FORTY-THIRD DAY.

Hall of the House of Representatives, Austin, Texas, Tuesday, February 28, 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:

Allen of Colorado.  McKamy.
Allen of Hopkins.  McKellar.
Bailey.  Meitzen.
Barbee.  Mercer.
Barrett.  Monroe.
Bean.  Morris.
Beaty.  Morrow.
Blount.  Murphy.
Bolin.  Murray.
Caldwell.  Neff.
Chambers.  Nolan.
Childs.  Oliver.
Childs.  Palmer.
Clements.  Parish.
Cocke.  Peery.
Cole.  Pfeuffer.
Cross.  Pitts.
Culp.  Poole.
Dean.  Powell.
Decker.  Prince.
Dies.  Ratcliff.
Eckols.  Robertson, Harrison.
Ellis.  Robertson of Bell.
Evans of Fannin.  ROCHELSE.
Frost.  Rogers.
Garner.  Sansom.
Garrett.  Savage.
Gill.  Schuster.
Goodlett.  Scurry.
Goodman.  Shannon.
Gordon.  Shelburne.
Graham.  Shropshire.
Greenwood.  Smith of Collin.
Grubbs.  Staples.
Henderson, Lamar.  Stewart.
Howard.  Sutherland.
Hurley.  Tarkington.
Jones.  Tarver.
Kennedy.  Tate.
Kittrell.  Teagle.
Lake.  Terrell.
Lane.  Thomas of Wise.
Lillard.  Thomas of Fannin.
Little.  Tompkins.
Lively.  Tucker.
Looney.  Vaughan.
Loyd.  Walton.
Marsh.  Wells.
Masterson.  Weless.
Maxwell.  Willacy.
McAnally.  Willrodt.
McClellan.  Wooten.
McDowell.  Wright.

Absent.  Bridgers.
Browne.  Evans of Grayson.
Deren.  Russell.

Absort—Excused.  Ayers.
Bennett.  Grogan.
Calvin.  Hamilton.
Crawford.  Henderson, Brazos.
Dorroh.  Smith of Grayson.

Prayer by Rev. W. J. Gatlin, Chaplain.
Pending reading of the Journal of yesterday,
On motion of Mr. Blount, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of sickness:
Mr. Browne for today, on motion of Mr. Peery.
Mr. Derden until next Tuesday, on motion of Mr. Shropshire.
Mr. Bridgers until Friday, on motion of Mr. Murphy.
On account of sickness in his family:
Mr. Frost for yesterday, on motion of Mr. Morrow.
Mr. Clements asked leave to withdraw a petition, relating to the jurisdiction of the County Court of San Saba county, introduced by him on January 31st, and referred to Judiciary Committee No. 2.
The request was granted.

PENDING BUSINESS.

When the House adjourned yesterday, it had under consideration House bill No. 323, relating to establishing an industrial college for girls, on engrossment, with amendment by Mr. Masterson pending.
The Speaker laid the same before the House.
Mr. Wooten moved to suspend pending business to take up House bill No. 352, with Senate amendments.
The motion prevailed.
House bill No. 352, relating to the tax commission, was then laid before the House, and the Senate amendments were read.
Mr. Wooten moved that the House do concur.
The motion to concur prevailed by the following vote:

Year—90.

Adams.  Blount.
Allen of Hopkins.  Chambers.
Bailey.  Childers.
Barbee.  Childs.
Barrett.  Clements.
Beaty.
February 28, 1899

The House resumed consideration of
House bill No. 323, on engrossment, with
amendment by Mr. Masterson pending.

After consideration by the House, Mr. Stewart moved to table the amendment,
upon which motion yeas and nays were
demanded by Mr. Murray, Mr. Clements
and Mr. Masterson.

Lost by the following vote:

Yeas—35.

Beaty.          Parish.
Caldwell.       Phillips of Camp.
Chambers.       Poole.
Clements.       Powell.
Conoly.         Scurry.
Dean.           Shropshire.
Eckols.         Stewart.
Ellis.          Sutherland.
Frost.          Tarkington.
Grubbs.         Teagle.
Hurler.         Terrell.
Jones.          Thomas of Wise.
Lillard.        Tucker.
McAnally.       Walton.
McKay.          Wells.
Morrow.         Weless.
Oliver.         Wooten.
Palmer.         Wooten.

Nays—70.

Adams.          McCellan.
Allen of Colorado.  McDowell.
Bailey.          McKellar.
Barbee.          Meitzen.
Barrett.         Mercer.
Bean.            Monroe.
Blount.          Morris.
Bolin.           Murry.
Childers.        Neff.
Childs.          Nolan.
Cocke.           Peery.
Cole.            Pfeuffer.
Evans of Fannin.  Prince.
Garner.         Ratcliff.
Garrett.        Robertson, Harrison
Gill.            Robertson of Bell.
Goodlett.       Rogers.
Goodman.        Rogers.
Graham.         Sansom.
Henderson, Lamar.  Savage.
Howard.         Shapland.
Hurley.         Shapland.
Jones.          Schluter.
Kennedy.        Shelburne.
Kittrell.       Shropshire.
Lake.           Smith of Collin.
Lane.           Smith of Collin.
Lillard.        Staples.
Little.         Stewart.
Livsey.        Tarkington.
Looney.         Tarver.
Loyd.            Tate.
Marsh.          Teagle.
Masterson.      Terrell.
Maxwell.       Thomas of Wise.
McAnally.       Thomas of Fannin.
McClellan.      Tompkins.
McDowell.       Tucker.
McFarland.     Vaughan.
Mckamy.         Walton.
Mckellar.       Wells.
Meitzen.         Wheless.
Merceer.        Willacy.
Monroe.      Willrodt.
Morris.        Wooten.
Morrow.        Wright.
Murphy.        Wright.

