SEVENTY-SECOND DAY.

Hall of the House of Representatives, Austin, Texas, Tuesday, April 4, 1899.

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

Speaker Pro Tem. Prince in the chair.

Roll called, and the following members present:

Present—107.

Allen of Colorado. Masterson.
Allen of Hopkins.  Maxwell.
Ayers.            McCauley.
Bailey.           McCullern.
Barbee.           McDowell.
Barrett.          McFarland.
Bean.             Mckamy.
Beaty.            McCollum.
Bennett.          Mercer.
Blount.           Monroe.
Bolin.            Morris.
Bridgers.         Morrow.
Browne.           Murphy.
Calwell.          Murray.
Calvin.           Neff.
Chambers.        Nolan.
Childers.         Oliver.
Childs.           Parish.
Clements.         Peery.
Cooke.           Pfeiffer.
Culp.             Powell.
Dean.             Ratcliff.
Decker.          Robertson, Harrison.
Deren.            Robertson of Bell.
Dies.             Rusell.
Dorroh.          Savage.
Eckols.          Schuyler.
Ellis.            Severn.
Evans.           Shannon.
Frost.            Smith of Grayson.
Gill.             Smith of Collierville.
Goodman.        Stewart.
Graham.          Stripling.
Greenwood.      Sutherland.
Grogan.          Tarkington.
Grubbs.          Tarver.
Hamilton.        Tate.
Henderson, Brazos. Teagl.
Henderson, Lamar. Terrell.
Howard.          Thomas of Wise.
Harley.          Thomas of Fannin.
Hayes.           Tompkins.
Jones.           Vaughan.
Kennedy.        Walton.
Kitterell.       Wells.
Allard.           Whedon.
Little.         Willacy.
McCoy.           Willrort.
Mooney.         Wooten.

Absent.

Conoly.          Rochelle.
Crawford.       Rogers.
Goodlett.       Sansom.
Lake.           Shelburne.
Pitts.          Shropshire.
Poole.          Wright.

A quorum was announced present.

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

Pending reading of the Journal of yesterday,

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

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Rochelle until Thursday, on motion of Mr. Willacy.
Mr. Shropshire until Thursday, on motion of Mr. Dorroh.
Mr. Sansom for today, on motion of Mr. Teagl.
Mr. Crawford for today, on motion of Mr. Beaty.
On account of sickness:
Mr. Poole for today, on motion of Mr. Blount.
Mr. Lake for last Saturday and until Wednesday, on motion of Mr. Henderson of Brazos.
Mr. Conoly for today, on motion of Mr. Tate.
Mr. Shelburne for today, on motion of Mr. Masterson.

SPAKER’S TABLE.

The Speaker laid before the House, as pending business, the motion of Mr. Lillard to take up for consideration, Senate Concurrent Resolution No. 17.

The motion prevailed, and the resolution was laid before the House, and read as follows:

Senate Concurrent Resolution No. 17.

Whereas, The greatest American exponent of industrial education, Dr. C. M. Woodward of Washington University, is now in Texas lecturing upon the subject of Industrial Education; and

Whereas, This is a live subject attracting attention of the friends of education all over the land, and upon which bills are now pending before both houses of the Texas Legislature; therefore be it

Resolved by the Senate of the State of Texas, the House concurring, that the distinguished gentleman will be in Austin, April 5, 1899, that he be invited to deliver a lecture upon the subject of in-
Industrial education in the Hall of the House of Representatives, at 8 p.m., April 5th or 6th.

The resolution was read a second time, and Mr. Dies moved to refer to the Committee on Public Health and Vital Statistics.

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

Mr. Decker's motion to refer was lost, and the resolution was adopted.

On motion of Mr. Parish, the regular order of business was suspended to take up and place on its second reading, House bill No. 355, A bill to be entitled "An Act to amend Article 3655, Chapter I, Title LXXIX, Revised Civil Statutes of the State of Texas, relating to the contracting, hiring or leasing of State convicts by Board of Commissioners of Penitentiaries to owners, lessees, managers, or receivers of coal mines or collieries."

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

On motion of Mr. Grubbs, the regular order of business was suspended to take up and place on its third reading and final passage, House bill No. 323, A bill to be entitled "An Act to create and establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences."

The Speaker laid the bill before the House.

Read third time.

