March 15, 1897

HOUSE JOURNAL.

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Read second time, and on motion of Mr. Maxwell, adopted by a rising vote.

Mr. Meade moved to adjourn until 10 o'clock a.m. next Monday, and Mr. Humphrey until 3 o'clock p.m. today.

The motion of Mr. Meade prevailed, and the House at 12:15 o'clock p.m. adjourned accordingly.

FORTY-FIFTH DAY.

Hall House of Representatives, Austin, Texas, Monday, March 15, 1897.

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

Speaker Dashiell in the chair.

Roll called, and the following members present:

Alexander. Jones.
Ayers. Lillard.
Bailey. Logan.
Barker. Love.
Beaird. Mans.
Benson. Maxwell.
Blair. McGaughey.
Brown. McKeller.
Bumpass. Meade.
Burney. Mercer.
Burns. Moore, Fort Bend.
Carpenter. Morton.
Carswell. Mundine.
Childs. Neighbors.
Collier. O'Connor.
Colony. Patterson.
Crowley. Peery.
Crowley. Porter.
Cureton. Reiger.
Curry. Reubell.
Dennis. Robbins.
Dickinson. Rogers.
Dorroh. Rudd.
Doyie. Savage.
Drew. Seabury.
Edwards. Shropshire.
Evans of Hunt. Skillern.
Evans of Grayson. Sudder.
Ewing. Smyth.
Felid. Stamper.
Fields. Staples.
Fisher. Stok's.
Freeman. Strother.
Gilbough. Thaxton.
Good. Thomas.
Graham. Thompson.
Gree. Tracy.
Harris. Tucker.
Henderson. Turner.
Hensley. Vaughan, Guadalupe.
Holland of Burnet. Vaughan of Collin.
Humphrey. Wall.

Ward. Wolters.
Welch. Wood.
Wilcox.

Absent.

Bell. Pitts.
Brigance. Rhea.
Callan. Rogers.
Dean. Shelburne.
Flint. Smith.
Hill of Gonzales. Wallace.
McKamy. Williams.

Excused.

Barrett. Kimbell.
Bean. Kirk.
Blackburn. Lotto.
Bounds. Melton.
Boyd. Moore of Lamar.
Brewster. Morris.
Dias. Oliver.
Garrison. Pfeuffer.
Hill of Travis. Randolph.
Holland of Harris. Schlick.

A quorum was announced present.
Prayer by Dr. J. A. Jackson, Chaplain.

Pending the reading of the Journal Saturday,
On motion of Mr. Doyle, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Morris indefinitely, on motion of Mr. Logan.
Mr. Williams for to-day, on motion of Mr. McGaughey.
Mr. Kimbell for to-day, on motion of Mr. Wood.
Mr. Moore of Lamar until Wednesday, on motion of Mr. Love.
Mr. Hill of Travis for to-day, on motion of Mr. Thomas.
Mr. Rhea for to-day, on motion of Mr. Burns.
Mr. Hill of Gonzales for to-day, on motion of Mr. Rogers.
Mr. Callian indefinitely, and Mr. McKamy for to-day, on motion of Mr. Crowley.

On account of important committee work:
Mr. Oliver, Mr. Randolph, Mr. Melton, Mr. Boyd and Mr. Schlick until next Monday, on motion of Mr. Beaird.

On account of sickness:
Mr. Garrison for to-day, on motion of Mr. Doyle.
Mr. Flint and Mr. Shelburne for to-day, on motion of Mr. Curry.
Mr. Skillern for to-day, on motion of Mr. Evans of Hunt.
PETITIONS AND MEMORIALS.

By Mr. McKellar:
A petition from the bar of Livingston, Polk county, asking for the restoration of the civil and criminal jurisdiction to the county court of Polk county.
Read and referred to Judiciary Committee No. 1.

By Mr. Mercer:
A petition of 69 citizens of Hopkins county, asking for the passage of a law prohibiting preferences.
Read and referred to Judiciary Committee No. 1.