Absent.

Bean.          Bridgers.
Caldwell.       Culp.
Greenwood.      Hamilton.
Parish.         Pitts.
Russell.         Absent—Excused.

Ayers.          Bennitt.
Browne.         Calvin.
Crawford.       Derden.
Dorothy.        Gordon.
Grogan.         Henderson, Brazos.
Shannon.        Smith of Grayson.
Stripling.

The House resumed consideration of
House bill No. 323, on engrossment, with
amendment by Mr. Masterson pending.

After consideration by the House, Mr. Stewart moved to table the amendment,
upon which motion yeas and nays were
demanded by Mr. Murray, Mr. Clements
and Mr. Masterson.

Lost by the following vote:

Yeas—35.

Beaty.          Parish.
Caldwell.       Phillips of Camp.
Chambers.       Poole.
Clements.       Powell.
Conoly.         Scurry.
Dean.           Shropshire.
Eckols.         Stewart.
Ellis.          Sutherland.
Frost.          Tarkington.
Grubbs.         Teagle.
Hurler.         Terrell.
Jones.          Thomas of Wise.
Lillard.        Tucker.
McAnally.       Walton.
McKay.          Wells.
Morrow.         Weless.
Oliver.         Wooten.
Palmer.         Wooten.

Nays—70.

Adams.          McCellan.
Allen of Colorado.  McDowell.
Bailey.          McKellar.
Barbee.          Meitzen.
Barrett.         Mercer.
Bean.            Monroe.
Blount.          Morris.
Bolin.           Murry.
Childers.        Neff.
Childs.          Nolan.
Cocke.           Peery.
Cole.            Pfeuffer.
Evans of Fannin.  Prince.
Garner.         Ratcliff.
Garrett.        Robertson, Harrison
Gill.            Robertson of Bell.
Goodlett.       Rogers.
Goodman.        Rogers.
Graham.         Sansom.
Henderson, Lamar.  Savage.
Howard.         Shapland.
Kennedy.        Schluter.
Lake.           Smith of Collin.
Lane.           Smith of Collin.
Lillard.        Staples.
Little.         Tarver.
Livsey.        Thomas of Fannin.
Looney.         Tompkins.
Loyd.            Tate.
Marsh.          Thomas of Fannin.
Masterson.      Willrodt.
Maxwell.        Wright.
Question recurring on the amendment by Mr. Masterson, Mr. Phillips of Lampasas offered the following substitute:

"Amend Section 2 by adding after the word 'at' in line 13, 'Lampasas, Texas: provided, the city of Lampasas will donate to the State the two buildings known as Centenary College, free of cost to the State for the use of said school.'"

After lengthy consideration by the House, Mr. Kennedy moved the previous question and it was not seconded.

Pending consideration of the bill, with amendments pending, the Speaker announced that the hour, 11 a.m., had arrived for consideration of House bill No. 48, A bill to be entitled "An Act to amend Chapter 1, Section 19, of the school laws of Texas, relating to legal holidays, so as to allow public free schools to be taught on those days,"

And laid the same before the House.

The bill was read second time, with the majority favorable report and minority adverse report thereon.

Mr. Terrell moved to adopt the majority report, and the motion prevailed.

Mr. Terrell offered the following amendments:

"Section 2. The fact that the public free schools of the State are now dismissed on all holidays, and the vast number of children in the public schools are deprived of the valuable lessons of patriotism that should be taught on such occasions, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days should be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

"Amend the caption in line 10, by adding after the word 'taught' the words 'and declaring an emergency.'"

Adopted.

Mr. Little offered the following amendment:

"Amend lines 19, 20 and 21, so that they shall read hereafter as follows:

"A school month shall consist of one calendar month, including holidays, and shall be taught for not less than seven hours each day, including recesses and intermissions."

Tabled on motion of Mr. Sutherland.

Mr. Wooten offered the following amendment:

"Amend from line 15 to line 18 of the bill so as to read as follows:

"Article 3910. Public schools shall be taught for five days in each week; schools shall not be dismissed on legal holidays, but it shall be the duty of the trustees and teachers to provide and conduct appropriate exercises to commemorate such holidays and impart useful instruction in regard thereto.""

Mr. Allen of Hopkins offered the following amendment to the amendment:

"Amend the amendment by exempting Christmas day."

Mr. Shropshire offered the following substitute for both amendments:

"Amend by striking out the following in line 11, page 1:

"Be it enacted by the Legislature of the State of Texas."

Mr. Thomas of Wise moved to table the substitute, upon which motion yeas and nays were demanded by Mr. Ellis, Mr. Shropshire and Mr. Pitts.

Lost by the following vote:

Yeas—46.

