JOURNAL

OF THE

House of Representatives

OF THE

SIXTEENTH LEGISLATURE OF THE STATE OF TEXAS,

(EXTRA SESSION,)

CONVENED IN AUSTIN, JUNE 10, 1879.

GALVESTON, TEXAS:
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1879.

have reason to be grateful to a kind and protecting providence that the lives of our members have been spared and preserved, and we again permitted to meet each other. Gentlemen, however much we may differ, and however far we may be apart upon the subject of vital interest upon which we may be called upon to act, we should always bear in mind and remember that we are the representatives of the great people of the grand State of Texas, and although differences, wide and serious, may exist between us, we should always observe that forbearance and legislative decorum which becomes and is expected of the representatives of so great a people.

Gentlemen, after assuring you that as speaker, I shall know no section, no party, and that in all my rulings and decisions, I shall be governed not by my feelings, but by your rules, and after this assurance upon my part, I ask and shall expect your aid and support in preserving that order and decorum which the people expect of their representatives, and which will promote business and add honor to the body.

Again thanking you, gentlemen, for the honor and courtesy you have heretofore extended to me, I now announce the House organized and ready for business.

By direction of the speaker, the following proclamation of his excellency the governor, was read:

PROCLAMATION.

EXECUTIVE OFFICE, STATE OF TEXAS,
AUSTIN, May 12, 1879.

WHEREAS, the Legislature which convened on the fourteenth of January, 1879, adjourned *sine die* on the twenty-fourth of April, A. D. 1879, without passing any law that is now in force to make annual appropriations for the support of the free common schools, for the payment of the interest and sinking fund of the bonded public debt of the state, and for other objects necessary for the successful operation of the state government, and without passing any effective laws for the sale of the public lands to pay the public debt; for sale of the school lands to raise a fund to aid in the support of the free common schools; for the sale of the university lands, the asylum lands and lands belonging to other special funds, which sales, if judiciously and expeditiously made, would greatly relieve the taxpayers of Texas from the present heavy burdens of taxation, and without passing a law or providing the amendment of the constitution for the more rapid disposition of business in the supreme court and in the court of appeals, both of which courts are, and have long been, so overburdened with accumulated and accumulating business as to impose an onerous hardship on the courts, and almost a denial of justice to many of the litigants; and without passing some other laws of an original, amendatory or remedial character, that would facilitate the carrying on of the government; and an extraordinary occasion has now arisen, which is deemed sufficient by the chief executive to convene the Legislature at the seat of government, in special session, to take such action as they may think proper under and in accordance with section 40 of article 3 of the constitution of this state;

Now, therefore, I, Oran M. Roberts, governor of the State of Texas, by authority of the constitution, do hereby call a special session of the Sixteenth Legislature, to convene at the capitol at Austin, at 12 o'clock noon of Tuesday, the tenth day of June, A. D. 1879, to pass such laws as

they may deem for the public good upon the following subjects of legislation to wit:

[*See the body of the message.*]

In testimony whereof I hereunto sign my name and cause the seal of state to be affixed, at the city of Austin, this the twelfth day of May, A. D. 1879. O. M. ROBERTS, *Governor.*

By the governor:

JOHN D. TEMPLETON, *Secretary of State.*

Mr. Coleman moved that a committee of five be appointed by the speaker to wait upon his excellency the governor, and inform him that the House of Representatives of the Sixteenth Legislature in special session convened, is now duly organized, with a quorum present, and ready to receive any communication he may see fit to transmit to the House.

The motion prevailed.

The speaker appointed the following committee:

Messrs. Coleman, chairman; Finlay, Baker, Reeves, and Jones of Hunt.

Mr. Flewellen moved that a like committee be appointed by the speaker to inform the Senate that the House of Representatives of the Sixteenth Legislature is now in session and ready for the transaction of business.

The motion prevailed.

The speaker appointed the following committee:

Messrs. Flewellen, chairman; Linn, Rumsey, Merritt, Henderson of Van Zandt.

On motion of Mr. McComb, Mr. Frost was excused indefinitely on account of sickness.

On motion of Mr. Smith, of Titus, Mr. Brown, of Gregg, was excused until Thursday on account of sickness in his family.

A committee from the Senate was announced, informing the House that the Senate was in session and ready for the transaction of business.

REPORT OF COMMITTEE.

Mr. Coleman, chairman of the select committee to wait upon the governor, submitted the following report:

Hon. John H. Cochran, Speaker of the House of Representatives:

SIR—Your special committee of five, appointed to wait upon his excellency the governor, and to inform him that the House of Representatives of the Sixteenth Legislature, in special session convened, is now duly organized with a quorum present, and ready to receive any communication he may see fit to transmit to the House, beg leave to report that they have performed said duty, and that his excellency the governor requested your committee to inform the House that he would immediately send a message to the House. COLEMAN, *Chairman.*

The following message and accompanying documents were received from his excellency the governor:

EXECUTIVE OFFICE, STATE OF TEXAS,
AUSTIN, June 10, 1879.

To the honorable Senate and House of Representatives in Legislature assembled:

I have called you together to consider some matters of very great importance to the welfare of Texas. They involve the determination