By Mr. Staples:
A petition of 75 citizens of Bastrop county, requesting the Legislature to make such provisions as are necessary for the erection and construction of a building or buildings of sufficient size for the accommodation and care of all the insane of our State.
Read and referred to the Committee on State Asylums.

By Mr. Morton (by request):
A petition of the officers of Erath county, protesting against the passage of House bill No. 487.
Referred to the Committee on County Government and County Finances.

By Mr. Savage:
A petition of the county officers of Montague county, same as above.
Referred to the Committee on County Government and County Finances.

BILLS AND RESOLUTIONS.

By Mr. McGaughey:
House bill No. 559, a bill to be entitled "An act to amend article 4188, title 87, chapter 8, of the Revised Civil Statutes of the State of Texas, relating to the sale and purity of commercial fertilizers and the guarantee and conditions under which they are to be sold."
Read first time and referred to Committee on Public Lands and Land Office.

By Mr. Harris:
House bill No. 600, a bill to be entitled "An act to provide for the organization of the county of Loving, in the State of Texas, and to attach said county to the county of Ward for judi-

... and other purposes, and to provide for the assessment and collection of taxes in said county for the payment of outstanding indebtedness of said county."
Read first time and referred to Committee on Counties and County Boundaries.

By Mr. Ayers:
House bill No. 602, a bill to be entitled "An act to amend article 3395, of the Revised Civil Statutes of the State of Texas, relating to the manner of holding local option and prohibition elections."
Read first time and referred to Judiciary Committee No. 1.

By Mr. Fields:
House bill No. 603, a bill to be entitled "An act to amend articles 5008, 5009 and 5100, of the Revised Civil Statutes, and to add article 5008A, and to provide the place for the rendition of certain property for taxation, the oath to be required by the assessors of those rendering property for taxation, and defining a penalty and punishment for a failure on the part of tax assessors to require said oath."
Read first time and referred to Judiciary Committee No. 1.

By Mr. Stokes:
House bill No. 604, a bill to be entitled "An act to provide for the protection of employees when employers use checks, coupons or other devices as evidence of indebtedness to such employees for services rendered, and providing penalties."
Read first time and referred to Committee on Labor.

By Mr. Mercer:
House bill No. 605, a bill to be entitled "An act to provide for the relief of the children of John T. Putman and Sarah E. Putman."
Read first time and referred to Committee on Claims and Accounts.

By Mr. Collier and Mr. Dies:
House bill No. 606, a bill to be entitled "An act to authorize the Gulf, Colorado and Santa Fe Railroad Company to purchase the Texas, Louisiana and Eastern Railroad, and to operate the same under the charter of the Gulf, Colorado, and Santa Fe Railroad Company as a part of its own line, with the right to extend the same and to construct branches therefrom by amendment of its charter under the general laws of the State of Texas."
Read first time and referred to Committee on Internal Improvements.
By Mr. Dickinson:
Whereas, by the terms of the extradition treaty between the United States and Mexico, neither of said countries is bound to surrender for trial any of its own citizens charged with the commission of crime in the other country, it being the policy and practice of each of said countries to refuse to make such surrender, whereby lawless citizens of each country are encouraged to cross the frontier and commit crime against the persons and property of the citizens of the other country and then flee to their own country for asylum; and

Whereas, the law-abiding citizens of each country residing on the Rio Grande frontier, especially the citizens of the State of Texas, have suffered great damages in the past and are threatened with greater damages in the future owing to such policy and practice; wherefore be it

Resolved by the House of Representatives of the State of Texas, that the government of the United States should take such action by treaty with Mexico as will tend to remedy the evils heretofore set forth, either by the establishment of an international court for the trial of such offenders or by any other means that will be acceptable to both countries.

Be it further resolved, that a copy of this resolution be mailed by the Clerk of this House to the Secretary of State of the United States and to each of the Representatives and Senators of this State in Congress.

