Mr. Rochelle to Judiciary Committee
No. 1, on motion of Mr. Wooten, chairman.

At 12:30 p. m., on motion of Mr. Shelburne, the House took recess until 7:30 p. m. today to hear an address from Hon. A. C. Oliver of Cass county.

EVENING SESSION.

The House was called to order by the Speaker at 7:30 p. m.

On motion of Mr. Schluter, the House took recess further till 8 p. m.

Mr. Schluter in the chair, at 8 p. m., the House was called to order.

Mr. Oliver, who was to address the House, was introduced by Mr. Grubbs.

Mr. Oliver, in appropriate words, thanked the House for the honor conferred in inviting him to address it at this time, and entertained the members for quite an hour in his own naive way, his remarks bearing mostly on modern campaign methods (especially in Cass county); the growing evil that is to congest the population in cities and towns, and the necessity for legislation that will lighten the burdens of taxation on the toiling masses.

At the conclusion of Mr. Oliver's address, Mr. Grubbs was loudly called for, and spoke entertainingly for a few minutes on committee work.

At 9:20 p. m., on motion of Mr. Vaughan, the House adjourned until 9:30 o'clock a. m. next Monday.

FORTY-SECOND DAY.

Hall of the House of Representatives.

Austin, Texas,

Monday, Feb. 27, 1899.

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

Speaker Sherrill in the chair.

Roll called, and the following members present:

- Adams
- Allen of Colorado
- Allen of Hopkins
- Bailey
- Barbee
- Barrett
- Bean
- Beaty
- Blount
- Bolin
- Bridgers
- Caldwell
- Chambers
- Childers
- Evans of Fannin
- Garner
- Garrett
- Gill
- Goodlett
- Goodman
- Gordon
- Graham
- Greenwood
- Grubbs
- Henderson, Brazos
- Henderson, Lamar
- Howard
- Hurley
- Jones
- Kennedy
- Kittrell
- Lake
- Lane
- Lillard
- Little
- Livsey
- Loney
- Loyd
- Marsh
- Mastersen
- Maxwell
- McAnally
- McClellan
- McDowell
- McFarland
- McKellor
- Meitzen
- Mercer
- Monroe
- Morris
- Morrow
- Murphy
- Murray
- Neff
- Nolan
- Dorroh
- Evans of Grayson
- Frost
- Grogan
- Ayers
- Bennett
- Browne
- Calvin
- A quorum was announced present.

Prayer by Rev. W. J. Gatlin, Chaplain.

Pending reading of the Journal of yesterday.

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

Mr. Henderson of Lamar moved to reconsider the vote by which Senate bill No. 176 was passed last Saturday, and asked to have the motion to reconsider spread upon the Journal.
GRANTED LEAVE OF ABSENCE.

On account of important business:
- Mr. Staples for last Friday and Saturday, on motion of Mr. Savage.
- Mr. Grogan until Wednesday, on motion of Mr. Ellis.
- Mr. Smith of Grayson until Wednesday, on motion of Mr. Sansom.
- Mr. Cocke until Wednesday, on motion of Mr. Phillips of Lampasas.
- Mr. Hamilton until Thursday, on motion of Mr. Tarkington.
- Mr. Stripling until Wednesday, on motion of Mr. Tate.

On account of sickness:
- Mr. Dorroh indefinitely, on motion of Mr. Marsh.
- Mr. Lane indefinitely, on motion of Mr. Scurry.
- Mr. Goodlett for today, on motion of Mr. Allen of Colorado.
- Mr. Palmer for today, on motion of Mr. Smith of Collin.

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:

House bill No. 157, "An Act to repeal Articles 3898, 3899, 3900 and 3901, Title LXXXVI, Chapter 7, of the Revised Civil Statutes of 1895, of the State of Texas, transferring and setting apart annually one per cent. of the full value of the permanent school fund to the credit of the available school fund, and to declare an emergency, and provide that this act take immediate effect.'

PETITIONS AND MEMORIALS.

By Mr. Wells:
- Petition of twenty-five members of the W. C. T. U. of Denison, Texas, defining the evil effects of the cigarette habit upon the youth of our State, and urging the House of Representatives to pass Senator Lloyd's bill—Senate bill No. 76—prohibiting the sale of tobacco and cigarettes to persons under 16 years of age.

