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 5243e. 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 per cent 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. to-morrow.

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.         Bragance.
Benson.      Browne.
HOUSE JOURNAL. March 30, 1891

Bumpass. Mercer. 
Burns. Moore, Fort Bend. 
Carpenter. Morton. 
Carswell. Mundine. 
Coller. O'Connor. 
Crawford. Oliver. 
Cureton. Patterson. 
Curry. Peery. 
Dean. Pfeifer. 
Dennis. Pitts. 
Dorroh. Randolph. 
Doyle. Reiger. 
Drew. Reubell. 
Evans of Hunt. Rudder. 
Fields. Savage. 
Fisher. Schick. 
Freeman. Seabury. 
Garrison. Shelburne. 
Good. Shropshire. 
Graham. Skillion. 
Green. Smith. 
Harris. Sluder. 
Henderson. Smyth. 
Hensley. 
Hill of Gonzales. Stamper. 
Hill of Travis. Staples. 
Holland of Burnet. Stokes. 
Holland of Harris. Struther. 
Humphrey. Thomas. 
Jones. Thompson. 
Kirk. Tracy. 
Lillard. Tucker. 
Logan. Turner. 
Lotto. Vaughan of Collin. 
Love. Wall. 
Manson. Ward. 
Martin. Welch. 
Maxwell. Wolters. 
McGaughey. Wood. 
McKamy. 

Absent.

Evans of Grayson. Vaughan, Guadalupe

Excused.

Bean. McFarland. 
Boyd. Meade. 
Callan. Melton. 
Childs. Moore of Lamar. 
Conoly. Morris. 
Crowley. Neighbors. 
Dickinson. Porter. 
Dies. Robbins. 
Edwards. Rogers. 
Feld. Thaxton. 
Flint. Wallace. 
Gilbough. Wilcox. 
Kimbell. Williams.

GRANTED LEAVE OF ABSENCE.
On account of important business:
Mr. Boyd for to-day, on motion of Mr. Bounds.
Mr. Evans of Grayson indefinitely, on motion of Mr. Feild.
Mr. Porter for to-day, on motion of Mr. Humphrey.
Mr. Robbins indefinitely, on motion of Mr. Stamper.
Mr. Boggs, Sergeant-at-arms, until Thursday, on motion of Mr. Maxwell.
Mr. Moore of Lamar for to-day, on motion of Mr. Love.
Mr. Williams indefinitely, on motion of Mr. Logan.
Mr. Kimbell until Thursday, on motion of Mr. Wood.
Mr. Gilbough and Mr. Wallace for to-day on motion of Mr. Harris.

On account of sickness:
Mr. Morris for this week, on motion of Mr. McGaughey.

PETITIONS AND MEMORIALS.
By Mr. Bailey:
A petition from 150 citizens of Giulad county, asking for its restoration to the community system of schools.
Also, a petition from twenty-eight teachers of De Witt county, asking that an appropriation be made for the support of summer normal schools.
Read and referred to the Committee on Education.

BILLS AND RESOLUTIONS.
By Mr. Savage and Mr. McGaughey:
House bill No. 648, a bill to be entitled "An act to amend article 617b, chapter 12, title 18, of the Revised Statutes of the State of Texas, so as to provide that a majority of the taxpayers, who are qualified voters of a city or town may petition for the abolition of such incorporation, and upon such petition the county judge shall order an election to be held in such city or town, as in the case of its incorporation."
Read first time and referred to the Committee on Towns and City Corporations.

By Mr. Wood (by request):
House bill No. 649, a bill to be entitled "An act to amend articles 166, 167 and 169 of title 9, chapter 2, of the Revised Civil Statutes of the State of Texas, and to limit and restrict entrances to the State Orphans' Home."
Read first time and referred to Committee on State Asylums.

By Mr. Ayers, Mr. Wolters and Mr. Bell:

A quorum was announced present.
Prayer by Rev. J. A. Jackson, Chaplain.
Pending reading of the Journal of yesterday.
On motion of Mr. Kirk, further reading was dispensed with.
House bill No. 650, a bill to be entitled "An act to provide that in the trial of civil cases in the district courts of this State, ten jurors concurring may render a verdict."

