. Kittrell:

House Concurrent Resolution No. 45: Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, that the Governor of Texas is hereby authorized and empowered to have properly marked and designated the place and point where occurred the massacre of J. W. Fannin, leader of the brave band which fell at Goliad, in the war for Texas Independence, and the
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SAVAGE, Chairman.

At 12:52 p. m., on motion of Mr. Adams, the House adjourned until 9:30 o'clock a. m. next Monday.

EIGHTY-THIRD DAY.

Hall of the House of Representatives, Austin, Texas, Monday, April 17, 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—101.


Absent—Excused.


A quorum was announced present.

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

Pending reading of the Journal of last Saturday, On motion of Mr. Tucker, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Stripling for today, on motion of Mr. Peery.

Mr. Evans for today, on motion of Mr. Caldwell.

Mr. Meitzen for today, on motion of Mr. Lane.

Mr. Conoly until next Wednesday, on motion of Mr. Crawford.

Mr. Dies for tomorrow, on motion of Mr. Crawford.

Mr. Cross for today, on motion of Mr. Marsh.

Mr. Teagle for today, on motion of Mr. Sansom.

Mr. Barbee for today, on motion of Mr. Ratcliff.

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

Mr. Willrodt for today, on motion of Mr. Derden.

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