
SECTION 1. Be it enacted by the Legislature of the State of Texas:
That the Commissioner of the General Land Office be, and is hereby required to issue to T. W. Robinson as trustee for J. W. Chowning, H. Chowning, J. R. Sumner, W. P. Bean, R. F. Jones, J. A. Creager, J. P. Wilson, George W. Darby, G. M. Byars, J. A. Stingley, T. W. Linkhart & Co., T. W. Robinson and the heirs of Ull Musick, patents for all State school section number 18, for 640 acres of land, and the north half of State school section No. 64, for 640 acres of land; both of said sections being in block No. 12 of the Houston and Texas Central Railroad surveys situated in Wilbarger county, Texas; the same being the land on which the town of Vernon, the county seat of Wilbarger county is now situated; provided, that the said T. W. Robinson, trustee as aforesaid shall within thirty days after the passage of this act, pay to the Treasurer of the State the sum of two dollars per acre for said land, and file the Treasurer's receipt for the same in the General Land Office and shall pay all fees due the State for the issuance of patents to the same.

SEC. 2. The near approach of the close of the session creates an imperative public necessity for suspending the rule requiring this bill to be read on three several days, said rule is therefore suspended.
Approved March 13, 1883.
Takes effect ninety days after adjournment.

No. 3.

An Act to amend Sections 7, 14, 21, 33, 35, 36, 40, and 45 of an Act incorporating the city of Houston in Harris county approved April 21st A. D. 1879 and Sections 23 and 31 of said Act as amended by an Act of the Legislature of the State of Texas, approved March 9th A. D. 1881 and substituting the following Sections therefor.

SECTION 1. Be it enacted by the Legislature of the State of Texas:
That Sections 7, 14, 21, 33, 35, 36, 40 and 45 of an Act incorporating the city of Houston approved April 21st A. D. 1879 and Sections 23 and 31 of said Act as amended by an Act of the Legislature of the State of Texas, approved March 9th A. D. 1881, be so amended as to hereafter read as follows.

SECTION 7. That each ward in the city shall be represented in the city council by two aldermen, who shall hold office for two years and until their successors are elected and qualified; said aldermen shall be elected by the qualified voters of the ward for which they stand, who
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Shall vote only in their respective wards. No person shall be competent to fill the office of alderman unless he be at the date of his election a qualified voter of the city, a freeholder therein and a bona fide resident of the ward for which he is elected.

SECTION 14. That there shall be a secretary and treasurer, a city marshal and an assessor and collector of taxes, who shall be nominated by the mayor and confirmed by a majority vote of all the aldermen elected, to be taken by ballot. Said officers shall hold their respective offices for two years, and until their successors are duly qualified, unless sooner removed by the city council. The assessor and collector shall have authority to appoint one or more deputies, for whose acts and conduct he shall be responsible, and such deputy or deputies shall have power to perform any act which may be performed by the assessor and collector in person.

SECTION 21. That the by-laws and ordinances of the city shall be enforced by fine not to exceed one hundred dollars, or by imprisonment in the city prison not to exceed thirty days, or by both fine and imprisonment. Provided: that no ordinance or by-law shall provide a less penalty than is prescribed for a like offense by the laws of the State. The city council may provide by ordinance for the commutation of fines imposed, by labor in a work house, on the streets or public works, and for the collection of any fine imposed execution may be issued from the mayor's court, in the name of the mayor, aldermen and inhabitants of the city of Houston, against the goods and chattels, lands and tenements of the person offending.