Read first time and referred to Judiciary Committee No. 1.

By Mr. Turner:
House bill No. 651, a bill to be entitled "An act to prohibit the catching of fish, green turtle, loggerheads, terrapins or shrimp with seines, drag nets, fykes, set nets, gill nets, trammel net, traps, dams or weirs in any of the bays or navigable waters of this State within the limits or within one mile of the limits of certain cities and towns, and to provide a penalty therefor."

Read first time and referred to Judiciary Committee No. 2.

By Mr. Henderson (by request.)
House bill No. 652, a bill to be entitled "An act to amend an act to amend chapter 2, title 104, of the Revised Civil Statutes of the State of Texas, and to provide for the assessment of money on deposit in banks on the 1st day of January of each year."

Read first time and referred to Judiciary Committee No. 2.

By Mr. Green, Mr. Rudd, and Mr. Flint:
House bill No. 563, a bill to be entitled "An act to prohibit the taking of fish from the waters of Carter Lake, Clinton Lake, and Caddo Lake and their tributaries in Harrison or Marion counties in this State, otherwise than by means of ordinary hook and line and trot line; and to prohibit the sale of game fish in said counties, and to provide penalties for the violation thereof."

Read first time and referred to Judiciary Committee No. 2.

By Mr. Rudd:
House bill No. 654, a bill to be entitled "An act to create a more efficient road system in Gregg county, and to provide for the appointment of road overseers, and to define the powers and jurisdiction of the commissioners court with regard thereto, and to utilize the labor of county convicts and defaulting poll tax payers on the public roads of said county, and to provide for the appointment of an overseer to work such convicts and defaulting tax payers."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Mr. Shelburne:
House joint resolution No. 37, to amend section 4, article 7 of the Constitution of the State of Texas, looking to a safe investment of the permanent school fund, and to secure continuous interest thereon.

Read first time and referred to Committee on Constitutional Amendments.

BILL RECOMMENDED.

House bill No. 641 (reported adversely) to the Committee on Education, on motion of Mr. McGaughey, chairman.

BILL WITHDRAWN.

House bill No. 545 (for correction), on request of Mr. McGaughey, for the author.

COMMITTEE REPORTS.

By Mr. Bailey, chairman:

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

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

Your Judiciary Committee No. 2, to whom was referred

House bill No. 645, a bill to be entitled "An act to regulate certain rules of evidence as regards competency of witnesses."

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.

BAILEY, Chairman.

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

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

Your Judiciary Committee No. 2, to whom was referred

House bill No. 629, a bill to be entitled "An act to prevent the selling or trading of animals of the horse or ass species affected with a discharge from the nose."

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.

BAILEY, Chairman.

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

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

Your Judiciary Committee No. 2, to whom was referred

House bill No. 646, a bill to be entitled "An act to amend article 372, page 56, of the Code of Criminal Procedure of the State of Texas, to provide a more efficient mode of empanelling grand juries,"
HOUSE JOURNAL.

March 30, 1897

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.

BAILEY, Chairman.

SPEAKER'S TABLE.

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

TREASURY DEPARTMENT

Being the department under consideration, with the following amendment by Mr. Mercer pending:

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 having moved to table the same, and yeas and nays having been demanded,

The amendment was tabled by the following vote:

Yeas—50.

Absent.

Bird.  Staples.
Reubell.  Vaughan of Collin.

Excused.

Bean.  Meade.
Boyd.  Melton.
Callan.  Moore of Lamar.
Childs.  Morris.
Conoly.  Neighbors.
Crowley.  Porter.
Dickinson.  Reiger.
Dies.  Robins.
Edwards.  Rogers.
Evans of Grayson.  Smith.
Evans.  Vaughn.
Flint.  Thaxton.
Gillbough.  Wallace.
Kimbell.  Wilcox.
McFarland.  Williams.

Mr. Martin offered the following amendment:

Amend by striking out lines 13, 14, 15, and 16, and insert in lieu thereof the following: "Salaries of five assistant bookkeepers in land department at $1000 each, $5000, $5000."

Mr. Brigance moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Tracy, Mr. Burney, and Mr. Bertram.

