Accordingly the House, at 5:45 p.m., adjourned until 9:30 o'clock a.m. to-morrow.

SIXTIETH DAY.

Hall House of Representatives, Austin, Texas, Thursday, April 1, 1897.

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

Speaker Dashiel in the chair.

Roll called, and the following members present:

Alexander.
Ayers.
Bailey.
Barbee.
Barrett.
Beaird.
Bell.
Benson.
Bertram.
Bird.
Blackburn.
Blair.
Bounds.
Boyd.
Brewster.
Brigance.
Browne.
Bumpass.
Burns.
Carpenter.
Carswell.
Childs.
Conoly.
Crawford.
Cureton.
Curry.
Dennis.
Dies.
Dorrough.
Doyle.
Drew.
Evans of Hunt.
Ewing.
Field.
Fields.
Fisher.

Holland. Harris.
Melton.
Morris.
Pitts.
Rogers.
Thaxton.
Welch.
Wilcox.

A quorum was announced present.

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

Pending reading of the Journal of yesterday,

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

GRANTED LEAVE OF ABSENCE:

On account of important business:

Mr. Rudd until Saturday, on motion of Mr. Patterson.

Mr. Burney until Monday, on motion of Mr. Stokes.

Mr. Vaughan of Guadalupe indefinitely, on motion of Mr. Thompson.

COMMITTEE REPORTS.

By Mr. Ward, chairman:

Committee Room, Austin, Texas, April 1, 1897.

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

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 316, a bill to be entitled "An act to amend article 4610a of the Revised Civil Statutes of Texas (added thereto by an act amending title XCVI, chapter 8, passed at the present session of the Legislature, ap-

O'Connor.
Oliver.
Patterson.
Peery.
Pfeiffer.
Pitts.
Porter.
Randolph.
Reiger.
Reubell.
Rhea.
Robbins.
Rogers.
Rudd.
Savage.
Skeff.
Smith.
Smyth.
Stamper.
Staples.
Stokes.
Strother.
Thomas.
Tracy.
Tucker.
Turner.
Vaughan of Collin.
Wall.
Wallace.
Wolters.
Wood.

Absent.

Collier.
Dean.
Vaughan, Guadalupe Williams.

Excused.

Bean.
Burney.
Callan.
Crowley.
Dickinson.
Edwards.
Evans, Grayson.
Flint.

Freeman.
Garrison.
Gilbough.
Good.
Graham.
Green.
Harris.
Henderson.
Hensley.
Holland of Gonzales.
Holland of Travis.
Holland of Burnet.
Holland of Harris.
Humphrey.
Jones.
Kimball.
Kirk.
Lillard.
Logan.
Lotto.
Love.
Manson.
Martin.
Maxwell.
McFarland.
McGaughy.
McKamy.
McKellar.
McAde.
Melton.
Morton.
Mundine.
Neighbors.

Shropshire.
Skillern.
Sluder.
Smith.
Smyth.
Stamper.
Staples.
Stokes.
Strother.
Thomas.
Tracy.
Tucker.
Turner.
Vaughan of Collin.
Wall.
Wallace.
Wolters.
Wood.
April 1, 1897

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proved 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."

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, but that it be not printed.

WARD, Chairman.

Committee Room,
Austin, Texas, March 26, 1897.

Hon. L. T. Dashell, Speaker of the House:
Your Judiciary Committee No. 1, to whom was referred Senate bill No. 216, a bill to be entitled "An act to amend article 745, of the Revised Civil Statutes of the State of Texas, requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon said corporations transacting business in this State, and authorizing the Secretary of State to issue permits to such corporations."

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.

By Mr. Rogers, chairman:

Committee Room,
Austin, Texas, March 30, 1897.

Hon. L. T. Dashell, Speaker of the House:
Your Committee on Constitutional Amendments, to whom was referred House joint resolution No. 29, a joint resolution to amend sections 1, 2, 3, 4, 5 and 6 of article 5 of the Constitution of the State of Texas, relating to the Judiciary,

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.

ROGERS, Chairman.

By Mr. Reiger, chairman:

Committee Room,
Austin, Texas, March 31, 1897.

Hon. L. T. Dashell, Speaker of the House:
Your Committee on Towns and City Corporations, to whom was referred 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."

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.

REIGER, Chairman.
Committee Room,
Austin, Texas, March 31, 1897.
Hon. L. T. Dashiel, Speaker of the House.

Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 254, a bill to be entitled "An act to amend article 615, chapter 18, title 11, of the Revised Civil Statutes of Texas, providing for the abolition of the incorporation of towns and villages."

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.

REIGER, Chairman.

Committee Room,
Austin, Texas, March 31, 1897.
Hon. L. T. Dashiel, Speaker of the House:

Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 23, a bill to be entitled "An act to provide a mode of service binding upon the inhabitants of any town or village to whom land grants have been made and which are not otherwise incorporated in suits brought in relation to said lands, and to regulate proceedings thereunder."

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.

REIGER, Chairman.

By Mr. Lillard, chairman:

Committee Room,
Austin, Texas, March 31, 1897.

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

Your Committee on Enrolled Bills have carefully examined and compared 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 March 5, 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 enrolled, and I have this day, at 12:30 p. m., presented the same to the Governor for his approval.

LILLARD, Chairman.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 1, 1897.

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

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

House bill No. 413, entitled "An act to amend article 3384, title LXIX, of the Revised Civil Statutes of the State of Texas, relating to local option."

With amendments.

House bill No. 612, a bill to be entitled "An act to valid and confirm 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."

House bill No. 563, entitled "An act to amend section 6, chapter 132, of the acts of the Twenty-fourth Legislature of the State of Texas, passed at the regular session thereof, and entitled "An act to create a more efficient road system for Dallas, Lamar and Medina counties, Texas, and making county commissioners of said counties ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the duties and power 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 counties; and providing for officers' fees; and to provide for the summoning of teams for roads, and allowance of time of service for same on roads; and fixing a penalty for violation of this act, and to repeal all laws in conflict with this act,"

By a two-thirds vote: yeas 25, nays none.

Senate bill No. 121, a bill to be entitled "An act to amend article 5051, Revised Statutes of 1895, relating to county warrants, and to repeal article 1118 of the Code of Criminal Procedure, prohibiting the payment of county warrants and jury script upon taxes except in the order of their registration."

Senate bill No. 117, a bill to be entitled "An act to amend articles 1494, 1495, and 1496 of the Revised Civil Statutes, relating to auditors."

House bill No. 96, a bill to be entitled "An act to provide the mode of furnishing certain supplies to the asylum, and to repeal title IX, chapter 3, of the Revised Civil Statutes of 1895."
April 1, 1897

By a two-thirds vote: yeas 21, nays none.

House bill No. 168, entitled "An act to punish persons for wilfully turning out, or permitting to run at large, within a county or subdivision of a county, in which the stock law has been adopted, any stock prohibited by law from running at large,"

With amendment.

Also, that the Senate has concurred in House amendments to Senate bill No. 30.

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 bills Nos. 117 and 121, to Judiciary Committee No. 1.

SPEAKER'S TABLE.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 171, a bill to be entitled "An act to amend article 3582A, title LXXV, of the Revised Civil Statutes, in regard to the Board of Pardon Advisers."

The bill was then read third time, and passed by the following vote:

Yeas—92.

Alexander. Gilbough.
Ayres. Good.
Bailey. Graham.
Barbee. Green.
Barrett. Harris.
Bell. Henderson.
Benson. Hill of Travis.
Bird. Holland of Burnet.
Blackburn. Holland of Harris.
Blair. Humphrey.
Bounds. Jones.
Boyd. Kimbell.
Brewster. Kirk.
Briance. Lillard.
Browne. Logan.
Burns. Lotto.
Carpenter. Love.
Childs. Manson.
Conoly. Maxwell.
Crawford. McFarland.
Curry. McGaughy.
Dennis. McKamy.
Dies. Meade.
Dorob. Melton.
Doyle. Mercer.
Evans of Hunt. Moore, Fort Bend.
Ewing. Moore of Lamar.
Feild. Morton.
Fields. Mundine.
Garrison. O'Connor.

Oliver. Smith.
Patterson. Smyth.
Peery. Staples.
Pfeuffer. Stokes.
Porter. Strather.
Randolph. Thomas.
Rogan. Thompson.
Rogers. Turner.
Rudd. Wall.
Savage. Wallace.
Schlick. Ward.
Seabury. Welch.
Shelburne. Williams.
Skillern. Wolters.
Sluder. Wood.

Nays—19.

Beaird. McKeller.
Bertram. Reiger.
Bumpass. Rhea.
Carswell. Robbins.
Cureton. Shropshire.
Drew. Stamper.
Freeman. Tracy.
Hensley. Tucker.
Hill of Gonzales. Vaughan of Collin.
Martin.