Allen of Hopkins. Marsh.
Barbee. Masterson.
Barrett. McDowell.
Bean. McKamy.
Childers. Mercer.
Cole. Morrow.
Conoly. Neff.
Culp. Ratcliff.
Dean. Robertson of Bell.
Evans of Fannin. Scurry.
Frost. Shannon.
Garner. Shelburne.
Garrett. Smith of Collin.
Gill. Stewart.
Goodman. Sutherland.
Gordon. Tarkington.
Henderson, Lamar. Tate.
Jones. Terrell.
Kittrell. Thomas of Wise.
Lillard. Tompkins.
Livsey. Wheless.
Looney. Wright.

Nays—59.

Adams. Graham.
Allen of Colorado. Greenwood.
Blount. Howard.
Bolin. Hurley.
Calwell. Lake.
Chambers. Lane.
Childs. Little.
Clements. Loyd.
Collins. Maxwell.
Dies. McAnally.
Fekols. McFarland.
Ellis. McKellar.
Goodlett. Meitzen.
Mr. Vaughan moved the previous question and the main question was ordered.

Question first recurred on the substitute by Mr. Shropshire, upon which yeas and nays were demanded by Mr. Ellis, Mr. Shropshire and Mr. Teagle.

Adopted by the following vote:

Yeas—57.

Allen of Colorado. McAnally.
Bolin. Monroe.
Chambers. Childers.
Childs. Nolen.
Clements. Palmer.
Cooke. Collins.
Culp. Decker.
Dies. Eckols.
Ellis. Gill.
Goodlett. Graham.
Greenwood. Howard.
Jones. Kennedy.
Lake. Lane.
Little. Maxwell.

Question recurring on the amendments as substituted, Mr. Hurley moved to adjourn until 2:30 p.m. today, Whereupon, by unanimous consent, Mr. Hurley withdrawing his motion for same, Mr. Bailey called up the resolution offered by him yesterday, pertaining to two daily sittings of the House. The resolution was laid before the House, read second time, and adopted.

By unanimous consent, the morning call was taken up.

PETITIONS AND MEMORIALS.

By Mr. Prince:

Petition from twenty citizens of Navarro county, asking for an amendment to the general stock law, so as to give the citizens of Navarro county an option on the adoption of said law in said county.

Read, and referred to Committee on Stock and Stock-raising.
By Mr. Blount:
Petition from 150 men and 250 women of Palestine, asking the Legislature to support the resolution of Mr. Kittrell in regard to saloons and gambling houses.
Read, and referred to Judiciary Committee No. 2.

Also a petition from 150 men and 250 women of Anderson county, asking for the passage of a law establishing an industrial school for girls.
Read, and referred to Committee on Education.

Also a petition from 150 men and 250 women of Palestine, Anderson county, asking for the passage of the Jones anti-tobacco bill.

Petition from 150 men and 250 women of Palestine, asking the Legislature to employ committee to examine condition of county finances for a longer time than five days.

BILLS AND RESOLUTIONS.

By Mr. Childers:
House bill No. 669, A bill to be entitled "An Act to amend Article 1132, Chapter 4, Title XV, of the Revised Civil Statutes of the State of Texas, relating to fees of district and county attorneys in justice, mayors' and recorders' courts, by adding thereto Article 1132a."
(Article 1132a provides that the term "action" in the preceding article means that the prosecuting attorney shall actually prosecute the defendant in the courts, and that the mere looking over the papers or docket or writing and approving the same, in case where a plea of guilty is entered, shall not be construed as a meaning of "action."
Read first time, and referred to Judiciary Committee No. 1.

By Mr. Prince:
House bill No. 670, A bill to be entitled "An Act to provide for protests against sales of real estate under execution, deeds of trust, mortgages and orders of courts other than orders issued in matters of probate where an inadequate price is bid for same, and to provide how such protests shall be tried and disposed of, and to provide for the issuance of further orders of sale after the trial of said protests."
Read first time, and referred to Judiciary Committee No. 1.

By Mr. Shelburne:
House bill No. 671, A bill to be entitled "An Act to amend Chapter 45, Acts of the Twenty-fifth Legislature, providing means for increasing the area of independent school districts incorporated for free school purposes only."
Read first time, and referred to Committee on Education.

By Mr. McKamy:
House bill No. 672, A bill to be entitled "An Act to amend Article 2053, of Chapter 18, Section 39, of the Revised Statutes of Texas, relating to exemptions of personal and real property."
(Amends by providing that such property notwithstanding the death of debtors or one of them makers of the liens thereon shall remain subject first to the payment and satisfaction of such liens, and the holders of such liens need not prove up their claim against such estate unless they elect so to do, and such failure shall not in any way impair their lien on such property.)
Read first time, and referred to Judiciary Committee No. 1.

By Mr. Bailey:
House bill No. 673, A bill to be entitled "An Act to provide for the erection in the capitol grounds of the State of Texas of a monument to the memory of Albert Sidney Johnston, to create a board to select a site for the same, and to make a contract with a sculptor or sculptors and all necessary artisans and contractors for the erection and construction of the same, and to make an appropriation for the purpose of carrying out the provisions of this act."
(Appropriates $7500, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this bill, and declares an emergency.)
Read first time, and referred to Committee on Finance.