Tabled by the following vote:

Yeas—50.

Nays—36.

Holland of Burnet.  Pitts.
Humphrey.  Rhea.
Kirk.  Schlick.
Lillard.  Shropshire.
Love.  Skillion.
Martin.  Sluder.
McKellar.  Stokes.
Mercer.  Terry.
Morton.  Tucker.
Mundine.  Wood.

Mr. Martin offered the following amendment:

Amend by striking out lines 13, 14, 15, and 16, and insert in lieu thereof the following: "Salaries of five assistant bookkeepers in land department at $1000 each, $5000, $5000."

Mr. Brigance moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Tracy, Mr. Burney, and Mr. Bertram.

Tabled by the following vote:

Yeas—50.
Mr. Burney offered the following amendment:

Strike out "$1500" in lines 6 and 8, page 4, and insert "$1200."

Mr. Brigance moved to table the amendment, upon which yeas and nays were demanded by Mr. Henderson, Mr. Burney and Mr. Tracy.

Lost by the following vote:

**Yea**—45.

Ayers.
Barrett.
Bell.
Blair.
Brigance.
Browne.
Carpenter.
Carswell.

Garrison.
Harris.
Hensley.
Hill of Travis.
Jones.
Lotto.
Manson.
Maxwell.
McGaughey.
McKamy.
McKenzie.
Moore, Fort Bend.
O'Connor.
Oliver.
Pfeiffer.
Randolph.

Nays—48.

Alexander.
Barbee.
Beaird.
Benson.
Bertram.
Bird.
Blackburn.
Bounds.
Brewster.
Bumpass.
Burney.
Burns.
Doyle.
Drew.
Fields.
Graham.
Green.
Henderson.
Hill of Gonzales.
Holland of Burnet.
Humphrey.
Kirk.
Lillard.

Baily.
Holland of Harris.
Peery.

Excused.

Bean.
Boy.
Callan.
Childs.
Conoly.
Crowley.
Dickinson.
Dies.
Edwards.
Evans of Grayson.
Flint.
Gilbough.
Kimbell.
MCFarland.

Mr. McGaughey called for a division of the amendment, and offered the following substitute for that part of
the amendment pertaining to line 6, page 4:
Amend by striking out "$1500" and inserting "$1400" in line 6, page 4.

Mr. Tracy moved to table the amendment by Mr. McGaughey, upon which motion yeas and nays were demanded by Mr. Burney, Mr. Henderson and Mr. Bertram.

Tabled by the following vote:

Yeas—71.
Barbee. Logan.
Beaird. Lotto.
Bell. Love.
Benson. Martin.
Bertram. Maxwell.
Blackburn. McKeller.
Bounds. Mercer.
Browner. Moore, Fort Bend.
Bumpass. Bumby.
Burney. Burns.
Burns. Oliver.
Carpenter. Carpenter.
Collier. Collier.
Cureton. Cureton.
Curry. Curry.
Dean. Dean.
Dennis. Dennis.
Doyle. Doyle.
Drew. Drew.
Ewing. Ewing.
Fields. Fields.
Fish. Fish.
Freeman. Freeman.
Garrison. Garrison.
Good. Good.
Graham. Graham.
Green. Green.
Harris. Harris.
Henderson. Henderson.
Hill of Travis. Hill of Travis.
Holland of Burnet. Holland of Burnet.
Humphrey. Humphrey.

Nays—26.
Ayres. Ayres.
Barrett. Barrett.
Bird. Bird.
Bricance. Bricance.
Carswell. Carswell.
Crawford. Crawford.
Dorothy. Dorothy.
Feld. Feld.
Hensley. Hensley.
Jones. Jones.
Manson. Manson.
McKamy. McKamy.

Absent.
Bayley. Bayley.
Blair. Blair.

Excused.
Bean. McFarland.
Boyd. Meade.
Callan. Melton.
Childs. Moore of Lamar.
Conolly. Morris.
Crowley. Neighbors.
Dickinson. Porter.
Dyes. Robbins.
Edwards. Rogers.
Evans of Grayson. Thaxton.
Flin. Wallace.
Gilbough. Wilcox.
Kimbell. Williams.

