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.

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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 Dashiell in the chair.

Roll called, and the following members present:

Benson. Logan. Smith.
Blackburn. Logan. Smith.
Boy. Logan. Smith.
Carpenter. Melton. Smith.
Collier. Moore, Fort Bend. Smith.
Dean. O'Connor. Smith.
Dickinson. Oliver. Smith.
Dries. Peery. Smith.
Field. Shelburne. Smith.
A quorum was announced present. A prayer by Dr. J. A. Jackson, Chaplain, preceded 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. Patterson for to-day, on motion of Mr. Benson.
Mr. Seabury for to-day, on motion of Mr. Williams.
Mr. Thompson for to-day, on motion of Mr. Browne.
Mr. Rogers and Mr. Brigance for to-day, on motion of Mr. Good.
Mr. Henderson indefinitely, on motion of Mr. Mercer.
Mr. Crawford indefinitely, on motion of Mr. Ewing.

On account of sickness:
Mr. Bounds indefinitely, on motion of Mr. Boyd.

BILL SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof, and its caption had been read, the following bill:
Senate bill No. 30, entitled "An act to enable the Railroad Commission of Texas to make emergency freight rates to prevent the evil effects of interstate rate wars upon the business and interests of the people and railroads of this state."

BILLS AND RESOLUTIONS.

By Mr. Lilard:
House concurrent resolution No. 19.
Whereas, in the signing of enrolled House bills Nos. 387 and 443, the name of the Speaker was accidentally omitted from one, and the name of the Chief Clerk from the other, which omissions were not discovered until after said bills had been delivered to the Governor; therefore, be it
Resolved by the House of Representatives, the Senate concurring, that the Governor be and he is hereby respectfully requested to return said bills to the House, that the omitted signatures may be placed thereon, as the law requires.

Read second time, and adopted.

COMMITTEE REPORTS.

By Mr. Bertram, chairman:

Committee Room,
Austin, Texas, April 2, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on Claims and Accounts, to whom was referred
The claims of John T. Wofford, for $51.83 for State taxes erroneously collected on the Andrew Lockhart league in De Witt county, and B. F. Rosser & Co. for $249.80, for taxes overpaid on lands in Wilson county,
Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that they be not allowed.
BERTRAM, Chairman.

Committee Room,
Austin, Texas, March 31, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on Claims and Accounts, to whom was referred
The claim of Capt. W. J. McDonald for $315 in payment for surgical and medical services rendered him in consequence of wounds received in line of duty as a State Ranger, and of
William Focke for $300 as payment for services rendered the State as school teacher in Bandera county during the year 1871,
Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that they be not allowed.
BERTRAM, Chairman.

Committee Room,
Austin, Texas, March 31, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on Claims and Accounts, to whom was referred
The petition of Catharine Deats, asking for special relief act, to grant her an annuity or donation,
Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that the House refuse to grant the relief asked for.

BERTRAM, Chairman.

By Mr. Martin, chairman:

Committee Room, Austin, Texas, April 1, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on State Asylums, to whom was referred
Senate Bill No. 77, a bill to be entitled "An act to amend Article 119, of Title 9, Chapter 1, of the Revised Civil Statutes, relating to the admission of idiots and epileptics to the insane asylums 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 pass.

MARTIN, Chairman.

Committee Room, Austin, Texas, April 1, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on State Asylums, to whom was referred
Senate Bill No. 279, a bill to be entitled "An act to amend that portion of Chapter 1, Title 9, of the Revised Civil Statutes of the State of Texas, that relates to judicial proceedings in cases of lunacy,"

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.

MARTIN, Chairman.

Committee Room, Austin, Texas, April 1, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on State Asylums, to whom was referred
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."

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 caption of the bill and insert in lieu thereof the following: "An act to amend Articles 167 and 169, of Chapter 2, of Title 9, of the Revised Civil Statutes, and to add to said chapter two articles, to be known as Articles 166a and 167a."

Amend by inserting after the caption the following: "Section 1. Be it enacted by the Legislature of the State of Texas: That Chapter 2, of Title 9, of the Revised Civil Statutes, be amended by adding thereto two other articles, to be hereafter known as Articles 166a and 167a, and that Articles 167 and 169 of said chapter be so amended as to hereafter read as follows:"

MARTIN, Chairman.

