Committee Room, Austin, Texas, April 19, 1899.  
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 509, A bill to be entitled "An Act to create a more efficient road system for Wood county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of road overseers, and defining their duties, and for working the county convicts upon the roads of said county, and upon the county farm, and to provide for the summoning of teams for road work, and for an allowance of teams for road work, and for a penalty for a violation of this act, and to repeal all laws in conflict with this act as to Wood county,"

Have carefully examined said bill, and find the same correctly enrolled, and I have this day, at 4:30 o'clock p.m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room, Austin, Texas, April 19, 1899.  
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 621, A bill to be entitled "An Act to create a more efficient road system for Nacogdoches county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of road overseers, and defining their duties, and for working the county convicts upon the roads of said county, and upon the county farm, and to provide for the summoning of teams for road work, and for an allowance of teams for road work, and for a penalty for a violation of this act, and to repeal all laws in conflict with this act as to Nacogdoches county, and to authorize the commissioners court of Nacogdoches county to create the office of superintendent of public roads and bridges for Nacogdoches county, and defining his duties, and providing for compensation of said superintendent, and prescribing bond to be given by said officer; providing, that delinquent poll tax payers shall be subject to the duties of road duty; providing for the condemnation of any land needed for the widening, straightening, changing or draining of roads; providing for the taking of timber, gravel, earth, stone or other necessary material for the improvement of roads and giving persons summoned to work on roads the right to be relieved from the discharge of such duty on the payment of specific sums of money herein stipulated."

Have carefully examined said bill, and find the same correctly enrolled, and I have this day, at 4:30 o'clock p.m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room, Austin, Texas, April 19, 1899.  
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Judicial Districts, to whom was referred Senate bill No. 294, A bill to be entitled "An Act to reorganize the Thirty-fourth Judicial District of Texas, to prescribe the time of holding the terms of the district court therein, and to repeal all laws in conflict with this act."

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

DIES, Chairman.

Mr. Thomas of Wise moved to adjourn until 9 a.m. tomorrow, and Mr. Chambers until 9:30 a.m. tomorrow.

Question recurring on the longest time first, the motion was lost.

On motion of Mr. Thomas of Wise, the House, at 6:28 p.m., adjourned until 9 o'clock a.m. tomorrow.

EIGHTY-SIXTH DAY.

Hall of the House of Representatives, Austin, Texas, Thursday, April 20, 1899.

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

Speaker Sherrill in the chair.

Roll called, and the following members present:

Present—110.

Pending reading of the Journal of yesterday,
On motion of Mr. Poole, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.
On account of important business:
Mr. Dorroh until next Monday, on motion of Mr. Marsh.
Mr. Barrett until next Monday, on motion of Mr. Shelburne.
Mr. Graham for absence on yesterday, on motion of Mr. Loyd.
Mr. Peery until Tuesday, on motion of Mr. Crawford.
Mr. Lane until next Monday, on motion of Mr. Meitzen.
Mr. Wheless for yesterday, on motion of Mr. Calvin.

On account of sickness:
Mr. Sutherland until next Monday, on motion of Mr. Terrell.
On account of sickness in his family:
Mr. McDowell until next Wednesday, on motion of Mr. Morris.
Mr. Gill indefinitely, on motion of Mr. McKamy.

SPEAKER’S TABLE.
Mr. Morrow called up the report of the Free Conference Committee on Senate bill No. 144.
The same was laid before the House, and, on motion of Mr. Powell, it was made a special order for 4 o’clock p. m. today.
The Speaker laid before the House, on its passage to engrossment.
Substitute House bill No. 111, the general appropriation bill.
And the House resumed consideration of same, beginning with line 11, page 6.

(Mr. Smith of Grayson in the chair.)

Mr. Crawford offered the following amendment:

“Amend line 14, page 6, by striking out the word ‘typewriters’ and insert in lieu thereof ‘typewriting machines.’”
Adopted.

Mr. Henderson of Lamar offered the following amendments:

(1) “Amend line 24, page 6, by adding after ‘clerks’ $1100 each.’”
Adopted.

(2) “Amend lines 19 and 20, by adding after ‘clerks’ $1100 each.’”
Adopted.

Mr. Derker offered the following amendment:

“Amend by striking out line 24, page 6, and insert in lieu thereof ‘typewriting machines.’”
Adopted.

Mr. Shelburne offered the following substitute for the amendment:

“Strike out line 24, and insert in lieu

A quorum was announced present.
Prayer by Rev. J. W. Lowber of Austin.
thereof the following: ‘Salary of chief sales clerk, $1200; salary of two assistant sales clerks, $1000 each, $3200, $3200.’”

Mr. Cole moved the previous question on pending amendments, and the motion was not seconded.