Read, and referred to Committee on Public Health and Vital Statistics.

By Mr. Grubbs:

Read, and referred to Committee on Internal Improvements.

By Mr. Peery:
- Petition of seventy-one citizens of Throckmorton county, asking relief for an unfortunate girl citizen of said county, who is deaf and dumb and blind.

Read, and referred to Committee on State Asylums.

By Mr. Walton (by request):
- Petition from the Liquor Dealers' Association of San Antonio, asking for relief from excessive taxation.

Read, and referred to Committee on Revenue and Taxation.

By Mr. Walton (by request):
- Petition of Jas. P. Newcomb, asking payment for services rendered the State in preparing its claims for frontier defense.

Read, and referred to Committee on Claims and Accounts.

By Mr. Adams:
- Petition from forty citizens of Wharton county, asking that the stock law be so amended as to prevent horses, mules and other stock from running at large in certain subdivisions of counties.

Read, and referred to Committee on Stock and Stock-raising.

By Mr. Parish:
- Petition of 150 citizens of Robertson county, asking the support and influence of each and every member of the present Legislature in the passage of House bill No. 355, by Parish, amending Article 3855, Chapter 1, Title LXXIX, of the Revised Statutes of Texas, relating to State convicts by boards of commissioners of penitentiaries to owners, lessees, managers or receivers of coal mines or collieries.

Read, and referred to Committee on Mines and Minerals.

BILLS AND RESOLUTIONS.

By Mr. Morrow:
- House bill No. 658, A bill to be entitled "An Act to amend Article 5086, of the Revised Civil Statutes of Texas, so as to make taxes a lien on personal as well as on real property.

Read first time, and referred to Committee on Revenue and Taxation.

By Mr. Decker:
- House bill No. 659, A bill to be entitled "An Act to amend Article 4218, of the Revised Statutes of Texas, relating to lease of school and asylum lands, so as to abolish the so-called lease lien and allow actual settlers to purchase all of such lands."

Read first time, and referred to Committee on Public Lands and Land Office.

By Mr. Kennedy:
- House bill No. 660, A bill to be entitled "An Act to amend Article 988, Chapter 11, Title XXVII, of the Revised Civil Statutes of 1895, and to fix the salaries..."
of the chief justices and associate justices of the several courts of civil appeals at three thousand dollars per annum, and declares an emergency.

Read first time, and referred to Committee on Finance.

By Mr. Kennedy:
House bill No. 661, A bill to be entitled "An Act to amend Article 934, Chapter 1, Title XXVII, of the Revised Civil Statutes of Texas, 1895, and to fix the salaries of the chief justice and the associate justices of the supreme court at three thousand five hundred dollars per annum, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Mr. Vaughan (by request):
House bill No. 662, A bill to be entitled "An Act to prevent any officer of any incorporated city, town or village from contracting in any way with the city, town or village to furnish supplies or any article or articles in his own favor or any firm or corporation in which he may have any interest, and to declare an emergency."

Read first time, and referred to Committee on Public Lands and Land Office.

By Mr. Kittrell:
House bill No. 663, A bill to be entitled "An Act to define and declare what constitutes a gaming house or gambling house, and to define the offense of keeping a gaming house or gambling house, and to define the offense of permitting a house to be used as a gaming house or gambling house, and to define the offense of renting or leasing a house to be used as a gaming house or gambling house, and to declare that the words gaming house and gambling house are synonymous and equivalent, and to prescribe and define what shall be prima facie evidence of a violation of any of the provisions of this act, and to authorize, empower and direct the judge of any court in which a conviction is had for a violation of any of the provisions of this act to issue necessary process to any peace officer to seize and destroy the tools, devices or implements used in the gaming house in which such violation occurs, and to fix a penalty or penalties for violations of the provisions of this act, and to repeal all laws and parts of laws in conflict herewith."

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

By Mr. Prince:
House bill No. 664, A bill to be entitled "An Act to appropriated fifteen thousand dollars to build and maintain an orphan's home for colored children at Corsicana, Texas, and for the purchase of 100 acres of land; to provide for the appointment of a board of managers, superintendent and matron of said home, and to define their duties."

Read first time, and referred to Committee on Education.

