

No. 7, have had same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass in lieu of House bill No. 12 upon the same subject now pending before the House.

SELF, Chairman.

REPORT OF THE COMMITTEE ON APPROPRIATIONS.

Committee Room,
Austin, Texas, August 3, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred Senate bill No. 10, have had same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, with amendments.

CROCKETT of Washington,
Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, August 3, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 10, "An Act making appropriations for the purpose of building, remodeling, repairing, equipping and completing the construction of additions to the negro male and female departments and the dining hall at the State Lunatic Asylum at Austin; and for the purpose of remodeling, building, equipping and completing the construction of a reinforced concrete tunnel at said institution; and providing for the construction and equipment of a steam laundry at said institution; providing the manner of expending such appropriations, and declaring an emergency."

And find the same correctly enrolled, and have this day, at 3:15 o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

ELEVENTH DAY.

Hall of the House of Representatives,
Austin, Texas,

Thursday, August 4, 1910.

The House met at 3 o'clock p. m., pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following members were present:

Adams.	Looney.
Anderson.	Maddox.
Aston.	Mason.
Baker of Hood.	Matthews.
Baker of Panola.	Maxwell.
Ballengee.	McCallum.
Barrett.	McDaniel.
Bartlett.	McGown.
Bell.	McKinney.
Bierschwale.	McLain.
Bogard.	Minton.
Bostic.	Moller.
Boswell.	Morris.
Bowles.	Munson.
Branch.	Nelson of Hopkins.
Briscoe.	Nelson of
Brooks.	Kaufman.
Brookshire.	Nickels.
Brownlee.	O'Bryan.
Buchanan.	O'Bryant.
Byrne.	Odom.
Cable.	Pearson.
Canales.	Perkins.
Cathey.	Pharr.
Caves.	Porter.
Cox.	Rabb.
Craven.	Ray.
Crawford.	Rayburn.
Crisp.	Reedy.
Crockett of	Reid.
Mitchell.	Roach.
Cureton.	Roberson of Erath.
Currey.	Robertson of Bell.
Davis.	Robertson of
Dotson.	Travis.
Driggers.	Ross.
Elliott.	Schofield.
Fant.	Self.
Fitzhugh.	Smith.
Flournoy.	Spradley.
Fuller.	Stamps.
Gilmore.	Standifer.
Goodman.	Stephenson.
Graham.	Stepter.
Hamilton of	Stratton.
Childress.	Strickland.
Hamilton of	Tarver.
McCulloch.	Terrell of Bexar.
Harman.	Tillotson.
Haxthausen.	Turner.
Highsmith.	Turney.
Hill.	Vaughan.
Humphrey.	Von Rosenberg.
Jennings.	Wahrmund.
Johnson.	Walter.
Johnston.	Watson.
Keeble.	Werner.
Kennedy.	Wilburn.
Lawson.	Wilson.
Lee.	Wortham.
Lively.	Yantis.
	Absent.
Chaney.	

Absent—Excused.

Brown.	Luce.
Crockett of	McDonald.
Washington.	Ralston.
Dalby.	Schluter.
German.	Stead.
Jackson.	Terrell of
Leach.	Cherokee.

A quorum was announced present.
Prayer by Rev. Dr. V. A. Godbey,
Pastor Tenth Street Methodist Church
of Austin.

LEAVE OF ABSENCE GRANTED.

On account of important business:

Mr. Schluter for today, on motion of
Mr. Ray.

Mr. Crockett of Washington, indefi-
nitely, on motion of Mr. Buchanan.

Mr. Ralston for today and indefinitely,
on motion of Mr. Maxwell.

On account of sickness:

Mr. McDonald for yesterday and to-
day, on motion of Mr. Maddox.

Mr. Leach for today and balance of
the week, on motion of Mr. Rayburn.

Mr. Pearson for yesterday, on mo-
tion of Mr. Elliott.

Mr. German indefinitely, on motion of
Mr. Hamilton of Childress.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, August 4, 1910.

Hon. John Marshall, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed the following:

Senate Joint Resolution No. 1, Rati-
fying the Sixteenth Amendment to the
Constitution of the United States of
America.

House bill No. 5, A bill to be entitled
"An Act to prohibit the exhibition or
representation of prize fights and glove
contests by moving picture films or
other means, and creating an emer-
gency," with amendments.

Respectfully,

CLYDE D. SMITH,
Secretary of the Senate.

SENATE JOINT RESOLUTION NO. 1
ON FIRST READING.

Senate Joint Resolution No. 1, re-
ceived from the Senate today, was laid
before the House, read first time and
referred to the Committee on Constitu-
tional Amendments.

HOUSE BILLS ON FIRST READING.

