Mr. Smyth (present), who would vote "yea," with Mr. Barrett (absent), who would vote "nay."

Mr. Reubell (present), who would vote "nay," with Mr. Oliver (absent), who would vote "yea."

Question next recurring on the substitute for the Tracy amendment to House bill No. 9.

Mr. Patterson moved to adjourn until 9 o'clock a. m. to-morrow; and Mr. Gilbough moved to adjourn until 9:30 a. m. to-morrow.

The House, at 5:20 p. m., adjourned, on motion of Mr. Patterson, until 9 o'clock a. m. to-morrow.

FORTY SEVENTH DAY.

Hall House of Representatives, Austin, Texas, Wednesday, March 17, 1897.

The House met at 9 o'clock a. m., pursuant to adjournment.

Roll called and the following members present:

Alexander. Beard.
Barbee. Bell.

Benson. Bertram.
Bird. Blackburn.
Blair. Brewster.
Brigance. Browne.
Bumpass. Burney.
Burns. Carpenter.
Carswell. Childs.
Collier. Conoly.
Crawford. Crowley.
Cureton. Curry.
Dean. Dennis.
Dickinson. Dies.
Dorroh. Doyle.
Ewing. Feild.
Fields. Fisher.
Flint. Freemon.
Garrison. Moore of Lamar.
Bean. Morris.
Burns. Moore of Lamar.
Boyds. Randolph.
Callan. Shelburne.
Doyle. Skillern.
Garrison. Vaughan, Guadalupe.

PAIRED.

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PAIRED.

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A quorum was announced present.

Prayer by Dr. J. A. Jackson, Chaplain.

Pending reading of the Journal of yesterday.

On motion of Mr. Tucker, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Rountree, Chief Clerk, for to-day, on motion of Mr. Martin.

Mr. Bailey until Friday, on motion of Mr. Bell.

Mr. Shelburne indefinitely, on motion of Mr. Crawford.

On account of sickness:

Mr. Thompson for to-day, on motion of Mr. Browne.

Mr. Doyle until Monday, on motion of Mr. Hill of Gonzales.

PETITIONS AND MEMORIALS.

By Mr. Browne:

A memorial from the Daughters of the Republic of Texas, asking for an appropriation to purchase the battle ground of San Jacinto.

Read and referred to Committee on Finance.

By Mr. Curry:

A petition of 100 citizens of Van Zandt county, asking the Legislature to pass a law to prevent the sale or giving away of cigarettes to minors.

Read and referred to Judiciary Committee No. 2.

COMMITTEE REPORT.

By Mr. Dean, acting chairman:

Committee Room,

Austin, Texas, March 17, 1897.

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

Your Committee on Finance, to whom was referred

House bill No. 539, a bill to be entitled "An act making appropriations for the deficiencies in the appropriations heretofore made for payment of expenses in support of the State government from March 1, 1895, to February 28, 1897, and for previous years, being for claims registered in the Comptroller's office in accordance with law, and for outstanding claims not registered, and other deficiencies."

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, with the following amendments:

Amend by striking out the words and figures, "Salary of Librarian from March 1, 1895, to December 31, 1896, $550;" also amend by adding at the end of section 1: "Groceries, drugs, shoes, and other expenses for State Orphans' Asylum, $1716.16."

DEAN, Acting Chairman.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, March 17, 1897.

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

I am instructed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 2.

Also, that the Senate has passed House bill No. 396, a bill to be entitled "An act to amend article 616a of the Revised Statutes of the State of Texas of 1895, relating to the formation of independent school districts, and prohibiting towns within such districts from assuming control of the schools therein while the independent district exists."

With amendment, and by a two-thirds vote: ayes 21, noes none.

Senate bill No. 29, a bill to be entitled "An act to require city and county treasurers to report condition of interest and sinking fund to the State Comptroller, to prohibit them from diverting said funds, and providing penalties."

Senate bill No. 197, a bill to be entitled "An act to incorporate the city of Dallas, and grant it a new charter."

Substitute Senate bill No. 163, a bill to be entitled "An act to amend articles 3984, 3985 and 4028 of the Revised Civil Statutes of 1895, prescribing the penalties for violations of this act, and repealing articles 3986 and 3987, and all laws in conflict with this act."

Substitute Senate bill No. 92, a bill to be entitled "An act to amend articles 3828 and 3829 of the Revised Civil Statutes of the State of Texas, relating to the control of the capitol building."

