The House accordingly, at 6:40 p. m., adjourned until 9 o'clock a. m. to-morrow.

NINETY-FIFTH DAY.

Hall House of Representatives, Austin, Texas, Thursday, May 20, 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:

Alexander. Feild.
Ayers. Fields.
Barbee. Freeman.
Barrett. Garrison.
Bcirld. Gilbough.
Bean. Good.
Benson. Graham.
Bertram. Green.
Bird. Harris.
Blackburn. Hensley.
Boyd. Hill of Travis.
Brewster. Holland of Burnet.
Brigance. Holland of Harris.
Browne. Humphrey.
Bumpass. Jones.
Burney. Kirk.
Burns. Lillard.
Carpenter. Logan.
Carswell. Lotto.
Childs. Love.
Conoly. Manson.
Crawford. Martin.
Cureton. Maxwell.
Curry. McFarland.
Dean. McCaughey.
Dennis. McKamy.
Dickinson. McKellar.
Dorroh. Meade.
Doyle. Melton.
Drew. Mercer.
Edwards. Moore, Fort Bend.
Evans of Grayson. Morris.
Ewing. Morton.

Mundine. Sluder.
O'Connor. Smyth.
Oliver. Staples.
Patterson. Stokes.
Peery. Thaxton.
Pfeuffer. Strother.
Porter. Thomas.
Randolph. Thompson.
Reiger. Tracy.
Reubell. Tucker.
Rhea. Turner.
Robbins. Vaughan of Collin.
Rogan. Wall.
Rogers. Wallace.
Rudd. Ward.
Schlick. Welch.
Seabury. Williams.
Shropshire. Wolters.
Skillern. Wood.

Absent.

Bell. Savage.
Blair. Shelburne.
Collier. Smith.
Dies. Stamper.
Henderson. Vaughan of Guadalupe.
Neighbors. Wilcox.
Pitts. A quorum was announced present.

Pending reading of the Journal of yesterday,

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

PENDING BUSINESS.

Free conference committee report (No. 2) on Senate bill No. 83, the Wayland fee bill, with pending motion of Mr. Carpenter that the report be adopted; and the motion of Mr. Blair that the report be rejected, and that the House insist on its amendments to the original bill and ask the Senate to concur therein; and the motion of Mr. Evans of Grayson to table the motion of Mr. Blair.

Mr. Wolters move a call of the House, which was seconded, and the Clerk was directed to call the roll, whereupon it appeared that the following members were absent without leave: Messrs. Bell, Blair, Collier, Dies, Henderson, Morris, Pitts, Rudd, Smith, Stamper, Vaughan of Guadalupe and Wilcox.

Mr. Evans of Grayson asked leave to withdraw the motion to table, and objection was made.

Mr. Carpenter moved to excuse the absentees, upon which motion yeas
and nays were demanded by Mr. Wolters, Mr. Ward and Mr. Neighbors.

Lost by the following vote:

**Yeas—64.**


**Nays—46.**


**PAIRED.**

Mr. Jones (present), who would vote "yea," with Mr. Bell (absent), who would vote "nay."

The Speaker then laid before the House, as pending business on its third reading and final passage,

Senate bill No. 293, a bill to be entitled "An act to authorize corporations to engage in the business of becoming surety on bonds, undertakings, recognizances and other obligations required or permitted by law or the charter, ordinances, rules or regulations of any municipality, board, body, organization, court, judge or other public officer, to be made, given, tendered or filed, with surety or sureties, and guaranteeing the refraining from or performance by another of any act, duty or obligation, and to regulate such business, and to repeal chapter XVI, title 21, of the Revised Statutes of the State of Texas."

The bill was read third time.

Mr. Dennis moved to suspend the regular order of business to take up and place on its second reading,

Substitute House bill No. 139.

Yeas and nays were demanded by Mr. Dennis, Mr. Fields and Mr. Lillard.

Suspended by the following vote:

**Yeas—70.**


Rhea. 
Robbins. 
Rogan. 
Schlick. 
Seabury. 
Shelburne. 
Sluder. 
Staples. 
Stokes. 
Strother. 

Thaxton. 
Thomas. 
Turner. 
Vaughan of Collin. 
Wall. 
Ward. 
Welch. 
Williams. 
Wolters. 
Wood. 

Nays—32. 