SECTION 23. That the city council shall have the exclusive control and regulation of all streets, alleys, public grounds and highways within the corporate limits of the city, and shall have power to abate and remove encroachments or obstructions thereon in a summary manner; to open, alter, widen, extend, establish, grade, clean, pave or otherwise improve the same; to put drains and sewers therein, to permit, prevent and regulate the laying of gas and water mains and pipes therein, to compel any person using the streets or sidewalks for the purpose of laying gas or water mains and pipes, or for building or other purposes, to repair said street or sidewalk so used by them, to prevent any street or sidewalk from being dug up, or excavations to be made therein, unless the same be done with the permission of the city council and under the direction of the city engineer, to prevent the encumbering thereof in any manner, and generally to protect the same from any encroachment or injury: to regulate, establish and change the grade of all sidewalks, streets and premises, and to require and compel the filling up and raising of the same; to construct, regulate and keep in repair all bridges, culverts, sewers and crossings: and to control and regulate the use of the same. The city council shall have full power and authority to construct, regulate and keep in repair all necessary sidewalks and foot ways, to grade and fill up the same, to regulate the use and abate and remove any encroachments or obstructions thereon, and to punish any person by fine and imprisonment who shall encroach upon or obstruct the same, or who shall fail to have such encroachments withdrawn or such obstructions removed after being notified by the proper officer to remove or withdraw the same, and each day such encroachments or obstructions are permitted to remain after such notice is served shall constitute a separate offense. The council shall fix and determine the nature and extent of such sidewalk improvements, and decide as to the kind of material to be used, and the cost of the construc-
tion of all sidewalks and footways, and the cost of the grading, filling and curbing necessary therefor, together with the cost of collection thereof, shall be defrayed by the owner or owners of the lot or block fronting on the sidewalk or footway to be constructed, according to the number of feet frontage so owned by each, which sum shall be a tax and charge against the owner or owners of such lot or block, and a lien and encumbrance upon the property itself, and said tax against the property owner may be collected and the lien upon the property foreclosed in any court having jurisdiction. The city council shall declare by resolution duly passed, upon which street or streets or parts or side of any street or streets such sidewalk improvements are to be constructed, the nature of the improvements to be made, and the kind of material to be used. After the adoption of such resolution it shall be the duty of the mayor to have specifications prepared by the city engineer in accordance with the terms of said resolution, which specifications when so prepared and adopted by the city council, shall be duly advertised, and bids solicited for constructing such improvements. It shall be the duty of the city council after accepting any bid for the construction or improvement of such sidewalks or footways to cause to be prepared by the city engineer a roll showing the number of the lots and blocks fronting on the sidewalks or footways to be constructed, the names of the owner or owners of each lot, part of lot or block, or if unknown that fact shall be stated, the number of feet frontage owned separately by each person, or jointly with others, the cost per foot frontage of such improvements, and the total proportional cost of such improvement necessary, to be paid by each property owner fronting thereon. The correctness of said rolls shall be certified to by the city engineer and submitted to the city council for its approval. If said roll is approved and adopted by the city council, the amounts therein stated and assessed against each property owner, or against one or more owners jointly, shall be a tax against such owner or owners and a lien, charge and encumbrance upon the property so owned and held by them, the amount assessed in said roll against the owner or owners of each lot or lots or blocks shall be divided into two equal parts, one part shall be payable when the improvements contracted to be made on each respective block shall be completed, and the balance shall become due six months thereafter. For such sums of money certificates shall be prepared and issued, signed by the mayor and attested by the secretary and treasurer under his official seal; each certificate shall show upon its face the amount for which it is drawn, the name of the property owner from whom the tax is owing, the number of feet frontage, and the number of the lot or lots and blocks upon which said sum of money is a lien; that said sum of money is a tax against the property owner named, and a lien upon said property described: the date when it will be payable, that it is issued for sidewalk improvements, the date of the resolution authorizing such sidewalks to be improved, and that it is issued by authority of this section of the charter, such certificates when so issued shall be delivered to the contractor or person entitled to receive the same, as follows: One certificate for one half the sum assessed against each property owner, when the respective block in which such owners property is situated shall have been completed, and one certificate for the balance upon the completion of the contract, and the acceptance of the work by the mayor. Such certificate when so issued shall be evidence that all requirements and prerequisites of the law have been complied with, and if not
section shall also apply to money realized for the State under the escheat law.
Approved February 27, 1833.
Takes effect ninety days after adjournment.

CHAPTER XXIX.

An Act to amend Article 180, Chapter 1, Title 7, of the Penal Code of the State of Texas.

SECTION 1. Be it enacted by the Legislature of the State of Texas, That Article 180, Chapter 1, Title 7, of the Penal Code, be and it is hereby amended so that it shall hereafter read as follows.

ARTICLE 180. Any person who by loud or vociferous talking or swearing, or by any other noise, or in any other manner wilfully disturbs any congregation or part of a congregation assembled for religious worship and conducting themselves in a lawful manner or who wilfully disturbs in any manner any congregation assembled for the purpose of conducting or participating in a Sunday school, or to transact any business relating to or in the interest of religious worship, or a Sunday school and conducting themselves in a lawful manner, shall be fined in any sum not less than twenty-five nor more than one hundred dollars, and may be imprisoned in the county jail not exceeding thirty days, at the discretion of the jury.
Approved February 28, 1883.
Takes effect ninety days after adjournment.

CHAPTER XXX.

An Act amendatory of Title 83 and of the supplement thereto, of the Revised Civil Statutes.

SECTION 1. Be it enacted by the Legislature of the State of Texas: That Title 83 and the supplement thereto of the Revised Civil Statutes shall be so amended as hereafter to read as follows.

ARTICLE 4090. The Governor is empowered to issue his proclamation declaring quarantine on the coast, or elsewhere within this State, whenever in his judgment quarantine may become necessary, and such quarantine may continue for such length of time as the health of the State may require: Provided, Houston, in Harris county, shall be considered a coast town within the meaning of this act.

ARTICLE 4090a. It shall be the duty of the Governor of the State of Texas, and he is hereby authorized and empowered to select and appoint, by and with the advice and consent of the Senate, from the most skillful regular physicians of the State of Texas, one physician who shall be known as Health Officer of the State, and shall from previous and active practice be familiar with yellow fever and pledged to the importance of both quarantine and sanitation.

ARTICLE 4090b. Such Health Officer shall during the time he is actively engaged in public duty, receive for his services ten dollars per day and all necessary traveling expenses, a bill of which must be made out in