The bill was read second time.

Mr. McGaughey moved to adopt the minority report.

Pending consideration of the motion to adopt the minority report,

On motion of Mr. McGaughey, further consideration of the bill was postponed subject to call.

The Speaker laid before the House on its third reading and final passage, House bill No. 612, a bill to be entitled "An act to validate an ordinance passed by the city council of the city of Laredo, ceding to the United States of America certain streets intersecting land to be purchased by the United States of America for the purpose of providing a new site for the military post or reservation called Fort McIntosh, for the erection of fortifications and for such other uses as the government of the United States may desire."

The bill was read third time, and was passed.

Mr. Vaughan of Guadalupe moved to reconsider the vote by which House bill No. 612 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Shelburne, the regular order of business was suspended to take up and place on its second reading, with committee amendment.

House bill No. 317, a bill to be entitled "An act to amend article 4998, of the Revised Civil Statutes of Texas, as adopted by the Twenty-fourth Legislature of Texas, defining a lawful fence."

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

Mr. Shelburne offered the following amendment:

Amend by inserting "four barbed wires," instead of "three," in committee report.

Mr. Smyth offered the following substitute for the amendment:

Strike out all of lines 30, 31 and 32, page 1, and lines 1 to 6, page 3.

Pending consideration of the amendment by Mr. Smyth,

On motion of Mr. McGaughey, further consideration of the bill was postponed subject to call.

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

House bill No. 589, a bill to be entitled "An act to amend article 2313, chapter 4, title 40, of the Revised Civil Statutes, 1895, relating to the introduction of certain abstracts of titles as evidence."

The bill was laid before the House, read second time, and was ordered engrossed.

On motion of Mr. Blair, the House at 12:14 p. m., adjourned until 9:30 o'clock a. m. next Monday.

FIFTY-SEVENTH DAY.

Hall House of Representatives, Austin, Texas,
Monday, March 29, 1897.

The House met at 9:30 o'clock a. m., pursuant to adjournment.

Speaker Dashiell in the chair.

The roll was called and there was not a quorum present, whereupon, on motion of Mr. Blair, the House took a recess until 10 a. m. to-day.

The House was called to order by the Speaker at 10 a. m.

There still being no quorum present, Mr. McGaughey moved to adjourn until 3 o'clock p. m. to-day.

Lost.

Later a quorum was announced, the following members answering to their names:

Mr. Speaker. Henderson.
Alexander. Hensley.
Ayres. Hill of Gonzales.
Bailey. Hill of Travis.
Barbee. Holland of Burnet.
Barrett. Humphrey.
Beaird. Jones.
Bell. Kirk.
Bertram. Lillard.
Bird. Logan.
Blair. Lotto.
Bounds. Love.
Brewster. Manson.
Bumpass. Martin.
Burney. Maxwell.
Burns. McGaughey.
Carpenter. McKeller.
Carswell. Mercer.
Crawford. Morton.
Cureton. Mundine.
Curry. Neighbors.
Dean. O'Connor.
Dennis. Oliver.
Dorroh. Patterson.
Doyle. Peery.
Evans of Grayson. Pitts.
Ewing. Randolph.
Field. Reiger.
Fisher. Reubell.
Fream. Rhea.
Garrison. Rogan.
Good. Savage.
Green. Seabury.
Prayer by Dr. J. A. Jackson, Chaplain.

Pending reading of the Journal of Saturday.

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

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Boyd and Mr. Fields for to-day, on motion of Mr. Bounds.

Mr. Pfeuffer for to-day, on motion of Mr. Tracy.

Mr. Moore of Lamar for to-day, on motion of Mr. Love.

Mr. Kimbell and Mr. Graham for to-day, on motion of Mr. Wood.

Mr. Sewall, Assistant Reading Clerk, indefinitely, on motion of Mr. Bailey.

Mr. Strother and Mr. McKamy for to-day, on motion of Mr. Reiger.

Mr. Wilcox indefinitely, on motion of Mr. Vaughan of Collin.

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

Mr. Conoly for to-day, on motion of Mr. Wood.

Mr. Williams for to-day, on motion of Mr. Logan.

SPEAKER'S TABLE.

The Speaker laid before the House on its second reading,

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."

With the following committee 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."

Pending question—Shall the committee report be adopted?

The committee report was adopted.