By Mr. Caldwell (by request):
House bill No. 674, A bill to be entitled "An Act making an appropriation to pay the heirs of J. H. Coleman, deceased, eight per centum interest on $4215.41 from January 1, 1875, to September 29, 1881, on claims of teachers of public schools of Texas prior to the first day of July, 1873, and owned by the said J. H. Coleman as assignee prior to his death, and filed by him or his agent in the Comptroller's office of Texas, and are now held by Wm. Coleman as an heir of said J. H. Coleman, deceased, and by transfer from A. R. Coleman, John H. Coleman and Isabella Coleman, the only other heirs of said John H. Coleman, deceased."
Read first time, and referred to Judiciary Committee No. 2.

By Mr. Walton:
House bill No. 675, A bill to be entitled "An Act to amend and change Article 873, of the Revised Statutes of Texas, and to confer upon district judges power to employ committee to examine condition of county finances for a longer time than five days.
Read first time, and referred to Judiciary Committee No. 1.

By Mr. Lillard:

House bill No. 670, A bill to be entitled "An Act to provide for taking the scholastic census in counties whose schools are operated under the community system, and repealing all laws in conflict therewith, and providing an emergency."

Read first time, and referred to Committee on Education.

COMMITTEE REPORTS.

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

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

Sir: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 108, A bill to be entitled "An Act to amend Article (1012), of the Revised Civil Statutes, relating to the lien on lands or any interest therein, in giving of such bonds by companies organized in other States, and authorized to do business in this State, and to validate bonds of guardians heretofore given in this State by companies organized under the laws of other States."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

WOOTEN, Chairman.

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

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 624, A bill to be entitled "An Act to amend Chapter 54, of the Acts of the Twenty-fifth Legislature, the same being an act entitled 'An Act to amend Article 2001, Chapter 6, Title LI, of the Revised Civil Statutes of Texas, relating to bonds of guardians and sureties thereon,' so as to authorize the giving of such bonds by companies organized in other States, and authorized to do business in this State, and to validate bonds of guardians heretofore given in this State by companies organized under the laws of other States."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

WOOTEN, Chairman.

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

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 580, A bill to be entitled "An Act to fix and define the rights of married women in and to such money as may be recovered as damages for injury to her person or reputation, and to repeal all laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

WOOTEN, Chairman.

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

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 647, A bill to be entitled "An Act to amend Article 873 (1863), Title XXV, of the Revised Civil Statutes of the State of Texas."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

WOOTEN, Chairman.

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

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 590, A bill to be entitled "An Act to provide for the record of a memorandum of any and all suits filed in any of the courts of this State affecting the title to real estate or any interest in lands, or seeking to establish a lien on lands or any interest therein, in order to give notice of the same, providing for the contents and authorization of such memoranda, allowing fees for authentication and recording the same, and regulating the legal effect of the same when so recorded."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

WOOTEN, Chairman.
error, have been reversed and remanded for a new trial unless on agreement in writing of the parties to the suit."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

WOOTEN, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 614, A bill to be entitled "An Act to amend Article 1023, Title XXVII, Chapter 17, of the Revised Statutes of 1895, and providing that in deciding cases involving injunction proceedings, on motion of either party, shall have precedence over all other cases in the order named."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

WOOTEN, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 454, A bill to be entitled "An Act to change the name of Mrs. R. A. Armentrout to R. A. Gose."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

WOOTEN, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 17, A bill to be entitled "An Act requiring claimants to the title to land under the statute of limitation of ten years, having no written memorandum of title on record, to record a declaration of his claim and providing what said declaration shall contain, and defining the rights of innocent purchasers of land so claimed, and further, providing compensation to the clerks for recording same."

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

WOOTEN, Chairman.
MINORITY REPORT.
Committee Room,
Austin, Texas, Feb. 27, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
SIR: We, a minority of your Judiciary Committee No. 2, to whom was referred
House bill No. 641, A bill to be entitled "An Act to prohibit and punish unlawful
interference with trade by threats of litigation, prosecution, false and malicious
statements respecting the goods, wares, merchandise, solvency and good
faith of any person, firm or corporation doing business or soliciting trade in this
State, intended to impair the credit, injure the business or diminish the lawful
patronage of such person, firm or corporation; punishing the same as a misdemeanor,
and declaring an emergency."

Have had the same under consideration, and I am instructed to report it
back to the House with the recommendation that it do not pass.

BAILEY, Chairman.

MAJORITY REPORT.
Committee Room,
Austin, Texas, Feb. 27, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
SIR: Your Judiciary Committee No. 2, to whom was referred
House bill No. 598, A bill to be entitled "An Act to amend Article 950, Chapter
17, Title XVII, of the Revised Criminal Statutes of Texas, relating to fraudulent
interference with trade by threats of litigation, prosecution, false and malicious
statements respecting the goods, wares, merchandise, solvency and good
faith of any person, firm or corporation doing business or soliciting trade in this
State, intended to impair the credit, injure the business or diminish the lawful
patronage of such person, firm or corporation; punishing the same as a misdemeanor,
and declaring an emergency."

Have had the same under consideration, and I am instructed to report it
back to the House with the recommendation that it do not pass.