The following House bills were intro-
duced, read first time, and referred to
appropriate committees:

By Mr. Brownlee and Mr. Tarver:

House bill No. 19, A bill to be entitled
"An Act to amend Article 411ppp and
411qqq, Title 11, Chapter 6e, Penal Code
of the State of Texas, passed by the
Regular Session of the Twenty-ninth
Legislature of Texas, and approved
April 18, 1905, prescribing certain re-
strictions to be placed upon the ship-
ment and transportation of intoxicating
liquors into any county, justice precinct,
school district, city or town, or subdivi-
sion of a county within this State,
where the sale of intoxicating liquors has
been prohibited under the laws of this
State; prescribing that a book shall be
kept in which shall be entered the trans-
actions pertaining to the receipt, ship-
ment and transportation, and delivery
of such intoxicating liquors; and fixing
penalties for the violations of this act,
and declaring an emergency."

Referred to the Committee on Liquor
Traffic.

By Mr. Brownlee and Mr. Tarver:

House bill No. 20, A bill to be entitled
"An Act to prohibit the exchange, bar-
ter and sale of spirituous, vinous, malt
liquors or medicated bitters capable of
producing intoxication within ten miles
of the State University of Texas, and
all branches thereof, including the Agri-
cultural and Mechanical College; except
for medicinal, mechanical or sacramen-
tal purposes and fixing the penalty
therefor, repealing all laws in conflict
herewith, and declaring an emergency."

Referred to the Committee on Liquor
Traffic.

By Mr. Lee, Mr. Stratton, Mr. Mason
and Mr. Looney:

House bill No. 21, A bill to be entitled
"An Act to regulate the sale and dis-
position of spirituous, vinous and malt
liquors and medicated bitters capable of
producing intoxication and the places
wherein same are sold; imposing an oc-
cupation tax upon persons, firms, cor-
porations and associations of persons
selling spirituous, vinous or malt li-
quors or medicated bitters capable of
producing intoxication, requiring retail
liquor dealers and persons to procure
license to sell such liquors; and defin-
ing retail liquor dealers and regulating
the business thereof; prohibiting spirit-

uous, vinous and malt liquors and medicated bitters capable of producing intoxication from being drunk on the premises under the control of the seller of such spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication; prohibiting the drinking of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication upon the premises where the same were purchased, and providing a penalty therefor; exempting wine growers who sell wine of their own production from the provisions of this act, provided the same is not sold to be drunk on the premises where sold, and otherwise regulating wine growers in regard to said subject; regulating the transfer of license of retail liquor dealers; prescribing the conditions of the bonds of such retail dealer and the condition upon which licenses to such dealers and other persons may be issued; providing for the refund of any unearned portion of any license; requiring the county clerk to report all licenses granted to the Comptroller of Public Accounts; providing for the revocation under certain conditions of licenses issued; defining intoxicating liquors, and providing penalties for the violation of the provisions of this act; prescribing the method and procedure by which liquor licenses may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based, and prescribing the duties of the county judge, Comptroller of Public Accounts, the county attorney and other proper officers in regard thereto; requiring licenses to be issued under this act, and providing for the continuation in force for a period of time of licenses issued under prior laws, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Wilson, Mr. Bell, Mr. Stamps, Mr. Baker of Panola, and Mr. Self:

House bill No. 22, A bill to be entitled "An Act to amend Section 120, Chapter 2, of the Twenty-ninth Legislature of Texas, the same being an act to regulate elections and provide penalties for its violation, and to repeal the Acts of the Twenty-eighth Legislature of Texas of 1903, regulating elections, general, special, and primary, and political conventions, approved April 1, 1903, and to repeal all laws and parts of laws in

conflict with the provisions of this act, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Nickels:

House bill No. 23, A bill to be entitled "An Act to prevent the drinking of intoxicating liquors on premises owned, controlled or occupied by clubs, lodges or other associations of persons in counties, subdivisions of counties, cities and towns where the sale of intoxicating liquors has been or where the same may hereafter be legally prohibited under the laws of this State, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Adams, Mr. Davis, and Mr. Looney:

House bill No. 24, A bill to be entitled "An Act to amend Section 82 of Chapter 11 of the General Laws of Texas, First Called Session of the Twenty-ninth Legislature, 1905, entitled 'An Act to regulate elections and providing penalties for its violation, and to repeal the Acts of the Twenty-eighth Legislature, 1903, regulating elections, general, special and primary and political conventions, approved April 1, 1903,' providing for penalties for the violation of said section, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Hill, Mr. Dotson, Mr. Baker of Hood, Mr. Harman, Mr. Stephenson, Mr. Maddox, Mr. Fuller, Mr. Bowles, Mr. Self, Mr. Turner, Mr. Cravens, Mr. Ray, and Mr. Hamilton of McCulloch:

House bill No. 25, A bill to be entitled "An Act to make it unlawful for any person to drink intoxicating liquors in a public place, prescribing a penalty, and defining a public place."