Read second time, and

On motion of Mr. Seabury, referred to the Committee on Federal Relations.

By Mr. Carpenter:
Whereas, that distinguished statesman and brilliant orator, the Hon. Joseph W. Bailey, having by the caucus of Democratic members of Congress been complimented with the nomination of the Democratic minority for Speaker of the Fifty-fifth Congress, thus recognizing him as their leader; therefore be it

Resolved by the House of Representatives of the Twenty-fifth Legislature of the State of Texas, that we congratulate Mr. Bailey upon his recent triumph and the esteem and confidence his associates in Congress have in his ability to handle the grave and difficult problems of state.

Resolved 2d. That the Speaker be and he is hereby instructed to transmit to the Hon. Joseph W. Bailey a copy of this resolution. (Signed—Carpenter, Meade, Freeman, Field, Savage, Reubell, Vaughan of Collin, Stamper, Evans of Grayson, Wilcox.)

Read second time, and adopted.

COMMITTEE REPORTS.

By Mr. Fields, acting chairman:

Committee Room,
Austin, Texas, March 15, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 157, a bill to be entitled "An act to amend article 2977 of chapter 4, title 55, of the Revised Statutes of the State of Texas, relating to divorce, so as to permit the wife to obtain a divorce where the husband shall have left her for one year with intention of abandonment, or for non-support, and permit either party to obtain a divorce on account of the continued drunkenness of the other, and to repeal all laws and parts of laws in conflict herewith."

And find the same correctly engrossed.

FIELDS, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 387, a bill to be entitled "An act to restore to and confer upon the county court of Orange county the criminal jurisdiction heretofore belonging to it under the Constitution and General Statutes of the State of Texas, to conform the jurisdiction of the district court to such change, and to repeal all laws in conflict with the provisions of this act."

And find the same correctly engrossed.

FIELDS, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1897.
Hon. L. T. Dashiell, Speaker of the House.

Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 432, a bill to be entitled "An act to restore and confer upon the county court of Jefferson county the civil and criminal jurisdiction
heretofore belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court, and to repeal all laws in conflict with this act.”

And find the same correctly engrossed.

FIELDS, Acting Chairman.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following bills:

House bill No. 85, entitled “An act to grant relief to certain teachers who taught during the school year of 1895-96 in Greer county, which was then considered a portion of Texas, but has since been made a part of the Territory of Oklahoma.”

House bill No. 213, entitled “An act to restore and confer upon the county court of Hardin county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court, and to repeal all laws in conflict with this act.”

House bill No. 8, entitled “An act to amend chapter 6, article 400, of the Penal Code of the Revised Statutes of the State of Texas, relating to selling intoxicating liquors to minors.”

House bill No. 65, entitled “An act to define and punish the offense of wilfully or maliciously throwing missiles or firing guns or other firearms at or into moving trains on railroads or any railway depot, private residence, school house, church house, court house, store house, hotel or other public or private building, sailboat or steamboat in this State.”

House bill No. 115, entitled “An act to amend articles 744a and 744b of the Revised Civil Statutes of Texas of 1895, relating to corporations for the construction of union depots.”

House concurrent resolution No. 7, “Empowering the Governor of Texas to call a cotton convention, inviting delegates from all cotton growing States, and appointing delegates from each congressional district in this State and two delegates from this State at large.”

SPEAKER’S TABLE.

The Speaker laid before the House, on its engrossment,

House bill No. 176, a bill to be entitled “An act to quiet titles to lands located and surveyed by virtue of land certificates granted under the act of the Legislature of the State of Texas, entitled an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or of the Confederate States, a certificate for 1280 acres of land, approved April 9, 1881, and to validate patents issued on such locations and surveys.”

Pending consideration, On motion of Mr. Curry, the regular order of business was suspended to take up and place on its second reading.

Substitute House bills Nos. 226 and 325, a bill to be entitled “An act to appropriate the lands recovered from railroads and other companies, and to set them apart for the use and benefit of a branch university for colored youths, for the erection of a Governor’s mansion, for the Orphans’ Home, for the university and for the common school fund and to appropriate the public domain in certain counties.”