By two-thirds vote: ayes 26, noes none.

Senate bill No. 72, a bill to be entitled "An act to establish a State Board of Embalming, to provide for the better protection of health and life, to prevent the spread of contagious diseases, and to regulate the practice of embalming and the care of and disposition of the dead."

Also, that the Senate herewith returns to the House, House bill No. 7, the motion to reconsider passage of
the same having been called up and lost.
Respectfully,
WILL LAMBERT, Secretary.

SENATE BILLS ON FIRST READING.

The following bills received from the Senate, were read first time and referred as follows:
Senate bill No. 20, to the Committee on Finance.
Senate bill No. 197, to the Committee on Towns and City Corporations.
Substitute Senate bill No. 163, to the Committee on Education.
Substitute Senate bill No. 92, to the Committee on Public Buildings and Grounds.
Senate bill No. 72, to the Committee on Public Health and Vital Statistics.

Mr. Lillard called up House bill No. 396, with Senate amendments, and moved to concur in the same.
The motion to concur prevailed.

SPEAKER'S TABLE.
The Speaker laid before the House, on its final passage,
Senate bill No. 32, a bill to be entitled "An act to amend chapter 4, title 7, of the Code of Criminal Procedure of the State of Texas, by adding thereto article 524a, providing for the issuance of attachments for witnesses residing in the county of the prosecution, when such witness is about to remove therefrom."

With the following amendment by Mr. Rogan as amended by Mr. Turner pending:
"Provided, that if the witness shall make oath that he cannot give surety, the officer executing the attachment shall take his personal bond; and provided further, that this act shall only apply in felony cases."

Mr. Seabury offered the following substitute for the amendment:
Amend by adding to the bill the following proviso:
"Provided, that in misdemeanor cases, when the witness makes oath that he cannot give surety, the officer executing the attachment shall take his personal bond."
The substitute by Mr. Seabury was adopted, and the amendment as substituted was adopted.

Mr. Wilcox offered the following amendment:
Amend by inserting after the word "county," in line 28, the following, "with the intention of secreting himself so that a subpoena or attachment can not be served."

Tabled on motion of Mr. Meade.
Mr. Kimbell offered the following amendment:
Amend by adding after the word "county," in line 28, "and shall state the fact which he expects to prove by said witness."

Mr. Bell offered the following substitute for the amendment:
Insert between the words "county" and "it," in line 28, the following: "Provided, said application shall set forth the facts expected to be proved by said witness and shall be submitted to the judge of said judicial district, who shall order said writ of attachment to issue, if the testimony appear to be material to the State or defendant."

Tabled on motion of Mr. Evans of Hunt.

Mr. Fisher moved to take recess for 20 minutes, and the motion was lost.

On motion of Mr. Meade, the amendment by Mr. Kimbell was tabled.

Mr. Rogan offered the following amendment:
Amend by adding to article 524a the following: "Provided, that if such witness is confined for inability to give bond, he shall be allowed for each day's confinement the same fees allowed by law to attached witnesses from other counties."

Mr. Ward moved the previous question, and the main question was ordered.
The amendment by Mr. Rogan was lost.

On final passage of the bill, yeas and nays were demanded by Mr. Love, Mr. Neighbors and Mr. Barbee.
Senate bill No. 32 passed by the following vote:

Yeas—73.
Mr. Meade moved to reconsider the vote by which Senate bill No. 32 was passed, and to table the motion to reconsider. The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 55, "An act to amend articles 641 and 642, chapter 2, title XXI, of the Revised Civil Statutes of Texas, relating to the creation of corporations."

The bill was read third time, and passed.

Mr. Ward moved to reconsider the vote by which Senate bill No. 55 was passed, and to table the motion to reconsider. The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 74, a bill to be entitled "An act to authorize the Commissioner of the General Land Office to forfeit all lands heretofore sold by the State, under any of the various acts of the Legislature, for failure to pay any portion of the interest thereon."

The bill was read third time.

Mr. Crawford moved to take a recess for 15 minutes, and the motion was lost.