Committee Room, Austin, Texas, April 1, 1897.
Hon. L. T. Dashiel, Speaker of the House:
Your Committee on State Asylums, to whom was referred
Senate Bill No. 188, a bill to be entitled "An act to regulate the purchase of supplies of every kind whatsoever for the use of State, county and municipal governments, institutions, offices, officers and employees, and to fix a penalty for the violation of 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 pass.

MARTIN, Chairman.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, April 2, 1897.
Hon. L. T. Dashiel, Speaker of the House:
I am instructed by the Senate to inform the House that the Senate has passed.

Concurrent resolution No. 18, requesting the Governor of Texas to return to the Senate House joint resolution No. 7, entitled "A joint resolution ratifying and confirming the action of the attorneys representing the State of Texas in compromising its claim to its university lands in McLennan county, Texas," in order that the same may be presented to the President of the Senate for his signature.

Senate concurrent resolution No. 17, authorizing and empowering the Daughters of the Republic to place a statue of one of the fathers of Texas in the Hall of Statuary in the national capitol at Washington, D. C.

Also, that the Senate has refused to concur in House amendments to Senate bill No. 240, relating to delinquent taxes, asks for a free conference committee thereon, and that Senators Colquitt, Wayland, Morriss, Kerr and
Neal have been appointed as such committee on part of the Senate.
Respectfully,
WILL LAMBERT, Secretary.

Speaker's Table.

Mr. Robbins called up the message of the Senate requesting a free conference committee to adjust the differences between the two houses on Senate bill No. 240, and moved that the request be granted.

The motion prevailed, and the Speaker announced the following committee on part of the House: Messrs. Drew, Robbins, Childs, Meade and Ayers.

Mr. Lillard called up Senate concurrent resolution No. 18, above reported, and moved a second reading of the same.

The resolution was laid before the House, read second time, and adopted.

The Speaker laid before the House Senate concurrent resolution No. 17, reported above.

Read second time, and adopted.

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.

On motion of Mr. Wall, pending business was suspended to take up and place on its second reading.

House joint resolution No. 34, to amend section 51, article 8, of the Constitution of the State of Texas, so as to authorize the grant of aid to disabled and dependent Confederate soldiers and sailors and their widows, and to grant aid to the establishment and maintenance of a home for said soldiers and sailors, "with amendments by the committee.

On motion of Mr. Wall, pending business was suspended to take up and place on its second reading.

House joint resolution No. 34 was ordered engrossed.

On motion of Mr. Lotto, pending business was suspended to take up and place on its second reading.

Senate bill No. 164, a bill to be entitled "An act to make it a penal offense, and prescribe the punishment for the violation of this act, for any State Superintendent of Public Instruction, any county judge acting as superintendent of public instruction, any superintendent of public instruction of any city or town, any trustee of any public free school, or any principal or teacher of any public school, who shall accept an agency on salary, commission or otherwise, from any person, firm, association of persons or corporation, dealing in school books, school furniture or school supplies."

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

Mr. Lotto moved to postpone indefinitely further consideration of the bill.

Pending consideration.

The Speaker laid before the House, as special order for this hour, on its engrossment, 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."

Mr. Ward offered the following amendment:

Amend by adding in line 23, page 2, the words "$210 for services as guard at Camp Mabry for six months at $35 per month."

Adopted.

Mr. Fields offered the following amendment:

At the end of section 1, page 2, add the following: "To refund liquor tax erroneously collected from T. B. Bond from December 15, 1894, to December 15, 1895, being one year's tax, $900."

Adopted.

Mr. Tracy moved to reconsider the vote by which the above amendment was adopted.

Mr. Fields moved to table the motion to reconsider, upon which yeas and nays were demanded by Mr. Tracy, Mr. Morton and Mr. Fields.

Lost by the following vote:

Yeas—37.

Ayres.   Moore of Lamar.
Barrett.  Neighbors.
Bell.     O'Connor.
Bird.     Pfeuffer.
Blair.    Relier.
Bounds.  Robbins.
Boyd.     Schlick.
Carswell. Shelburne.
Ewing.   Skillern.
Fields.  Smith.
Fisher.  Stamper.
Gilbough. Vaughan of Collin.
Good.     Ward.
Jones.    Welch.
Lotto.    Williams.
Maxwell.  Wolters.
McGaughey. Wood.
Moore, Fort Bend.
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HOUSE JOURNAL.