The bill was read second time, and the committee report was adopted.

Mr. Curry offered the following amendment:

Amend section 2, after the word “Pecos,” add “Nolan, Jeff Davis, Presidio, Scurry, Borden, Lipscomb, Ochiltree, Val Verde, Wichita, Hardeman, Brewster, Edwards and Reeves.”

Adopted.

Mr. Robbins offered the following amendment:

Amend by striking out the words “a branch university for the colored youths” in the caption, and the words “a branch university for the colored youths of this State,” and insert in lieu thereof in both places the words “the Prairie View Normal School.”

Adopted.

Mr. McGaughey offered the following amendment:

“Section 3. Whereas, the crowded condition of the calendar and the near approach of the end of the session creates an emergency and an imperative public necessity requires that the constitutional rule requiring bills to be read on three separate days be and the same is hereby suspended, and that this act shall take effect and be in
Adopted.

Mr. Evans of Grayson offered the following amendment:
Substitute “commissioner” for “commission” in line 32, and the word “Pecos” for “Picas” in line 26.
Adopted.

Mr. Fields offered the following amendment:
Amend by adding a third section to read as follows:
“Section 3. That the sum of $1000, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of locating and surveying and patenting said lands.”
Tabled on motion of Mr. Maxwell.

Mr. Burney offered the following amendment:
Amend by striking out the word “three-fourths” in line 28 and insert in lieu thereof “all;” and strike out all after the word “schools” in line 29 to close of the section.
Mr. Wilcox moved to table the amendment, upon which yeas and nays were demanded by Mr. Bertram, Mr. Shropshire and Mr. Maxwell.
Tabled by the following vote:
Yeas-45.


Nays-44.


Yeas-53.


Excused.


Yeas-53.


Nays-44.


Mr. Welch offered the following amendment:
Amend by providing that the county surveyor of each county in which this land is situated shall do the surveying of this land in their respective counties, and a sufficient amount of money be appropriated to cover the cost of survey.
Tabled on motion of Mr. Bumpass.

Mr. Love offered the following amendment:
Amend by striking out the following words, “and 50,000 acres of such lands as above described for the purpose of building a Governor’s mansion,” in section 1, lines 19 and 20.
Mr. Wilcox moved to table the amendment.
On the motion to table, yeas and nays were demanded by Mr. Fields, Mr. Love and Mr. Bertram.
Tabled by the following vote:
Mr. Maxwell moved to postpone further consideration of the bill until next Friday, March 19, at 10 o’clock a.m. On the motion to postpone, yeas and nays were demanded by Mr. Fields, Mr. Maxwell and Mr. Love. Postponed by the following vote:

Yeas—60.

Alexander. Lillard.
Ayres. Logan.
Bailey. Love.
Barbee. Manson.
Beaird. Martin.
Benson. Maxwell.
Bertram. McFarland.
Bird. McKeffer.
Browne. Meade.
Bumpass. Mercer.
Burney. Morton.
Burns. Mundine.
Carpenter. Patterson.
Collier. Pitts.
Crawford. Porter.
Cureton. Reiger.
Dennis. Runbell.
Doroh. Rudd.
Doyle. Savage.
Drew. Shropshire.
Evans of Grayson. Stokes.
Ewing. Strother.
Fields. Thaxton.
Fisher. Thomas.
Freeman. Thompson.
Graham. Tucker.
Henderson. Turner.
Hensley. Vaughan of Collin.
Holland of Burnet. Wall.
Jones.

Nays—26.

Blair. Moore, Fort Bend.
Carswell. O’Connor.
Childs. Peery.
Conoly. Robbins.
Crawley. Rogan.
Curry. Seabury.
Evans of Hunt. Stamper.
Field. Tracy.
Gilbough. Ward.
Green. Welch.
Harris. Wilcox.
Humphrey. Wolters.
McGaughey. Wood.