Referred to Committee on Liquor Traffic.

By Mr. Looney, Mr. Vaughan, Mr. Baker of Hood, Mr. Tarver, and Mr. Kennedy:

House bill No. 26, A bill to be entitled "An Act on the subject of elections, amending Sections 105, 109, 112, 114, 115, 116, 117, 119 and 120 of Chapter 11, Acts of the First Called Session of the Twenty-ninth Legislature, as amended by an act of the Second Called Session of the Twenty-ninth Legislature,

approved April 3, 1905, as amended by an act of the First Called Session of the Thirtieth Legislature, approved April 30, 1907, and by adding to said law as enacted and amended a new section to be known as Section 111a, providing in said amendments for the holding and regulation of primary elections for the nomination by political parties of candidates for State, district, county and precinct offices, also regulating political conventions, prescribing that for all State and district offices a majority of all the votes cast for such office must be received by a candidate in order for a nomination, providing for a second primary when in the first primary no candidate receives a majority of all the votes cast for the several candidates for said office, providing for the expenses of said second primary; prescribing the duties of the election officers, executive committees and the chairman thereof."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Crawford, Mr. McCallum, Mr. Lively, and Mr. Cox:

House bill No. 27, A bill to be entitled "An Act to amend Chapter 16 of the Acts of the Regular Session of the Thirty-first Legislature of the State of Texas, approved February 20, 1909, entitled 'An Act authorizing any county in the State of Texas, having a population in excess of fifty thousand inhabitants by the last preceding United States census, to submit to the qualified voters the propriety of a bond issue for the construction and maintenance of causeways, viaducts, bridges and approaches across any rivers within the limits of such county, and to provide for the construction, maintenance and use of such causeways, viaducts, bridges and approaches, by adding thereto Sections 9a and 9b, providing a method by which counties may acquire land upon which to construct and maintain said causeways, viaducts, bridges and approaches, by condemnation, and by grant from cities and counties of the right to use streets, alleys, public highways and public grounds, and to authorize counties to construct said causeways, viaducts, bridges and approaches across the lines of railway, telegraph and telephone corporations, and the method thereof, and declaring an emergency.'"

Referred to Committee on Roads, Bridges and Ferries.

INVITATION TO PUBLIC OFFICIALS TO ATTEND JOINT SESSION.

Mr. Robertson of Travis moved that the Governor and the heads of all the State departments and the officials of the city of Austin be invited to attend the joint session of the House and Senate tonight to hear the address of Governor Sanders of Louisiana.

The motion prevailed.

BILL ORDERED NOT PRINTED.

On motion of Mr. Davis, Senate bill No. 10, relating to the pure feed fund of the A. and M. College, was ordered not printed.

ADDITIONS TO STANDING COMMITTEE.

Mr. Canales, Chairman, moved that Messrs. Mason, Stephenson, Baker of Hood and Reid be added to the Committee on Liquor Traffic.

Mr. Robertson of Travis offered the following amendment to the motion:

Amend by adding the following names: Messrs. Wortham, Johnson of Galveston, McGown, Von Rosenberg, Buchanan, Byrnes.

The Speaker ruled the amendment out of order.

Mr. Turney raised a point of order on the motion of Mr. Canales, on the ground that the rules provide that the Committee on Liquor Traffic shall be composed of 21 members and no more, and that this number has already been appointed.

The Chair overruled the point of order.

The motion of Mr. Canales prevailed.

ADDITIONS TO STANDING COMMITTEES.

Mr. Canales, Chairman, moved that Messrs. Buchanan, Goodman, Wortham and Crawford be added to the Committee on Liquor Traffic.

Question—Shall the motion of Mr. Canales prevail?

Yeas and nays were demanded and the motion prevailed by the following vote:

Yeas—69.

Adams.	Brookshire.
Baker of Hood.	Buchanan.
Bartlett.	Byrne.
Bell.	Canales.
Bierschwale.	Cathey.
Boswell.	Cox.
Bowles.	Crawford.
Brooks.	Crisp.