Nays—55.
Alexander. Logan.
Barbee. Manson.
Beaird. Martin.
Benson. McKamy.
Bertram. McKellar.
Blackburn. Meade.
Brewster. Mercer.
Browne. Morton.
Carpenter. Mundine.
Conoly. Oliver.
Cureton. Peery.
Curry. Porter.
Dean. Randolph.
Dickinson. Reubell.
Dorrob. Rhea.
Doyle. Rudd.
Drew. Savage.
Freeman. Smyth.
Graham. Strother.
Green. Thaxton.
Harris. Thomas.
Hill of Gonzales. Tracy.
Hill of Travis. Tucker.
Holland of Burnet. Turner.
Humphrey. Wall.
Kimbell. Wallace.
Lillard.

Absent.
Bailey. Holland of Harris.
Bumpass. Kirk.
Burns. Love.
Childs. McFarland.
Dennis. Pitts.
Dies. Rogan.
Field. Stokes.
Garrison. Studer.
Hensley. Staples.

Excused
Bean. Henderson.
Brigance. Morris.
Burney. Patterson.
Callan. Rogers.
Crawford. Seabury.
Crawley. Thompson.
Evans of Grayson. Wilcox.
Flint.

Question recurring on the motion to reconsider, it prevailed.

Mr. Kimbell offered the following amendment to the amendment:
Amend by striking out "$300," and insert in lieu thereof "$285."

Accepted by Mr. Fields.

Mr. Randolph moved to refer the amendment to the Committee on Claims and Accounts.

Mr. Fields raised the point that a proposed amendment to a pending bill could not be referred to a committee.

Sustained by the Chair.

Mr. Fields moved the previous ques-

tion on the amendment, and the main question was ordered.

Yea and nays were demanded by Mr. Tracy, Mr. Ewing and Mr. Meade.

Lost by the following vote:

Yeas—45.
Mr. Speaker. Moore, Fort Bend.
Barrett. Moore of Lamar.
Bell. Neighbors.
Bird. O'Connor.
Blackburn. Peery.
Blair. Pfueller.
Boyd. Reiger.
Brewster. Robbins.
Burns. Savage.
Collier. Schlick.
Crawford. Shelburne.
Cureton. Shropshire.
Doyle. Skillern.
Evans of Hunt. Slater.
Ewing. Smyth.
Fields. Strother.
Gilbough. Wall.
Good. Ward.
Holland of Harris. Welch.
Lotto. Wolters.
Maxwell. Wood.
McKamy.

Nays—50.
Alexander. Lillard.
Ayers. Logan.
Bailey. Manson.
Beaird. Martin.
Benson. McGaughey.
Bertram. McKellar.
Carpenter. Meade.
Carswell. Mercier.
Conoly. Morton.
Curry. Mundine.
Dean. Oliver.
Dies. Porter.
Dorrob. Randolph.
Drew. Reubell.
Freeman. Rhea.
Graham. Rogan.
Green. Rudd.
Harris. Smith.
Hensley. Stokes.
Hill of Gonzales. Thomas.
Hill of Travis. Tracy.
Holland of Burnet. Tucker.
Humphrey. Turner.
Kimbell. Wallace.
Kirk. Williams.

Absent.
Barbee. Garrison.
Brigance. Jones.
Browne. Love.
Childs. Melton.
Dennis. Pitts.
Dickinson. Stamper.
Field. Staples.
I vote "aye" on the amendment, because under the law and a decision of the court of appeals, the State had no authority to collect this tax, and having collected it unlawfully, is in honor bound to refund it.

EWING.

I vote "no," because I believe the court erred in deciding the tax wrongly collected.

KIMBELL.

Mr. Tracy moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Shropshire offered the following amendment:

Amend by adding to end of section 1, page 2, "$300 to refund to B. Wadsworth, liquor tax erroneously assessed."

(Mr. McKamy in the chair.)

Mr. Tracy moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Shropshire and Mr. Fields.

Tabled by the following vote:

Yeas--60.

Nays--26.

Absent.

Excused.

(Speaker in the chair.)

Mr. Fields offered the following amendment:

Amend by striking out on page 2, lines 2, 8 and 9.