By Mr. Kittrell:
House bill No. 665, A bill to be entitled "An Act to authorize and empower commissioners courts to appoint a county auditor, and defining and prescribing the duties and fixing the compensation of such officer, and declaring an emergency."

(Provides for the creation of such office in counties where, in the judgment of the commissioners court, the interests of the county may require it; fixes the compensation at not more than $1800 per annum, or not to exceed such rate per month, and fixes the bond at $500.)

Read first time, and referred to Committee on County Government and County Finances.

By Mr. Wooten (by request):
House bill No. 666, A bill to be entitled "An Act to provide an additional method of preparing transcripts of the record in civil cases, on appeal or writ of error, and to have the same printed, and prescribing the method of prefacing and printing the same, and prescribing the costs and fees to be charged and collected therefor."

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

By Mr. Vaughan:
House bill No. 667, A bill to be entitled "An Act for the relief and protection of the small cotton farmers in this State, so that they can procure the best physicians, drugs and medicines that they may need during the year while making their crops by exempting from mortgage lien, at forced sale, two bales of cotton of 500 pounds each, and to repeal such laws as may conflict with this act, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Mr. Decker:
House bill No. 668, A bill to be entitled "An Act to amend Article 2502 of the Revised Civil Statutes of Texas, relating to connecting and adjoining fences, and to add thereto Articles 2502a and 2502b, providing for joint division and dividing fences between adjoining lands, and providing adequate means for the erection and maintenance of such dividing fences, and declares an emergency."

Read first time, and referred to Committee on Public Lands and Land Office.
By Mr. Bailey:
Whereas, The present session of this Legislature is rapidly nearing its close, and
Whereas, further, The committees have completed their work, and there are now reported and on the Speaker's table more bills than can be possibly considered; therefore, be it
Resolved, That it is the sense of this House that commencing on Tuesday, February 28, 1899, the House of Representatives shall hold two sessions daily, one morning session from 9 a.m. until 12 m., and one evening session from 2 p.m., until a motion to adjourn shall be adopted and until otherwise provided by the House.

The resolution was read and went over under the rules.

SENATE MESSAGE.

Senate Chamber,
Austin, Texas, Feb. 27, 1899.

To J. S. Sherrill, Speaker of the House of Representatives.

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed the following bill, to wit:

House bill No. 223, A bill to be entitled "An Act to incorporate the city of Austin, Texas; to grant it a new charter, and to fix its boundaries."

D. A. Walker, Assistant Secretary of the Senate.

COMMITTEE REPORTS.

Committee Room, Austin, Texas, Feb. 27, 1899.

Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred
House bill No 157, A bill to be entitled "An Act to repeal Articles 3898, 3899, 3900 and 3901, Title LXXXVI, Chapter 1, of the Revised Civil Statutes of 1893 of the State of Texas, transferring and setting apart annually one per cent. of the full value of the permanent school fund to the credit of the available school fund,"

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 12:08 o'clock a.m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room, Austin, Texas, Feb. 24, 1899.

Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Public Health and Vital Statistics, to whom was referred
The petition of citizens of Marshall, relating to the anti-tobacco bill,
Have given the same due consideration, and herewith return same to the calendar.

OLIVER, Chairman.

SENATE BILL ON FIRST READING.

The following bill reported from the Senate, Friday January 24, was read first time, and referred as follows:

Senate bill No. 81, to Judiciary Committee No. 2.

FURTHER TIME GRANTED

For consideration of House bill No. 481, on request of Mr. Dies, chairman of the Committee on Counties and County Boundaries.

Mr. Ellis called up the motion of Mr. Henderson of Lamar to reconsider the vote by which the following resolution was adopted January 23 (which motion to reconsider was entered upon the Journal, January 24, and due notice given the same day that the motion would be called up):

Resolved, That the Speaker is hereby authorized to appoint the following committees:

A committee of three to visit the Orphan's Home at Corsicana, and the Insane Asylum at Terrell; a committee of three to visit the Agricultural and Mechanical College, Prairie View Normal and Sam Houston Normal; a committee of five to visit the Penitentiaries, House of Correction and such of the farms on which convicts are hired to individuals as said committee may deem expedient; a committee of three to visit the State Lunatic Asylum, Deaf and Dumb Asylum, Blind Asylum and Deaf and Dumb Asylum for Colored Youths. Each member of said committee shall receive the per diem and mileage allowed to Representatives, and all actual and necessary expenses.