Crockett of Mitchell.	Nelson of Hopkins.
Currey.	O'Bryan.
Davis.	O'Bryant.
Dotson.	Pearson.
Driggers.	Rabb.
Elliott.	Rayburn.
Fitzhugh.	Reid.
Flournoy.	Roach.
Gilmore.	Robertson of Bell.
Goodman.	Robertson of Travis.
Haxthausen.	Schofield.
Highsmith.	Self.
Hill.	Smith.
Humphrey.	Spradley.
Jennings.	Stamps.
Johnson.	Standifer.
Keeble.	Terrell of Bexar.
Kennedy.	Tillotson.
Lawson.	Turney.
Lee.	Von Rosenberg.
Lively.	Wahrmund.
Matthews.	Walter.
Maxwell.	Watson.
McCallum.	Werner.
McGown.	Wortham.
McLain.	Yantis.
Munson.	

Nays—42.

Anderson.	McDaniel.
Aston.	Minton.
Baker of Panola.	Morris.
Ballengee.	Nelson of Kaufman.
Barrett.	Nickels.
Bogard.	Odom.
Bostic.	Perkins.
Branch.	Pharr.
Brownlee.	Porter.
Cable.	Porter.
Craven.	Ray.
Fant.	Roberson of Erath.
Fuller.	Ross.
Graham.	Stephenson.
Hamilton of Childress.	Stepter.
Hamilton of McCulloch.	Stratton.
Harman.	Strickland.
Johnston.	Tarver.
Looney.	Turner.
Maddox.	Vaughan.
Mason.	Wilburn.
	Wilson.

Absent.

Briscoe.	McKinney.
Caves.	Moller.
Chaney.	Reedy.
Cureton.	

Absent—Excused.

Brown.	Luce.
Crockett of Washington.	McDonald.
Dalby.	Ralston.
German.	Schluter.
Jackson.	Stead.
Leach.	Terrell of Cherokee.

REASON FOR VOTE.

Since it has developed from the discussion of this question that this is a fight on the legislation and regulation of the liquor traffic, and since as a matter of right the Committee on Liquor Traffic should be composed of a large majority in favor of the legislation coming before such committee in order to reflect the views of the House, I vote "nay."

BROWNLEE.

I vote "aye" on the motion to add Messrs. Buchanan, Goodman, Wortham and Crawford to the Committee on Liquor Traffic because the committee, so I am informed, was heretofore selected by a prohibition Speaker of the House, and that a majority of those placed on the original committee were pros, and that yesterday one other pro was added to the committee, and today three other pros were added to the committee; and although I am a strong pro myself, I firmly believe in a fair deal, and feeling this way about the matter, I could see no good reason for objecting to having the four gentlemen above mentioned placed on the committee. And furthermore, to deal in unfairness in the beginning of the liquor traffic upon the part of the pros would, in my opinion, prove disastrous to the cause in the final outcome.

BOWLES.

SENATE BILL NO. 7 ON SECOND READING.

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

Senate bill No. 7, A bill to be entitled "An Act to provide for the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1909, and the first day of September, 1910, for issuing other bonds at a lower rate of interest in lieu thereof; providing for the execution of such other bonds, and the manner of exchange of the new bonds, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to a third reading?

Mr. Cox offered the following amendment to the bill:

Amend bill by adding Section 2a as follows:

"Sec. 2a. There shall be appropriated and set aside in the State Treasury, at each biennial session of the Legislature, an amount equal to 2 per cent per an-

num of the aforesaid bonds, for the purpose of creating a sinking fund with which said bonds shall be redeemed."

COX,
GILMORE.

(Mr. Gilmore in the chair.)

Question—Shall the amendment be adopted?

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—66.

Adams.	Matthews.
Aston.	Maxwell.
Bartlett.	McCallum.
Bierschwale.	McGown.
Boswell.	McLain.
Brooks.	Minton.
Brownlee.	Moller.
Buchanan.	Morris.
Byrne.	Munson.
Caves.	Nickels.
Cox.	O'Bryan.
Craven.	Pearson.
Crawford.	Porter.
Crisp.	Ray.
Cureton.	Reid.
Davis.	Roach.
Driggers.	Roberson of Erath.
Elliott.	Robertson of Bell.
Fitzhugh.	Ross.
Flournoy.	Self.
Fuller.	Smith.
Gilmore.	Stephenson.
Goodman.	Stratton.
Harman.	Strickland.
Haxthausen.	Tillotson.
Highsmith.	Turner.
Hill.	Turney.
Johnson.	Von Rosenberg.
Johnston.	Wahrmund.
Keeble.	Walter.
Kennedy.	Watson.
Lawson.	Werner.
Lively.	Wortham.
Looney.	Yantis.

Nays—44.

Anderson.	Dotson.
Baker of Hood.	Fant.
Baker of Panola.	Graham.
Ballengee.	Hamilton of
Barrett.	Childress.
Bell.	Hamilton of
Bogard.	McCulloch.
Bostic.	Humphrey.
Bowles.	Jennings.
Branch.	Maddox.
Brookshire.	Mason.
Cable.	McDaniel.
Canales.	McKinney.
Cathey.	Nelson of Hopkins.
Crockett of	Nelson of
Mitchell.	Kaufman.
Currey.	O'Bryant.