Mr. Patterson offered the following amendment:

Amend by adding in line 23, on page 2, "J. B. Nunnally, for taxes paid State by error, $66.55."

Adopted.

On motion of Mr. Ward, further consideration of House bill No. 539 was postponed until next Friday at 10 a.m.

The Speaker laid before the House, as pending business, on its engrossment, Substitute House bill No. 203, the general appropriation bill, the House considering the bill by departments, and the

COMPTROLLER'S OFFICE

Being the department under consideration.

There being no further amendments offered to the above department, items under the head of

TREASURY DEPARTMENT,

Were read.

Mr. Ewing offered the following amendment:

Amend in line 10, page 4, by insert-
Adopted.

Mr. Mercer offered the following amendment:

Amend by striking out "$1800," in each year in line 5, page 4, and insert in lieu thereof "$1600" in each year.

Mr. O'Connor moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Burns, Mr. Mercer and Mr. Love.

On calling the roll there was not a quorum voting, whereupon Mr. Curry moved a call of the House, which was seconded, and the Clerk was directed to call the roll to ascertain who were absent without leave.

The roll being read, it appeared that the following were absent without leave:

Messrs. Bird, Brigance, Cureton, Gilbough, Good, Harris, Randolph, Rudd, Wallace, Wolters.

Without further proceedings, On motion of Mr. Fisher, the House at 10:57 took a recess until 3 o'clock p.m. to-day.

AFTERNOON SESSION.

The House was called to order by the Speaker at 3 o'clock p.m., pursuant to adjournment.

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

Mr. Speaker. Doyle.
Alexander. Evans of Grayson.
Ayers. Ewing.
Bailey. Field.
Barbee. Fisher.
Barrett. Freeman.
Bealrd. Garrison.
Bell. Good.
Benson. Green.
Bertram. Harris.
Blair. Hensley.
Boyd. Hill of Travis.
Brewster. Holland of Burnet.
Brigance. Humphrey.
Bumpass. Kirk.
Burney. Lillard.
Burns. Logan.
Carpenter. Lotto.
Carswell. Love.
Collier. Manson.
Crawford. Martin.
Cureton. Maxwell.
Curry. McGaughy.
Dean. McKamy.
Dennis. McKellar.
Dorroh. Mercer.
Morton. Smyth.
Mundine. Stamper.
Oliver. Staples.
Patterson. Stokes.
Peery. Strother.
Pitts. Thomas.
Randolph. Thompson.
Reiger. Tracy.
Reubell. Tucker.
Rhea. Turner.
Rogan. Vaughan, Galupio.
Savage. Vaughan of Collin.
Sheiburne. Wall.
Shropshire. Ward.
Skillern. Welch.
Sluder. Wolters.
Smith. Wood.

Absent.

Fields. Robbins.
Gilbough. Rudd.
Jones. Schlick.
O'Connor. Seabury.

Excused.

Bean. Kimbell.
Browne. Meade.
Callan. Melton.
Childs. Moore, Fort Bend.
Conoly. Moore, Lamar.
Crowley. Morris.
Dickinson. Neighbors.
Dles. Porter.
Drew. Rogers.
Edwards. Thaxton.
Evans of Hunt. Wilcox.
Flint. Wallace.
Graham. Williams.
Holland of Harris.

A quorum was announced present.

On motion of Mr. McGaughey, Mr. Thaxton was excused until Wednesday, on account of important business.

BILLS RECOMMENDED.

House bill No. 564 and Senate bill No. 153 (reported adversely), to Judicary Committee No. 2, on motion of Mr. Bailey.

COMMITTEE REPORTS.

By Mr. Ward, Chairman:

Committee Room,
Austin, Texas, March 29, 1897.

To Hon. L. T. Dashiel, Speaker of the House of Representatives.

Your Judicary Committee No. 1, to whom was referred House bill No. 512, a bill to be entitled "An act to provide that in the trial of civil cases and in the trial of criminal cases below the grade of felony nine jurors concurring may render a verdict,"
Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashiel, Speaker of the House.

Your Judiciary Committee No. 1, to whom was referred
House bill No. 631, a bill to be entitled "An act to require the surviving husband or wife to pay over to the children of the husband and wife the part of the community and separate property to which each may be entitled within a certain period, to provide a penalty for a violation thereof, and to require the county judge to report thereon."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashiel, Speaker of the House:

We, a minority of your Judiciary Committee No. 1, to whom was referred
House bill No. 631, a bill to be entitled "An act to require the surviving husband or wife to pay over to the children of the husband and wife the part of the community and separate estate to which each may be entitled within a certain period, to provide a penalty for the violation thereof, and to require the county judge to report thereon."