Yeas and nays were demanded by Mr. Fields, Mr. Sluder and Mr. Shropshire.

Lost by the following vote:

Yeas--32.
Mr. Evans of Hunt offered the following amendment:

Amend by striking out all in line 21, page 2.

Mr. Dean moved to table the amendment, upon which motion yeas and nays were demanded by Mr. Evans of Hunt, Mr. Fields and Mr. Shropshire. Tabled by the following vote:

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Mr. Rogan offered the following amendment:
Amend section 2, line 27, by inserting between the words "and" and "public" the words "an imperative."
Adopted.

SENATE MESSAGE.

Senate Chamber,
Austin, Texas, April 2, 1897.

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

I am instructed by the Senate to inform the House that the Senate has adopted House concurrent resolution No. 19, requesting the Governor to return House bills Nos. 387 and 443.

Respectfully,
WILL LAMBERT, Secretary.

Resuming consideration of House bill No. 539, the general deficiency appropriation bill.

Mr. Logan offered the following amendment:
Amend by striking out lines 5, 6, 7, 12, 13, 14, 15, 16 and 17, on page 2.

Pending consideration, on motion of Mr. Tracy, the House at 12:44 p.m. took recess until 3 p.m. today.

AFTERNOON SESSION.

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 6243c 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," on its engrossment.

With the following amendment by Mr. Drew pending:
Amend caption by inserting "104" in lieu of "114."

On motion of Mr. Hensley,
Mr. Kirk was excused for this afternoon, on account of important business.

On motion of Mr. Dorroh,
Mr. Childs was excused until next Monday, on account of important business.

On motion of Mr. Bailey, the members of Judicary Committee No. 2 were excused temporarily, on account of important committee work.

BILLS AND RESOLUTIONS.

(By unanimous consent.)

By Mr. Barbee:
House bill No. 639, a bill to be entitled "An act for the benefit of the navigation of the Trinity river, and to facilitate its better drainage."

Read first time and referred to Committee on Internal Improvements.

By Mr. Tracy:
House bill No. 660, a bill to be entitled "An act to amend articles 199 and 200, of chapter 2, of title 7, of the Penal Code of the State of Texas (1885), relating to the sale of goods on Sunday, to permit the sale of certain articles on that day."

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

By Mr. Holland of Harris:
House bill No. 661, a bill to be entitled "An act to amend article 1331, chapter 13, title 30, of the Revised Civil Statutes of the State of Texas of 1895, relating to special verdicts, and providing for same in certain cases."

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

By Mr. Turner:
House bill No. 662, a bill to be entitled "An act to amend article 4584f of chapter 14, of title 94, of the Revised Civil Statutes of the State of Texas, and to regulate the issuance of bonds by railroad companies."

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

By Mr. Turner:
House bill No. 663, a bill to be entitled "An act to amend articles 4351 and 4354, of chapter 1, of title 94, of the Revised Civil Statutes of the State of Texas, and to add to said chapter 1, of said title 94, an article to be known as article 4351a, and to encourage the building of railroads."

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

COMMITTEE REPORT.

By Mr. McGaughey, chairman:
Committee Room,
Austin, Texas, April 2, 1897.

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

Your Committee on Education, to whom was referred
Senate bill No. 150, a bill to be entitled "An act to amend article 8910 of the Revised Statutes of 1895, relating to public schools."

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 section 1 by striking out "seven hours" and insert in lieu thereof "six hours;" and strike out "including" and insert in lieu thereof "exclusive of."

Amend by striking out the words "not less than" in lines 18 and 20.

McGAUGHEY, Chairman.

SENATE MESSAGE.

Senate Chamber,
Austin, Texas, April 2, 1897.
Hon. L. T. Dashiell, Speaker of the House.
I am instructed by the Senate to inform the House that the Senate has adopted the report of the free conference committee on Senate joint resolution No. 8, by a two-thirds vote: yeas 22, nays none.

Respectfully,
WILL LAMBERT, Secretary.

BILLS SIGNED BY THE SPEAKER.

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

Senate bill No. 171, entitled "An act to amend article 3852a, title LXXVII, of the Revised Civil Statutes, relating to the Board of Pardon Advisers."

Senate bill No. 285, entitled "An act making an appropriation for the establishment of a public park on the site of the battle field 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."