The Speaker laid the matter before the House and the motion to reconsider prevailed.

Mr. Ellis offered the following amendment to the resolution.
"Amend the resolution by striking out the words 'and mileage.'"

Mr. Henderson of Lamar offered the following amendment to the amendment:
"Amend after the word 'expenses' by inserting the following, 'incurred in transportation.'"

Mr. Jones moved to table the amend-
ment to the amendment, upon which motion yeas and nays were demanded by Mr. Henderson of Lamar, Mr. Savage and Mr. McAnally.

Lost by the following vote:

**Yeas—22.**

Barbee.  
Chambers.  
Childers.  
Collins.  
Culp.  
Ellis.  
Garrett.  
Greenwood.  
Jones.  
Livey.  
Thomson of Fannin.  
Maxwell.  

**Nays—75.**

Adams.  
Allen of Colorado.  
Allen of Hopkins.  
Bailey.  
Barrett.  
Bean.  
Beatty.  
Blount.  
Bolin.  
Bridgers.  
Caldwell.  
Clements.  
Conoly.  
Cross.  
Dean.  
Decker.  
Derden.  
Dies.  
Evans of Fannin.  
Garner.  
Goodman.  
Gordon.  
Graham.  
Grubb.  
Henderson, Lamar.  
Howard.  
Hurley.  
Kennedy.  
Kittrell.  
Lake.  
Lillard.  
Little.  
Looney.  
Loyd.  
Marsh.  
Masterson.  
McAnally.  

**Absent—Excused.**

Ayers.  
Bennett.  
Brown.  
Calvin.  
Cocke.  
Crawford.  
Dorr.  
Frost.  
Goodlett.  

**Absent.**

Barbee.  
Col.  
Evans of Grayson.  
Gill.  
McKamy.  
Morris.  

**Nays—49.**

Barbee.  
Beaty.  
Blount.  
Bridgers.  
Caldwell.  
Childers.  
Cole.  
Conoly.  
Cross.  
Dean.  
Derden.  
Dies.  
Evans of Fannin.  
Garner.  
Garrett.  
Goodman.  
Greenwood.  
Jones.  
Kennedy.  
Lake.  
Little.  
Livey.  
Looney.  
Marsh.  
Masterson.  

**Absent.**

Murphy.  
Pitts.  
Shannon.  
Walton.  
Wooten.  

**Nays—49.**

Barbee.  
Beaty.  
Blount.  
Bridgers.  
Caldwell.  
Childers.  
Cole.  
Conoly.  
Cross.  
Dean.  
Derden.  
Dies.  
Evans of Fannin.  
Garner.  
Garrett.  
Goodman.  
Greenwood.  
Jones.  
Kennedy.  
Lake.  
Little.  
Livey.  
Looney.  
Marsh.  
Masterson.  

**Absent.**

Grogan.  
Hamilton.  
Henderson, Brazos.  
Lane.  
Poole.  
Robertson, Harrison.  
Smith of Grayson.  
Stripling.  
Tompkins.  
Vaughan.  
Wells.
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Mr. Phillips of Lampasas offered the following substitute for the amendment: "Strike out all of resolution in reference to expense and mileage and insert 'shall receive all actual necessary expenses including mileage actually paid out; provided, that no such committee shall visit any such institutions unless requested to go by the Governor.'"

Pending consideration, the Speaker announced that the hour, 10:30 a.m., had arrived for taking up House bill No. 400, on second reading, as special order.

Mr. Greenwood moved to suspend pending business to take up House bill No. 400, to make it a special order for next Friday, March 3, 2:30 p.m., and the motion was lost.

The Speaker then laid before the House, on its second reading, with amendments by the committee, House bill No. 400. A bill to be entitled "An Act granting permission to B. F. Gohison and J. W. Benson, or their assigns, to bring suit against the State of Texas in the District Court of Lampasas county, to ascertain the amount, if any, due them for services rendered the State as rangers or soldiers."

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

Mr. Phillips of Lampasas offered the following amendment: "Amend by striking out the words 'Travis county' wherever they occur in the committee report, and insert the words 'Lampasas county.'"