Yeas and nays were demanded by Mr. Savage, Mr. Calvin and Mr. Little.

The bill was passed by the following vote:

Yeas—58.

Allen of Colorado.
Allen of Hopkins.
Ayers.
Barrett.
Bennett.
Blount.
Bolin.
Caldwell.
Childs.
Dean.
Decker.
Dorroh.
Ellis.
Frost.
Gill.
Goodman.
Gordon.
Greenwood.
Grogan.
Grubbs.
Henderson, Brazos.

Phillips, Lampasas, Terver.
Roberson, Harrison, Teague.
Schlueter.
Scurry.
Smith of Grayson.
Smith of Collin.
Staples.
Stewart.

Nays—38.

Barbee.
Bean.
Beaty.
Bridgers.
Calvin.
Chambers.
Childers.
Clements.
Cole.
Collins.
Cross.
Derdan.
Dues.
Eckols.
Evans.
Graham.
Kennedy.
Little.
Liver.

Abst.

Adams.
Bailey.
Browne.
Cocke.
Culp.
Gill.
Goodlett.
Hamilton.

Absent—Excused.

Conolly.
Crawford.
Garrett.
Garrett.
Lake.
Lane.
Meitzen.
Palmer.

"I vote 'no' on the proposition for an industrial school, because the appropriation bill as reported carries over $2,500,000 for 1900. The doctors and lawyers have been relieved of an occupation tax, whereby the State lost about $35,000 in revenue. The Legislature so far has refused to pass any bill to find more property, such as notes, money and bonds for taxation, therefore, if we continue to make large appropriations we will be compelled to increase the tax rate and the condition of the people will not justify such raise, and further, I do not see the necessity for the industrial school asked for."

"Braxx.

"I vote 'no' on House bill No. 323, on its final passage, because the only pro-
vision of this bill which will be effective is the expenditure of $50,000 of the people’s money without a single good result, as will be clearly proved by just waiting. I have seen many bills carrying appropriations, but I have yet to see one so filled with vagueness and uncertainty as this one is. It was railroaded through by the previous question—being ordered, which shut off amendments by which the bill could have been made effective, but when the people of this State have seen it and studied it, they will then have every reason to thank those who tried to save the tax-payers $50,000, by voting ‘no.’

“SUTHERLAND.”

“I vote ‘no’ on the final passage of House bill No. 323, known as the Industrial School bill.”

“1st. Not because I am opposed to industrial education, for I believe in education in all its forms. I believe our age demands that the hand should be educated as well as the heart and head. I believe the girls should be taught to believe in the honesty and dignity of domestic toil, should be taught that the music of the tea-kettle is as great a factor in civilization, and that it is not less divine than that produced by the artistic touch of the ivory keys.

“2nd. Not because I am opposed to woman extending her sphere of influence and usefulness, for without her uplifting and purifying powers, civilization would slide back into barbarism, and life with all its lofty hopes and aspirations would be a farce, a fraud and a failure.

“3rd. I vote ‘no,’ because, in general, I am opposed to the needless multiplication of colleges in this State. I believe it is the duty of the State to place a public school house in every community, but I believe it is unwise, unjust and unpatriotic to burden the people of Texas in order to support a number of colleges scattered throughout the State. I believe we should widen the foundation, and lift higher the walls of those we now have before we commence to erect new ones.

“4th. I believe this industrial work should be correlated with some of our institutions already established, and made an elective department of the college work, or it should be introduced into the public school system of the State in order that all may have the benefits derived therefrom. Either way would be much cheaper for the State, because we could in that way utilize the educational advantages we already have and would reach at least twenty times as many of our young people, who are preparing themselves for the practical duties and responsibilities of life.

“5th. It would take at least three hundred dollars for a young lady to attend this school a year, for it provides that both board and tuition shall be paid, and I do not believe that the young ladies of Texas, who can afford to spend this much on their education, will go to a school where there are only a few dozen girls in attendance, and where it is known as a place where cooking, sewing, dressmaking and nursing babies are taught. The poor girls will not attend, because they cannot afford it, and those who can raise three hundred dollars will prefer to go to some university where they will form the friendship of several hundred students, will have the advantages of literary and social organization, and the general educational tendencies that characterize every large student body.