House bill No. 563, entitled "An act to amend section 6, of 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 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 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."

House bill No. 381, entitled "An act to amend an act to provide for the construction and maintenance of drains, ditches and watercourses, and for the improvement and enlargement of natural drainage of the several counties within the State of Texas, and to repeal all laws in conflict with this act."

House bill No. 612, entitled "An act to validate 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 may desire."

House bill No. 162, "An act to amend article 183, chapter 1, title 7, of the Penal Code of Texas, relating to disturbance of public worship."

House bill No. 346, entitled "An act to transfer Red River and Fayette counties from the district school system to the community school system, and to authorize and empower the said counties to organize and conduct all of their public free schools under the community system, as provided by the laws now in force."

House bill No. 473, entitled "An act to restore to and confer upon the county court of Leon county the civil and criminal jurisdiction heretofore belonging to said county court under the Constitution and General Statutes of the State, and to conform the jurisdiction of the district court of said county to said change."

House bill No. 96, entitled "An act to provide the mode of furnishing certain supplies to the asylums, and to repeal chapter 3, title IX, of the Revised Civil Statutes of the State of Texas, adopted April 29, 1895."

Also,
Senate concurrent resolution No. 17, authorizing and empowering the Daughters of the Republic of Texas to place a statue of one of the Fathers of Texas in the Hall of Statuary in the national capitol at Washington, D. C.

Mr. Williams called up for reconsideration.

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

Which bill was returned to the House on March 25 with the Governor's objections thereto, and which veto message was printed in full in the House Journal of same date.

The Speaker laid the bill before the House, together with the veto message of the Governor thereon, which was read in full.

Question—Shall the bill pass and become a law, notwithstanding the objections of the Governor?

After reconsideration, Mr. Humphrey moved the previous question, and the main question was ordered.

The House refused to pass the bill over the Governor's veto by the following vote:

Yeas—34.
Barrett. Logan.
Bird. Morton.
Conoly. Reiger.
Dennis. Schlick.
Evans of Hunt. Seabury.
Ewing. Skillern.
Feild. Sluder.
Fields. Smith.
Freeman. Strother.
Harris. Tracy.
Hensley. Welch.
Holland of Burnet. Williams.
Jones. Wolters.
Kimbell. Wood.

Nays—59.
Alexander. Green.
Ayers. Hill of Gonzales.
Bailey. Hill of Travis.
Benson. Holland of Harris.
Bertram. Humphrey.
Blackburn. Love.
Blair. Manson.
Boyd. Martin.
Brigance. Maxwell.
Bumpass. McGaughey.
Burns. McKellar.
Carpenter. Mende.
Carwell. Melton.
Collier. Moore, Fort Bend.
Cureton. Moore of Lamar.
Curry. O'Connor.
Dean. Oliver.
Doyle. Patterson.
Drew. Peery.
Garrison. Pitts.
Good. Porter.
Graham. Randolph.
Reubell. Thomas.
Rhea. Tucker.
Robbins. Turner.
Rogan. Vaughan of Collin.
Shelburne. Wall.
Shropshire. Wallace.
Smyth. Ward.

Absent.
Barbee. Lillard.
Brewster. McFarland.
Childs. Mundine.
Dickinson. Neighbors.
Dies. Pfeiffer.
Fisher. Rudd.
Gilbough. Staples.
Kirk. Stokes.

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

PAIRED.
Mr. Brewster (present), who would vote "yea," with Mr. Dies (absent), who would vote "nay."

I vote yea to pass this bill over the Governor's veto for these reasons: I was a member of the Committee on Education. That committee carefully examined the bill, which, it was stated, was drawn up upon lines laid down by Superintendent Carlisle, and recommended its passage. The teachers of Greer county contracted with the State of Texas and carried out their contracts. The county was under the jurisdiction of the State, and the teachers taught not for the United States, but for Texas. Had the State been on a cash basis, meeting her claims regularly as they matured, there would have been no debt. I am a man who believes in carrying out an honest contract. This State can not afford to have this stain upon her escutcheon.

SMITH.

The Speaker laid before the House the following report of the free conference committee on Senate joint resolution No. 8:

Committee Room,
Austin, Texas, April 2, 1897.