On final passage of Senate bill No. 74, yeas and nays were demanded by Mr. Curry, Mr. Neighbors and Mr. Crowley. The roll call showed that there was not a quorum present, whereupon Mr. Maxwell 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. The Sergeant-at-Arms was directed to bring in the absentees. Later, a quorum was announced present, and Mr. Ward offered the following amendment to Senate bill No. 74:

Amend by adding after the word "law," in line 31, page 1, the following: "Provided, the purchaser of said land shall have the right at any time within six months after such endorsement of 'lands forfeited' to institute a suit in the district court of Travis county, Texas, against the Commissioner of the General Land Office for the purpose of contesting such forfeiture and setting aside the same upon the ground that the facts did not exist authorizing such forfeiture; but if no such suit has been instituted as above provided, such forfeitures of the Commissioner of the General Land Office shall then become final and conclusive."

Adopted.

Nays—15.

Barbee. McKeller.
Bertram. Neighbors.
Blackburn. O'Connor.
Crowley. Patterson.
Green. Ragan.
Hill of Gonzales. Thomas.
Kimbell. Tracey.
Love.

Absent.

Ayres. Pitts.
Beaird. Rogers.
Bell. Rudd.
Blair. Shropshire.
Dies. Smyth.
Evans of Hunt. Staples.
Evans of Grayson. Turner.
Fisher. Vaughan, Guadalupe.
Henderson. Wallace.
Jones. Welch.
Logan. Wilcox.
Lotto. Wood.
Manson.

Excused.

Bailey. Melton.
Barrett. Morris.
Bean. Oliver.
Bounds. Randolph.
Boyd. Schlick.
Callan. Shelburne.
Holland of Harris. Thompson.

On final passage of Senate bill No. 32 we vote no, because the terms of the bill involve the possibility of witnesses who can not give bond being arrested and imprisoned during vacation, and because all amendments tending to mitigate its harsh features have been voted down.

ROGAN,
HILL of Gonzales,
KIMBELL,
NEIGHBORS,
CROWLEY.

Mr. Meade moved to reconsider the vote by which Senate bill No. 32 was passed.
Senate bill No. 74 was passed by the following vote:

Yeas—90.

Barbee.  Logan.
Benson.  Love.
Bertram.  Manson.
Blackburn.  Martin.
Blair.  Maxwell.
Brewster.  McAughey.
Brigance.  McKamy.
Browne.  McLeller.
Bumpass.  Mercer.
Burney.  Moore, Fort Bend.
Burns.  Moore of Lamar.
Carpenter.  Morton.
Carswell.  Mundine.
Childs.  Patterson.
Collier.  Poey.
Conoly.  Pfueffer.
Crawford.  Porter.
Crowley.  Reiger.
Cureton.  Reubell.
Curry.  Rhea.
Dean.  Robbins.
Deans.  Rogan.
Dickinson.  Rudd.
Dorroh.  Savage.
Drew.  Seabury.
Ewing.  Skillern.
Field.  Sluder.
Fields.  Smith.
Fish.  Smyth.
Flint.  Staumer.
Freeman.  Staples.
Garrison.  Strother.
Gilbough.  Thomas.
Good.  Tracy.
Graham.  Tucker.
Greene.  Vaughan of Collin.
Harris.  Wall.
Henderson.  Wallace.
Hill of Gonzales.  Ward.
Hill of Travis.  Welch.
Holland of Burnet.  Wilcox.
Humphrey.  Williams.
Jones.  Wolters.
Kimbell.  Wood.

Nays—9.

Nobles.  Meade.
Bell.  Neighbors.
Dies.  Pitts.
Hensley.  Thaxton.
Mcfarland.  

Absent.

Ayres.  O'Connor.
Bird.  Rogers.
Edwards.  Shropshire.
Evans of Hunt.  Stokes.
Evans of Grayson.  Turner.
Lillard.  Vaughan, Guadalupe.
Lotto.  

Excused.

Bailey.  Bean.
Barrett.  Bounds.

Mr. Robbins moved to reconsider the vote by which Senate bill No. 74 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 144, a bill to be entitled "An act to amend article 749c of chapter 18, of title XXI, of the Revised Civil Statutes, restricting land holdings of certain corporations."

The bill was read third time, and was passed.

Mr. Seabury moved to reconsider the vote by which Senate bill No. 144 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Sluder moved to suspend the regular order of business to take up and place on its second reading Senate bill No. 227.

Lost.

The Speaker laid before the House, on its second reading, Senate bill No. 42, a bill to be entitled "An act to amend chapter 3, title 40, of the Revised Civil Statutes of the State of Texas, by adding thereto article 2293a, relating to the deposition of parties."