“6th. We have now on our desks an appropriation bill, carrying with it the necessary appropriation of five million dollars, and as it creates a deficiency in the public treasury, it seems to me that it would be unwise and unstatesmanlike for us to launch out on an untried sea by passing this industrial bill, which calls for an immediate appropriation of fifty thousand dollars.

“7th. The Finance Committee has just reported to this House that the State is not able to appropriate any money for the maintenance and support of one of our educational institutions already built, and it certainly seems to me that it would be folly to bring into existence another similar institution when we cannot adequately care for one we have already erected.

“8th. And finally, I vote ‘no’ on the final passage of this bill, because it is too sweeping in its scope, and too far reaching in its undertakings. It not only provides for a thorough literary education, but declares that ‘all the arts and sciences shall be taught.’ It contemplates a kindergarten department, and provides for the instruction of telegraphy, stenography and photography; also a knowledge of drawing, painting and designing, and engraving in their industrial application; also a knowledge of general needle work, including dressmaking; also a knowledge of book-keeping; also a thorough knowledge of scientific and practical cooking, including a chemical study of foods; also a knowledge of practical housekeeping; also a knowledge of trained nursing, caring for the sick; also a knowledge of the care and culture of children and then concludes with the sweeping declaration that all other practical
industries as experience may at any time suggest may be added. There is not a single thing known to the genius of civilized man since Socrates gathered together his disciples in the academic groves of ancient Greece, down to this good hour, but what is included in the curriculum of this proposed school. To provide for the running and support of this proposed college would cost the already over taxed people of Texas at least one hundred thousand dollars per year. Therefore, as a citizen and tax-payer of the State, as an advocate of education, as a lover of women, and as a representative of those whose confidence I proudly enjoy, I vote 'no.'

"NEFF."

Mr. Grubbs moved to reconsider the vote by which House bill No. 323 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Schluter called up the motion to reconsider the vote by which the following amendment to Substitute House bill Nos. 136, 234, 245 and 267, the general occupation tax bill, was adopted February 23rd:

"On page 1, line 17, amend by adding after the word 'annually,' 'and said occupation tax may be paid quarterly or annually, at option of the tax-payers.'"

Which motion to reconsider was spread upon the Journal February 24, and due notice given yesterday that it would be called up today.

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

Mr. Greenwood then, by consent, withdrew the amendment.

The House considering the bill by subdivisions, and Subdivision 1, of Section 1, being under consideration,

Mr. Murphy offered the following amendment:

"Amend by striking out all of Subdivision 1."

Mr. Decker offered the following substitute for the amendment:

"Amend the bill by striking out all of line 9, page 1, the same being the enacting clause."

Mr. Livsey moved to table the pending amendments, upon which motion yeas and nays were demanded by Mr. Blount, Mr. Barrett and Mr. McAnally.

Question then first recurred on the substitute by Mr. Decker, and it was tabled by the following vote:

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"I vote to strike out the enacting clause of House bill 136 for the reason that the tax commission is now at work on a general tax law, and for the reason that there is an occupation tax law in force and blanks and instructions sent out to the assessors for the year 1899."

Mr. Tarver offered the following amendment:

"Amend Section 1, line 17, page 1, by inserting after the word 'annually' the words 'or quarterly in advance at the option of the person paying the tax.'"

Mr. Powell moved to table the amendment, upon which yeas and nays were demanded by Mr. Tarver, Mr. Hamilton and Mr. Eckols.

Tabled by the following vote:

Yeas—71.

Allen of Colorado. Kennedy.
Ayers. Lillard.
Barbee. Little.
Bennett. Berkeley.
Blount. Looney.
Bolton. Lively.
Bolton. Looney.
Bridgers. Lively.
Brown. Lively.
Caldwell. Maxwell.
Calvin. Masterson.
Clements. McAnally.
Coke. McClellan.
Collins. McKellar.
Collins. McKellar.
Culp. Neff.
Dean. Oliver.
Dies. Peery.
Dorroh. Pfeuffer.
Ellis. Phillips, Lampasas.
Gill. Powell.
Goodman. Ratcliff.
Graham. Robertson, Harrison.
Greenwood. Robertson of Bell.
Grogan. Scurry.
Hamilton. Smith, Fannin.
Jones. Todd. Tompkins.
Little. Vaughn.

Nays—26.