Adopted.

Mr. Morrow offered the following amendment: "Amend by adding to Section 1. the following: 'Provided, said parties Gohison and Benson shall be required, before any process shall issue, to give a good and sufficient bond for costs.'"

Mr. Oliver moved the previous question and the main question was ordered.

Question first recurring on the amendment by Mr. Morrow, it was lost.

The bill was ordered engrossed.

Mr. Phillips of Lampasas moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 400 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—89.

Adams. Morrow.
Allen of Colorado. Murphy.
Allen of Hopkins. Murray.
Bailey. Neff.
Barrett. Nolan.
Bean. Oliver.
Beaty. Perish.
Blount. Pfeiffer.
Caldwell. Phillips of Camp.
Chambers. Childs.
Childs. Clements.
Cole. Prince.
Collins. Ratcliff.
Conolly. Robertson, Harrison.
Dean. Robertson of Bell.
Dies. Rochelle.
Eckols. Russell.
Ellis. Sansom.
Garrett. Savage.
Garner. Schluter.
Gough. Smith.
Graham. Shropshire.
Grubbs. Smith of Collin.
Henderson, Lamar. Staples.
Howard. Stewart.
Hurley. Tarkington.
Jones. Tasse.
Kennedy. Teagle.
Kittrell. Telford.
Lillard. Thomas of Wise.
Little. Tucker.
Livsey. Vaughan.
Loyd. Walton.
Marsh. Wells.
Masterson. Wheelers.
McAnally. Willacy.
McClellan. Willrodt.
Meitzen. Wooten.
Mercer. Wright.
Monroe. Wright—8.

Bridgers. Lake.
Childers. McDowell.
Derden. McKellar.
Greenwood. Morris.

Absent—Excused.

Ayers. Hamilton.
Bennett. Henderson, Brazos.
Brown. Lane.
Calvin. Palmer.
Yoke. Poole.
Jr. orson. Robertson, Harrison.
Oroh. Smith of Grayson.
Joodlett. Striping.
Jrogan. Tompkins.

Yeas—8.


Absents—Excused.

Beck. Murphy.
Evans of Grayson. Rochelle.
Frost. Stewart.
Jill. Walton.
McKamy. Wooten.
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Barbee. Maxwell.
Culp. McKamy.
Decker. Pitts.
Evans of Grayson. Rogers.
Frost. Thomas of Fannin.
Gill. Absent.

Absent—Excused.

Ayers. Hamilton.
Bennett. Henderson, Brazos.
Browne. Lane.
Calvin. Palmer.
Cocke. Poole.
Crawford. Smith of Grayson.
Dorroh. Stripling.
Goodlett. Tompkins.
Grogan.

House bill No. 400 laid before the House on third reading and final passage. Read third time, and passed by the following vote:

Yeas—90.

Adams. Masterson.
Allen of Colorado. McAnally.
Allen of Hopkins. McClellan.
Bailey. McKeir.
Barbee. Metzger.
Barrett. Mercer.
Bean. Monroe.
Beatty. Murray.
Blount. Neff.
Bolin. Nolan.
Bridgers. Oliver.
Caldwell. Parish.
Chambers. Peery.
Childs. Pfeiffer.
Collins. Price.
Conoly. Ratliff.
Cross. Robertson, Harrison.
Dean. Robertson of Bell.
Derden. Rochelle.
Doe. Rogers.
Eckols. Russell.
Ellis. Sansom.
Evans of Fannin. Savage.
Garrett. Schluter.
Goodman. Scurry.
Gordon. Shannon.
Graham. Shelburne.
Grubbs. Shropshire.
Howard. Smith of Collin.
Hurley. Staples.
Jones. Stewart.
Kennedy. Sutherland.
Kittrell. Tarkington.
Lake. Tarver.
Little. Tate.
Looney. Teague.
Loyd. Terrell.
Marsh. Thomas of Wise.

Thomas of Fannin. Weless.
Tucker. Willey.
Vaughan. Willard.
Walton. Wooten.
Wells. Wright.

Nays—5.

Children. Morris.
Greenwood. Morrow.
McDowell. Absent.