Odom.	Stamps.
Pharr.	Stepter.
Rabb.	Tarver.
Rayburn.	Vaughan.
Reedy.	Wilburn.
Schofield.	Wilson.
Spradley.	

Absent.

Briscoe.	Perkins.
Chaney.	Standifer.

Absent—Excused.

Brown.	McDonald.
Crockett of	Ralston.
Washington.	Robertson of
Dalby.	Travis.
German.	Schluter.
Jackson.	Stead.
Leach.	Terrell of Bexar.
Lee.	Terrell of
Luce.	Cherokee.

Mr. Fuller offered the following amendment to the bill:

Amend Senate bill No. 7 by striking out in lines 19 and 20 on page 1 the words "at a lower rate of interest," and in lieu thereof insert the words "at the rate of 5 per cent interest," and amend line 2, page 2, by striking out the word "three" and insert in lieu thereof the word "five."

McDANIEL,
FULLER,
HARMAN,
STEPHENSON.

The amendment was lost.

Mr. Looney offered the following amendment to the bill:

Amend the bill by making the bond bear 4 per cent per annum instead of 3 per cent as written in the bill.

Mr. Crisp offered the following amendment to the amendment:

Amend by making interest rate 4½ per cent.

Question—Shall the amendment to the amendment be adopted?

Yeas and nays were demanded and the amendment to the amendment was adopted by the following vote:

Yeas—66.

Adams.	Cox.
Anderson.	Crawford.
Baker of Panola.	Crisp.
Ballengee.	Crockett of
Bowles.	Mitchell.
Brooks.	Cureton.
Brownlee.	Currey.
Buchanan.	Davis.
Byrne.	Dotson.
Canales.	Driggers.

Fitzhugh.	Nelson of Hopkins.
Flournoy.	O'Bryant.
Fuller.	Odom.
Goodman.	Perkins.
Graham.	Pharr.
Hamilton of	Porter.
Childress.	Rabb.
Hamilton of	Ray.
McCulloch.	Rayburn.
Harman.	Reedy.
Haxthausen.	Reid.
Highsmith.	Roberson of Erath.
Johnson.	Robertson of Bell.
Johnston.	Ross.
Keeble.	Schofield.
Lawson.	Self.
Lively.	Smith.
Looney.	Spradley.
Mason.	Stephenson.
Maxwell.	Strickland.
McCallum.	Turney.
McDaniel.	Wahrmund.
McGown.	Wilburn.
Minton.	Yantis.
Moller.	

Nays—47.

Aston.	McKinney.
Baker of Hood.	McLain.
Barrett.	Morris.
Bartlett.	Munson.
Bell.	Nelson of
Bierschwale.	Kaufman.
Bogard.	Nickels.
Bostic.	O'Bryan.
Boswell.	Pearson.
Branch.	Roach.
Briscoe.	Stamps.
Brookshire.	Standifer.
Cable.	Stepter.
Cathey.	Stratton.
Craven.	Tarver.
Elliott.	Tillotson.
Fant.	Turner.
Gilmore.	Vaughan.
Hill.	Von Rosenberg.
Humphrey.	Walter.
Jennings.	Watson.
Kennedy.	Werner.
Maddox.	Wilson.
Matthews.	Wortham.

Absent.

Caves. Chaney.

Absent—Excused.

Brown.	McDonald.
Crockett of	Ralston.
Washington.	Robertson of
Dalby.	Travis.
German.	Schluter.
Jackson.	Stead.
Leach.	Terrell of Bexar.
Lee.	Terrell of
Luce.	Cherokee.

The amendment as amended was adopted.

Senate bill No. 7 was passed to third reading.

SENATE BILL NO. 8 ON SECOND READING.

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

Senate bill No. 8, A bill to be entitled "An Act authorizing the Comptroller of Public Accounts to pay off, discharge and cancel bonds aggregating the sum of \$13,200, issued by the State of Texas, bearing date July 1, 1879, and due July 1, 1909, together with interest accrued thereon up to the time of the passage and taking effect of this act, and now held by an individual or individuals, corporation or corporations, upon presentation of said bonds for payment, and providing for interest to cease upon said bonds after the passage and taking effect of this act, and making an appropriation of the sum of \$15,500 for that purpose, and declaring an emergency."

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

INVITING MINISTERS TO SEATS WITHIN BAR OF HOUSE.

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

Be it resolved by this House, That all the white pastors of the city of Austin be invited to seats on the floor of the House during the address of Governor Sanders tonight.