With majority favorable report, with amendments, with minority adverse report, and a minority favorable report recommending that the bill pass without amendment.

The bill was read second time.

Mr. Ward moved to adopt the majority report.

Mr. Tracy moved as a substitute to adopt the minority favorable report.

Mr. Ward moved to table the motion of Mr. Tracy, upon which motion yeas and nays were demanded by Mr. Dean. Mr. Sluder and Mr. Tracy.

Tabled by the following vote:

Yeas—51.

Bell.  Bird.
Benson.  Burney.
Mr. Bell moved as a substitute for the motion of Mr. Ward, that the minority adverse report be adopted. Tabled on motion of Mr. Wolters. The majority report was adopted. Mr. Wolters moved to postpone further consideration of Senate bill No. 42 until next Wednesday. Mr. Freeman moved to table the motion of Mr. Wolters, upon which yeas and nays were demanded by Mr. Wolters, Mr. Gilbough and Mr. Blair. Tabled by the following vote:

Yeas—54.

Benson. Maxwell.
Bertram. McFarland.
Bird. McKeller.
Bumpass. Mercer.
Burns. Moore of Lamar.
Carpenter. Morton.
Carswell. Mundine.
Conoly. O'Connor.
Crawford. Peery.
Cureton. Pfeiffer.
Curry. Porter.
Dickinson. Reubell.
Dies. Rhea.
Ewing. Robbins.
Fields. Rogan.
Flint. Rudd.
Freeman. Savage.
Graham. Seabury.
Henderson. Stamper.
Hensley. Thomas.
Hill of Gonzales. Tracy.
Hill of Travis. Vaughan of Collin.
Holland of Burnet. Wall.
Humphrey. Wallace.
Jones. Ward.
Kimbell. Williams.
Martin. Wood.

Nays—50.

Alexander. Green.
Barbee. Harris.
Beaird. Kirk.
Bell. Logan.
Blackburn. Lotto.
Blair. Love.
Brewster. Manson.
Brigance. McGaughey.
Brown. McKamy.
Burns. Meade.
Childs. Moore, Fort Bend.
Childs. Moore of Lamar.
Coller. Mundine.
Crowley. Neighbors.
Dean. Patterson.
Dennis. Pitts.
Dorroh. Sluder.
Edwards. Smith.
Edwards. Stokes.
Edwards. Thaxton.
Edwards. Tracy.
Evans of Grayson. Vaughan of Collin.
Evans of Hunt. Wall.
Evans of Hunt. Wood.

Excused.

Bailey. Morris.
Barrett. Oliver.
Bean. Randolph.
Borders. Schlick.
Boyd. Shelburne.
Callan. Thompson.

Nays—46.

Barbee. Hill of Burnet.
Bertram. Kirk.
Bird. McKamy.
Bird. Mercer.
Burns. Morton.
Burns. Mundine.
Burns. O'Connor.
Brown. Peery.
Bumpass. Porter.
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Kimbell. Williams.
Kimbell. Wood.

Nays—50.

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Crowley. Neighbors.
Dean. Patterson.
Dennis. Pitts.
Dorroh. Sluder.
Edwards. Smith.
Edwards. Stokes.
Edwards. Thaxton.
Mr. Bell offered the following amendment to Senate bill No. 42:
Amend by striking out all after article 2293, and insert in lieu thereof the following:
"Article 2293. Where either party to any suit is a corporation, neither party thereto shall be permitted to take ex parte depositions," and amend the caption to conform to this amendment.

On the amendment by Mr. Bell, yeas and nays were demanded by Mr. Tracy, Mr. Henderson and Mr. Sluder.

Lost by the following vote:

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Pending consideration of Senate bill No. 42, on its passage to a third reading.

On motion of Mr. Carswell, the House at 12:17 p. m. adjourned until 3 o'clock p. m. to-day.

AFTERNOON SESSION.

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

Speaker Dashiell in the chair.

Roll called, and the following members present:

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<td>Dennis</td>
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<td>Burney</td>
<td>Dickinson</td>
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March 17, 1897

HOUSE JOURNAL.


GRANTED LEAVE OF ABSENCE:

On account of important business:
Mr. Thaxton until to-morrow morning, on motion of Mr. McKamy.
Mr. Dean until to-morrow morning, on motion of Mr. McGaugh.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, March 17, 1897.