Mr. Wood moved the previous question on the amendment by Mr. Burney, and the main question was ordered.

Yeas and nays were demanded by Mr. Burney, Mr. Tracy and Mr. Henderson.

Division of the amendment having been called for, question first recurred on the amendment to strike out "$1500" in line 6, page 4, and insert "$1200."

Adopted by the following vote:

Yeas—52.
Alexander. Love.
Ayers. Martin.
Barbee. McKellar.
Beaird. Mercer.
Benson. Morton.
Bertram. Mundine.
Blackburn. Oliver.
Blair. Patterson.
Bounds. Pitts.
Burney. Reubell.
Bumpass. Rhea.
Burns. Rhea.
Burns. Savage.
Curry. Schlick.
Doyle. Shropshire.
Drew. Skillern.
Ewing. Sluder.
Graham. Smith.
Green. Staples.
Henderson. Stokes.
Hill of Gonzales. Tracy.
Holland of Burnet. Tucker.
Holland of Harris. Vaughan of Collin.
Humphrey. Wall.
Kirk. Wolters.
Logan. Wood.

Nays—43.
Bayley. Bayley.
Barrett. Dean.
Bell. Dennis.
Bird. Doroth.
Bricance. Evans of Hunt.
Browner. Fields.
Carpenter. Fisher.
Carswell. Freeman.
Crawford. Garrison.
March 30, 1897

Good.
Harr.
Hensley.
lill of Travis.
Jones.
Lotto.
Maxwell.
McGaughey.
McKamy.
Moore, Fort Bend.
O'Connor.
Peery.
Pfeuffer.

Randolph.
Reiger.
Shellburne.
Smyth.
Stamper.
Strother.
Thomas.
Thompson.
Vaughan, Guadalupe.
Ward.
Welch.

Absent.
Collier.
Feild.
Lillard.

Manson.
Rudd.
Seabury.

Excused.
Bean.
Boyd.
Callan.
Childs.
Crowley.
Dickinson.
Dies.
Edwards.
Evans of Grayson.
Flint.
Gilbough.
Kimbell.

McFarland.
Meade.
Melton.
Moore of Lamar.
Morris.
Porter.
Robbins.
Rogers.
Thaxton.
Wallace.
Wilcox.
Williams.

Yeas-53.
Alexander.
Barbee.
Beaird.
Benson.
Bertram.
Blackburn.
Blair.
Bounds.
Brewer.
Bumpass.
Burney.
Burns.
Curry.
Doyle.
Drew.
Ewing.
Fields.
Graham.
Green.
Henderson.
Hill of Gonzales.
Holland of Burnet.
Holland of Harris, Vaughan of Collin.
Humphrey.
Kirk.
Logan.
Love.

Nays—39.
Ayers.
Bailey.
Barrett.
Bell.
Brigance.
Brown.
Carpenter.
Carswell.
Crawford.
Cureton.
Dean.
Dennis.
Dorroh.
Evans of Hunt.
Fisher.
Freeman.
Garrison.
Good.
Harris.

Hensley.

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

Lost by the following vote:

Yeas—39.
Ayers.
Bailey.
Barrett.
Bell.
Bird.
Blair.
Brigance.
Brown.
Carpenter.
Carswell.
Cureton.
Dean.
Dennis.
Dorroh.
Evans of Hunt.
Fisher.
Freeman.
Garrison.
Good.
Harris.
Hensley.
Hill of Travis.

Hill of Travis.
The House was called to order by the Speaker at 3 o'clock p. m.

Pending question,

House bill No. 101, a bill to be entitled "An act to amend article 5243e 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 the same."

With the following amendment by Mr. Fisher pending:

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 5243e. 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 gross 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 gross 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 per cent of such gross 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."

And the following amendment to the bill by Mr. Blair pending:

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."

On motion of Mr. Ward, Mr. Hill of Travis was excused until tomorrow, on account of important business.
PETITIONS, ETC.
(By unanimous consent.)

By Mr. Mundine:
A petition of 20 citizens of Burleson county, asking the passage of a bill to secure depositors in banks against loss.

Read and referred to Judiciary Committee No. 1.