Absent.

Collier. Pitts.
Dean. Reuben.

Excused.

Bean. Evans of Grayson.
Burney. Flint.
Callan. Morris.
Crowley. Thaxton.
Dickinson. Vaughan of Guadalupe.
Edwards. Wilcox.

I vote no on Senate bill No. 171, because I believe the Governor, together with the Board of Pardon Advisers to assist him 100 days in each year, ought to dispose properly of all applications for pardon coming before the Governor, and that to employ said board for 300 days in each year would create an unnecessary expense, which the present condition of our finances does not warrant. HILL of Gonzales.

I vote yea, because I believe that if a board is necessary it is justice that said board should have sufficient time to consider all cases. "Equal rights to all and special privileges to none." HENDERSON.

Mr. Burns moved to reconsider the vote by which Senate bill No. 171 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. 240, a bill to be entitled "An act to amend an act entitled "An act to provide for the collection..."
of taxes heretofore and that may hereafter be levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes since January 1, 1885, which may have been returned delinquent or reported sold to the State, or to any county, city or town for the tax due thereon and not redeemed, or which may hereafter be returned delinquent or reported sold to the State, or to any county, city or town to satisfy the lien thereon, as enacted by the regular session of the Twenty-fourth Legislature, being chapter 5a, of title CIV, of the Revised Civil Statutes of 1895, relating to delinquent taxes, and to repeal all laws in conflict with this act."

The bill was read third time, and passed by the following vote:

Yeas-103.


Nays-4.


I vote no, because I believe this bill as now amended, to be a dangerous measure, calculated to work an unjust hardship upon the people.

HENDERSON.

Mr. Drew moved to reconsider the vote by which Senate bill No. 240 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Wolters moved to suspend pending business to take up and place on its second reading, Senate bill No. 285, a bill to be entitled "An act making an appropriation for the establishment of a public park on the site of the battlefield of San Jacinto, and the erection of the necessary buildings and improvements thereon, and providing for the purchase and condemnation of a sufficient amount of land upon which to establish said park."

On the motion to suspend, yeas and nays were demanded by Mr. Freeman, Mr. Dies and Mr. Sluder.

The motion prevailed by the following vote:

Yeas-76.

I vote against suspending pending business to take up Senate bill No. 285, because I am opposed to any appropriation to purchase the battle ground at any price, and because our people are now heavily burdened with taxes and are suffering from the prosperity given us by the present national administration, and further, because I think if we can spare this money it should be used to care for the poor insane of this State, who are now uncared for.

PATTERSON.

Senate bill No. 285 was laid before the House, on its second reading.

On motion of Mr. Carpenter, Rule No. 73, requiring the House to go into a committee of the whole to consider all bills carrying appropriations, was suspended, for consideration of this bill.

The bill was read second time, and Mr. Shropshire offered the following amendment:

Amend by striking out the words "$25,000," in line 21, page 1, and insert in lieu thereof "$7000."

Mr. Doyle offered the following amendment to the amendment:

Amend the amendment by substituting "$10,000" for "$7000."

(Pending consideration, Mr. Turner and Mr. McKamy occupied the chair.) Mr. Meade moved to take a recess until 3 o'clock p. m. to-day.

Lost.

(Speaker in the chair.) After consideration of the question, Mr. Maxwell moved the previous question on the amendments, and the main question was ordered.

Question first recurred on the amendment by Mr. Doyle.

Mr. Shropshire accepted the amendment of Mr. Doyle.

On the amendment as amended, yeas and nays were demanded by Mr. Bumpass, Mr. Cureton and Mr. Dies.

Lost by the following vote:

Yeas—36.

Alexander. 
Benson. 
Bertram. 
Blackburn. 
Boyd. 
Bumpass. 
Conoly. 
Cureton. 
Doyle. 
Drew. 
Evans of Hunt. 
Pell. 
Freeman. 
Graham. 
Hill of Gonzales. 
Kimbell. 
Kirk. 
Lillard. 
Logan. 

Absent.

Fields.

Excused.

Bean. 
Burney. 
Callan. 
Crowley. 
Dickinson. 
Edwards.

Evans of Grayson. 
Flint. 
Morris. 
Thaxton. 
Vaughan, Guadalupe. 
Wilcox.