Alexander. 
Ayers. 
Beaird. 
Blackburn. 
Bumpass. 
Conoly. 
Dickinson. 
Doyle. 
Evans of Hunt. 
Field. 
Garrison. 
Gilbough. 
Good. 
Graham. 
Harris. 
Hill of Gonzales. 

Jones. 
Manson. 
McKamy. 
Melton. 
Moore. 
Moore, Fort Bend. 
Moore of Lamar. 
Moore of Lamar. 
Morton. 

Yeas—66. 

Alexander. 
Ayers. 
Beaird. 
Blackburn. 
Bumpass. 
Conoly. 
Dickinson. 
Doyle. 
Evans of Hunt. 
Field. 
Garrison. 
Gilbough. 
Good. 
Graham. 
Harris. 
Hill of Gonzales. 

Yeas—66. 

President pro tempore laid before the House, on its second reading, Substitute House bill No. 139, a bill to be entitled "An act to amend title 94, of chapter 10, of the Revised Civil Statutes of the State of Texas, by adding thereto article 4521a, preventing the use of the 'gate system' in the State of Texas, and fixing a penalty therefor."

The bill was read second time. (Mr. Wilcox was announced.) The committee report was adopted. Mr. Tracy offered the following amendment: Amend by adding after the word "cars," in line 17, the words "unless said company shall furnish comfortable waiting places with seats and shelter for passengers."

Mr. Dennis moved to table the amendment, upon which motion yes

and nays were demanded by Mr. Hill of Gonzales, Mr. Thompson and Mr. Tracy.

Tabled by the following vote:

Yeas—66. 

Alexander. 
Ayers. 
Beaird. 
Blackburn. 
Bumpass. 
Conoly. 
Dickinson. 
Doyle. 
Evans of Hunt. 
Field. 
Garrison. 
Gilbough. 
Good. 
Graham. 
Harris. 
Hill of Gonzales. 

Yeas—66. 

Holland of Harris. 
Humphrey. 
Lillard. 
Logan. 
Lotte. 
Love. 
Martin. 
McKellar. 
Meade. 
O'Connor. 
Patterson. 
Peery. 
Pitts. 
Porter. 
Randolph. 
Reubell. 
Rhea. 
Robbins. 
Schlick. 
Sheburne. 
Shropshire. 
Sluder. 
Staples. 
Thomas. 
Turner. 
Vaughan of Collin. 
Wall. 
Wallace. 
Ward. 
Wolch. 
Wolters. 
Wood. 

Nays—36. 

Barrett. 
Browne. 
Burney. 
Conoly. 
Curry. 
Dickinson. 
Garrison. 
Gilbough. 
Good. 
Harris. 
Hill of Gonzales. 
Jones. 
Kirk. 
Manson. 
Maxwell. 
McKamy. 
Melton. 
Mercer. 

Yeas—66. 

Bean. 
Bell. 
Blair. 
Collier. 
Dean. 
Dies. 
Drew. 

Evans of Grayson. 
Field. 
Graham. 
Henderson. 
McFarland. 
McGaughery. 
Morris.
Mr. Dennis offered the following amendments:

Amend the caption of the bill by striking out the word “of” after the figures “94,” in line 5; also, by striking out all after “4521a,” in line 6, and insert in lieu thereof the following: “Prohibiting the use of the gate system upon railroads in the State of Texas, and providing a penalty therefor.”

Adopted.

Amend by adding:

“Section 2. The near approach of the close of the present session of the Legislature and the crowded condition of the calendar rendering it impossible for this bill to be read on three several days creates an emergency and imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this act take effect and be in force from and after its passage, and it is so enacted.”

Adopted.

Pending consideration of House bill No. 139, the Speaker laid before the House as special order for this hour (10 a.m.) Substitute House bill No. 207, with Senate amendments.

Mr. Drew moved that the House do not concur, and that a free conference committee be requested to adjust the differences between the two houses on said bill.

(Mr. Seabury in the chair.)

Mr. Evans of Hunt moved the previous question, and the main question was ordered. Yeas and nays were demanded by Mr. Drew, Mr. Lillard and Mr. Beard.

The motion of Mr. Drew was lost by the following vote:

Yea—51.

Bertram. Bertram. Dean.