Do not concur with the majority, and beg leave to report the same back to the House with the recommendation that it do pass.

SEABURY.

WOLTERS,

Committee Room.
Austin, Texas, March 29, 1897.
Hon. L. T. Dashiel, Speaker of the House.

Your Judiciary Committee No. 1, to whom was referred
House bill No. 634, a bill to be entitled "An act to amend article 1025 of chapter 17, title 27, of the Revised Civil Statutes of the State of Texas, so as to give notice to appellants or plaintiffs in error of motions made to dismiss appeals or writs of error."

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.

WARD, Chairman.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashiel, Speaker of the House.

Your Judiciary Committee No. 1, to whom was referred
House bill No. 461, a bill to be entitled "An act to amend article 3229, title 62, chapter 11, of the Revised Civil Statutes of Texas, 1895, relating to the verdicts of juries in district courts."

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.

WARD, Chairman.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashiel, Speaker of the House.

Your Judiciary Committee No. 1, to whom was referred
House bill No. 632, a bill to be entitled "An act to amend article 994, of chapter 12, of the Revised Civil Statutes of the State of Texas, so as to add the county of Hill to the Second supreme judicial district, and to correct erroneous reading of said article."

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.

WARD, Chairman.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashiel, Speaker of the House:

Your Judiciary Committee No. 1, to whom was referred
House bill No. 647, a bill to be entitled "An act to amend article 877 of chapter 2, title 25, Revised Civil Statutes of the State of Texas."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

WARD, Chairman.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashiel, Speaker of the House.

Your Judiciary Committee No. 1, to whom was referred
House bill No. 641, a bill to be entitled "An act to amend article 1331, title 30, chapter 13, of the Revised Civil Statutes of the State of Texas, in relation to special verdicts in civil 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.

WARD, Chairman.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashell, Speaker of the House.
Your Judiciary Committee No. 1, to whom was referred
House bill No. 634, a bill to be entitled "An act to amend article 2286 of the Revised Civil Statutes of the State of Texas, relating to the taking and returning of depositions."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass, because another bill covering the same ground has been favorably reported by this committee.

WARD, Chairman.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashell, Speaker of the House.
Your Judiciary Committee No. 1, to whom was referred
House bill No. 643, a bill to be entitled "An act to amend article 2323 of the Revised Civil Statutes of the State of Texas, relating to the speedy settlement of land titles in this State; and to repeal all laws and parts of laws in conflict with the provisions of 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 do not pass.

WARD, Chairman.

Committee Room,
Austin, Texas, March 29, 1897.
Hon. L. T. Dashell, Speaker of the House.
Your Judiciary Committee No. 1, to whom was referred
House bill No. 642, a bill to be entitled "An act to grant relief to certain teachers who taught during the school year of 1885-86 in Greer county, which was then considered a portion of the State of Texas, the said services as teachers terminating with the date of the decision of the Supreme Court of the United States, transferring the county of Greer from the State of Texas and making it a part of the Territory of Oklahoma."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass for the reasons set forth in the Governor's veto message; but this committee rec-
ommends that the Legislature memorialize Congress to pay these teachers.  
McGAUGHEY, Chairman.

Committee Room,  
Austin, Texas, March 29, 1897.  
Hon. L. T. Dashiel, Speaker of the House.  
Your Committee on Education, to whom was referred  
Senate bill No. 48, a bill to be entitled "An act to provide for the survey of lands to be set apart as a permanent endowment fund for a branch university for colored people of this State."  
Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass, for the reason that a bill of like import has been reported favorably.  
McGAUGHEY, Chairman.

Committee Room,  
Austin, Texas, March 29, 1897.  
Hon. L. T. Dashiel, Speaker of the House.  
Your Committee on Education, to whom was referred  
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."  
Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass, for the reason that this committee has reported favorably a bill embracing the essential features of this one.  
McGAUGHEY, Chairman.