Hon. L. T. Dashell, Speaker of the House, and Hon. George T. Jester, President of the Senate:

We, your free conference committee who were appointed to consider
Senate joint resolution No. 8, being a resolution to amend section 3 of article XI of the Constitution of the State of Texas, so as to authorize certain counties to give aid in the construction of railways,

Have had the same under consideration, and we recommend that the Senate recede from its objections to the House amendments, that the House insist upon its said amendments, and that the Senate do concur therein.

Respectfully submitted.

ATLEE, Chairman;
BURNS, LEWIS, TURNLEY,
On part of the Senate.

BELL, BAILEY, BLAIR, TURNER, SEABURY,
On part of the House.

The Clerk was directed to call the roll, and the report was adopted by the following vote:

Yeas—89.

Mr. Speaker.
Alexander.
Ayers.
Bailey.
Beaird.
Bell.
Benson.
Blackburn.
Blair.
Boyd.
Brewster.
Briggance.
Burns.
Carpenter.
Carswell.
Collier.
Conoly.
Cureton.
Curry.
Dean.
Dennis.
Dorroh.
Doyle.
Drew.
Evans of Hunt.
Ewing.
Felld.
Fields.
Freeman.
Garrison.
Good.
Graham.
Green.
Harris.
Hensley.

Skilemm.
Sluder.
Smith.
Smyth.
Stapler.
Strother.
Tracy.
Tucker.

Mr. Turner moved to reconsider the vote by which the above free conference committee report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, with Senate amendments, House bill No. 168, a bill to entitled "An act to punish persons for wilfully turning out or permitting to run at large within a county or subdivision of any county in which the stock law has been adopted, stock not permitted to run at large."

On motion of Mr. Randolph, the House concurred in the Senate amendments.

Mr. Randolph moved to reconsider the vote by which the Senate amendments to House bill No. 101 were concurred in, and to table the motion to reconsider.

The motion to table prevailed.

The House returned to consideration of House bill No. 101, on its engrossment, with amendment by Mr. Drew pending.

Mr. Welch moved to adjourn until 9:30 a.m. to-morrow.

Lost.

Mr. Beaird moved to suspend pending business to take up and place on
its second reading, House bill No. 517.

On the motion to suspend, yeas and nays were demanded by Mr. Pitts, Mr. Beard and Mr. Bertram.

Carried by the following vote:

Yeas—62.

Ayers. Maxwell.
Barrett. McEachern.
Beard. McNamee.
Benson. Meade.
Blair. Melton.
Brewster. Mercer.
Brigance. Moore, Ft. Bend.
Conoly. Morton.
Cureton. Mundine.
Dennis. O'Connor.
Dorrough. Patterson.
Doyle. Peery.
Drew. Pitts.
Ewing. Porter.
Field. Reiger.
Fields. Reubell.
Fisher. Rhea.
Garrison. Robbins.
Gilbough. Rogers.
Good. Savage.
Harris. Schlick.
Hill of Travis. Skillern.
Holland, Harris. Smith.
Humphrey. Smyth.
Jones. Tracy.
Kimbell. Turner.
Lillard. Vaughan of Collin.
Logan. Wall.
Lott. Wallace.
Love. Wolters.
Manson. Wood.

Nays—30.

Alexander. Holland of Burnet.
Bell. Martin.
Bertram. McKamy.
Bird. Moore of Lamar.
Boyd. Oliver.
Bumpass. Randolph.
Carpenter. Seabury.
Collier. Shelburne.
Curry. Shropshire.
Dan. Sluder.
Evans of Hunt. Stamper.
Freeman. Strother.
Graham. Thomas.
Hensley. Tucker.
Hill of Gonzales. Ward.

Absent.

Blackburn. Neighbors.
Browne. Pfeiffer.
Burns. Rudd.
Carswell. Staples.
Childs. Stokes.
Dickinson. Welch.
Dias. Williams.
Green.

Excused.

Bean. Flint.
Burney. Morris.
Callan. Rogers.
Crawford. Thaxton.
Crowley. Thompson.
Edwards. Vaughan, Gal'lupe.
Evans, Grayson. Wilcox.