Mr. Ballengee offered the following amendment to the resolution:

Amend by striking out the word "pastors" and inserting in lieu thereof the word "ministers."

The amendment was adopted.

Mr. Ray offered the following amendment to the resolution:

Amend by adding the public generally.

The amendment was adopted.

The resolution, as amended, was adopted.

SENATE BILL NO. 10 ON SECOND READING.

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

Senate bill No. 10, A bill to be entitled "An Act appropriating and transferring to a fund to be known as 'Pure Feed

Fund of the A. and M. College' all money collected under the Pure Feed Inspection Acts of the Twenty-ninth Legislature, and not expended for and on half of the A. and M. College, and authorizing the expenditure of same."

The bill was read second time.

Question—Shall the bill be passed to third reading?

Mr. Davis offered the following (committee) amendments to the bill:

(1)

Strike out all after the enacting clause and insert the following in lieu thereof:

Section 1. That all money or moneys heretofore or hereafter collected by the officers and employes of the A. and M. College, under the provisions of the Pure Feed Acts, passed by the Twenty-ninth Legislature, being Chapters 108 and 118 of said act, and amended by Chapter 131, Acts of the Thirtieth Legislature, regulating the sale of concentrated commercial feed stuffs and so forth, and paid into the State Treasury, and not heretofore expended for and on behalf of the A. and M. College, be, and the same are hereby transferred and appropriated to the use and benefit of the A. and M. College of Texas, and the Treasurer of this State shall keep an account on his books to be designated and known as "Pure Feed Fund of the A. and M. College," and to which said fund he shall at once transfer from the general fund all funds heretofore collected and paid into the general fund by said Pure Feed Department of the A. and M. College under said acts (and not expended for the use of the A. and M. College), and shall place all funds hereafter collected under said act to said fund.

Sec. 2. Said fund so appropriated and collected shall be used by the Board of Directors of the A. and M. College for making all necessary repairs at the A. and M. College, erection of buildings and other improvements, and for such other purposes as may be deemed advisable by the Board of Directors, and said funds shall be paid out by the State Treasurer on warrants issued by the President and Secretary of the Board of Directors. The said Board of Directors shall on the 31st day of August of each year file a sworn report with the Governor, giving an itemized statement of all receipts and disbursements of said fund for the year ending on said date.

Sec. 3. All laws and parts of laws

in conflict with this act be and they are hereby repealed.

Sec. 4. The fact that there is now an urgent necessity for certain repairs and other improvements to be made at the A. and M. College, and there are now no funds available for that purpose, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

(2)

Also amend the caption by striking out all after "A bill to be entitled" and insert the following in lieu thereof:

"An Act appropriating and transferring to a fund to be known as 'Pure Feed Fund of the A. and M. College,' all money or moneys heretofore or hereafter collected under the Pure Feed Act, of the Twenty-ninth Legislature, and amended by Chapter 131, Acts of the Thirtieth Legislature, and not expended for and on behalf of the A. and M. College, and authorizing the expenditure of same and declaring an emergency."

The amendments were adopted.

Senate bill No. 10 was passed to third reading.

SENATE BILL NO. 10 ON THIRD READING.

Mr. Davis moved that the constitutional rule requiring bills to be read on three several days in each house be suspended and that Senate bill No. 10 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Adams.	Buchanan.
Anderson.	Byrne.
Aston.	Cable.
Baker of Hood.	Canales.
Baker of Panola.	Cathey.
Ballengee.	Cox.
Barrett.	Craven.
Bartlett.	Crawford.
Bell.	Crisp.
Bierschwale.	Crockett of
Bogard.	Mitchell.
Bostic.	Cureton.
Boswell.	Currey.
Bowles.	Davis.
Branch.	Dotson.
Briscoe.	Driggers.
Brooks.	Fant.
Brookshire.	Fitzhugh.
Brownlee.	Flournoy.

Stead. Terrell of
Terrell of Bexar. Cherokee.

HOUSE BILL NO. 5 WITH SENATE
AMENDMENTS.

Mr. Bowles called up from the Speaker's table with Senate amendments, for consideration of the amendments,

House bill No. 5, A bill to be entitled "An Act to prohibit the exhibition or representation of prize fights and glove contests by moving picture films or other means, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read as follows:

(1)

Amend House bill No. 5 by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. It shall be unlawful for any association, corporation, or any agent or employe of any person, association, corporation or receiver, partnership, firm or person to give or present to the public an exhibition of prize fights or glove contests or of any obscene, indecent or immoral picture of any character whatsoever by means of moving picture films, bioscopes, vitiscopes, magic lanterns or other device or devices in moving picture shows, theaters or any other place whatsoever.