By Mr. McGaughey, chairman:

Committee Room, Austin, Texas March 30, 1897.

Hon. L. T. Dashiel, Speaker of the House:
Your Committee on Education, to whom was referred
House bill No. 441, a bill to be entitled “An act to amend article 3980 of title 86, chapter 13, of the Revised Civil Statutes of Texas of 1895,”
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.

McGAUGHHEY, Chairman.

By Mr. Carpenter, chairman:

Committee Room, Austin, Texas March 30, 1897.

Hon. L. T. Dashiel, Speaker of the House.
Your Committee on State Affairs, to whom was referred
House bill No. 480, a bill to be entitled “An act to declare unlawful and void all arrangements, contracts, agreements, trusts, or combinations made with a view to lessen, or which tend to lessen free competition in the importation or sale of articles imported into this State, or in the manufacture or sale of articles of domestic growth, or of domestic raw material; to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations designed, or which tend to advance, reduce, or control the price of such product or article to producer or consumer of any such product or article; to provide for forfeiture of the charter and franchise of any corporation organized under the laws of this State, violating any of the provisions of this act; to prohibit every foreign corporation violating any of the provisions of this act from doing business in this State; to require the Attorney General of this State to institute legal proceedings against any such corporations, and to define the penalties prescribed; to prescribe penalties for any violations of this act; to authorize any person or corporation damaged by any such trust, agreement or combination to sue for the recovery of such damage, and for other purposes.”

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.

CARPENTER, Chairman.

MAJORITY REPORT.

Committee Room, Austin, Texas March 30, 1897.

Hon. L. T. Dashiel, Speaker of the House:
Your Committee on State Affairs, to whom was referred
Senate bill No. 233, a bill to be entitled “An act to amend article 2460 of Revised Civil Statutes of Texas, by adding articles 2460a, 2460b, 2460c and 2460d, relating to mileage charged by sheriffs and constables 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 not pass.

CARPENTER, Chairman.

MINORITY REPORT.

Committee Room, Austin, Texas March 30, 1897.

Hon. L. T. Dashiel, Speaker of the House.
We, a minority of your Committee on State Affairs, to whom was referred
Senate bill No. 233, a bill to be entitled “An act to amend article 2460 of the Revised Civil Statutes of Texas, by adding articles 2460a, 2460b, 2460c and 2460d, relating to mileage charged by sheriffs and constables in civil cases.”
Do not concur in the opinion of the majority, and beg leave to report said bill to the House with the recommendation that it do pass.

HENDERSON.

By Mr. Rogan, chairman:

Committee Room, Austin, Texas March 30, 1897.

Hon. L. T. Dashiel, Speaker of the House.
Your Committee on Roads, Bridges and Ferries, to whom was referred
House bill No. 654, a bill to be entitled “An act to create a more efficient road system in Gregg county, and to provide for the appointment of road overseers, and to define the powers and jurisdiction of the commissioners court with regard thereto, and to utilize the labor of county convicts and
defaulting poll tax payers on the public roads of said county, and providing for the appointment of an overseer to work such convicts and defaulting poll tax payers."

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, and that this bill be not printed.

ROGAN, Chairman.

SENATE MESSAGE.

Senate Chamber.

Austin, Texas March 30, 1897.

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

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

House bill No. 633, entitled "An act to amend section 42 of article 22 of the Revised Civil Statutes of the State of Texas, adopted and approved May 5, 1895, providing for the reorganization of the Forty-second Judicial District, and to fix the time of holding court therein."

By the following vote: ayes 21, noes none.

Senate bill No. 322, a bill to be entitled "An act to create a more efficient road system for Ellis 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 providing for the appointment of deputy road commissioners, and defining the powers and duties 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 for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict with this act."

By the following vote: Ayes 21, noes none.

Senate bill No. 186, a bill to be entitled "An act to amend article 3910 of the Revised Statutes of 1895, relating to public schools."

Senate bill No. 254, a bill to be entitled "An act to amend article 615 of chapter 19, title 11, of the Revised Civil Statutes of the State of Texas, providing for the abolishment of the incorporation of towns and villages."

By the following vote: Ayes 21, noes none.