I vote no on the motion to suspend pending business, which is House bill No. 101, the bill providing for the raising of additional revenue for the support of the government by placing a tax of 2 per cent upon the gross receipts of life and accident insurance companies, and a tax of 1½ per cent upon the gross receipts of fire and marine insurance companies, doing business in this State. It is generally known that these great corporations are taking out of our State millions of dollars annually, and that they are only paying taxes on a very small amount of property, consisting of a few buildings for office use which they have in a few of the larger cities, and which tax amounts to but very little. I think that while we are making appropriations, we should be looking forward to raising a fund from which to draw upon without further taxing the people, and if this House continues to set aside these revenue bills the first thing we know we will be compelled to adjourn before we provide an increased revenue and thereby save a deficit, and do our duty which we owe to the people.

HILL of Gonzales.

The Speaker laid before the House, on its second reading, House bill No. 517, a bill to be entitled "An act to make it a felony for any president, director or manager, cashier or other officer of any bank, banking institution or the owner or manager of any private bank or banking institution, or the president, vice president, secretary, treasurer, director or agent of any trust company or institution doing business in the State of Texas to receive or assent to the reception of any deposit of money or other valuable thing in such bank, banking institution or trust company or institution, or for any such officer, owner or agent of such bank, banking institution or president, vice president, secretary, treasurer or director or agent of such trust company or institution to create or assent to the creation of any debt, debts or indebtedness in consideration or by reason of which indebtedness any money or valuable-
property shall be received into such
bank or banking institution or trust
company or institution after he shall
have knowledge of the fact that such
bank, banking institution or trust com-
pany or institution or the owner or
owners of any such private bank or in-
surance is insolvent or in failing cir-
cumstances, and to provide an appro-
priate penalty therefor."

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

Amend section 2 by striking out in
lines 28 and 29 of the printed bill the
words, "and this act take effect and be
in force from and after its passage,
and it is so enacted."

Adopted.

Mr. Bell offered the following
amendment:

Amend by striking out all of section
1 after the word "years," in line 8, on
page 2.

Mr. Dean offered the following sub-
stitute for the amendment:

Amend by inserting
in line 10, page
2, section 1, before the words "shall
be," the following words, "within thir-
ty days after the receiving of such
money or property on deposit."

After consideration,
Mr. Reiger moved the previous ques-
tion on the pending amendments, and
the main question was ordered.

On the substitute by Mr. Dean,
Yeas and nays were demanded by
Mr. Dean, Mr. Love and Mr. Boyd.

Lost by the following vote:

Yeas—27.
Alexander.       Love.
Bailey.          McKellar.
Benson.          Moore, Fort Bend.
Bertram.         Moore, Lamar.
Boyd.            Porter.
Carpenter.       Randolph.
Curry.           Reubell.
Dean.            Seabury.
Freeman.         Shelburne.
Garrison.        Stamper.
Holland of Burnet. Thomas.
Holland of Harris. Wolters.
Humphrey.        Wood.
Lotto.

Nays—65.
Ayers.           Carswell.
Barrett.         Conoly.
Beard.           Cureton.
Bell.            Dennis.
Blackburn.       Dorough.
Blair.           Doyle.
Brewster.        Drew.
Brigance.        Ewing.
Bumpass.         Field.
Burns.           Gilbough.
Good.           Patterson.
Graham.         Peery.
Green.           Pitts.
Harris.         Reiger.
Hensley.        Rhea.
Hill of Gonzales. Robbins.
Hill of Travis.  Rogan.
Jones.           Rudd.
Kimbell.        Savage.
Kirk.           Schlick.
Lillard.        Skillern.
Logan.           Smith.
Manson.         Smyth.
Martin.         Strother.
McGaughey.      Tracy.
McKamy.         Tucker.
Meade.           Turner.
Melton.        Vaughan of Collin.
Mercer.         Wall.
Morton.         Wallace.
Mundine.        Ward.
O'Connor.       Williams.
Oliver.           Absent.
Barbee.         Maxwell.
Browne.       Neighbors.
Childs.        Pfeiffer.
Collier.      Shropshire.
Dickinson.   Sluder.
Dies.         Staples.
Evans of Hunt.  Stokes.
Feld.  Welch.
Fisher.

Excused.
Bean.          Flint.
Boudads.       Henderson.
Burney.       Morris.
Callan.         Rogers.
Crawford.      Thaxton.
Crowley.      Thompson.
Edwards.      Vaughan, Guadalupe
Evans of Grayson. Wilcox.