Nays—59.
I vote "yea" on the amendment to appropriate $10,000. I think that amount will be sufficient to buy the land. When the State is in possession of the land it can be improved afterward. I fear the finances of the State will not permit the expenditure of a larger sum. I am in favor of the State owning the land, and I do not think the State can afford to further neglect or delay longer to gain possession of that historic spot that all Texans love to honor and revere.

CRAWFORD.

I vote "yea" for the $10,000 amendment because I think that is a sufficient amount to secure the land to the State of Texas and to begin improvement, and the Legislature two years hence can make additional appropriations for additional improvements if necessary; however, as the amendment is lost, I now bow to the will of the majority and will vote for the bill.

MORTON.

We vote "yea" because the $10,000 is sufficient for present purposes, and as much as the State is able to give at this time, and as other Legislatures can and will make provision for ornamenting the grounds.

OLIVER.

Mr. Wood moved to take a recess until 3 o'clock p. m. to-day. Lost.

After consideration, Mr. Maxwell moved the previous question, and it was not seconded.

Mr. Martin offered the following amendment:

Amend section 3 by striking out all after the word “sale,” in line 4.

Mr. Brigance moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Martin, Mr. Beaird, and Mr. Shropshire.

Tabled by the following vote:

Yeas—61.

Ayers. Jones.
Barbee. Manson.
Barrett. Maxwell.
Beaird. McFarland.
Bird. McKamy.
Blair. Meade.
Brewster. Melton.
Brigance. Mercer.
Brown. Moore, Fort Bend.
Burns. Moore of Lamar.
Carpenter. O’Connor.
Carswell. Porter.
Childs. Randolph.
Collier. Rogers.
Crawford. Rudd.
Curry. Schlick.
Dennis. Seabury.
Dorror. Shelburne.
Doyle. Skillern.
Ewing. Strother.
Fields. Thompson.
Garrison. Tracy.
Gilbough. Turner.
Hill of Travis. Ward.
Holland of Harris. Williams.
Humphrey. Wolters.
Manon. Wood.
Maxwell.

Excused.
Bean. Evans of Grayson.
Burney. Flint.
Callan. Morris.
Crowley. Thaxton.
Dickinson. Vaughan, Guadalupe.
Edwards. Wilcox.

Nays—30.
Alexander. Benson.
Bailey. Bertram.
Bell. Blackburn.
Mr. Tucker offered the following amendment:  
Amend on page 3, section 5, line 4, by striking out “twenty-five” and inserting “fifteen thousand.”

Mr. Blair moved the previous question, and the main question was ordered.

On the amendment by Mr. Tucker, yeas and nays were demanded by Mr. Kirk, Mr. Shropshire and Mr. Sluder.

Lost by the following vote:

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<td>Edwards</td>
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Question recurring on the passage of the bill to a third reading, yeas and nays were demanded by Mr. Stokes, Mr. Conoly and Mr. Neighbors.

Mr. Blair moved a call of the House, and the call was seconded.

The Clerk was directed to call the roll to ascertain who were absent without leave.

The following members were announced absent without leave: Messrs. Bird, Cureton, Dies, Drew, Fisher, Henderson, Logan, Lotto, Love, O'Conner, Patterson, Peery, Pfeuffer, Reiger, Sluder, Smith and Thomas.

The Sergeant-at-Arms was directed to bring in the absentees.
On motion of Mr. Blair, the absentees were excused.

Senate bill No. 285 was passed to a third reading.

Mr. Humphrey moved to adjourn until 4 p.m. to-day, and Mr. Shropshire moved to adjourn until 9:30 a.m. to-morrow.

Both motions were lost.

Mr. Beard moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 285 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—81.

Mr. Speaker. Manson.
Alexander. Martin.
Ayers. Maxwell.
Barbee. McLaughney.
Barrett. McKamy.
Beard. Meade.
Blackburn. Melton.
Blair. Mercer.
Brewster. Moore, Fort Bend.
Brigance. Moore of Lamar.
Burns. Mundine.
Carpenter. Oliver.
Carswell. Pitts.
Childs. Porter.
Coller. Randolph.
Crawford. Reubell.
Curry. Rogers.
Dean. Rudd.
Dennis. Schlick.
Dorroh. Seabury.
Doyle. Shelburne.
Ewing. Skillern.
Field. Smyth.
Fields. Stamper.
Fisher. Strother.
Garrison. Thompson.
Gilbough. Tracy.
Good. Tucker.
Green. Turner.
Hensley. Vaughan of Collin.
Hill of Gonzales. Wall.
Hill of Travis. Ward.
Holland of Harris. Welch.
Humphrey. Williams.
Jones. Wolters.
Lillard. Wood.
Logan.