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

House concurrent resolution No. 16, relating to the opening of a harbor at the mouth of the Brazos.

House bill No. 438, a bill to be entitled "An act to prescribe the time of holding the terms of the District Court in the Twenty-fifth Judicial District of Texas."

By two-thirds vote: ayes 21, noes none.

House bill No. 322, a bill to be entitled "An act to amend article 1407 of the Revised Statutes of this State."

With amendments, and by two-thirds vote: ayes 21, noes none.

House bill No. 394, a bill to be entitled "An act to amend article 867, chapter 1, title 25, of the Revised Civil Statutes of the State of Texas, relating to county finances."

By two-thirds vote: ayes 21, noes none.

House bill No. 205, a bill to be entitled "An act regulating business signs, and what they shall contain," etc.

Senate bill No. 87, a bill to be entitled "An act to amend an act of the regular session of the Twenty-third Legislature, entitled an act to provide for the protection of domestic animals, for the creation of a live stock sanitary commission, rules and regulations, to provide penalties for violating the same, and to make an appropriation to carry out the provisions of this act, approved April 20, A. D. 1893."

Respectfully,
WILL LAMBERT, Secretary.

SENATE BILLS ON FIRST READING.

The following bills, received from the Senate, were read first time and referred as follows:

Senate bill No. 205, to Judiciary Committee No. 1.

SENATE BILLS ON FIRST READING.

The following bills, received from the Senate, were read first time and referred as follows:

Senate bill No. 205, to Judiciary Committee No. 1.

 Married bill No. 87, to the Committee on Stock and Stockraising.

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

House concurrent resolution No. 16, whereas, by a concurrent resolution of the Senate and House of Representatives, a joint committee was appointed to inquire into the practicability of adopting some method of cheapening
the cost of text-books for the public free schools of the State, and to suggest such legislation in regard thereto and in regard to providing a uniform system of school books as they may deem advisable, and to form and report to both houses of the Legislature such a bill on these subjects as in their judgment will remove the evil of expensive school books and of frequent change of text-books in our schools; and

Whereas, in order to enable the said committee to prosecute such inquiry to the best advantage, it is necessary to obtain information regarding the cost of school books, and as to whether there is any combination among school book publishers by which the cost of such books is kept exceedingly high; therefore be it

Resolved by the House of Representatives, the Senate concurring, that the said joint committee is hereby authorized to make an investigation as to whether there exists any combination or trust between or among school book publishers so as to affect the price of school books, and as to whether trustees, superintendents, teachers or other persons connected with the public schools or have been connected with or interested in the sale of school books to the patrons of the public free schools of this State.

Resolved further, that said committee be authorized and empowered to send for persons and papers and to swear witnesses and take testimony and shall report at this session of the Legislature.

The resolution was read second time, and Mr. Henderson moved to lay it on the table, upon which yeas and nays were demanded by Mr. Fields, Mr. Sluder and Mr. Henderson.

The House refused to table the following vote:

Yeas—44.


Nays—47.


Absene.


Excused.


Holland of Harris.

I vote "no" because I believe there is a trust, and teachers who introduce books for pay from said trust company, and I want it investigated and reported to Texas. TRACY.

On motion of Mr. Fields, the resolution was referred to the Committee on Education.

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

Resolved, that the House request its members on the joint committee appointed to report a bill on uniformity
of text-books, to use their influence to have a bill reported by Monday, 22d March, and not later.

The resolution was read second time, and Mr. Fields moved to lay it on the table, upon which motion yeas and nays were demanded by Mr. Maxwell, Mr. Love and Mr. Henderson.

The House refused to table by the following vote:

Yea—33.
Barbee.
Bertram.
Bird.
Blair.
Brown.
Childs.
Collier.
Crowley.
Cureton.
Dennis.
Evans of Hunt.
Field.
Fields.
Fisher.
Hensley.
Hill of Gonzales.

Nay—58.
Alexander.
Bell.
Benson.
Blackburn.
Brewster.
Bumpass.
Burns.
Carpenter.
Carswell.
Conoly.
Crawford.
Dickinson.
Dies.
Dorron.
Drew.
Evans of Grayson.
Ewing.
Flint.
Freeman.
Garrison.
Gilbough.
Good.
Graham.
Green.
Harris.
Henderson.
Holland of Burnet.
Humphrey.