The amendment by Mr. Bell was
lost.
Mr. Randolph offered the following amend-
ment:

Amend section 1, page 2, in line 8,
by striking out the word "or" between
the words "two" and "more," and in-
sert in lieu thereof the word "nor."
Adopted.

On engrossment of the bill, yeas and
nays were demanded by Mr. Love,
Mr. Dean and Mr. Bell.

House bill No. 517 was ordered en-
grossed by the following vote:

Yeas—86.
Alexander.       Bird.
Ayers.           Blackburn.
Barrett.         Blair.
Beard.           Boyd.
Benson.          Brewster.
Bertram.        Briggs.
Mr. Beaird moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 517 be put on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—85.**

- Alexander
- Ayres
- Barrett
- Beaird
- Benson
- Bertram
- Bird
- Blackburn
- Blair
- Brewster
- Brignac
- Bumpass
- Burns
- Carswell
- Collier
- Conoly
- Cureton
- Curry
- Dean
- Dennis
- Dorroh
- Doyle
- Drew
- Ewing
- Fields
- Freeman
- Garrison
- Gilbough
- Good
- Graham
- Green
- Harris
- Hensley
- Hill of Gonzales
- Hill of Travis
- Holland of Burnet
- Holland of Harris
- Humphrey
- Jones
- Kirk
- Lillard
- Logan
- Love
- Manson
- Martin
- McGaughey
- McKamy
- McKellar
- Meade
- Nay's—3.
- Bailey
- Bell
- Carpenter

**Absent.**

- Barbee
- Browne
- Childs
- Collier
- Dickinson
- Dies
- Evans of Hunt
- Feild
- Fisher
- Kimbell
- Lotto
- Maxwell
- McFarland
- Morris
- Patterson
- Rogers
- Thaxton
- Thompson
- Vaughan, Guadalupe
- Wilcox
- Wood

**Excused.**

- Bean
- Bounds
- Burney
- Callan
- Crawford
- Crowley
- Edwards
- Evans of Grayson
- Flint
- Henderson
- McFarland

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Bean. Excused.
Bounds. Flint.
Burney. Henderson.
Callan. Morris.
Crawford. Rogers.
Crowley. Thompson.
Edwards. Vaughan, Guadalupe.
Evans of Grayson. Wilcox.

House bill No. 517 was laid before the House, read third time, and passed. Mr. Beaird moved to reconsider the vote by which House bill No. 517 was passed, and to table the motion to reconsider. The motion to table prevailed.

On motion of Mr. Wolters, pending business was further suspended to take up and place on its second reading, 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." The bill was laid before the House, read second time, and was ordered engrossed.

On motion of Mr. Bailey, the House at 6:20 p. m. adjourned until 9 o'clock a. m. to-morrow.

SIXTY-SECOND DAY.

Hall House of Representatives, Austin, Texas, Saturday, April 3, 1897.

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

Speaker Dashiell in the chair.

Roll called, and the following members present:

Mr. Speaker, Bean.
Alexander. Logan.
Ayers. Logan.
Barrett. Love.
Beaird. Love.
Bell. Love.
Bertram. Love.
Bird. Love.
Blackburn. Love.
Blair.
Boyd. Love.
Brewster. Love.
Bragance. Love.
Bumpas. Love.
Burns. Love.
Carpenter. Love.
Carswell. Love.
Crowley. Love.
Cureton. Love.
Curry. Love.
Dean. Love.
Dennis. Love.

Excused.

Bean. Excused.
Bounds. Excused.
Burney. Excused.
Callan. Excused.
Crawford. Excused.
Crowley. Excused.
Edwards. Excused.
Evans of Grayson. Excused.
Flint. Excused.
Bounds. Excused.
Burney. Excused.
Callan. Excused.
Childs. Excused.
Edwards. Excused.
Evans of Grayson. Excused.

A quorum was announced present.

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

Pending reading of the Journal of yesterday.

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

GRANTED LEAVE OF ABSENCE:

On account of important business:

Mr. Benson for to-day, on motion of Mr. Patterson.
Mr. Collier indefinitely, on motion of Mr. Dies.
Mr. Rogers indefinitely, on motion of Mr. Mercer.
Mr. Barbee until Monday, on motion of Mr. Dean.
Mr. Evans of Hunt from the 29th inst. indefinitely, on motion of Mr. Shelburne.