Fields. Neighbors.
Freeman. Oliver.
Good. Porter.
Holland of Burnet. Reubell.
Holland of Harris. Rhea.
Lillard. Robbins.
Logan. Seabury.
Love. Shelburne.
Martin. Shropshire.
Maxwell. Smith.
McGaughey. Stokes.
McKeel. Thaxton.
Meade. Thomas.
Melton. Tucker.
Moore of Lamar. Welch.
Mundine.

Nays—58.

Alexander. McKamy.
Ayers. Moore, Fort Bend.
Bailey. Morton.
Barbee. O’Connor.
Benson. Patterson.
Blackburn. Peery.
Blair. Pfeuffer.
Bounds. Pitts.
Bragance. Randolph.
Browne. Reiger.
Burns. Rogan.
Carpenter. Rogers.
Childs. Savage.
Dennis. Schlick.
Edwards. Skillern.
Evans of Hunt. Sluder.
Fisher. Smyth.
Gilbough. Strother.
Graham. Thompson.
Green. Tracy.
Harris. Turner.
Hensley. Vaughan of Collin.
Hill of Gonzales. Wall.
Hill of Travis. Wallace.
Humphrey. Ward.
Jones. Wilcox.
Kirk. Williams.
Lotto. Wolters.
McFarland. Wood.

Absent.

Bean. Manson.
Bell. Mercer.
Bird. Morris.
Collier. Rudd.
Dies. Stamper.
Garrison. Staples.
Henderson. Vaughan, Guad’lupe.

Excused.

Callan. Flint.
Crowley. Kimbell.

I vote in favor of a free conference committee on bill No. 207, because the Senate struck out the tax on street car lines and wharf companies. I believe these corporations should be taxed as well as the lawyers, doctors, merchants, and other enterprises and interests in this State. I believe all in-
terests should bear the burdens of taxation as nearly equally as possible.

DREW.

The amendments were concurred in.

MESSAGE FROM THE GOVERNOR.

The following message, transmitted through Mr. E. R. McLean, private secretary, was received from his Excellency, the Governor:

Executive Office,
May 20th, 1897.

To the House of Representatives:

Substitute House bill No. 203, being an act making appropriations for the State government for the two years beginning March 1, 1897, and for other purposes, is herewith returned without approval. It appropriates for the first year $2,505,382.19 and for the second year $2,184,471.20, aggregating $4,779,853.39 for the two years. Of this sum, in round numbers, $2,479,282 for the first year and $2,155,561 for the second year is out of the general revenue, or a total appropriation from the general revenue of $4,632,913 for the next two years. To this should be added $2,000 appropriated by the uniform textbook bill, $10,000 by the San Jacinto bill, and the deficiency bill of $120,000, all payable the first year, which will carry the appropriation for the first year to $2,611,582, and make the total appropriation in all the bills for the two years $4,764,913 out of the general revenue. This appropriation greatly exceeds that for the past two years.

In his last report the Comptroller estimated the total receipts under present laws and rate of taxation the first year at $2,314,000 and the second year at $2,317,000, aggregating $4,631,000 for two years. Taking into consideration the probable decrease in taxable values, the fact that some of the revenue laws recently passed will not be effective for a year, and the unusual length and cost of this session of the Legislature, there will be no net increase in revenue of consequence, and it will not be safe to put the receipts above the estimates made by the Comptroller in his report. Measured by this estimate, this bill creates a deficit in the first year of $397,322, and for the two years of $133,913. The bill, moreover, does not fully represent public expenditures under existing laws. It appropriates $375,000 annually for fees of sheriffs, clerks and attorneys in felony cases, and $75,000 annually for expenses of attached witnesses. It makes the total expenditures for two years in the latter, showing that these amounts will probably be spent each year, unless fees are reduced, instead of the amounts appropriated. This excess should therefore be added to the sums heretofore mentioned, and when done the minimum deficit the first year will be $387,252, and for the two years $315,913. Pledged first and above all things to a continuance of economy in the conduct of the government and such reduction of expenses as may be consistent with efficiency, the bill can neither be approved nor permitted to become a law. The excessive appropriations which are most obvious are in some of the educational institutions, in the insane asylums, and in fees in felony cases. With these matters adjusted to our receipts, and reduction of expenditures in such other places as may be found expedient, a deficit will be avoided. The increased expenditure in the educational institutions over the past two years is $100,000, and in the Insane asylums $265,000. This is equal to the entire value of the San Antonio asylum, as estimated by the Superintendent of Public Buildings and Grounds in his report. The laws regulating and fixing fees in felony cases authorize extravagant and excessive charges, against which the people have made earnest and unmistakable demand, and upon which we have promised them relief. Some of these increased expenditures are necessary, and reasonable fees of office should be paid, but the bill is so framed that disapproval of extravagant and separable items will not relieve the deficit, and consequently the alternative of creating a heavy deficiency or disapproving the entire bill is presented. Believing that the last accords with public interests, and that this course will enable the Legislature to meet the people of an inevitable increase in taxation in two years, it is accepted without hesitation. Attention has already been called to the appropriations for educational institutions and insane asylums. During the past two years $40,000 was appropriated for fees in examining trials, $30,000 for expenses of attached witnesses, and $750,000 for fees of sheriffs, clerks and attorneys in felony cases. In addition to this, as already stated, there was a deficit in the last two items of $90,000, thus making the total expenditures for two years in the above items $1,030,000. Of this amount, last year $78,465 was paid clerks, $97,416 was paid attor-
The resolution was read in full, and
Mr. Garrison moved that the message, with accompanying bill, be referred to the Committee on Finance.
Mr. Wolters moved to table the motion of Mr. Garrison.
Lost.
Mr. Ward offered the following resolution:

House concurrent resolution No. 33:
Be it resolved by the House of Representatives, the Senate concurring, That the Twenty-fifth Legislature do adjourn sine die at 6 o'clock p. m. to-day, Thursday, May 20, 1897.
(Signed: Ward, Wolters.)

Objection was made to a second reading of the resolution, and Mr. Ward moved that it be read a second time.
The motion prevailed.
Mr. Patterson raised the point of order that the resolution was not in order for the reason that the House had already adopted a concurrent resolution providing for sine die adjournment Monday, May 25, and had sent the same to the Senate.
Overruled by the Chair.
The resolution was read second time. Mr. Ward moved the previous question, and it was seconded.

(Speaker in the chair.)
SENATE MESSAGE.

Senate Chamber,
Austin, Texas, May 20, 1897.

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

I am instructed by the Senate to inform the House that the Senate has passed
House joint resolution No. 34, a joint resolution to amend section 51 of article 3 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.

By a two-thirds vote: ayes 22, noes 6; with amendments.

Also, Senate bill No. 384, a bill to be entitled "An act to amend article 475a, chapter 6, title 97 of the Revised Civil Statutes of the State of Texas, relating to roads, bridges and ferries."

By a two-thirds vote: ayes 24, noes none.

Respectfully,

WILL LAMBERT, Secretary.

SENATE BILL ON FIRST READING

Senate bill No. 384, reported above, was read first time and referred to the Committee on Roads, Bridges and Ferries.

The House refused to order the main question on House joint resolution No. 33.

Mr. Bailey moved to adjourn until 3 o'clock p. m. to-day, and Mr. Green until 9 a. m. to-morrow.

The motion of Mr. Bailey prevailed, and the House, at 11:13 a. m., adjourned accordingly.

AFTERNOON SESSION.

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

Speaker Dashiell in the chair.

Roll call, and the following members present:

Ayres.  Brewster.
Barrett.  Bumpass.
Beard.  Burney.
Bean.  Burns.
Benson.  Carpenter.
Bertram.  Carswell.
Blackburn.  Childs.
Blair.  Collier.
Bounds.  Conoly.

Crawford.  Meade.
Cureton.  Melton.
Curry.  Mercer.
Dean.  Moore, Fort Bend.
Dennis.  Moore of Lamar.
Dickinson.  Morton.
Dorrough.  Mundine.
Doyles.  Neighbors.
Drew.  Oliver.
Edwards.  Pitts.
Evans of Hunt.  Porter.
Evans of Grayson.  Randolph.
Ewing.  Reiger.
Feld.  Reubell.
Fields.  Rhea.
Fisher.  Rogers.
Fremacn.  Savage.
Garrison.  Schluck.
Gibbough.  Shelburne.
Good.  Shropshire.
Graham.  Skillern.
Green.  Sluder.
Harrist.  Smith.
Hensley.  Smyth.
Hill of Gonzales.  Staples.
Hill of Travis.  Stokes.
Holland of Burnet.  Strother.
Humphrey.  Thomas.
Jones.  Thompson.
Kirk.  Tracy.
Lillard.  Tucker.
Logan.  Turner.
Lotto.  Vaughan of Collin.
Love.  Wall.
Manson.  Wallace.
Martin.  Ward.
Maxwell.  Welch.
McFarland.  Wilcox.
McLaughley.  Williams.
McKamy.  Wolters.
McKeller.  Wood.