Absent.
Ayers.
Bealrd.
Bigrance.
Curry.
Edwards.
Hill of Travis.

Rogers.
Rudd.
Shropshire.
Staples.

Excused
Bailey.
Barrett.
Bean.
Bounds.
Boyd.
Callan.
Dean.
Doyle.

Vaughn, Guadalupe.
Welch.
Wolters.
Wood.
Melton.
Morris.
Oliver.
Randolph.
Schlick.
Shelburne.
Thaxton.
Thompson.

COMMITTEE REPORTS.

By Mr. Curry, chairman:

Committee Room,
Austin, Texas, March 17, 1897.

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

Your Committee on Revenue and Taxation, to whom was referred House bill No. 529, a bill to be entitled "An act relating to taxable transfers of property, and to provide for the assessment and collection of a successive tax upon the transfer of the property of decedents in certain cases."

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.

CURRY, Chairman.

By Mr. Dennis, acting chairman:

Committee Room,
Austin, Texas, March 17, 1897.

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

Your Committee on Engrossed Bills have carefully examined and compared House bill No. 566, a bill to be entitled "An act authorizing certified copies of instruments conveying lands in Archer county recorded in Jack county, from the 10th day of August, 1866, to the 10th day of August, 1870, to be admitted in evidence in all suits where secondary evidence is admissible."

And find the same correctly engrossed.

DENNIS, Acting Chairman.
House bill No. 459, a bill to be entitled "An act to require bond investment companies doing business in the State of Texas to deposit certain sums of money or securities with the Treasurer of the State of Texas, and providing for failure to comply with the terms of this law."

And find the same correctly engrossed.

DENNIS, Acting Chairman.

By Mr. Dies, chairman:

Committee Room,

Austin, Texas, March 17, 1897.

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

Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 548, a bill to be entitl e "An act to create a more efficient road system for Wise county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such and providing for their compensation as road commissioners, and defining the duties and powers of such county commissioners and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing officers' fees; and to provide for the payment for teams to work on roads and allowance for time of service for same on public roads in Wise county, and fixing a penalty for violation of this act, and repeal all laws in conflict with this act as to Wise county."

And find the same correctly engrossed.

DIES, Chairman.

By Mr. Lillard, chairman:

Committee Room,

Austin, Texas, March 17, 1897.

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

Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 85, "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."

And find the same correctly enrolled, and I have this day, at 4.45 o'clock p. m., presented the same to the Governor.

LILLARD, Chairman.

Committee Room,

Austin, Texas, March 17, 1897.

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

Your Committee on Enrolled Bills have carefully examined and compared

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

And find the same correctly enrolled, and I have this day, at 4.45 p. m., presented the same to the Governor.

LILLARD, Chairman.

Committee Room,

Austin, Texas, March 17, 1897.

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

Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 213, a bill to be 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."

And find the same correctly enrolled, and I have this day, at 4.45 o'clock p. m., presented the same to the Governor for his approval.

LILLARD, Chairman.

Committee Room,

Austin, Texas, March 17, 1897.

Hon. L. T. Dashlill, Speaker of the House of Representatives.

Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 8, a bill to be 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."

And find the same correctly enrolled, and I have this day, at 4.45 p. m., presented the same to the Governor for his approval.

LILLARD, Chairman.
have carefully examined and compared
House bill No. 65, a bill to be entitled "An act to define and punish the offense of wantonly 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, storehouse, hotel or other public or private building, sailboat or steamboat in this State."
And find the same correctly enrolled, and I have this day, at 4:45 p.m., presented the same to the Governor.
LILLARD, Chairman.

Committee Room,
Austin, Texas, March 17, 1897.
Hon. L. T. Dashiel, Speaker of the House.
Your Committee on Enrolled Bills have carefully examined and compared
House concurrent resolution No. 7, empowering the Governor of Texas to call a cotton growers' convention, inviting delegates from all cotton growing States,
An find the same correctly enrolled, and I have this day, at 4:45 p.m., presented the same to the Governor.
LILLARD, Chairman.

By Mr. Humphrey, chairman:
Committee Room,
Austin, Texas, March 17, 1897.
Hon. L. T. Dashiel, Speaker of the House.
Your Committee on Labor, to whom was referred
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."
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.
HUMPHREY, Chairman.