Absent.

Barrett. Pfeuffer.
Bean. Rogers.
Bell. Sluder.
Bounds. Smith.
Boyd. Vaughn, Guad’lupe.
Brewster. Wallace.
Dies. Vaughn, Guad’lupe.
Dienes. Wallance.

Excused.

Barrett. Kirk.
Bean. McKamy.
Bell. Melton.
Bounds. Moore of Lamar.
Boyd. Morris.
Brewster. Oliver.
Dies. Randolph.
Dienes. Rhea.
Flint. Schlick.
Garrison. Shelburne.
Hill of Gonzales. Skillern.
Hill of Travis. Skillern.
Holland of Harris. Williams.
Kimbell.

Nays—37.

Alexander. Martin.
Barbee. Maxwell.
Benson. McKeffer.
Bertram. Mercer.
Browne. Morton.
Burney. Munden.
Callan. Patterson.
Collier. Pitts.
Crawford. Porter.
Cureton. Reiger.
Dennis. Savage.
Doyle. Shropshire.
Evans of Hunt. Stokes.
Evans of Grayson. Thaxton.
Fields. Thomas.
Henderson. Tucker.
Humphrey. Vaughan of Collin.
Love. Wall.

Absent.

Beaird. Pfeuffer.
Blackburn. Rogers.
Brigance. Sluder.
Bumpass. Smith.
Dean. Vaughn, Guad’lupe.
Lotto. Wallace.

Excused.

Barrett. Boyd.
Bean. Brewer.
Bell. Callan.
Bounds. Dies.
The Speaker laid before the House, as pending business, House bill No. 176, on its engrossment; whereupon

Mr. Smyth moved to postpone pending business to take up and place on its second reading substitute House bill No. 221, relating to the protection of wild game in the State.

The motion to postpone was lost, and the House resumed consideration of House bill No. 176, the Confederate veteran validating act.

(Mr. Bailey in the chair.)

Pending consideration of House bill No. 176, on its engrossment,

On motion of Mr. Maxwell, the House at 12:45 p. m. took recess until 3 o'clock p. m. to-day.

AFTERNOON SESSION.

The House was called to order at 3 o'clock, pursuant to adjournment.

Speaker Dashiell in the chair.

Pending question — House bill No. 176, on its engrossment. (Mr. Bailey in the chair.)

COMMITTEE REPORTS.

(By unanimous consent.

By Mr. Robbins, chairman:

Committee Room, Austin, Texas, March 15, 1897.

Hon. L. T. Dashiell, Speaker of the House.

Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 391, a bill to be entitled "An act to relinquish the title and confirm the patents to certain lands therein named."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

ROBBINS, Chairman.

Committee Room, Austin, Texas, March 15, 1897.

Hon. L. T. Dashiell, Speaker of the House.

Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 590, a bill to be entitled "An act to amend article 4168 of title 87, chapter 8, of the Revised Civil Statutes of the State of Texas, relating to proofs of application for homestead donations,"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

ROBBINS, Chairman.

By Mr. Good, Chairman:

Committee Room, Austin, Texas, March 11, 1897.

Hon. L. T. Dashiell, Speaker of the House:

Your Committee on Counties and County boundaries, to whom was referred

House bill No. 585, a bill to be entitled "An act to amend chapter 1, title 23, of the Revised Civil Statutes of the State of Texas, by adding thereto articles 778b and 778c, requiring that a proposition to detach a portion of existing county containing an area of fifty square miles and 100 resident tax payers, for the purpose of creating a new county, shall be submitted to the qualified voters of such portion sought to be detached, and providing for an election of such portions."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

GOOD, Chairman.

Mr. Maxwell offered the following amendment to House bill No. 176:

Amend by adding after the word "other," in line 15, page 2, the following words:

"Provided, that this act shall not be construed to validate any of the above lands obtained by fraud."

Adopted.