Absent.

Bell.  Pfeuffer.
Bird.  Robbins.
Dies.  Rogers.
Henderson.  Rudd.
Holland of Harris.  Seabury.
Morris.  Stamper.
O'Connor.  Thaxton.
Patterson.  Vaughan, Guad'lupe.
Peery.  Excused.

Callan.  Flint.
Crowley.  Kimbell.

A quorum was announced present.

SENATE MESSAGE.

Senate Chamber,
Austin, Texas, May 20, 1897.

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

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

House bill No. 696, a bill to be ent-
tled "An act to prohibit the taking of fish from the waters of this State otherwise than by means of the ordinary hook and line and trout line, and to prohibit the sale or shipping of game fish in this State, and to provide penalties for the violation thereof."

With amendments, and by a twofifths vote: yeas 21, nays 6.

Respectfully,
WILL LAMBERT, Secretary.

PRIVILEGED REPORT.

By Mr. Dean, chairman, on part of the House:

Committee Room,
Austin, Texas, May 20, 1897.

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

Your free conference committee, to whom was referred House bill No. 539, a bill to be entitled "An act making appropriations for 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 payment of claims registered in the Comptroller's office, according to law, and for outstanding claims not registered, and other deficiencies."

With Senate amendments, have had the same under consideration, and beg to report that they can not agree, and ask to be discharged.

BEALL,
LINN of Wharton,
KERR,
ROSS,
WOODS,
Committee on part of Senate.

DEAN,
BLAIR,
DREW,
PFEUFFER,
Committee on part of House.

BILLS SIGNED BY THE SPEAKER.

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

Senate bill No. 340, entitled "An act to amend the charter of the city of Galveston, by amending sections 39, 116 and 127, and by adding thereto sections 90, 132d, 132e, 176, 188a, 185b, 188c, 188d, 188e, 188f, 188g, 188h, 188i, 188j, 191, 56, 91, 92 and 93."

House bill No. 683, entitled "An act to grant to the Waco Water Power and Electric company the right to construct and maintain, and by necessary booms or otherwise to protect, and from time to time to raise, a dam across the Brazos river, and to purchase, condemn and pay for lands, rights and other property necessary therefor."

House bill No. 712, entitled "An act to render more effective and efficient the present road law of the State of Texas in its application and operation in the counties of Matagorda and Brazoria, and to authorize and empower the said counties to issue bonds for the construction and maintenance of public roads and highways within the said counties."

Senate joint resolution No. 13, to amend section 24, of article 3, of the Constitution of the State of Texas, relating to compensation of members of the Legislature.

SPEAKER'S TABLE.

Pending question: House concurrent resolution No. 33, by Messrs. Ward and Wolters, providing for sine die adjournment of the Twenty-fifth Legislature to-day, May 20, at 6 o'clock p. m.

Question: Shall the resolution be adopted?

Mr. Randolph offered the following amendment:

Amend by striking out "6 o'clock p. m., May 20," and insert "11 o'clock a. m., May 21, 1897."

Mr. Ward accepted the amendment.

Mr. Ayers offered the following substitute for the resolution:

Resolved by the House, the Senate concurring, that the Twenty-fifth Legislature stand adjourned sine die at 11 o'clock a. m., Saturday, May 22, 1897."

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

On the substitute by Mr. Ayers, yeas and nays were demanded by Mr. Fisher, Mr. Carpenter and Mr. Dean.

Lost by the following vote:

Yeas—16.

Alexander, Ayers, Barbee, Beaird, Beal, Burnes, Cureton, Evans of Grayson, Vaughan of Collin, Love. 

Nays—92.

Bailey, Barrett, Bean, Bertram, Bird, Blackburn, Blair, Bounds, Boyd.
On the resolution, yeas and nays were demanded by Mr. Brigance, Mr. Dean and Mr. Shelburne.

Adopted by the following vote:

Yeas—58.


Nays—51.

do, and we heartily endorse the message of the Governor vetoing the appropriation bill, and we want to save the State the expense of an extra session.

TRACY, MERCER, MELTON.