Committee Room,
Austin, Texas, March 17, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on Labor, to whom was referred
House bill No. 587, a bill to be entitled "An act to provide for the protection of accountants, bookkeepers, artisans, craftsmen, factory operatives, mill operatives, servants, mechanics, quarrymen and common laborers; to provide a lien and prescribe the payment in lawful money of the United States, providing for attorney's fees in foreclosing such liens, and prescribing the rights of the assignees of such persons, and to repeal all laws in conflict with this act."
Have had the same under consideration and I am instructed to report the same back to the House with the recommendation that it be referred to Judiciary Committee No. 1.
HUMPHREY, Chairman.

Committee Room,
Austin, Texas, March 17, 1897.
Hon. L. T. Dashiel, Speaker of the House.
Your Committee on Contingent Expenses, to whom was referred
House bill No. 237, a bill to be entitled "An act to provide adequate penalties for incompetent persons who shall engage in the occupations of locomotive engineers or train conductors."
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.
HUMPHREY, Chairman.

By Mr. Burns, acting chairman:
Committee Room,
Austin, Texas, March 17, 1897.
Hon. L. T. Dashiel, Speaker of the House.
We, your Committee on Contingent Expenses, to whom was referred
Resolution to pay the expenses of L. M. Bennett, contestee in the contest case of Brigance v. Bennett, incurred by him in trial of said contest case,
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.
BURNS, Acting Chairman;
BERTRAM.
EVANS of Grayson,
CROWLEY,
DIES,
WELCH,
BURNEY.

SPEAKER'S TABLE.
The Speaker laid before the House, as pending business
Senate bill No. 42, a bill to be entitled "An act to amend chapter 3, of title 40, of the Revised Civil Statutes of Texas, by adding thereto article 2293a, relating to the deposition of parties;"
On its passage to a third reading, Mr. Williams moved to reconsider the vote by which the following amendment by Mr. Bell to Senate bill No. 42 was lost:

Amend by striking out all after article 2293a, and insert in lieu thereof the following: "Article 2293a. Where either party to any suit is a corporation, neither party thereto shall be permitted to take ex parte depositions," and amend the caption to conform to this amendment.

(Mr. Seabury in the chair.)

Mr. Sluder moved to table the motion to reconsider, upon which yes and nays were demanded by Mr. Bell, Mr. Turner and Mr. Conoly.

The motion to table was lost by the following vote:

Yeas—30.


Nays—59.


Question again recurring on the amendment by Mr. Bell, yeas and nays were demanded by Mr. Sluder, Mr. Love and Mr. Welch. Adopted by the following vote:

Yeas—75.

March 17, 1897

HOUSE JOURNAL. 605

March 17, 1897


The Speaker laid before the House, on its second reading, with amendment by the committee, Senate bill No. 60, a bill to be entitled "An act to amend article 1180, title XXX, chapter 1, of the Revised Statutes of the State of Texas, relating to the institution of suits on holidays and on Sundays."

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

Mr. Henderson offered the following amendment:

Amend by striking out all after the word "Sunday," in line 22, and strike out the words "on holidays and" in the caption.

Lost. The bill was passed to a third reading.
Mr. Childs called up
House concurrent resolution No. 15, providing that the regular session of the Twenty-fifth Legislature adjourn sine die at noon on the 12th day of April, A. D. 1897."

Which was read first time on March 12 and went over under the rules, and called for a second reading of the same.

Mr. Humphrey objected to a second reading, whereupon Mr. Childs moved that it be read second time.

The House ordered a second reading, and the resolution was read second time.

Mr. Patterson offered the following amendment:
Amend the resolution to insert the 22d of March where the 12th of April appears in the resolution.

Mr. Hill of Gonzales moved to table the amendment, upon which yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Harris.

Tabled by the following vote:

Yea--62.

Barbee. Humphrey.
Bell. Kimbell.
Benson. Kirk.
Bertram. Lillard.
Bird. Logan.
Blair. Mr. Childs.
Bounds. McGaughey.
Brigance. McKamy.
Brown. McKellar.
Carpenter. Mercer.
Carswell. Moore, Fort Bend.
Childs. Mundine.
Conoly. Peery.
Crawford. Reiger.
Cureton. Reubell.
Curry. Ragan.
Dean. Rudd.
Dennis. Savage.
Dickinson. Seabury.
Dorroh. Edler.
Ewing. Stamper.
Feld. Staples.
Fields. Strother.
Fisher. Thomas.
Garrison. Tucker.
Graham. Vaughan of Collin.
Green. Wall.
Harris. Wallace.
Hensley. Ward.
Hill of Gonzales. Williams.
Hill of Travis. Wolters.
Holland of Burnet Wood.