BAILEY, Chairman.
Texas before engaging in such business, and to provide penalties for failure to comply with the provisions of this act, and for other purposes," Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

BAILEY, Chairman.

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

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

Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 601, A bill to be entitled "An Act to amend Article 690 (653), of the Code of Criminal Procedure of the State of Texas, relating to number of peremptory challenges in misdemeanor cases tried in district court;"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

BAILEY, Chairman.

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

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

Sir: Your Judiciary Committee No. 1. to whom was referred
House bill No. 602, A bill to be entitled "An Act to regulate the punishment of any person receiving or concealing property, knowing the same to have been obtained by swindling;"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass with the following amendment:

"Amend the caption so as to read as follows:

"A bill to be entitled 'An Act to define the offense of receiving or concealing property, knowing the same to have been obtained by swindling, and prescribing a penalty therefor.'"

BAILEY, Chairman.

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

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

Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 617, A bill to be entitled "An Act to prohibit the posting of white-cap notices; making the same a felony, and prescribing a penalty therefor; repealing conflicting laws, and creating an emergency;"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

BAILEY, Chairman.

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

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

Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 657, A bill to be entitled "An Act to amend Title XV, Chapter 7, Article 633, of the Penal Code of the State of Texas, defining rape and want of consent, and extending the age of consent to 18 years;"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

BAILEY, Chairman.

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

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

Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 642, A bill to be entitled "An Act to amend Article 633, Chapter 7, of the Penal Code, relating to rape;"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

BAILEY, Chairman.

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

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

Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 556, A bill to be entitled "An Act to amend Article 286, Chapter 6, Title VIII, of the Penal Code of the State of Texas, prohibiting officers of this State, counties and cities from being interested in the contracts of the State, counties and cities, and prescribing the punishment therefor;"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

BAILEY, Chairman.

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

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

Sir: Your Judiciary Committee No. 2, to whom was referred
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House bill No. 551, A bill to be entitled "An Act to amend Article 2452, Title XLV, Chapter 3, Revised Civil Statutes, relating to fees of county judges;" Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass.

BAILEY, Chairman.

MAJORITY REPORT.

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

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

Sir: Your Committee on Constitutional Amendments, to whom was referred House Joint Resolutions Nos. 2, 5, 8, 12, 13 and 15, To amend Section 24, Article 3; of the Constitution of the State of Texas, relating to the Legislature, Have had the same under consideration, and have prepared the accompanying substitute, and I am instructed to report it back to the House with the recommendation that the substitute do not pass.

POWELL, Chairman.

MINORITY REPORT.

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

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

Sir: We, a minority of the Committee on Constitutional Amendments, to whom was referred House Joint Resolutions Nos. 2, 5, 8, 12, 13 and 15, Do not concur in the report of the majority, and ask leave to recommend that the substitute do not pass.

KENNEDY.

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

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

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 154, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas, to acquire by purchase or lease the railroad of the Sherman, Shreveport & Southern Railway Company." Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass with the following amendment:

"Amend Section 4 by adding the following: 'Provided further, that nothing herein contained shall be construed as affecting in any manner any suit pending between the State of Texas and the said Missouri, Kansas & Texas Railway Company of Texas, nor as affecting in any manner the exercise of the discretion of the Attorney-General of Texas to prosecute or not to prosecute any such suit, or as in any manner waiving any cause of action now existing in favor of the State of Texas against said railway company.'"

MCKAMY, Acting Chairman.

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

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

Sir: Your Committee on Finance, to whom was referred Senate bill No. 112, A bill to be entitled "An Act granting a pension to Hardy W. B. Price, a San Jacinto veteran;" Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do not pass, for the following reason:

That a fair construction of Section 55, Article XVI, general provisions of the Constitution of the State of Texas prohibits the granting of pensions to non-residents of this State; for the further reason that the facts as established before this committee do not establish the fact that this is a valid claim.

HENDERSON of Lamar, Chairman.

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

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

Sir: Your Committee on Public Buildings and Grounds, to whom was referred House bill No. 610, A bill to be entitled "An Act to appropriate two thousand dollars for the purpose of erecting permanent fire escapes to the public buildings owned by the State of Texas;" Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass with the following amendments:

"Substitute for Section 2:\n"Section 2. That the Committee on Finance be authorized and is hereby instructed, to make a sufficient appropriation to carry this measure into effect,"

"Strike out the word 'president' or 'presidents' wherever they occur, and substitute in lieu thereof 'board of managers.'"

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

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

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 48, A bill to be entitled "An Act to amend Chapter 134, Sections 1, 7 and 15, of the General Laws of the Twenty-fifth Legislature, of 'An Act to create a more efficient road system for Hill, Coke, Hunt, Jackson, Bee and Victoria 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 providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along the public roads, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict therewith,'"

Have carefully examined said bill and find the same correctly engrossed.

McANALLY, Acting Chairman.

Committee Room, Austin, Texas, Feb. 28, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 107, A bill to be entitled "An Act to amend Chapter 134, Sections 1, 7 and 15, of the General Laws of the Twenty-fourth Legislature, of 'An Act to create a more efficient road system for Hill, Coke, Hunt, Jackson, Bee and Victoria counties, Texas,'" Have carefully examined said bill and find the same correctly engrossed.