Culp. Livsey.
Decker. Maxwell.
Frost. McKamy.
Garner. Murphy.
Gill. Pitts.
Henderson, Lamar. Powell.
Lillard. Absent—Excused.

Ayers. Hamilton.
Bennett. Henderson, Brazos.
Browne. Lane.
Calvin. Palmer.
Cocke. Poole.
Crawford. Smith of Grayson.
Dorroh. Stripling.
Goodlett. Tompkins.
Grogan.

Mr. Phillips of Lampasas moved to reconsider the vote by which House bill No. 400 was passed, and to table the motion to reconsider. The motion to table prevailed. The Speaker laid before the House, on its second reading, as special order this hour, 11 a.m., House bill No. 323, A bill to be entitled "An Act to reestablish and establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences."

Whereupon Mr. Bailey, chairman of the Committee on part of the House, asked leave to submit the following privileged report:

Austin, Texas, Feb. 27, 1899.

Hon. J. H. Sherrill, Speaker of the House of Representatives, and Hon. J. N. Browning, President of the Senate.

We, your Free Conference Committee, to whom was referred the differences existing between the Senate and House in the matter of amendments to Senate Concurrent Resolution No. 10, beg leave to report that said committee has agreed that Wednesday of this week and next week, and thereafter two days of each week, towit: Wednesday and Thursday, shall be set aside by both bodies for the consideration of bills coming from the opposite house. And that the House recede from its amendments,
and that this report be adopted by each House.
Respectfully submitted,
GREER,
TERRELL,
GRINNAN,
MILLER,
BURNS,
On part of the Senate.
BAILEY,
MASHR,
SHELBOURNE,
SCHLUTER,
On part of the House.

The report was read and adopted.

Mr. Wright called up the report from the Senate on House bill No. 364, the Senate having passed the following substitute in lieu of said bill:

Senate substitute for House bill No. 364, A bill to be entitled "An Act empowering the Governor of the State of Texas, together with the Commissioner of the General Land Office of said State, to employ four additional clerks, or so many thereof as may be necessary, to tabulate the account in the General Land Office between the State of Texas and the permanent school fund, and providing for the ascertainment of the amount of public domain of the State of Texas at the time of the adoption of the Constitution of 1876, and what has been done with same, and showing the present condition of the account between the State of Texas and the permanent school fund growing out of their joint landed interests, and making an apropriation therefor."

The Senate substitute was read.

Mr. Wright moved that the House do concur.

Mr. Shelburne moved that the House do not concur.

The motion to non-concur was lost.

The House then concurred in the Senate substitute by the following vote:

Yeas-86.

Allen of Hopkins. Decker.
Bailey. Derden.
Barbee. Dies.
Barrett. Eckols.
Beaum. Gill.
Beatty. Gordon.
Bolin. Graham.
Bridgers. Greenwood.
Chambers. Grubbs.
Childs. Henderson, Lamar.
Clements. Howard.
Col. Jones.
Collins. Kittrell.
Comolny. Lillard.
Cross. Livey.

Looney. Robertson of Bell.
Loyd. Rockelle.
Marsh. Rogers.
Masterson. Russel.
Maxwell. Sansom.
McAnally. Savage.
McDowell. Schluter.
McKamy. Scurry.
McKellar. Sharnin.
Meitzen. Shoprifie.
Meroer. Staples.
Monroe. Stewart.
Morris. Sutherland.
Morrow. Tarrer.
Murphy. Tate.
Murray. Teagle.
Neff. Terrell.
Nolan. Thomas of Wise.
Oliver. Thomas of Fannin.
Parish. Tucker.
Peery. Walton.
Pleuffer. Wells.
Phillips of Camp. Wheless.
Powell. Willacy.
Prince. Willrodt.
Ratcliff. Wooten.
Robertson, Harrison. Wright.

Nays-12.

Blount. Kennedy.
Childers. Lake.
Dean. Little.
Edil. Shelburne.
Goodman. Tarkington.
Hurley. Vaughn.

Absent.

Adams. Garrett.
Caldwell. McClellan.
Frost. Pitts.
Garner. Smith of Collin.

Absent—Excused.

Ayers. Hamilton.
Bennett. Henderson, Brazos.
Brown. Lane.
Calvin. Palmer.
Cocke. Poole.
Crawford. Smith of Grayson.
Dorothy. Stripling.
Goodlett. Tompkins.
Grogan. Weekes.