Bean. Masterson.
Chambers. McDowell.
Childers. Mercer.
Childs. Monroe.
Cross. Morris.
Derdens. Murphy.
Howard. Murray.
Kennedy. Pfeuffer.
Kittel. Phillips of Camp.
Looney. Tarver.
| Mr. Marsh offered the following amendment to the amendment: |
| "Amend the amendment by striking out 'six dollars' and inserting 'five dollars.'" |
| Accepted by Mr. Morrow. |
| On the amendment as amended, yeas and nays were demanded by Mr. Greenwood, Mr. Livsey and Mr. Maxwell. |
| Adopted by the following vote: |
| Yeas—50. |
| Allen of Colorado. Marsh. |
| Allen of Hopkins. McDowell. |
| Bean. McKamy. |
| Bridgers. Mercer. |
| Browne. Morris. |
| Caldwell. Morrow. |
| Calvin. Murphy. |
| Childers. Murray. |
| Cook. Peery. |
| Cross. Phelps. |
| Culp. Lampasas. |
| Derden. Phillips. |
| Died. Camp. |
| Eckols. Ratchiff. |
| Frost. Savage. |
| Grubbs. Stripling. |
| Hamilton. Sutherland. |
| Howard. Tarkington. |
| Hurley. Tarver. |
| Jones. Thomas of Wise. |
| Lillard. Terrell. |
| Lillard. Walton. |
| Nays—45. |
| Ayers. Maxwell. |
| Parbee. McCannally. |
| Barrett. McClellan. |
| Beaty. McFarland. |
| Mount. McKellar. |
| Chambers. Neff. |
| Clements. Nolan. |
| Collins. Oliver. |
| Dean. Robertson, Harrison. |
| Decker. Robertson of Bell. |
| Dorroh. Russell. |
| Ellis. Schuler. |
| Evans. Scurry. |
| Gill. Shannon. |
| Goodman. Smith of Grayson. |
| Greenwood. Smith of Collin. |
| Grogan. Staples. |
| Henderson, Brazos. Stewart. |
| Kennedy. Thomas of Fannin. |
| Little. Wells. |
| Livsey. Willacy. |
| Looney. Willrodt. |
| Masterson. |

| Absent. |
| Adams. Bolin. |
| Bennett. Goodlett. |
Mr. Childers moved to suspend pending business to take up for consideration, on its second reading, to be considered from day to day until disposed of.

Substitute House bill No. 111, the general appropriation bill.

Mr. Maxwell moved as a substitute for the motion of Mr. Childers that afternoon sessions be set apart for the consideration of the general appropriation bill.

Pending action on above motions, Mr. Adams moved to take a recess until 2:30 p. m. today.

**PETITIONS AND MEMORIALS.**

By Mr. Wells:
Petition of 463 citizens of Denison, Texas, urging the passage of the bill allowing the Missouri, Kansas & Texas Railway to purchase the Sherman, Shreveport & Southern Railway over the veto of Governor Sayers. Read, and placed on the Speaker’s table with the bill.

By Mr. Wells:
Petition from the two banks at White-wright and four of the business firms, urging the passage of the Missouri, Kansas & Texas Railway and the Sherman, Shreveport & Southern Railway consolidation bill over the Governor’s veto.

Read, and placed on the Speaker’s table with the bill.

By Mr. Dies:
Petition of sixty-six citizens of Galveston county, asking for the passage of Senate bill No. 23, known as the Marsh Land Bill.

Also petition of eleven citizens of Chambers county, same as above.

Also petition of twenty-four citizens of Brazoria county, same as above.

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

**BILLS AND RESOLUTIONS.**

By Mr. Kittrell:
House bill No. 777, A bill to be entitled “An Act to protect the pipes, conduits, meters and other appliances and machinery of gas companies, and to make interference therewith or injury thereto a misdemeanor, and to fix a penalty for the same; and to declare an emergency.”

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

By Mr. Savage:
House bill No. 778, A bill to be entitled “An Act to appropriate to J. T. Browne, an ex-Confederate soldier, one hundred and ninety-six dollars for one hundred and ninety-six days carpenter and shelf work done at the Confederate Home, State of Texas, and declaring an emergency.”

Read first time, and referred to Committee on Claims and Accounts.

By Mr. Bolin:
House bill No. 779, A bill to be entitled “An Act to diminish the criminal jurisdiction of the County Court of Titus county, and to conform the jurisdiction of the district court of said county to said change, and declaring an emergency.”