Mr. Ward moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, further as pending business, free conference committee report (No. 2) on Senate bill No. 83, with motion of Mr. Carpenter to adopt; motion of Mr. Blair to reject, and that the House insist on its amendments to the original bill, and ask the Senate to concur therein; and motion of Mr. Evans of Grayson to table the motion to reject.

Mr. Evans of Grayson, by consent, withdrew the motion to table.

Then, on motion of Mr. Evans of Grayson, the report was laid on the table subject to call.

The Speaker laid before the House, further as pending business, on its engrossment, substitute House bill No. 139, which was read second time and amended this morning.

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

The bill was ordered engrossed.

Mr. Dennis moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that substitute House bill No. 139 be put on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary constitutional four-fifths majority):

Yeas—58.


Mr. Green called up House bill No. 696, with Senate amendments.

The bill, with amendments, was laid before the House, and the amendments were read.

Mr. Green moved that the House concur.

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

The motion to concur prevailed.

Mr. Green moved to reconsider the vote by which the House concurred, and to table the motion to reconsider.

The motion to table prevailed.
Mr. Rogan called up House joint resolution No. 34, with Senate amendments.

The resolution, with amendments, was laid before the House, and the amendments were read.

Mr. Rogan moved that the House concur.

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

The motion to concur prevailed.

Mr. Rogan moved to reconsider the vote by which the House concurred, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, as pending business, Senate bill No. 293, on its final passage.

Mr. Holland of Harris moved to reconsider the vote by which Senate bill No. 293 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

Senate bill No. 154, a bill to be entitled "An act to require cities to provide for a board of plumbers, to be known as the examining and supervising board of plumbers, to regulate the duties of said board, and to provide penalties for violation hereof."

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

Yeas and nays were demanded by Mr. Bumpass, Mr. Thomas and Mr. Rhea.

The bill was passed by the following vote:

**Yeas—71.**


Mr. Holland of Harris moved to reconsider the vote by which Senate bill No. 293 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

Senate bill No. 154, a bill to be entitled "An act to require cities to provide for a board of plumbers, to be known as the examining and supervising board of plumbers, to regulate the duties of said board, and to provide penalties for violation hereof."

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

Yeas and nays were demanded by Mr. Bumpass, Mr. Thomas and Mr. Rhea.

Passed to a third reading by the following vote:

**Yeas—68.**

Mr. Blair moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 154 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yea—71.


Nays—16.


Absent.

Senate bill No. 154 was laid before the House on its third reading and final passage, read third time, and passed.

Mr. Blair moved to reconsider the vote by which Senate bill No. 154 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Drew called up House bill No. 49, with Senate amendments.

The bill, with amendments, was laid before the House, amendments read, and Mr. Drew moved that the House concur.

Mr. Robbins moved that the House do not concur, and that a free conference committee be asked to adjust the differences between the two houses on said bill.

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

The motion of Mr. Robbins was lost.

On the motion of Mr. Drew to concur, yeas and nays were demanded by Mr. Fields, Mr. Martin and Mr. Brigance.

Concurred by the following vote:

Yea—56.


Yays—32.


Absent.


Excused.


Mr. Drew moved to reconsider the vote by which the House concurred, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Dean called up, for reconsideration, Senate bill No. 263, entitled "An act to lease to H. P. N. Gammel, of Austin, Travis county, Texas, the stereotyped plates of volumes fifty-six (56) to eighty-six (86), inclusive, of the Texas Reports, being reports of the decisions of the Supreme Court of Texas."

Which was reported from the Senate on the 17th instant, with the Governor's veto thereon, with the information that the Senate had passed the bill, the Governor's objections to the contrary notwithstanding; said bill having been taken up on the 18th instant, the veto message read, and laid on the table subject to call.

The bill was laid before the House,
Mr. Dean moved the previous question, and the main question was ordered.

Question: Shall the bill pass, the Governor's objections to the contrary notwithstanding?

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

Mr. Dean, by consent, withdrew the motion for the previous question, and Mr. Maxwell, by consent, withdrew the motion for a call of the House.

Mr. Maxwell moved to adjourn until to-morrow at 9 a.m. Lost.

Mr. Bumpass, by consent of the House, sent up to the Clerk's desk and had read a resolution which he proposed to offer in case the bill failed to pass.

After further reconsideration, Mr. McLaughley moved to adjourn until 9 a.m. to-morrow, and Mr. Doyle until 8 p.m. to-day.

Both motions lost.