McANALLY, Acting Chairman.

Committee Room, Austin, Texas, Feb. 28, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 400, A bill to be entitled "An Act to amend Article 3909a, Title IV, of the Revised Civil Statutes of Texas, relating to the appointment of road overseers and defining their duties, and for the working of county convicts, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along the public roads, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict therewith.'"

Have carefully examined said bill and find the same correctly engrossed.

McANALLY, Acting Chairman.

Committee Room, Austin, Texas, Feb. 28, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 498, A bill to be entitled "An Act granting permission to B. F. Gohlson 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, is due them for services rendered the State as rangers or soldiers.'"

Have carefully examined said bill and find the same correctly engrossed.

McANALLY, Acting Chairman.

Committee Room, Austin, Texas, Feb. 28, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 649, A bill to be entitled "An Act to amendment Article 3953, Chapter 11, Title LXXXVI, of the Revised Civil Statutes of Texas, and to repeal all laws and parts of laws in conflict therewith.'"

Have carefully examined said bill and find the same correctly engrossed.

McANALLY, Acting Chairman.
Committee Room, Austin, Texas, Feb. 27, 1899.

HON. J. S. SHERRILL, SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: Your Committee on Engrossed Bills, to whom was referred House bill No. 233, A bill to be entitled "An Act to prohibit railroad companies, their officers, agents and employees from making excessive charges for carrying and transporting freights, goods, wares and merchandise, and to require said companies, their officers, agents and employees to deliver freight, goods, wares and merchandise on the payment of the freight charges due as shown by the bill of lading, and to provide penalties for the violation of this act," have carefully examined said bill and find the same correctly engrossed.

GRUBBS, Chairman.

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

HON. J. S. SHERRILL, SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: Your Committee on Engrossed Bills, to whom was referred House bill No. 249, A bill to be entitled "An Act to amend Article 1012, Title XXVII, Chapter 14, of the Revised Civil Statutes, relating to the employment of stenographers and typewriters by the Courts of Civil Appeals," have carefully examined said bill and find the correctly engrossed.

MCANALLY, Acting Chairman.

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

HON. J. S. SHERRILL, SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: Your Committee on Towns and City Corporations, to whom was referred House bill No. 538, A bill to be entitled "An Act to amend an act entitled 'An Act to incorporate the city of Waco, and to define its boundaries and powers'," have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

MCKAMY, Chairman.

SENATE MESSAGE.

Senate Chamber, Austin, Texas, Feb. 28, 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 Senate bills, to wit:

Senate bill No. 141, being a bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances, the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances, the Lancaster Tap Railroad, with its franchises and appurtenances, the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, the Central Texas Railroad Company, with its franchises and appurtenances, or either or any of such railroads, with its or their franchises and appurtenances, and to authorize the owners of each of said railroads, and its franchises and appurtenances to sell the same, and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railroads, franchises and appurtenances so purchased as fixed, or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof."

Senate bill No. 64, being a bill to be entitled "An Act for the better protection of the farmer in the purchase of commercial fertilizers, and for other purposes."

Senate bill No. 116, being a bill to be entitled "An Act to amend Articles 529, 529e, 529f, of Chapter 5, Title XIII, of the Revised Penal Code of the State of Texas of 1895, and adding thereto Article 529u, and amending Articles 529g and 529a, and repealing subdivision 18 of Article 529g, of Chapter 98, of the general laws of the State of Texas of 1897, relating to the offenses for the protection of fish, birds and game, and to repeal all laws in conflict herewith."

Senate bill No. 166, being a bill to be entitled "An Act to amend Article 713, of Chapter 11, Title XXI, of the Revised Civil Statutes of the State of Texas, and to add Article 713a to said Chapter 11, Title XXI, of said Revised Civil Statutes of the State of Texas, relating to the purposes for which private corporations may be created."

Substitute Senate bill No. 46, being a bill to be entitled "An Act to amend Article 127, Chapter 1, Title V, of the Penal Code of the State of Texas, adopted at the Regular Session of the Twenty-fourth Legislature, relating to bribery."

Senate bill No. 59, being a bill to be entitled "An Act permitting any insurance company organized and doing business on the mutual plan, under the laws of any State of the United States, insur-
The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read, the following bills:

House bill No. 49, "An Act to restore and confer upon the County Court of Bexar county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act," with Senate amendment.

Senate bill No. 149, "An Act to extend the time until the first day of January, 1902, in which the affairs of the Franco-Texan Land Company, a defunct corporation, may be administered and wound up by the District Court of Parker county, Texas, in cause No. 3305, now pending in said court."

Senate bill No. 134, "An Act to abolish the unorganized county of Encinal, to establish the boundaries of Webb county so as to include the territory of said unorganized county, to provide for the transfer of funds belonging to said county in the State treasury to the treasury of Webb county, and for the collection of taxes due from non-residents."

Substitute House bill No. 364, "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 appropriation therefor."

At 12:14 p.m., on motion of Mr. Savage, the House took recess to 2:30 p.m. today.

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, the following bills:

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THE HOUSE JOURNAL. February 28, 1899

AFTERNOON SESSION.

The House was called to order by the Speaker at 2:30 p.m.

Pending question—House bill No. 323, on engrossment, with amendments pending.