Mr. Kittrell moved to suspend pending business to take up House bill No. 391, relating to the Hogg-Robertson fee, to make it a special order for next Monday, March 6, 3:30 p. m.

Yeas and nays were demanded by Mr. Childers, Mr. Childs and Mr. Barbee.

The motion was lost by the following vote (not receiving the necessary two-thirds majority):

Yeas-54.

Allen of Hopkins. Barbee.
I vote to make the Hogg fee bill a special order for Monday at 3 p.m. not because I favor it, but because I believe the people demand that this Legislature speak out on this question and say yes or no. While I believe that the testimony in the case is altogether against the claim, in my opinion, to allow this bill to die without an action on it means to evade the issue, and dodge the responsibility of a representative body. "Savage."

I voted for taking up the Hogg fee from the fact that I wanted the members of this House to go on record on the Hogg fee so the people could know how they stood. Some of them may be a candidate for a State office some time. I shall vote against it on final passage. "Childers."

While the clerk was calling the roll, Mr. Shelburne, not in his seat, answered to his name, and the Speaker stated that, as he was not at his seat, he was not entitled, under the rules, to vote.

Mr. Shelburne returned to his seat, and from the same, when the roll call was concluded, asked to have his vote recorded.

The Speaker stated that, as Mr. Shelburne had left his seat during roll call, he was not entitled to vote.

Mr. Tarver appealed from the ruling of the Chair.

(Pending the appeal, Mr. Henderson of Lamar occupied the Chair.)

The House sustained the ruling of the Speaker.

(Speaker in the Chair.)

Mr. Shelburne, rising to a question of personal privilege, stated, that he was not in his seat when the Clerk began to call the roll, but was in the bar of the House, and was going to his seat to cast his vote when his name was called, and he answered, and asked to have his vote recorded.

The Speaker stated that, under the circumstances, his vote would be recorded.
to provide the duties and compensation of said commission, the methods of its work, the period of its service and the submission of a report of its labors to the Legislature, and to make an appropriation to defray the expenses of the same," with amendments.

Secretary of the Senate.

The House returned to consideration of House bill No. 323, and it was read a second time.

Mr. Kittrell offered the following amendment:

"Add after the word 'years,' in line 17, first page, the words, 'six at least of which board of regents shall be women.'"

Mr. Wooten offered the following substitute for the amendment:

"Substitute by striking out Section 2, and insert in lieu thereof the following:

'Section 2. That the Governor shall nominate and appoint, by and with the advice and consent of the Senate, a board of directors, to consist of six members, three of whom shall be women, who shall, as far as practicable, be chosen from different sections of the State, who shall serve as such for six years from and after the date of their confirmation, and until their successors are appointed and confirmed. Immediately after they shall be assembled in consequence of their first appointment, they shall be divided equally into three classes. The terms of service of the first class shall expire two years from the date of their appointment, the second class four years from the date of their appointment, and the third class six years from the date of their appointment.'"

Accepted by Mr. Kittrell.

Mr. Sutherland offered the following substitute for the amendment as already substituted:

"Strike out all of Section 2, and insert the following:

'Section 2. Be it further enacted that the Board of Regents of the Agricultural and Mechanical College of Texas shall act as Board of Regents for the Texas Industrial Institute herein provided for.'"

Tabled on motion of Mr. Wooten.

After consideration by the House, Mr. Kennedy moved the previous question on the amendment, and the main question was ordered.

The amendment was adopted.

Mr. Teagle offered the following amendment:

"Amend by striking out Section 12, page 4, and insert the following in lieu thereof:

'Section 12. For the purpose of carrying into effect the objects of this act, there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated for the year 1899, the sum of twenty-five thousand dollars, and for the year 1900, the sum of twenty-five thousand dollars.'"

Adopted.

Mr. Schluter offered the following amendment:

"Amend by striking out line 17, page 2, the following, 'a knowledge of kindergarten instruction,' and by striking out line 23, page 2, the following, 'also a knowledge of trained nursing.'"

Adopted.

Mr. Savage offered the following amendment:

"Strike out, in line 23, 'caring for the sick.'"

Adopted.