Nays—18.

Boll. Conoly.
Benson. Freeman.
Bertram. Graham.
Boyd. Holland of Burnet
Bumpass. Kimbell.

Kirk. McKellar.
Neighbors. Rhea.
Robbins. Savage.
Rogan. Stokes.

Absent.

Bird. Patterson.
Bounds. Peery.
Cureton. Pfeuffer.
Dies. Reiger.
Drew. Sluder.
Henderson. Smith.
Lotto. Staples.
Love. Thomas.
O'Connor.

Excused.

Bean. Evans of Grayson.
Burney. Flint.
Callan. Morris.
Crowley. Thaxton.
Dickinson. Vaughan, Guallaue.
Edwards. Wilcox.

Senate bill No. 285 read third time, and Mr. Martin offered the following amendment:

Amend by adding to section 3 the following: "same to be approved by the Governor, Attorney General, and Comptroller of Public Accounts." Mr. Fields moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Martin, Mr. Neighbors and Mr. Conoly.

Tabled by the following vote:

Yeas—53.

Mr. Speaker. Hensley.
Bailey. Hill of Travis.
Barbee. Holland of Harris.
Barrett. Jones.
Beard. Manson.
Blair. Maxwell.
Brigance. McFarland.
Brown. Meade.
Burns. Melton.
Carper. Mercer.
Carpenter. Moore, Fort Bend.
Childs. Peery.
Coller. Pitts.
Crawford. Randolph.
Curry. Rogers.
Dennis. Schlick.
Dorroh. Skillern.
Evans of Hunt. Strother.
Ewing. Thompson.
Fields. Tracy.
Fisher. Turner.
Freeman. Ward.
Garrison. Welch.
Gilbough. Williams.
Good. Wolters.
Green. Woou.
Hensley.

Nays—48.

Alexander. Boll.
Ayers.
Mr. Wolters moved to reconsider the vote by which Senate bill No. 285 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Gilbough, the House, at 2:35 p.m., adjourned until 9:30 o'clock a.m. to-morrow.

SIXTY - FIRST DAY.

Hall House of Representatives, Austin, Texas, Friday, April 2, 1897.

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

Speaker Dashiel in the chair.

Roll called, and the following members present:

Ayers.           Hill of Travis.
Bailey.          Holland of Burnet.
Barbee.          Holland of Harris.
Barrett.         Humphrey.
Beaird.          Jones.
Bell.            Kimbell.
Benson.          Kirk.
Bertram.       Lillard.
Bird.            Logan.
Blackburn.      Lotto.
Bounds.          Love.
Boyd.           McCall.
Brewster.          Moore.
Bumpass.        Moor. Fort Bend.
Burns.        Moore of Lamar.
Carpenter.      Morton.
Childs.        Mundine.
Collier.          Neighbors.
Conoly.          O'Connor.
Crawford.        Oliver.
Cureton.          Peery.
Curry.        Peyster.
Dean.          Peyster.
Dennis.       Peyster.
Dickinson.      Porter.
Drew.            Reiger.
Dorrough.      Reiger.
Doyle.           Reiger.
Ewing.          Reiger.
Evans.           Reiger.
Field.            Reiger.
Fields.          Reiger.
Fisher.        Reiger.
Freeman.       Reiger.
Garrison.       Reiger.
Gilbough.      Reiger.
Good.           Reiger.
Graham.        Reiger.
Harris.       Reiger.
Hensley.        Reiger.

Senate bill No. 285 was passed.

I vote "no" on the passage of the bill, for the following reason: The amendment which provided for $10,000 instead of $20,000 was defeated. I regard $10,000 insufficient at this time, taking into consideration the depleted condition of the treasury. STOKES.

I vote "no" on the passage of Senate bill No. 285, for the reason: I believe the amount appropriated, or sought to be appropriated, by the passage of this bill, is a piece of extravagance that should not be tolerated.

SHROPSHIRE.

Mr. Speaker: I vote "no," because we have in our county jails all over the State insane people who have to lie in the cold cells because we have no room for them in our asylums, where they could get the needed treatment. I think the State should first look after the unfortunate of her citizens and comfort. Then it will be time to confer. Then it will be time to spend the people's money for historical relics.  KIRK.