Senate bill No. 139, a bill to be entitled "An act to amend title XXX, chapter 4, article 1184, of the Revised Statutes of the State of Texas of 1895, relating to venue of suits in cases of personal injury against a railroad corporation, or against any assignee, trustee or receiver operating said railway, by adding thereto section 23 after section 22."

By the following vote: Ayes 21, noes none.

Senate bill No. 300, a bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county court of King county, to conform the jurisdiction of the district court thereof, and to repeal all laws in conflict herewith."

By the following vote: Ayes 22, noes none.

Senate bill No. 95, a bill to be entitled "An act to amend article 976 of chapter 8, title 27, of the Revised Civil Statutes of the State of Texas, relating to payments of costs and turning mandates in the Supreme Court."

By the following vote: Ayes 21, noes none.

Senate bill No. 316, a bill to be entitled "An act to amend article 4640a of the Revised Civil Statutes of Texas (added thereto by an act amending title XCVI, chapter 3, passed at the present session of the Legislature, approved March 3, 1897), so as to permit the record of instruments in any other than the English language, when accompanied by a correct translation thereof into the English language."

By the following vote: Ayes 22, noes none.

Respectfully,

R. E. DODSON,
Assistant Secretary.

SENATE BILLS ON FIRST READING.

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

Senate bills Nos. 95, 139, 300 and 316, to Judiciary Committee No. 1.

Senate bill No. 186, to the Committee on Education.

Senate bill No. 322, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 254, to the Committee on Towns and City Corporations.

Mr. Fields called up the report of the
March 30, 1897

Committee on Rules, to whom was referred the following resolution:

Resolved, that Rule 56 be so amended as hereafter to read as follows:

"56. No member shall absent himself from the sittings of the House without leave, unless in case of sickness; and every member absenting himself without leave shall for each day of absence forfeit the pay allowed him by law. A majority of the members present may excuse absentees, and no member shall be excused upon his own motion."

Said report was printed in the Journal of March 27, the majority report being adverse, and the minority report recommending adoption of the resolution.

Mr. Fields moved to adopt the minority report, whereupon

Mr. Blair raised the point of no quorum, and the Clerk was directed to call the roll.

The following members answered to their names:

Alexander. Humphrey.
Ayers. Jones.
Barbee. Lillard.
Barrett. Love.
Beard. Martin.
Benson. Maxwell.
Bertram. McGaughey.
Blackburn. McKamy.
Blair. McKellar.
Boyd. Mercer.
Brewster. Moore, Fort Bend.
Brigance. Morton.
Burney. Mundine.
Burns. Neighbors.
Burns. O'Connor.
Burns. Oliver.
Carswell. Patterson.
Crawford. Peery.
Cureton. Pfeuffer.
Curtis. Reiger.
Dean. Reubell.
Dennis. Rhea.
Dorroh. Robbins.
Doyle. Rogan.
Drew. Savage.
Drew. Schlick.
Ewing. Seabury.
Ewing. Shelburne.
Fields. Shropshire.
Flasher. Skillern.
Freeman. Sluder.
Good. Smyth.
Graham. Stamper.
Green. Staples.
Harr. Stokes.
Harr. Strother.
Henderson. Thompson.

Hensley.

Hill of Gonzales. Thomas.

Holland of Burnet. Thompson.

Holland of Harris. Thompson.

Tracy. Wallace.
Tucker. Ward.
Turner. Williams.
Vaughan, Guadalupe Wolters.
Vaughan of Collin. Wood.
Wall.

Absent.

Bell. Logan.
Bird. Manson.
Bounds. Pitts.
Bumpass. Randolph.
Evans of Hunt. Rudd.
Evans of Grayson. Smith.
Garrison. Welch.

Excused.

Bean. Kimbell.
Calhoun. McFarland.
Childs. Meade.
Conoly. Melton.
Crowley. Moore of Lamar.
Dickinson. Morris.
Dies. Porter.
Edwards. Rogers.
Field. Thaxton.
Flint. Wilcox.

A quorum was announced.

Mr. Holland of Harris moved to table the motion of Mr. Fields, upon which motion yeas and nays were demanded by Mr. Fields, Mr. Love and Mr. Carpenter.