Committee Room,  
Austin, Texas, March 29, 1897.  
Hon. L. T. Dashiel, Speaker of the House.  
Your Committee on Education, to whom was referred  
House bill No. 633, a bill to be entitled "An act to amend section 42, article 22, of the Revised Civil Statutes of the State (1895), providing for the reorganization of the Forty-second judicial district, and to fix the time of holding court therein."  
And find the same correctly engrossed.  
WELCH, Acting Chairman.

SPEAKER'S TABLE.  
Mr. Curry moved to suspend pending business to take up and place on its second reading  
House bill No. 101, a bill to be entitled "An act to amend article 3245e of chapter 9, title CIV, of the Revised Civil Statutes of 1895, relating to the filing of annual statements of life, fire, marine, accident and other insurance companies, and fixing the rate of taxation for same."  
On the motion to suspend, yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Brigance.  
The motion prevailed by the following vote:  

Yeas—56.  
Mr. Speaker.  
Benson.  
Alexander.  
Bertram. 
Ayers.  
Bird.  
Bailey.  
Brewster.  

46—House.
Mr. Martin (present), who would vote "yea," with Mr. Porter (absent), who would vote "nay."

Mr. Wall (present), who would vote "yea," with Mr. Rogers (absent), who would vote "nay."

Mr. Humphrey (present), who would vote "yea," with Mr. Blackburn (absent), who would vote "nay."

I vote no on the motion of the gentleman from Van Zandt, because I think we should take up and dispose of the bills now pending in this House, the passage or defeat of which must affect the amount of revenues necessarily to be raised before any of the revenue bills are considered.

BEAIRD.

Mr. Blair raised the point of order that the journal must show a quorum voting in order to proceed with consideration of the bill.

The Speaker overruled the point of order, and stated that the constitutional requirement as regards the presence of a quorum was complied with, as the Journal shows 86 members present, which is two-thirds of the present membership.

House bill No. 101 was laid before the House.

Mr. Blair moved to postpone consideration of House bill No. 101 until the fee bill shall have been disposed of.

Lost.

(Mr. Wolters in the chair.)

House bill No. 101 was read second time, and

Mr. Blair offered the following amendment:

Amend by striking out in line 13, section 1, the word "gross," and inserting the word "net."

After consideration, Mr. Thomas moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Blair, Mr. Vaughan of Guadalupe and Mr. Welch.

Tabled by the following vote:

Yea—59.

Alexander. Crawford. 
Ayers. Cureton.
Bailey. Curry.
Barbee. Dean.
Barrett. Dorroh.
Benson. Doyle.
Bertram. Evans of Grayson.
Bird. Ewing.
Brewster. Freeman.
Browne. Garrison.
Bumpass. Green.
Carswell. Hensley.
Crawford. Hill of Gonzales.
Mr. Fisher offered the following amendment:

Amend by striking out all of section 1 after the word "follows," in line 10, page 1, and add the following in lieu thereof:

"Article 5243 e. Every person, firm or corporation shall file an annual statement under oath with the tax assessor of the county in which said person resides, or the principal place of business of such firm or corporation is, showing the net amount of money, or other property earned by such person, firm or corporation during the preceding year. Upon receipt by such assessor of such sworn statement, showing the annual net earnings of such person, firm or corporation, such person, firm or corporation shall pay to the collector of the county where such assessor resides an annual tax of 1 percent of such net earnings which tax shall be levied and collected as in other cases. This article shall not be construed to prohibit the levy of other county, State and municipal taxes upon real or personal property of such person, firm or corporation."

Mr. Turner offered the following amendment to the amendment:

Amend the amendment by substituting the word "gross" for the word "net," wherever the same occurs in the amendment.

Accepted by Mr. Fisher.

Mr. Blair offered the following amendment to the bill:

Amend by adding after the word "receipt," in line 16, section 1, the following: "Less death losses, cash dividends, cash paid for surrendered, ceased and matured policies."

Pending consideration, on motion of Mr. Tracy, the House at 5:45 p.m. adjourned until 9 o'clock a.m. tomorrow.

FIFTY-EIGHTH DAY.

Hall House of Representatives, Austin, Texas.

Tuesday, March 30, 1897.

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

Speaker Dashiel in the chair.

Roll called and the following members present:

Alexander. Bird.
Ayres. Bertram.
Barbee. Blair.
Barrett. Bounds.
Beaird. Brewster.
Bell. Braggance.
Benson. Browne.