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

By Mr. Caldwell (by request.)
House Concurrent Resolution No. 43, authorizing the Superintendent of Public Buildings and Grounds to lease certain property in the city of Austin.

Be it resolved by the Legislature of the State of Texas, That the Superintendent of Public Buildings and Grounds be and he is hereby authorized and directed to enter into a contract of lease with Mrs. R. J. Blandford for all of the northwest one-fourth of block No. 122, in the city of Austin, Texas, except the southwest one-fourth thereof, for the term of fifty years, at an annual rental of twenty-five dollars; providing in said lease, however, that the State of Texas shall have the right to resume possession of said leased premises should same be needed for the erection of a public building or buildings thereon upon giving twelve month’s notice of such fact to the said lessee.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Tompkins:
Whereas, At the beginning of the present session of the Twenty-sixth Legislature of Texas, in order to expedite matters and to aid and assist the chairmen and committees of the House of Representatives to properly keep a record of the proceedings of committees, and in preparing the reports of committees on the many bills, resolutions and other matters referred to them, it was thought necessary and the House did employ ten committee clerks and stenographers and
one private secretary of and to the Speaker, at a salary of three dollars per day, making a total expense of $33.00 per day, and

Whereas, Owing to the fact that all important and arduous committee work is now over, and the matter of writing bills, letters and other documents and other communications is not a public necessity or of great importance to the State, and the further fact that the few committee meetings and reports hereafter to be held and made can, without any great hindrance of work, be done by the chairmen and members of the various committees, there does not exist a necessity for the further employment of said committee clerks and stenographers; therefore, be it

Resolved by the House of Representatives of the Twenty-sixth Legislature of the State of Texas, That the services of all committee clerks and stenographers now employed by the House of Representatives be and are relieved from further duty, and are and shall be discharged from and after the passage of this resolution, thus saving to the State the sum of $33.00 per day for the balance of this session.

The resolution was read, and Mr. Henderson of Lamar moved to refer to the Committee on Contingent Expenses.

A second reading of the resolution was called for, and it was read second time.

Pending consideration, Mr. Adams moved to take a recess until 2:30 p. m. today, and Mr. Culp moved to take a recess until 3 o'clock p. m. today.

The motion of Mr. Culp prevailed, and the House, at 12:20 p. m., took recess until 3 o'clock p. m. today.

COMMITTEE REPORTS.

(Submitted this forenoon.)

Committee Room,
Austin, Texas, April 3, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 698, A bill to be entitled "An Act to amend Subdivision 23, of Article 1194, of Chapter 4, of Title XXX, of the Revised Civil Statutes of Texas, 1895, relating to the venue of suits,"

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, April 3, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 776, A bill to be entitled "An Act to amend Sections 10 and 12, Chapter 5, General Laws of Texas, Twenty-fifth Legislature,"

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, April 3, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 711, A bill to be entitled "An Act to provide for and fix the venue of suits for damages against railway companies, and agents and receivers of railway companies for personal injuries, 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.
devises and legal representatives of parties to suits to escheat property, to appeal and sue out writs of error, and to prescribe the mode of issuance and service of process in such cases."

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, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No. 762, A bill to be entitled
"An Act to amend Article 1373, of Chapter 17, Title XXX, of the Revised Statutes of the State of Texas, by prescribing the mode of procedure in bills of review when the State of Texas is a party to the suit, and by authorizing bills of review to be filed by the heirs of devises,"

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, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No. 730, A bill to be entitled
"An Act to enable warehousemen and warehouse companies or other bailees of personal property to dispose of unclaimed property left in their custody, and prescribing the method of disposing of such property, and providing for the disposition of the proceeds of the sale of such property."

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, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No. 766, 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,"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it be returned to the calendar and be re-referred to Judiciary Committee No. 2.

WOOTEN, Chairman.

Committee Room,
Austin, Texas, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No. 757, A bill to be entitled
"An Act to amend Article 642, Title XXI, of the Revised Civil Statutes of the State of Texas, and to provide for the incorporation of distilleries and breweries."

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, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No. 751, A bill to be entitled
"An Act to provide for taxing and collecting a fee for district judges as part of the costs in civil cases."