Mr. Thomas of Fannin moved to reconsider the vote by which the substitute by Mr. Shropshire for pending amendments to House bill No. 48 was adopted, and to table the motion to reconsider.

The motion to table was lost.

Whereupon the Speaker announced as special order for this hour, 2:30 p.m.,

Substitute Senate bill No. 55, A bill to be entitled "An Act to establish and create in each of the cities and towns and villages of this State a State court, to be known as the Corporation Court in such city, town or village, and to prescribe the jurisdiction and organization thereof, and to abolish municipal courts," on its passage to a third reading.

The bill was laid before the House, and was passed to a third reading.

Mr. Childs moved to reconsider the vote by which the bill passed to a third reading, and the motion was lost.

Mr. Robertson of Bell moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Substitute Senate bill No. 55 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—84.
Robertson, Harrison Stewart.
Robertson of Bell. Sutherland.
Rochelle. Tarkington.
Rogers. Tarver.
Sansom. Terrell.
Savage. Thomas of Wise.
Schluter. Thomas of Fannin.
Scurry. Tompkins.
Shannon. Vaughan.
Shelburne. Wells.
Shropshire. Whless.
Smith of Collin. Willacy.
Sansom. Terrell.
Savage. Thomas of Wise.
Schluter. Thomas of Fannin.
Scurry. Tompkins.
Shannon. Vaughan.
Shelburne. Wells.
Shropshire. Whless.
Smith of Collin. Willacy.

Nays—14.
Allen of Hopkins. McDowell.
Childs. McKellar.
Clements. Murray.
Dyes. Pitts.
Kennedy. Tate.
Livsey. Teagle.
Maxwell. Walton.

Absent—Excused.
Ayers. Dorroh.
Bennett. Grogan.
Bridgers. Hamilton.
Brown. Henderson, Brazos.
Cocke. McAnally.
Crawford. Smith of Grayson.
Derden. Stripling.

Substitute Senate bill No. 55 laid before the House on third reading and final passage.

Read third time, and
Mr. Robertson of Bell offered the following amendment:
"Amend Section 14 by adding thereto the following after the word 'applicable,' in line 22, page 6, 'such court, in any city, town or village shall hold no terms, but shall be deemed at all times open for the transaction of business, but each defendant shall be entitled to at least one day's notice of any complaint against him, if such time be demanded.'"

Adopted.

"Amend the committee report, on page 8, line 12, by changing the '15' to '16,' and in line 18 by changing the word 'submitted' to 'committed.'"

Adopted.

Mr. Staples offered the following amendment:
"Amend page 4, Section 24, after the word 'peace' by adding the following:
'that no ordinance of a city or town shall be valid which provides a less penalty for any act, omission or offense than is prescribed by the statutes, where such act or omission is an offense against the State.'"

Mr. Palmer offered the following amendment to the amendment:
"Strike out the word 'less,' in the amendment and insert in lieu thereof the word 'different.'"

Lost.

Amendment by Mr. Staples was lost.

Mr. Adams offered the following amendment:
"Amend Section 11 by adding after the word 'city,' 'provided said city contain 10,000 inhabitants or more, and if less, then the same laws, penalties, cost and procedure shall be the same as those of the justice's court in like offenses.'"

Tabled on motion of Mr. Teagle.

Mr. Tarver offered the following amendment:
"Amend after word 'court,' in line 11, page 5, by adding, 'provided, that nothing in this act shall be construed to prevent the county attorney from appearing in such court for the State in cities and towns where there has been no city attorney elected, and from receiving the fees allowed by law.'"

Lost.

Mr. Kittrell offered the following amendment:
"Amend Section 17 by adding after the word 'organized,' in line 17, page 7, the words, 'provided, that recorders of cities who are now in office and judges of city courts now in office shall hold their offices until the expiration of their present terms of office.'"

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

Question first recurred on the amendment by Mr. Kittrell, and it was lost.

The bill was passed by the following vote:

Yeas—77.
Adams. Goodlett.
Bailey. Graham.
Barbee. Grubbs.
Beaty. Jones.
Calvin. Kittrell.
Chambers. Lake.
Childers. Lane.
Cole. Little.
Conoly. Looney.
Cross. Loyd.
Dean. Marsh.
Decker. Masterson.
Evans of Fannin. McAnally.
Frost. McClellan.
Garrett. McKamy.

"I vote ‘no’ on the final passage of Substitute Senate bill No. 55, for the reason that the act is unconstitutional. The Legislature has no power under the Constitution of this State to create the courts sought to be created, and confer on said courts the jurisdiction sought to be conferred on said courts by the terms of this bill. The effect of the bill, if it becomes a law, will be to usurp the authority and power now conferred upon mayors and recorders and adapt it to the courts created by this bill, and thereby virtually deprive the present incumbents of the rights and emoluments of their offices, to which they have been elected by the people. Sections 8 and 10 of this bill cannot be enforced, because this part of the bill interferes with the rights and powers of justices courts, and also county attorneys in the exercise of their duties as required by law. These sections are unconstitutional."

"GREENWOOD."