Sec. 2. Any person or persons, association, or any agent or employe of any person, association, corporation or receiver violating any of the provisions of Section 1 of this act, shall upon conviction thereof be fined in any sum not less than one hundred dollars and not more than one thousand dollars, or be imprisoned in the county jail for not less than ten nor more than sixty days, or both, in the discretion of the court or jury, and each day's violation of any of the provisions of this act constitute and be punishable as a separate offense.

Sec. 3. All laws and parts of laws in conflict herewith, be and the same are hereby repealed. But this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas.

Sec. 4. The fact that there is no general law in force in this State preventing the unlawful exhibiting of prize fighting between man and man, and man and beast, and the exhibition of obscene views of persons and beast by moving pictures and other devices, constitute an imperative public necessity that the constitutional rule requiring bills to be read in each house of the

Legislature on three several days be suspended, and said rule is so so suspended.

(2)

Also amend the caption by striking out all after the words "A bill to be entitled," and insert in lieu thereof the following: "An Act to prohibit the exhibition of prize fights or glove contests and any obscene, indecent or immoral show or exhibition by means of moving picture films, bioscopes, magic lanterns or other devices in moving picture shows, theaters, or any other place whatsoever, by any association, corporation or any agent or employe of any person, association, corporation or receiver, firm or person; providing penalties therefor, and declaring an emergency; and to repeal all laws in conflict with this act; and providing that this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas, and declaring an emergency."

Question—Shall the House concur in the Senate amendments?

Mr. Bowles moved that the House concur in the Senate amendments.

Mr. Hamilton of Childress moved as a substitute for the above motion that the House do not concur in the Senate amendments, and that a Free Conference Committee be requested to adjust the differences between the two houses on the bill.

Question—Shall the House refuse to concur in the Senate amendments and request the appointment of a Free Conference Committee?

On motion of Mr. Fitzhugh, further consideration of the Senate amendments was postponed until 3 o'clock p. m. tomorrow.

HOUSE JOINT RESOLUTION NO. 1
ON THIRD READING.

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

House Joint Resolution No. 1 (C. S. H. J. R. Nos. 1 and 2), Ratifying the Sixteenth Amendment to the Constitution of the United States of America.

The resolution was read third time.

Question—Shall the resolution be passed?

RECESS.

On motion of Mr. Crawford, the House, at 5:50 o'clock p. m., took a recess to 7:45 o'clock p. m. today.

NIGHT SESSION.

The House met at 7:45 o'clock p. m., and was called to order by the Speaker.

The Speaker then stated that the House would stand at ease, awaiting the arrival of the Senate.

RECEPTION TO GOVERNOR J. Y. SANDERS, OF LOUISIANA.

(In Joint Session.)

At 8:10 o'clock p. m., the Honorable Senate of Texas was announced at the bar of the House, and the Speaker directed the Doorkeeper to admit them.

Accompanied by Secretary Clyde D. Smith, Journal Clerk R. M. Gilmore and Sergeant-at-Arms M. F. Hornbuckle, the Senators advanced into the Hall and occupied the seats that had already been provided for them along the aisle.

Lieutenant Governor A. B. Davidson, presiding on part of the Senate, was invited to a seat on the rostrum at the right of the Speaker of the House.

The President of the Senate directed the Secretary to call the roll of the Senate, and the following Senators answered to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Terrell of Wise.
Kauffman.	Veale.
Kellie.	Ward.
Meachum.	Watson.
Murray.	Weinert.

Absent.

Hume.	Paulus.
Mayfield.	Willacy.

Absent—Excused.

Stokes.

Senators present, 26.

Necessary to a quorum, 21.

President Davidson announced a quorum of the Senate present.

Speaker Marshall then directed the Clerk to call the roll of the House, and the following members answered to their names:

Anderson.	Boswell.
Aston.	Bowles.
Baker of Hood.	Branch.
Ballengue.	Briscoe.
Barrett.	Brooks.
Bartlett.	Brookshire.
Bell.	Brownlee.
Bierschwale.	Buchanan.
Bogard.	Byrne.