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, April 1, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Internal Improvements, to whom was referred
House bill No. 768, A bill to be entitled
"An Act to authorize the Gulf, Beaumont & Kansas City Railway Company to purchase, own and operate the railroad, including all the property, property rights, franchises and appurtenances, of the Gulf, Beaumont & Great Northern Railway Company now existing or that may hereafter be built or acquired by the Gulf, Beaumont & Great Northern Railway Company; and to authorize the Gulf, Beaumont & Kansas City Railway Company, in the name of the Gulf, Beaumont & Great Northern Railway Company, to issue bonds and to secure the
same by mortgage upon the railway property, property rights and franchises of the Gulf, Beaumont & Great Northern Railway Company, under order of the Railroad Commission of Texas; and to enable the same corporation, the Gulf, Beaumont & Great Northern Railway Company to construct this proposed line of railway as provided in its charter, and for said purpose to raise money through the issuance of stock and bonds;"

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

SMITH of Grayson, Chairman.

Committee Room,
Austin, Texas, March 29, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 342, A bill to be entitled "An Act to incorporate the city of Dallas, and to grant it a new charter;"

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, April 4, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 300, A bill to be entitled "An Act to quiet titles to lands located and surveyed by virtue of land certificates granted under the act of the Legislature of the State of Texas, entitled 'An Act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or the Confederate States, a land certificate for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such location and surveys;"

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 746, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Lamar county, regulating the fees of officers where convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith;"

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 712, A bill to be entitled "An Act to amend Chapter 5, of Title XII, of the Revised Civil Statutes of 1895, so as to place San Patricio county under the provisions of said chapter, relating to the mode of preventing certain animals from running at large in counties and subdivisions;"

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, April 3, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 130, A bill to be entitled "An Act to amend Article 2439, of the Revised Civil Statutes of 1895, of the State of Texas, relating to the fees and taxes to be collected by the Secretary of State;"

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

McANALLY, Acting Chairman.

AFTERNOON SESSION.

The House met at expiration of recess, and was called to order by Speaker Pro Temp. Prince.

Mr. Childers, by unanimous consent, offered the following resolution:

Whereas, As this House, on a former occasion, by concurrent resolution, did set apart Wednesday and Thursday of each week for the exclusive consideration of Senate bills, and as,

Whereas, The House appropriation bill is now ready for consideration, which fact constitutes a just and sufficient reason for a revocation of said resolution, and the same is hereby suspended and rescinded; and that Substitute House bill No. 111, the general appropriation bill, be taken up and made the pending business from day to day until disposed of.

The resolution was read, and Mr. Schluter offered the following substitute:

Resolved, That this House consider House bill No. 111, the appropriation
April 4, 1899  

**HOUSE JOURNAL.**  

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Mr. Tate moved the previous question on the substitute, and the main question was ordered.

The substitute was adopted.

Mr. Schutler offered the following amendment:

"Amend by adding: 'Provided, that this resolution shall not take effect until Friday next, the 7th inst.'"

Mr. Wooten offered the following substitute for the amendment and the resolution as substituted:

"Substitute as follows:

Resolved, That hereafter the forenoon sessions of each day in the House be devoted to the consideration of the appropriation bill (House bill No. 111) from day to day until disposed of, except Wednesday of each week, which shall be devoted to Senate bills; provided, that this week the present rule as to Senate bills shall remain in force, and that Saturdays be devoted to the consideration of local bills as heretofore.'"

Mr. McClellan moved the previous question on the substitute by Mr. Wooten, and the main question was ordered.

The substitute by Mr. Wooten was adopted.

Question then recurring on the resolution as substituted,

Mr. Decker offered the following amendment:

"Provided, That beginning with April 4th that this House hold night sessions, except Saturdays, and that on Wednesday and Thursday nights only the appropriation bill shall be considered."

Mr. Kennedy moved to table the substitute, upon which motion yeas and nays were demanded by Mr. Childs, Mr. Henderson of Lamar and Mr. McClellan.

Tabled by the following vote:

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Mr. Wooten moved the previous question, and the main question was ordered. Question first recurred on the amendment by Mr. Decker, upon which yeas and nays were demanded by Mr. Smith of Collin, Mr. Decker and Mr. Phillips of Lampasas.