Tabled by the following vote:

Yeas—60.

Alexander. Maxwell.
Ayers. McGaughey.
Bailey. McKamy.
Barbee. Mercer.
Barrett. Moore, Fort Bend.
Beard. Mundine.
Bertram. Neighbors.
Blackburn. O'Connor.
Blair. Oliver.
Brigance. Patterson.
Browne. Reiger.
Bumpass. Savage.
Burney. Schlick.
Burns. Skillern.
Crawford. Sluder.
Cureton. Smith.
Dennis. Smyth.
Dorroh. Staples.
Doyle. Stokes.
Ewing. Strother.
Freeman. Thompson.
Good. Tracy.
Green. Tucker.
Harris. Turner.
Holland of Burnet. Vaughan, Guadalupe.
Holland of Harris. Vaughan of Collin.
Humphrey. Ward.
Kirk. Williams.
Lotto. Wolters.
Martin. Wood.
### Yeas—87.

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Martin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ayres</td>
<td>Maxwell</td>
</tr>
<tr>
<td>Bailey</td>
<td>McLaughley</td>
</tr>
<tr>
<td>Barbee</td>
<td>McKany</td>
</tr>
<tr>
<td>Barrett</td>
<td>McKeller</td>
</tr>
<tr>
<td>Beaird</td>
<td>Moore, Fort Bend</td>
</tr>
<tr>
<td>Benson</td>
<td>Morton</td>
</tr>
<tr>
<td>Bertram</td>
<td>Mundine</td>
</tr>
<tr>
<td>Bird</td>
<td>Neighbors</td>
</tr>
<tr>
<td>Blackburn</td>
<td>O'Connor</td>
</tr>
<tr>
<td>Boyd</td>
<td>Oliver</td>
</tr>
<tr>
<td>Brewerst</td>
<td>Peery</td>
</tr>
<tr>
<td>Bridgman</td>
<td>Pfeuffer</td>
</tr>
<tr>
<td>Browne</td>
<td>Reiger</td>
</tr>
<tr>
<td>Bumpass</td>
<td>Reubell</td>
</tr>
<tr>
<td>Burney</td>
<td>Rhea</td>
</tr>
<tr>
<td>Burns</td>
<td>Robison</td>
</tr>
<tr>
<td>Carpenter</td>
<td>Savage</td>
</tr>
<tr>
<td>Carswell</td>
<td>Collier</td>
</tr>
<tr>
<td>Collier</td>
<td>Crawford</td>
</tr>
<tr>
<td>Curry</td>
<td>Crawford</td>
</tr>
<tr>
<td>Dewey</td>
<td>Cureton</td>
</tr>
<tr>
<td>Fields</td>
<td>Currie</td>
</tr>
<tr>
<td>Fisher</td>
<td>Shropshire</td>
</tr>
<tr>
<td>Fisher</td>
<td>Shropshire</td>
</tr>
<tr>
<td>Floyd</td>
<td>Skillern</td>
</tr>
<tr>
<td>Ford</td>
<td>Sluder</td>
</tr>
<tr>
<td>Porv</td>
<td></td>
</tr>
<tr>
<td>Bumpass</td>
<td></td>
</tr>
<tr>
<td>Hensley</td>
<td>Thomas</td>
</tr>
<tr>
<td>Hill of Gonzales</td>
<td>Wall</td>
</tr>
<tr>
<td>Jones</td>
<td>Wallace</td>
</tr>
<tr>
<td>Lillard</td>
<td>Welch</td>
</tr>
</tbody>
</table>

### Nays—82.

| Benson          | Love              |
| Boyd            | Love              |
| Brewster        | Love              |
| Carpenter       | Love              |
| Carswell        | Love              |
| Collier         | Love              |
| Curry           | Love              |
| Dean            | Love              |
| Drew            | Love              |
| Fields          | Love              |
| Fisher          | Love              |
| Graham          | Love              |
| Hensley         | Love              |
| Hill of Gonzales | Love              |
| Jones           | Love              |
| Lillard         | Love              |

### Absent.

| Bell            | Logan             |
| Bird            | Manson            |
| Bounds          | Pitts             |
| Evans of Hunt   | Randolph          |
| Garrison        | Renboll           |
| Henderson       | Rudder            |

### Excused.

| Bean            | Hill of Travis    |
| Callan          | Kimbell           |
| Childs          | McFarland         |
| Conoly          | Meade             |
| Crowley         | Melton            |
| Dickenson       | Moore of Lamar    |
| Dies            | Morris            |
| Edwards         | Porter            |
| Field           | Rogers            |
| Evans of Grayson | Thaxton          |
| Fillar          | Wilcox            |
| Gilbough        |                   |

The majority report was adopted.