Canales.	Morris.
Cathey.	Munson.
Caves.	Nelson of Hopkins.
Cox.	Nelson of Kaufman.
Craven.	Nickels.
Crawford.	O'Bryan.
Crisp.	O'Bryant.
Crockett of Mitchell.	Odom.
Cureton.	Perkins.
Currey.	Porter.
Davis.	Ray.
Dotson.	Rayburn.
Driggers.	Reedy.
Elliott.	Reid.
Fant.	Roach.
Fuller.	Robertson of Erath.
Gilmore.	Robertson of Bell.
Goodman.	Ross.
Graham.	Schluter.
Hamilton of Childress.	Schofield.
Hamilton of McCulloch.	Self.
Harman.	Smith.
Haxthausen.	Spradley.
Hill.	Stamps.
Humphrey.	Standifer.
Jennings.	Stephenson.
Johnston.	Stepter.
Kennedy.	Tarver.
Lawson.	Terrell of Bexar.
Looney.	Tillotson.
Maddox.	Turner.
Mason.	Turney.
Matthews.	Vaughan.
Maxwell.	Von Rosenberg.
McCallum.	Walter.
McDaniel.	Watson.
McKinney.	Werner.
McLain.	Wilburn.
Minton.	Wilson.
Moller.	Wortham.
	Yantis.

Absent.

Adams.	Keeble.
Baker of Panola.	Lively.
Bostic.	McGown.
Cable.	Pearson.
Chaney.	Pharr.
Fitzhugh.	Rabb.
Flournoy.	Stratton.
Highsmith.	Strickland.
Johnson.	Wahrmund.

Absent—Excused.

Brown.	Lee.
Crockett of Washington.	Luce.
Dalby.	McDonald.
German.	Ralston.
Jackson.	Robertson of Travis.
Leach.	Stead.
	Terrell of Cherokee.

Representatives present, 100.

Necessary to a quorum, 89.

The Speaker announced a quorum of the House present.

Speaker Marshall then announced the two houses in joint session in accordance with the provisions of a concurrent resolution adopted, the purpose of the joint session being to receive Hon. J. Y. Sanders, Governor of Louisiana, who had been invited to address the Legislature.

At 8:30 o'clock p. m., the committee appointed to accompany Governor Sanders to the Hall appeared at the bar of the House and approached the Speaker's stand.

Governor T. M. Campbell, Governor Sanders, Hon. O. B. Colquitt and the committees of the Senate and House occupied seats on the Speaker's stand.

Speaker Marshall introduced Governor T. M. Campbell, who in a short address introduced Governor Sanders to the assemblage.

Governor Sanders then addressed the assemblage, presenting the claims of New Orleans for the exposition celebrating the opening of the Panama Canal.

SENATE RETIRES.

On motion of Senator Cofer, the Senate, at 9:15 o'clock p. m., retired to its chamber.

IN THE HOUSE.

On motion of Mr. Crawford, the House, at 9:15 p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, August 4, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House Joint Resolution No. 1 (C. S. H. J. R. Nos. 1 and 2), Ratifying the Sixteenth Amendment to the Constitution of the United States of America,

And find the same correctly engrossed.
ODOM, Chairman.

TWELFTH DAY.

Hall of the House of Representatives,
Austin, Texas,

Friday, August 5, 1910.

The House met at 10 o'clock a. m., pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following members were present:

Adams.	Looney.
Anderson.	Luce.
Aston.	Maddox.
Baker of Hood.	Mason.
Baker of Panola.	Maxwell.
Ballegee.	McCallum.
Barrett.	McDaniel.
Bartlett.	McDonald.
Bell.	McGown.
Bierschwale.	McKinney.
Bogard.	McLain.
Bostic.	Minton.
Boswell.	Moller.
Bowles.	Morris.
Branch.	Munson.
Briscoe.	Nelson of Hopkins.
Brooks.	Nelson of Kaufman.
Brookshire.	Nickels.
Brownlee.	O'Bryan.
Buchanan.	O'Bryant.
Byrne.	Odom.
Cable.	Pearson.
Canales.	Perkins.
Cathey.	Pharr.
Caves.	Porter.
Cox.	Rabb.
Craven.	Ray.
Crisp.	Rayburn.
Crockett of Mitchell.	Reid.
Currey.	Roach.
Davis.	Roberson of Erath.
Dotson.	Robertson of Bell.
Driggers.	Robertson of Travis.
Elliott.	Ross.
Fant.	Schluter.
Fitzhough.	Schofield.
Flournoy.	Self.
Fuller.	Smith.
German.	Spradley.
Gilmore.	Stamps.
Goodman.	Stephenson.
Graham.	Stepter.
Hamilton of Childress.	Stratton.
Hamilton of McCulloch.	Strickland.
Harman.	Tarver.
Haxthausen.	Terrell of Cherokee.
Highsmith.	Tillotson.
Hill.	Turner.
Humphrey.	Turney.
Jackson.	Vaughan.
Jennings.	Walter.
Johnson.	Watson.
Johnston.	Werner.
Keeble.	Wilburn.
Kennedy.	Wilson.
Lawson.	Wortham.
Lee.	Yantis.
Lively.	Absent.
Chaney.	Standifer.
Matthews.	Wahrmund.