After further reconsideration by the House, Mr. Doyle 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:

<table>
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<th>Yeas</th>
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Mr. Oliver (present), who would vote "nay," with Mr. Childs (absent), who would vote "yea."

Mr. Fisher (present), who would vote "nay," with Mr. Vaughan of Guadalupe (absent), who would vote "yea."

I vote "yea" on this question, because it is a saving of $1 per volume to the people of Texas on each volume printed and sold to the people of Texas.

I vote for the passage of this bill, regardless of the veto of the Governor, because it is apparent that the publication of the volumes of the Reports mentioned can be obtained in no other manner, and the great demand for them by the legal profession, and by the counties of this State for the use of their district and county courts, renders their immediate publication necessary.

I vote to pass the Gammel book bill over the Governor's veto, because it was clearly shown on the floor of the House that up to this time a book...
trust in St. Louis has had the printing of these books, and that they have been making the lawyers of Texas pay $4 per volume for them, whereas Mr. Gammel, under this bill, was to furnish them at $2.

MORTON.

On motion of Mr. Maxwell, the House, at 6:35 p.m., adjourned until 9 o'clock a.m. to-morrow.

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NINETY-SIXTH DAY.

Hall House of Representatives, Austin, Texas, Friday, May 21, 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:

Alexander.  Hill of Travis.
Ayers.  Holland of Burnet.
Barbee.  Holland of Harris.
Barrett.  Humphreys.
Bean.  Jones.
Bean.  Kirk.
Benson.  Lillard.
Bertram.  Logan.
Bird.  Lotto.
Blackburn.  Love.
Bounds.  Manson.
Boyd.  Martin.
Brewster.  Maxwell.
Brigance.  McFarland.
Brown.  McKamy.
Bumpass.  McKellar.
Burney.  Meade.
Burns.  Mercer.
Carpenter.  Moore of Lamar.
Carswell.  Morton.
Childs.  Mundine.
Conoly.  Neighbors.
Crawford.  O'Connor.
Cureton.  Oliver.
Curry.  Pfeuffer.
Dennis.  Porter.
Dorrol.  Reiger.
Doyle.  Reubell.
Drew.  Rhea.
Edwards.  Rogan.
Evans of Hunt.  Rudd.
Ewing.  Schlick.
Feld.  Seabury.
Fisher.  Shelburne.
Freeman.  Shropshire.
Garrison.  Skillern.
Good.  Sluder.
Graham.  Smyth.
Green.  Staples.
Harris.  Stokes.
Henderson.  Strother.
Hensley.  Thaxton.
Hill of Gonzales.  Thomas.

Thompson.  Wallace.
Tracy.  Welch.
Tucker.  Wilcox.
Turner.  Williams.
Vaughan, Guadalupe Wolters.
Vaughan of Collin.  Wood.

Wall.

Absent.

Bailey.  Moore, Fort Bend.
Bell.  Morris.
Blair.  Patterson.
Collier.  Peery.
Dean.  Pitts.
Dickinson.  Randolph.
Dews.  Robbins.
Evans of Grayson.  Rogers.
Fields.  Savage.
Gilbough.  Smith.
McGaughhey.  Stamper.
Melton.  Ward.

Excused.

Callan.  Flint.
Crowley.  Kimbell.

A quorum was announced present.

Prayer by Rev. F. S. Jackson, Chaplain of the Senate.

Pending reading of the Journal of yesterday,

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

GRANTED LEAVE OF ABSENCE:

On account of important business:

Mr. Savage for to-day, on motion of Mr. Cureton.

Mr. Peery until Monday, on motion of Mr. Hensley.

Mr. Evans of Grayson until Monday, on motion of Mr. Martin.

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

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

Mr. Stamper until Monday, on motion of Mr. Crawford.

Mr. Wall until Monday, on motion of Mr. Thomas.

Mr. Dean until Monday, on motion of Mr. Boyd.

Mr. Rogers until Monday, on motion of Mr. Moore of Lamar.

Mr. Randolph until Monday, on motion of Mr. Barbee.

Mr. Dies for yesterday and until Monday, on motion of Mr. Cureton.

Mr. Collier for Wednesday and until Monday, on motion of Mr. Hensley.

Mr. Doyle until Monday, on motion of Mr. Wood.

Mr. Patterson for to-day, on motion of Mr. Benson.

Mr. Wallace until Monday, on motion of Mr. Rudd.