The amendment was lost by the following vote:

Yeas—46.
Allen of Hopkins.
Bailey.
Bean.
Bridgers.
Calvin.
Chambers.
Childers.
Cole.
Collins.
Dean.
Decker.
Dorroh.
Gordon.
Henderson, Lamar.
Hurley.
Jones.
Kennedy.
Kittrell.
Lillard.
Little.
Masterson.
McAnally.

Yeas—57.
Adams.
Allen of Colorado.
Ayers.
Barbee.
Beaty.
Bennett.
Bolin.
Browne.
Caldwell.
Childs.
Clements.
Cooke.
Cross.
Culp.
Derden.
Eckols.
Ellis.
Evans.
Frost.
Gill.
Goodlett.
Goodman.
Graham.
Greenwood.
Grogen.
Grubbs.
Hamilton.
Henderson, Brazos.

Nays.
Blount.
Livesay.
Loyd.
Maxwell.

Absent.
Mercer.
Monroe.
Rogers.

Absent—Excused.
Conoly.
Crawford.
Garner.
Garrett.
Lake.
Lan.
Palmer.

Absent.
Blount.
Livesay.
Loyd.
Maxwell.

Absent—Excused.
Conoly.
Crawford.
Garner.
Garrett.
Lake.
Lan.
Palmer.

"I vote 'no,' because I think that it conflicts with the Salvation Army."
"Frost."

"We vote 'no' for the reason offered on the floor of the House by the gentleman from Bexar. We also want time to attend to our social duties."
"Looney.
Bennett."

Question next recurred on the resolution as substituted, upon which yeas and nays were demanded by Mr. Smith of Collin, Mr. Wooten and Mr. Calvin. Adopted by the following vote:

Yeas—86.
Adams.
Allen of Colorado.
Allen of Hopkins.
Ayers.
Bailey.
Barbee.
Barrett.
Bennett.
Bolin.
Browne.
Caldwell.
Childs.
Clements.
Cooke.
Cross.
Culp.
Derden.
Dorroh.
Dies.
Dorroh.
Evans.
Frost.
Gill.
Goodlett.
Gordon.
Graham.
Hamilton.
Henderson, Lamar.
Howard.
Hurley.
Kittrell.
Lillard.
Little.
Masterson.
McAnally.

Nays—57.
Adams.
Allen of Colorado.
Ayers.
Barbee.
Beaty.
Bennett.
Bolin.
Browne.
Caldwell.
Childs.
Clements.
Cooke.
Cross.
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Dorroh.
Evans.
Frost.
Gill.
Goodlett.
Gordon.
Graham.
Hamilton.
Henderson, Lamar.
Howard.
Hurley.
Kittrell.
Lillard.
Little.
Masterson.
McAnally.

Nays.
Blount.
Livesay.
Loyd.
Maxwell.

Absent.
Mercer.
Monroe.
Rogers.

Absent—Excused.
Conoly.
Crawford.
Garner.
Garrett.
Lake.
Lan.
Palmer.

Absent.
Blount.
Livesay.
Loyd.
Maxwell.

Absent—Excused.
Conoly.
Crawford.
Garner.
Garrett.
Lake.
Lan.
Palmer.

"I vote 'no,' because I think that it conflicts with the Salvation Army."
"Frost."

"We vote 'no' for the reason offered on the floor of the House by the gentleman from Bexar. We also want time to attend to our social duties."
"Looney.
Bennett."

Question next recurred on the resolution as substituted, upon which yeas and nays were demanded by Mr. Smith of Collin, Mr. Wooten and Mr. Calvin. Adopted by the following vote:

Yeas—86.
Adams.
Allen of Colorado.
Allen of Hopkins.
Ayers.
Bailey.
Barbee.
Barrett.
Bennett.
Bolin.
Browne.
Caldwell.
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Masterson.
McAnally.

Nays—57.
Adams.
Allen of Colorado.
Ayers.
Barbee.
Bennett.
Bolin.
Browne.
Caldwell.
Childs.
Clements.
Cooke.
Cross.
Culp.
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Henderson, Lamar.
Howard.
Hurley.
Kittrell.
Lillard.
Little.
Masterson.
McAnally.
The general occupation tax bill.

Pending business, on engrossment, considered.