Nays--32.

Alexander. Burney.
Beard. Collier.
Blackburn. Crowley.
Brewster. Dies.
Drew. Patterson.
Evans of Grayson. Pfeuffer.
Flint. Pitts.
Freeman. Porter.
Good. Rhea.
Henderson. Robbins.
Manson. Skillern.
Martin. Smith.
Maxwell. Stokes.
Moore of Lamar. Tracy.
Morton. Turner.
Neighbors. Welch.

Absent.

Bumpass. Meade.
Burns. O'Connor.
Burns. Rogers.
Gilbough. Shropshire.
Jones. Vaughn, Guadalupe.
Lotto. Wilcox.

Excused.

Bailey. Morris.
Barrett. Oliver.
Bean. Randolph.
Boyd. Schlick.
Callan. Shelburne.
Doyle. Thaxton.
Holland of Harris. Thompson.
Mleton.

I very much regret that our people must be both slandered and robbed by continued roll calls to place men on record with regard to personal matters involving political aspirations. Since, however, I am called to vote on this question, and since I have promised to do my duty here until business is disposed of, I am obligated to vote "aye."

SAVAGE.

We vote no for the reason that we have been in session now 70 days and have passed no law of importance that the people are demanding, and the prospect is we will be here in session for two months more; still when any measure of vital importance comes up it is sidetracked for some pet individual measure; we, therefore, think the best thing that could be done is to adjourn and go home, and thereby conserve the interests of the State.

BURNEY, STOKES.

Mr. Patterson offered the following amendment:
Amend by inserting the 25th day of August where the 12th of April appears.

Mr. Hill of Gonzales offered the following substitute for the amendment:
Amend by making the date for adjournment sine die Wednesday, April 21, San Jacinto day.

Mr. Carpenter moved to table the
resolution, with all pending amendments.

Mr. Blair called for a division.

The substitute by Mr. Hill of Gonzales, and the amendment by Mr. Patterson, were tabled.

Question then recurring on the motion to table the resolution, yeas and nays were demanded by Mr. Moore of Lamar, Mr. Dies and Mr. Evans of Grayson.

Tabled by the following vote:

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<td>Bertram.</td>
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I vote no because I want an opportunity to set the time to which to adjourn.

HENDERSON.

On motion of Mr. Love, the House at 5.27 p.m., adjourned until 9 o'clock a.m. to-morrow.

FORTY-EIGHTH DAY.

Hall House of Representatives, Austin, Texas, Thursday, March 18, 1897.

The House met at 9 o'clock a.m. pursuant to adjournment.

Speaker Dashell in the chair.

Roll called and the following members present:

| Barbee. | Drew. |
| Beaird. | Evans of Hunt. |
| Bell. | Ewing. |
| Benson. | Evans of Grayson. |
| Bertram. | Field. |
| Bird. | Fields. |
| Blackburn. | Fisher. |
| Blair. | Flint. |
| Bounds. | Freeman. |
| Brewer. | Garrison. |
| Briggs. | Gilbough. |
| Browne. | Good. |
| Bumpass. | Graham. |
| Burns. | Green. |
| Burney. | Harris. |
| Carswell. | Hensley. |
| Childs. | Hill of Gonzales. |
| Collier. | Hill of Travis. |
| Conoly. | Humphrey. |
| Crowley. | Jones. |
| Cureton. | Kimbell. |
| Dickinson. | Kirk. |
| Dies. | Lillard. |
| Dorroh. | Logan. |
| Drew. | Lotto. |
| Evans of Grayson. | Pitts. |
| Flint. | Rogers. |
| Freeman. | Shropshire. |
| Garrison. | Staples. |
| Gilbough. | Vaughan, Guadalupe. |
| Green. | Wilcox. |

Absent.

| Pitts. |
| Rogers. |
| Shropshire. |
| Staples. |
| Vaughan, Guadalupe. |
| Wilcox. |

Excused.

| Morris. |
| Oliver. |
| Randolph. |
| Schlick. |
| Shelburne. |
| Thaxton. |
| Thompson. |
| Wilcox. |

I vote no because I want an opportunity to set the time to which to adjourn.