

HOUSE JOURNAL.

FIRST DAY.

Hall of the House of Representatives,
Austin, Texas,
Tuesday, January 23, 1900.

In obedience to the proclamation by his excellency, Joseph D. Sayers, Governor of Texas, convening the Twenty-sixth Legislature to meet in Special Session at Austin, the seat of government, this the 23rd day of January, A. D. 1900, the House of Representatives was called to order at 12 o'clock m., by Hon. J. S. Sherrill, Speaker.

The Clerk was directed to call the roll, and the following members answered to their names:

Present—115.

Hon. J. S. Sherrill, Speaker.

Adams.	Goodman.
Allen of Colorado.	Gordon.
Ayers.	Graham.
Bailey.	Greenwood.
Barbee.	Grogan.
Barrett.	Hamilton.
Bean.	Henderson, Brazos.
Beaty.	Henderson, Lamar.
Bennett.	Howard.
Blount.	Hurley.
Bolin.	Jones.
Bridgers.	Kennedy.
Browne.	Lake.
Caldwell.	Lane.
Calvin.	Little.
Chambers.	Livsey.
Childers.	Looney.
Clements.	Loyd.
Cocke.	Marsh.
Cole.	Masterson.
Collins.	Maxwell.
Crawford.	McAnally.
Cross.	McClellan.
Culp.	McDowell.
Dean.	McFarland.
Decker.	McKamy.
Derden.	McKellar.
Dies.	Meitzen.
Dorroh.	Mercer.
Eckols.	Monroe.
Ellis.	Morris.
Evans.	Morrow.
Frost.	Murphy.
Garner.	Murray.
Garrett.	Neff.
Goodlett.	Nolan.

Oliver.	Smith of Grayson.
Palmer.	Staples.
Parish.	Stewart.
Peery.	Stripling.
Pfeuffer.	Sutherland.
Phillips, Lampasas.	Tarkington.
Pitts.	Tarver.
Poole.	Tate.
Prince.	Teagle.
Rateliff.	Terrell.
Robertson of Bell.	Thomas of Fannin.
Robertson, Harrison.	Thomas of Wise.
Rochelle.	Tolbert.
Rogers.	Tucker.
Russell.	Vaughan.
Sanson.	Walton.
Savage.	Wells.
Scurry.	Willacy.
Shannon.	Willrodt.
Shelburne.	Wooten.
Shropshire.	Wright.

The following members were absent:

Messrs. Allen of Hopkins, Childs, Conolly, Gill, Grubbs, Kittrell, Lillard, Phillips of Camp, Powell, Schluter, Smith of Collin, Tompkins and Wheelers.

A quorum was announced present.

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

The Speaker then directed the Clerk to read the following

PROCLAMATION BY THE GOVERNOR:

I, Joseph D. Sayers, Governor of the State of Texas, by virtue of the authority vested in me by the Constitution thereof, do hereby call a Special Session of the Twenty-sixth Legislature, to convene in the city of Austin, beginning at noon Tuesday, January 23, 1900, for the following purposes, to-wit:

1. To provide a Tax System for 1901, and succeeding years, and which shall take the place of all tax laws now in force.

2. To reduce the rate of the ad valorem tax under present law for general revenue purposes for the year 1900, and to make certain appropriations.

3. To compensate the Permanent School Fund for any deficiency that may have accrued by reason of the alienation of any portion of lands belonging to the

same under and by virtue of Section 2, Article 7, of the Constitution, and in connection therewith to amend or repeal Chapter 173, approved June 5, 1899, and known as Senate bill No. 344, Acts of the Twenty-sixth Legislature.

4. To better regulate the compensation of the Superintendents of the State Lunatic Asylums.

5. To consider and act upon such other matters as may be presented by the Executive pursuant to Section 40, Article 3, of the Constitution.

In witness whereof, I have hereunto set my hand and caused the seal of the State to be affixed at Austin this 18th day of December, A. D. 1899.

JOSEPH D. SAYERS,

[SEAL.]

Governor.

By the Governor:

D. H. HARDY,
Secretary of State.

DEPARTMENT OF STATE,
STATE OF TEXAS.

I, D. H. Hardy, Secretary of State, do hereby certify that the foregoing is a true and correct copy of the Proclamation of His Excellency, the Governor of Texas, convening the Twenty-sixth Legislature of the State of Texas in extra session.

Witness my official signature and the seal of the State, at Austin, Texas, this 23rd day of January, A. D. 1900.

D. H. HARDY,

[SEAL.]

Secretary of State.

RESIGNATION OF W. H. TAYLOR.

SAN ANTONIO, TEXAS, January 22, 1900.
To Hon. J. S. Shcrrill, Speaker, and Members of the House of Representatives, Austin, Texas.

GENTLEMEN: I find that my business engagements render it impossible for me to serve you as Assistant Sergeant-at-Arms of the House during the Called Session, beginning January 23, 1900. Therefore, I herewith tender to you my resignation, with many thanks to my friends who have heretofore rendered me their support.

I am very truly yours,

W. H. TAYLOR,

Assistant Sergeant-at-Arms, House of Representatives.

ELECTION OF ASSISTANT SER-
GEANT-AT-ARMS.

The Speaker then announced that nominations were in order to fill the vacancy created by the resignation of Mr. Taylor.

Mr. Thomas of Fannin nominated W. O. Peery of Limestone county.

There was no other nomination and the Speaker appointed the following tellers:

To take up the ballot--Messrs. Materson, Blount, McAnally and Howard.

To count the ballots--Messrs. Goodlett, Wells and Kennedy.

The ballot resulted as follows:

W. O. Peery received 108 votes.

W. H. Owens received 4 votes.

W. O. Peery having received a majority of all the votes cast, he was declared duly and constitutionally elected Assistant Sergeant-at-Arms of the House of Representatives.

He then took the oath of office prescribed in the Constitution, which was administered by the Chief Clerk.

Mr. McKamy offered the following resolution:

Resolved, That the Speaker be and he is hereby authorized to appoint two committees consisting of three members each, and that one of said committees be directed to inform the Governor that the House of Representatives is now assembled in Special Session in obedience to his proclamation, and has a quorum present, and will be pleased to receive any communication he may desire to transmit, and that the other committee be directed also to advise the Senate that the House has a quorum present, and is ready to proceed with business.

Read second time, and adopted.

In accordance with the above resolution, the Speaker announced the following committees.

To notify the Senate--Messrs. Mercer, Garrett, and Robertson of Bell.

To notify the Governor--Messrs. McKamy, Terrell and Tucker.

Mr. Rogers offered the following resolution:

Whereas, The Hon. F. M. Gilbough, an honored member of the Twenty-fifth Legislature, is present; therefore, be it

Resolved, That he be invited to a seat in the lobby of the House.

Read second time, and Mr. Coker offered the following amendment:

Amend by striking out the word "lobby" and inserting "bar."

Adopted.

Mr. Henderson of Lamar raised the point of order, that the resolution was unnecessary since the Rules provide that an ex-member is entitled to a seat within the bar of the House, and that a rejection of the resolution would be equivalent to a change in the Rules, which would require that it lie over one day.

The Speaker stated that though it was a fact that the Rules provide as above stated, nevertheless he would let the