"I vote ‘no’ on this bill because that part of Section 1, Article 5, of the Constitution which says, ‘the judicial power of this State shall be vested in one supreme court, in courts of civil appeals, in district courts, and in county courts, in commissioners courts, in courts of justices of the peace, and in such other courts as may be provided by law.’ This latter clause, that the judicial power shall be vested in the courts mentioned and such other courts as may be provided by law, does not permit the Legislature by statute to proceed as if there had been no constitutional limitations on the subject. It is supposed that when courts are provided by law it will not be in contravention of constitutional limitations in any of its provisions, whether those limitations relate to the grade of the court or its jurisdiction in any of its phases. These are fixed by the Constitution, and it can not be changed under the specious pretense that such conditions are not in the Constitution.

"The remaining portion of Section 1, Article 5, says: ‘The Criminal District Court of Galveston and Harris counties shall continue with the district jurisdiction and organization now existing by law until otherwise provided by law. The Legislature may establish such other courts as it may deem necessary, and prescribe the jurisdiction and organization thereof, and may conform the jurisdiction of the district and other inferior courts thereto.’ This clause clearly refers to the organization of district courts. Such district courts as those of Galveston and Harris counties, and permits the jurisdiction of the ‘district and other inferior courts to be conformed thereto,’ thus clearly indicating the organization of district courts.

"The courts provided by the Constitution certainly limit to that extent the power of the Legislature to change them at will without amendment to the organic law."

"PITTS.

"I vote ‘no’ on the final passage of this bill, because I believe it to be unconstitutional in the first instance and in many
other instances it contains objectionable features.

"I favor legislation on this subject in order to try to reconcile the conflicting opinions of our higher courts, but I cannot sanction the manner in which this bill was put through 'under whip and spur' by moving the previous question and cutting off debate and many useful amendments which should have been offered and adopted.

"The friends of the bill were in such a hurry that they did not even stop to correct clerical errors necessary to make it intelligible.

"This bill will, in my opinion, create an endless clash of authority between city and county officials, which will not result in good.

"I do not think it right, even if permitted, to legislate men out of office, which this bill proposes to do.

"This bill proposes to take away from cities of over 10,000 the constitutional right of creating their own charters by special law, and abolishes the office of their police judges, which have been created under constitutional authority, and also turn them out of office.

"It also creates, or attempts to create, a State court and call it a 'corporation court,' and deny the county and district attorneys the right to direct and control the prosecutions in such courts.

"It also attempts to create, by general law, a court of uniform jurisdiction, and makes a different rule of procedure in cities under special from those under general charter, and thus making a general law not general and uniform in its application.

"For these and many other reasons I vote against the bill.

"CHILD'S."

Mr. Robertson of Bell moved to reconsider the vote by which Substitute Senate bill No. 55 was passed, and asked to have the motion to reconsider spread upon the Journal.

In motion of Mr. Bailey pending business was suspended to take up and place on its third reading and passage,

House bill No. 350, A bill to be entitled "An Act to require railway companies to receive and transport all freights coming to them from steamships, steamboats and other water craft and vessels without discrimination, for or against any other steamship line, steamboat line, owner or company, or the owner, or owners of any other water craft or vessel."

The bill was laid before the House, read third time, and Mr. Kittrell offered the following amendment:

"Amend by adding at end of Section 1, 'Provided, that no railroad company shall be required to receive any freight on which the charges up to the time such freight is offered have not been paid.'"

Tabled on motion of Mr. Little. The bill was passed.

Mr. Bailey moved to reconsider the vote by which House bill No. 350 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The House resumed consideration of House bill No. 323, relating to establishing an industrial college for girls, on engrossment, with amendment by Mr. Masterson pending, and substitute for the amendment by Mr. Phillips of Lamar.

The Speaker laid the bill with pending amendments before the House.

Mr. Savage moved to recommit the bill to the Committee on Education.

(Mr. Bailey in the Chair.)

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

Question first recurred on the motion to recommit, upon which motion yeas and nays were demanded by Mr. Grubbs, Mr. Vaughan and Mr. Blount.

Lost by the following vote:

Yeas—35.

Barbee. Murphy.
Bean. Neff.
Caldwell. Phillips of Camp.
Chambers. Ratcliff.
Childers. Robertson of Bell.
Clements. Rochele.
Dies. Rogers.
Evans of Fannin. Sansom.
Garrett. Savage.
Howard. Sutherland.
Jones. Tate.
Lane. Terrell.
Livsey. Thomas of Wise.
Loyd. Thomas of Fannin.
McAnally. Wells.
Metzen. Whelless.
Meree. Willrodt.
Monroe.

Nays—60.

Adams. Frost.
Allen of Hopkins. Gill.
Barrett. Graham.
Beaty. Grubbs.
Bolin. Hurley.
Calvin. Kennedy.
Childs. Kittrell.
Conoly. Lake.
Dean. Lillard.
Decker. Little.
Eckols. Looney.
Ellis. Marsh.
Question next recurred on the substitute by Mr. Phillips of Lampasas for the amendment by Mr. Masterson. The substitute was lost.

Question then recurred on the amendment by Mr. Masterson, upon which yeas and nays were demanded by Mr. Masterson, Mr. Adams and Mr. Garrett. Lost by the following vote:

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At 5:24 p. m., on motion of Mr. Peery, the House adjourned to 9:30 o'clock a. m. tomorrow.