Mr. Humphrey offered the following amendment to House bill No. 176:

Amend by striking out all of section 1, and insert in lieu thereof the following: That in all cases where patents have been issued by the State upon locations or surveys of land made by virtue of any certificates under the provisions of an act of the Legislature of the State of Texas, entitled "An act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or of the Confederate States a land certificate for 1280 acres of land," approved April 9, 1861, be, and the same are hereby validated as
follows: In all cases where such locations have been made not contiguous to each other, it shall be lawful for the owner or owners of the land located by virtue of such certificates, for individuals to proceed to partition all lands so located both for the individual and for the school fund into two lots as nearly equal in value as may be, to be composed of one or more tracts each, not estimating in such partition the value of improvements made upon such lands, which partition shall be submitted to the Commissioner of the General Land Office in writing, showing distinctly by field notes or plots the situation of each lot or part of a lot, upon the filing of which it shall be the duty of the Commissioner of the General Land Office to select his choice of said lots for the school fund, and each party thereto may then enter into an agreement in writing to accept such partition and relinquish all right and title to all of such lands not set apart to him, the Commissioner of the General Land Office to act for the State in representing the school fund's interests; whereupon a record of such partition shall be made in the General Land Office, and the title to each party at interest shall be fully confirmed and validated to the portion of said lands set apart to him in such agreement, and where it can be done without injury to the interest of the school fund the Commissioner of the General Land Office shall select the unimproved lot or lots, and where such selection would inure to the injury of the school fund the party thereto may then make an adequate allowance of land as an offset against such improvements, but shall make only such allowance in land as will be equal to the value of such improvements.

Mr. Fisher moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Bertram, Mr. Carpenter and Mr. Collier. Tabled by the following vote:

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Mr. Jones (present), who would vote "nay."—with Mr. Melton (absent), who would vote "yea."

Mr. Vaughan of Collin (present), who would vote "nay."—with Mr. Collier (absent), who would vote "yea."

Mr. Harris moved the previous question, which was seconded.

On ordering the main question, Mr. Carpenter moved a call of the House.
The call was seconded, and the Clerk was directed to call the roll, and the following were announced absent without leave: Messrs. Bell, Brigance, Holland of Harris, Lotto, Robbins, Shropshire, Staples and Vaughan of Gaudalupe.

Mr. Blair moved to excuse the absentees, upon which motion yeas and nays were demanded by Mr. Carpenter, Mr. Freeman and Mr. Henderson.

Excused by the following vote:

Yeas—74.
Alexander. Maxwell.
Ayres. McFarland.
Barbee. McKellar.
Bird. Mercer.
Blair. Moore, Fort Bend.
Browne. Morton.
Burney. Mundine.
Burns. Neighbors.
Carswell. O'Connor.
Childs. Patterson.
Collier. Peery.
Conoly. Porter.
Crawford. Reiger.
Crowley. Rogers.
Dennis. Rudd.
Dickinson. Savage.
Dorroh. Seabury.
Doyle. Sluder.
Drew. Smith.
Evans of Hunt. Stamper.
Ewing. Stokes.
Feld. Strother.
Fields. Thaxton.
Fisher. Thomas.
Gibbough. Thompson.
Good. Tracy.
Graham. Tucker.
Green. Turner.
Harris. Wall.
Hensley. Ward.
Holland of Burnet. Welch.
Jones. Wilcox.
Manson. Wolters.
Martin. Wood.

Nays—17.
Bealr. Henderson.
Benson. Humphrey.
Bertram. Lillard.
Bumpass. Love.
Carpenter. Meade.
Curry. Pitts.
Evans of Grayson. Reubell.
Freeman. Vaughan of Collin.

Absent.
Blackburn. Logan.
Brigance. Lotto.
Dean. McKamy.
Holland of Harris. Rhea.