The motion to reconsider the vote by which House bill No. 300 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its final passage, House bill No. 401, A bill to be entitled "An Act to amend Articles 3094 and 3095, and to add Article 3095a, Chapter 3, of Title LVIII, of the Revised Statutes of the State of Texas, making any person or persons, company, co-partnership or corporation, who shall make or cause to be made, write, or cause to be written, either for himself or for another, any contract or policy of insurance in any insurance company not authorized to do business in this State, liable to the State for the same taxes and penalties, general and special, State, county and municipal, as insurance companies that have been legally qualified and admitted to do business in this State by agents or otherwise, and prescribing method of collecting such tax, and fixing penalty for non-compliance with terms and conditions of this act."

Which was pending on final passage at adjournment last Saturday.

The bill was passed.

Mr. Robertson of Bell moved to reconsider the vote by which House bill No. 401 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its final passage, House bill No. 402, A bill to be entitled "An Act granting to the city of Austin a block of land within said city for public free school purposes."

Which was read third time last Saturday, April 1, and went over.

Mr. Teagle offered the following amendment:

"Amend by adding the following to Section 2: 'Provided, that said property shall be used for free school purposes only.'"

Adopted.

The bill was passed.

Mr. Maxwell moved to reconsider the vote by which House bill No. 402 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Pitts moved to adjourn until 9:30 a.m. tomorrow.

Lost.

The Speaker laid before the House, on its third reading and final passage, House bill No. 486, A bill to be entitled "An Act to amend Section 6, Chapter 149, of the General Laws of the Twenty-fifth Legislature, entitled "An Act to pre-
serve and protect the wild game, birds and wild fowl of the State; and provide adequate penalties for the unlawful taking, slaughtering, sale or shipment thereof.

Read third time, and Mr. Murray offered the following amendment:

"Amend committee report by adding after the word 'same in line 19, 'or the hides of said deer.'"

Mr. Decker moved the previous question, and the motion was lost.

The amendment was lost.

Mr. Lillard offered the following amendment:

"Amend Section 6 by adding the word 'November' to the amendment of the gentleman from Uvalde, adopted at the time of the previous consideration of this bill."

(Signed—"Lillard, Graham, Blount, Bennett.")

Mr. Looney moved to table the amendment, and the motion was not seconded.

Mr. Calvin offered the following substitute for the amendment:

"Amend by striking out 'October' in the bill."

(Signed "CALVIN, "EVANS,""

Tabled on motion of Mr. Lillard.

Mr. Ratcliff moved the previous question, and the motion was not seconded.

Mr. Ayers offered the following amendment:

"Amend by striking out the enacting clause."

Mr. Bridgers moved to adjourn until 9:30 o'clock a.m. tomorrow.

SENATE BILL ON FIRST READING.

(By unanimous consent.)

Senate bill No. 243, was read first time, and referred to the Committee on Towns and City Corporations.

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

COMMITTEE REPORTS.

Filed this afternoon.

Committee Room, Austin, Texas, April 4, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 355, A bill to be entitled "An Act to amend Article 3655, Chapter 1, Title LXIX, Revised Civil Statutes of the State of Texas, relating to the contracting, hiring or leasing of State contr-
back to the House with the recommendation that it do pass.

DIES, Chairman.

Committee Room, Austin, Texas, April 4, 1899.

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

Sir: Your Committee on Irrigation, to whom was referred House bill No. 764, A bill to be entitled "An Act to amend Article 496, Chapter 2, Title XIII, of the Penal Code of the State of Texas, relating to irrigating canals, wells, reservoirs, etc., and the protection thereof."

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

MASTERSON, Chairman.

SEVENTY-THIRD DAY.

In the House of Representatives, Austin, Texas, Wednesday, April 5, 1899.

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

*Speaker Pro Tem. Prince in the chair.

Roll called, and the following members present:

Present—112.


Rochele. Tu'ker.

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.

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Conoly until Friday, on motion of Mr. Kittrell.

Mr. Culp for today, on motion of Mr. McFarland.

Mr. Livsey for today, on motion of Mr. Clements.

Mr. Lane for today, on motion of Mr. Meitzen.

Mr. Rogers for today, on motion of Mr. Goodlett.

On account of sickness:

Mr. Poole for today, on motion of Mr. Blount.

Mr. Shelburne for today, on motion of Mr. Masterson.

Mr. Lake indefinitely, on motion of Mr. Henderson of Brazos.

On account of sickness in his family:

Mr. Crawford for yesterday, and indefinitely, on motion of Mr. Shropshire.