GENERAL LAWS

OF THE

STATE OF TEXAS

PASSED AT THE

REGULAR SESSION

OF THE

TWENTY-FIRST LEGISLATURE

CONVENED AT THE

CITY OF AUSTIN, JANUARY 8, 1889,

ADJOURNED APRIL 6, 1889.

AUSTIN:
STATE PRINTING OFFICE.
1889.

Madison, Leon, Clay, Parker, Jack, and the unorganized counties attached to the same for judicial purposes; Ellis, Anderson, Freestone, Cherokee, Stephens, Eastland, Erath, Comanche, Palo Pinto, Polk, Guadalupe, Throckmorton, Shackelford, Callahan, Taylor, Jones, Nolan, Mitchell, Haskell, Stonewall, Kent, Garza, Lynn, Terry, Yoakum, Gaines, Dawson, Borden, Scurry, Fisher, Howard, Martin, Andrews, Archer, Wichita, Baylor, Wheeler, Oldham, Knox, King, Dickson, [Dickens,] Crosby, Wilbarger, Childress, Lubbock, Hockley, Cochran, Bailey, Lamb, Lamar, Hale, Floyd, Motley, Cottle, Hall, Briscoe, Swisher, Castro, Parmer, Greer, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Gray, Carson, Potter, Hutchinson, Hartley, Moore, Roberts, Hemphill, Lipscomb, Ochiltree, Hansford, Sherman, Hardeman, Dallam, Smith, Upshur, Cass, San Jacinto, Camp, Dimmit, Maverick, Kinney, Cameron, Jackson, Robertson, Kaufman, and the unorganized county of Zavala: *Provided*, That the exemption from the operation of this law shall not apply to Article 425: *And provided*, That the counties of Grimes, Angelina, Van Zandt, Walker, Trinity, Parker, Jack, Young, and Bell are hereby exempted from Articles 425, 426, 426½, 427, 428, and 429 of this act: *And provided*, That the county of Houston is hereby exempted from the provisions of Articles 426, 426½, 427, 428, and 429 of this act: *And provided*, That the counties of Fannin, Delta, and Hopkins are hereby exempted from the provisions of Articles 426 and 426½: *And provided*, That the counties of Lee and Fayette are exempted from the provisions of Articles 426 and 429: *And provided*, That the counties of Bastrop, Frio, and Brazoria are hereby exempted from the provisions of Article 429: *And provided*, That the counties of Gonzales, Karnes, Atascosa, [and] Morris are hereby exempted from the provisions of Articles 426, 426½, 427, and 428: *And provided*, That the counties of Bowie and Rusk are hereby exempted from the provisions of Articles 427, 428, and 429: *Provided further*, That the counties of Titus, Franklin, Rains, and Wood shall be exempted from the provisions of Article 423; and the counties of Waller, Tyler, Jasper, and Newton shall be exempted from the provisions of Article 426: *Provided further*, That the counties of Burnet and Lampasas are hereby exempt from the game and fish laws of this state: *Provided*, That the county of Karnes shall be exempted from the provisions of Articles 423, 424, 425, and 426.

Article 430*a*. That persons may take oysters from their beds within the prohibited time for the purpose of planting.

SEC. [2]. The fact that the provisions of the game law are now in force in certain counties herein exempted from the operations of the game law, creates an emergency and imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and that this act take effect and be in force from and after its passage, and it is so enacted.

[NOTE.—The foregoing act originated in the house, and passed the same by a vote of 86 yeas, no nays; and passed the senate by a vote of 23 yeas, no nays.]

Approved, April 4, 1889.

MALICIOUS MISCHIEF.

SEC. 1. Amends Penal Code, Article 683, by adding Article 683*b*, for protection of moving trains.

CHAP. 40.—[H. B. No. 33.] An Act to amend Article 683, Chapter 3, Title 17, of the Penal Code of the State of Texas, relating to "Malicious Mischief," and providing a penalty therefor by adding thereto Article 683*b*.

SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That Article 683 of the Penal Code of the State of Texas read as follows, to wit:

Article 683. If any person shall wilfully and mischievously injure or destroy any growing fruit, corn, grain, or other like agricultural products, or if any person shall wilfully or mischievously injure or destroy any real or personal property of any description whatever, in such manner as that the injury does not come within the description of any of the offenses against property otherwise provided for by this code, he shall be punished by fine not exceeding one thousand dollars: *Provided,* That when the value of the property injured is fifty dollars or less, then in that event he shall be punished by fine not exceeding two hundred dollars.

Article 683*b*. That any person who shall wilfully or maliciously throw a stone or other missile or fire a gun or pistol at or into any coach or passenger car of a moving railway train, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum of not less than twenty-five dollars and not more than one thousand dollars.

Approved, March 22, 1889.

OFFENSES AGAINST PROPERTY.

SEC. 1. Amends Chapter 15, Title 17, of Penal Code—adding
Article 772*a*. Imposing penalty on inspector or deputy failing to examine and inspect hides, etc.
Article 772*b*. Imposing penalty on inspector for failure to keep book and record statement, etc.
Article 772*c*. As to certificate by inspector.
Article 772*d*. Return of certified copies to county clerk.

CHAP. 41.—[H. B. No. 336.] An Act to amend Chapter 15, of Title 17, of the Penal Code of the State of Texas, by the addition of Articles 772*a*, 772*b*, 772*c*, 772*d*.

SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That Chapter 15, of Title 17, of the Penal Code of the State of Texas, be amended by the addition of the following articles:

Article 772*a*. If any inspector or deputy inspector of hides and animals shall knowingly fail or refuse to faithfully examine and inspect all hides or animals known or reported to him as sold, or as leaving or going out of the county for sale or shipment, and all animals driven or sold in his district for slaughter, packeries, or butcheries, shall be fined not less than twenty-five dollars nor more than two hundred dollars.

Article 772*b*. Any inspector of hides and animals who shall fail to provide and keep a well bound book and record therein a correct statement, showing the number, ages, and marks and brands of each animal inspected by him or by his deputy or deputies, and the number and all the marks and brands of all hides inspected by him or by his deputy or deputies, and whether the hides are dry or green, and the name or names of the vendor or vendors and of the purchaser or purchasers of said animals or hides, shall be fined not less than fifty dollars nor more than three hundred dollars.

Article 772*c*. Any inspector or deputy inspector of hides and animals who shall fail to correctly state in his certificate of inspection or in his certificate of acknowledgment all the marks and brands of all animals and hides inspected by him, shall be fined not less than twenty-five dollars nor more than three hundred dollars.

Article 772*d*. Any inspector of hides and animals who shall fail to return a certified copy of all entries made in his record during each month to the clerk of the county court of his county on the last day of each month, shall be fined not less than fifty nor more than three hundred dollars.

Approved, April 4, 1889.