Robbins. Staples.
Shropshire. Vaughan, Gaudalupe

Excused.
Barrett. Kirk.
Bean. Melton.
Bell. Moore, Lamar.
Bounds. Morris.
Boyd. Oliver.
Brewster. Pfeiffer.
Callan. Randolph.
Dies. Schlick.
Flint. Shelburne.
Garrison. Skillern.
Hill of Gonzales. Wallace.
Hill of Travis. Williams.
Kimbell.

The main question was ordered.

On engrossment of the bill yeas and nays were demanded by Mr. Bumpass, Mr. Love and Mr. Carpenter.

House bill No. 176 ordered engrossed by the following vote:

Yeas—59.
Ayres. Manson.
Bailey. Martin.
Beaird. Maxwell.
Blair. McGaughy.
Browne. Moore, Fort Bend.
Burney. Neighbors.
Burns. O'Connor.
Childs. Patterson.
Collier. Peery.
Couely. Reiger.
Crawford. Robbins.
Crowley. Rogers.
Cureton. Rogers.
Dennis. Seabury.
Dickinson. Sluder.
Doroh. Smith.
Evans of Hunt. Strother.
Ewing. Thaxton.
Feld. Thompson.
Fields. Tracy.
Fisher. Tucker.
Gibbough. Turner.
Good. Ward.
Graham. Welch.
Harris. Wilcox.
Henderson. Wolters.
Hensley. Wood.
Holland of Burnet.

Nays—30.
Alexander. Evans of Grayson.
Barbee. Freeman.
Benson. Green.
Bertram. Humphrey.
Bumpass. Lillard.
Carpenter. Logan.
Carswell. Love.
Curry. McKeller.
Dorroh. Meade.
Drew. Mercer.
Mr. Jones (present), who would vote "nay,"—with Mr. Melton (absent), who would vote "yea."

Mr. Vaughan of Collin (present), who would vote "nay,"—with Mr. Collier (absent), who would vote "yea."

The Speaker laid before the House, on its third reading and final passage, House bill No. 90, a bill to entitled "An act to regulate the practice of dentistry in the State of Texas."

Bill read third time.

Mr. Wolters moved to adjourn until 9:30 a. m. to-morrow, and the motion was lost.

Mr. Bertram offered the following amendment to the bill:

Strike out "300," in line 15, section 12, and insert "200."

Lost.

Mr. Reiger offered the following amendment:

Amend section 9 by adding thereto the following: "And every dentist shall keep his certificate posted in some conspicuous place in his office."

Tabled on motion of Mr. Wolters.

Mr. Bertram moved to lay the bill on the table, upon which question yeas and nays were demanded by Mr. Bertram, Mr. Bumpass and Mr. Alexander.

Lost by the following vote:

**Yeas—31.**


**Nays—57.**

Bailey. Love. 
Beard. McLaughy. 
Bird. Meade. 
Blair. Neighbors. 
Browne. Peery. 
Carpenter. Pitts. 
Caruswell. Porter. 
Childs. Reiger. 
Conoly. Rogers. 
Crawford. Rudder. 
Crowley. 
Denns. 
Dickinson. Smyth. 
Evans of Hunt. Stamper. 
Evans of Grayson. Strother. 
Ewing. Thaxton. 
Fields. Thomas. 
Fields. Thompson. 
Fishar. Tracy. 
Freeman. Turner. 
Gilghough. Vaughan of Collin. 
Good. 
Harris. Ward. 
Henderson. Welch. 
Jones. Wilcox. 
Lillard. Wolters. 
Logan. 

**Absent.**

Ayers. McKamy. 
Brigance. Moore, Fort Bend. 
Dean. O'Connor. 
Edwards. Rhea. 
Holland of Harris. Shropshire. 
Lotto. Staples. 
Maxwell. Vaughan, Guad'lup

**Excused.**

Barrett. Kirk. 
Bean. Melton. 
Bell. Moore of Lamar. 
Bounds. Morris. 
Boyd. Oliver. 
Brewster. Pfeuffer. 
Callan. Randolph. 
Dies. Schlick. 
Flint. Shelburne. 
Garrison. Skillern. 
Hill of Gonzales. Wallace. 
Hill of Travis. Williams. 
Kimbell. 