Mr. Wooten offered the following amendment:

"Amend by striking out, wherever they occur, the words, 'board of regents' and insert in lieu thereof the words 'board of directors.'"

Adopted.

Mr. Smith of Collin offered the following amendment:

"In line 20, page 2, Section 5, between the words 'including' and 'dress making,' and immediately after the word 'including, add the words 'weaving, spinning and a general knowledge of textile work, as learned in cotton and woolen mills.'"

Tabled on motion of Mr. Garner.

Mr. Beaty offered the following amendment:

"Amend Section 1, line 13, by adding after the word 'Lockhart,' 'Caldwell county, Texas.'"

Tabled on motion of Mr. Grubbs.

Mr. Grubbs moved the previous question, and it was not seconded.

Mr. Masterson moved the previous question on the amendment, and the main question was ordered.

The amendment was adopted.

Mr. Teagle offered the following amendment:

"Amend by striking out Section 12, page 4, and insert the following in lieu thereof:

'Section 12. Be it further enacted that the Board of Regents of the Texas Industrial Institute shall act as Board of Regents for the Texas Industrial Institute herein provided for.'"

Tabled on motion of Mr. Wooten.

Mr. Kennedy moved the previous question on the amendment, and the main question was ordered.

The amendment was adopted.

Mr. Sutherland offered the following amendment:

"Strike out, in line 23, 'caring for the sick.'"

Adopted.

Mr. Schluter offered the following amendment:

"Amend by striking out line 17, page 2, the following, 'a knowledge of kindergarten instruction,' and by striking out line 23, page 2, the following, 'also a knowledge of trained nursing.'"

Adopted.

Mr. Savage offered the following amendment:

"Strike out, in line 23, 'caring for the sick.'"

Adopted.

Mr. Wooten offered the following amendment:

"Amend by striking out, wherever they occur, the words, 'board of regents' and insert in lieu thereof the words 'board of directors.'"

Adopted.

Mr. Smith of Collin offered the following amendment:

"In line 20, page 2, Section 5, between the words 'including' and 'dress making,' and immediately after the word 'including, add the words 'weaving, spinning and a general knowledge of textile work, as learned in cotton and woolen mills.'"

Tabled on motion of Mr. Garner.

Mr. Beaty offered the following amendment:

"Amend Section 1, line 13, by adding after the word 'Lockhart,' 'Caldwell county, Texas.'"

Tabled on motion of Mr. Grubbs.

Mr. Grubbs moved the previous question, and it was not seconded.

Mr. Masterson moved the previous question on the amendment, and the main question was ordered.

The amendment was adopted.

Mr. Sutherland offered the following amendment:

"Strike out, in line 23, 'caring for the sick.'"

Adopted.

Mr. Schluter offered the following amendment:

"Amend by striking out line 17, page 2, the following, 'a knowledge of kindergarten instruction,' and by striking out line 23, page 2, the following, 'also a knowledge of trained nursing.'"

Adopted.

Mr. Savage offered the following amendment:

"Strike out, in line 23, 'caring for the sick.'"

Adopted.

Mr. Wooten offered the following amendment:

"Amend by striking out, wherever they occur, the words, 'board of regents' and insert in lieu thereof the words 'board of directors.'"

Adopted.

Mr. Smith of Collin offered the following amendment:

"In line 20, page 2, Section 5, between the words 'including' and 'dress making,' and immediately after the word 'including, add the words 'weaving, spinning and a general knowledge of textile work, as learned in cotton and woolen mills.'"

Tabled on motion of Mr. Garner.

Mr. Beaty offered the following amendment:

"Amend Section 1, line 13, by adding after the word 'Lockhart,' 'Caldwell county, Texas.'"

Tabled on motion of Mr. Grubbs.

Mr. Grubbs moved the previous question, and it was not seconded.

Mr. Masterson moved the previous question on the amendment, and the main question was ordered.

The amendment was adopted.

Mr. Sutherland offered the following amendment:

"Strike out, in line 23, 'caring for the sick.'"

Adopted.

Mr. Schluter offered the following amendment:

"Amend by striking out line 17, page 2, the following, 'a knowledge of kindergarten instruction,' and by striking out line 23, page 2, the following, 'also a knowledge of trained nursing.'"

Adopted.