Mr. Blair moved to reconsider the vote by which the majority report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Holland of Harris moved to suspend pending business, to take up and place on its second reading, House bill No. 407.

Lost.

The House resumed consideration of House bill No. 101, with pending amendments.

The Speaker ruled that the amendment of Mr. Fisher was not in order.

Mr. Fisher, seconded by Mr. Blair, appealed from the ruling of the Chair.

On the question—Shall the ruling of the Chair be sustained?

Yeas and nays were demanded by Mr. Blair, Mr. Wolters and Mr. Fisher.

The ruling of the Chair was sustained by the following vote:

### Yeas—7.

| Blair          | Thompson         |
| Dennis         | Tracy             |
| Good           | Wolters           |
| Mercer         |                   |

### Absent.

| Bell            | Logan             |
| Bound           | Manson            |
| Evans of Hunt   | Patterson          |
| Evans of Grayson | Pitts          |
| Garrison        | Randolph          |
| Holland of Harris | Rudd        |

### Excused.

| Bean            | Dies             |
| Callan          | Edwards          |
| Childs          | Field            |
| Conoly          | Flint            |
| Crowley         | Gilbough         |
| Dickinson       | Hill of Travis   |
Question next recurred on the amendment by Mr. Blair.

After consideration, Mr. Wood moved the previous question on the amendment, and the main question was ordered.

Yeas and nays were demanded by Mr. Blair, Mr. Fisher and Mr. Wolters.

Lost by the following vote:

Yeas—29.

Beaird.
Blackburn.
Blair.
Brigance.
Burney.
Burns.
Dennis.
Felder.
Fisher.
Good.
Holland of Harris.
Henderson.
Jones.
Lotto.

Nays—62.

Alexander.
Ayres.
Bailey.
Barbee.
Barrett.
Bell.
Benson.
Bertram.
Bird.
Boyd.
Brewster.
Bumpass.
Carpenter.
Carywell.
Collier.
Conoly.
Crawford.
Cureton.
Curry.
Dean.
Dorroh.
Doyle.
Drew.
Evans of Hunt.
Fwing.
Freeman.
Graham.
Hensley.
Hill of Gonzales.
Hill of Travis.
Humphrey.

Bounds.
Browne.
Garrison.
Green.
Holland of Burnet.
Holland of Harris.
Kirk.
Logan.

Manson.
Martin.
Pitts.
Reiger.
Reubell.
Rudd.
Stokes.

Bean.
Callan.
Childs.
Crowley.
Dickinson.
Dies.
Edwards.
Evans of Grayson.
Flint.
Gilbough.

Kimbell.
McFarland.
Morton.
Moore of Lamar.

Excused.

Mr. Shropshire (present), who would vote "nay," with Mr. Holland of Harris (absent), who would vote "yea."

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

Mr. Drew offered the following amendment:

Amend caption by inserting "104" in lieu of "114;"

Pending which, Mr. Fisher moved to adjourn until 9 o'clock a. m. to-morrow, and Mr. Peild until 9:30 a. m. to-morrow.

The motion of Mr. Peild prevailed, and the House adjourned accordingly.

FIFTY-NINTH DAY.

Hall House of Representatives, Austin, Texas, Wednesday, March 31, 1897.

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

Speaker Dashell in the chair.

Roll called and the following members present:

Alexander.
Ayres.
Bailey.
Barbee.
Barrett.
Bell.
Benson.
Bertram.
Blackburn.
Blair.
Boyd.

Brewster.
Bumpass.
Burney.
Burns.
Carpenter.
Carywell.
Collier.
Conoly.
Crawford.
Cureton.
Curry.