**Lost.**

Ayers. McKamy. 
Brigance. Moore, Fort Bend. 
Dean. O'Connor. 
Edwards. Rhea. 
Holland of Harris. Shropshire. 
Lotto. Staples. 
Maxwell. Vaughan, Guad'lup
Pending consideration of House bill No. 90, on its final passage.
On motion of Mr. Love, Mr. Bumpass yielding the floor, the House, at 5:45 p. m., adjourned until 9 o'clock a. m. to-morrow.

FORTY-SIXTH DAY.

Hall House of Representatives, Austin, Texas,
Tuesday, March 16, 1897.

The House met at 9 o'clock a. m. pursuant to adjournment.
Speaker Dashiell in the chair.

The roll was called, and there was not a quorum present, whereupon Mr. Fields moved a call of the House.

The call was seconded, and the Clerk was directed to call the roll to ascertain who were absent without leave, whereupon the following members responded:

Alexander. Graham.
Ayers. Green.
Barbee. Harris.
Beaird. Henderson.
Benson. Hill of Gonzales.
Bertram. Hill of Gonzales.
Bird. Holland of Burnet.
Blackburn. Humphrey.
Blair. Jones.
Brigance. Kimbell.
Bumpass. Lillard.
Burns. Love.
Burney. Logan.
Carpenter. Manson.
Carswell. Martin.
Childs. Maxwell.
Collier. McFarland.
Conoly. McGaughey.
Crawford. McKeelar.
Crowley. Meade.
Cureton. Mercer.
Curry. Moore, Fort Bend.
Dean. Morton.
Dennis. Mundine.
Dickinson. Neighbors.
Dyes. O'Connor.
Dorroh. Patterson.
Doyle. Peery.
Drew. Pfeuffer.
Edwards. Pitts.
Evans of Hunt. Porter.
Evans of Grayson. Reiger.
Evings. Reubell.
Field. Rhea.
Fields. Rogen.
Fisher. Rogers.
Flint. Rudd.
Freeman. Savage.
Gilbough. Seabury.
Good. Shropshire.

Sluder.
Smith.
Smyth.
Stamp.
Stokes.
Strother.
Thaxton.
Thomas.
Thompson.
Tracy.
Tucker.

Turner.
Vaughan of Collin.
Wall.
Wallace.
Ward.
Welch.
Wilcox.
Williams.
Wolters.
Wood.

Absent.
Barrett. Moore of Lamar.
Bell. Staples.
Browne. Vaughan, Gu'alupe
McKamy. 

Excused.
Bailey. Lotto.
Bean. Melton.
Bounds. Morris.
Boyd. Oliver.
Brewster. Randolph.
Callan. Robbins.
Garrison. Schick.
Hill of Travis. Shelburne.
Holland of Harris. Skillern.
Kirk.

A quorum was announced present.
Prayer by Dr. J. A. Jackson, chaplain.

Pending reading of the Journal of yesterday,
On motion of Mr. Cureton, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Brewster for to-day, on motion of Mr. Vaughan of Collin.
Mr. Bailey for to-day, on motion of Mr. McFarland.
Mr. Shelburne for to-day, on motion of Mr. Crawford.
Mr. Mercer for to-day, on motion of Mr. Henderson.
Mr. Garrison for to-day, on motion of Mr. Doyle.

On account of sickness:
Mr. Lotto for to-day, on motion of Mr. Freeman.
Mr. Skillern for to-day, on motion of Mr. Stokes.

BILLS AND RESOLUTIONS.

By Mr. Henderson (by request):
House bill No. 607, a bill to be entitled "An act to amend article 4934, of chapter 2, of the Revised Civil Statutes of the State of Texas, relating to the manner of protecting live stock, and to provide for the approval by the commissioners' court of the report of the board of appraisement in cases where diseased animals are ordered killed."