After further consideration by the House, the substitute was lost.

Question then recurring on the amendment by Mr. Decker,

Mr. Wright offered the following substitute:

“Amend page 6, line 24, by striking out the word ‘three’ and inserting in lieu thereof the word ‘two,’ and by striking out ‘$3300’ wherever it occurs and insert in lieu thereof ‘$2280.’”

After further consideration by the House, Mr. Thomas of Wise moved the previous question on the pending amendments, and the main question was ordered.

Question first recurring on the substitute, upon which yeas and nays were demanded by Mr. Wright, Mr. Robertson of Harrison and Mr. Livsey.

The substitute was lost by the following vote:

Yeas—34.

Barbee. McKellar.
Beaty. Meitzen.
Calvin. Nolan.
Childers. Oliver.
Chid. Powell.
Collins. Ratcliff.
Cross. Robertson, Harrison.
Dean. Shelburne.
Derden. Tarver.
Dies. Teagle.
Eckols. Thomas of Wise.
Evans. Tompkins.
Goodman. Wells.
Graham. Willacy.
Kennedy. Willrodt.
Lively. Wooten.
McKamy. Wright.

Nays—57.

Allen of Hopkins. Henderson, Brazos.
Bailey. Howard.
Bean. Jones.
Bolin. Kittrell.
Bridgers. Lillard.
Brown. Little.
Caldwell. Lord.
Chambers. Maxwell.
Clements. McAnally.
Conoly. McClellan.
Crawford. McFarland.
Decker. Mercer.
Frost. Monroe.
Goodlett. Morris.
Gordon. Morrow.
Grubbs. Murphy.
Hamilton. Neff.

Prince. Poole.
Robertson of Bell. Prince.
Rochelle. Poole.
Russell. Sansom.
Savage. Sansom.
Scurry. Sansom.
Shannon. Shropshire.

Absent.

Cocke.
Cole.
Culp.
Garner.
Greenwood.
Groen.
Looney.
Tuck.

Absent—Excused.

Allen of Colorado. Lake.
Barrett. Lane.
Bennett. McDowell.
Blount. Poery.
Dorroh. Phillips of Camp.
Ellis. Schluter.
Gill. Suther.
Harley.

Mr. Stewart offered the following amendment:

“Amend by adding after line 24, the following: ‘Provided, that the Land Commissioner may discharge any clerk not needed in any particular department, and apply the money to pay his salary for the purpose of employing help in any other department where additional help is needed; provided further, that no more shall be paid for such help than is provided for the compensation of clerks in the department to which the extra help may be assigned.’”

Lost.

Mr. Stewart offered the following amendment:

“Amend line 8, page 7, by substituting ‘$360’ in lieu of ‘$300,’ wherever it occurs.”

Adopted.

Mr. Phillips of Lampasas offered the following amendment:

“Amend by striking out the word ‘typewriters’ in line 27, page 7, and insert in lieu thereof the words ‘typewriting machines.’”

Adopted.

Mr. Monroe moved to reconsider the vote by which line 18, page 8, was adopted, and asked to have the motion to reconsider spread upon the Journal.

Mr. Shropshire called up the motion to reconsider.
Mr. Shelburne moved to postpone consideration of the motion to reconsider until the last item in the bill shall have been disposed of.

After consideration by the House, Mr. Crawford moved the previous question on the motion to postpone, and the main question was ordered.

The motion to postpone was lost.

Question then recurring on the motion to reconsider, yeas and nays were demanded by Mr. Goodman, Mr. Shelburne and Mr. Monroe.

The motion to reconsider was lost by the following vote:

Yeas—42.
Bailey.                Monroe.
Beaty.                 Murray.
Cocke.                 Robertson, Harrison.
Cole.                  Robertson of Bell.
Conoly.                Rochelle.
Cross.                 Russell.
Culp.                  Sansom.
Dean.                  Shannon.
Decker.                Shelburne.
Eckols.                Smith of Collin.
Garrett.               Tarver.
Goodman.               Teagle.
Graham.                Terrell.
Howard.                Thomas of Fannin.
Jones.                 Tucker.
Lillard.               Walton.
Little.                Wells.
Marsh.                 Willacy.
McAnally.              Willrodt.

Nays—53.
Adams.                 Maxwell.
Ayers.                 McClellan.
Bean.                  McKellar.
Bridgers.              Mcltzen.
Browne.                Mercer.
Caldwell.              Morris.
Calvin.                Morrow.
Chambers.              Murphy.
Childs.                Neff.
Clements.              Nolan.
Collins.               Oliver.
Crawford.              Pfeiffer.
Derden.                Poole.
Dies.                  Powell.
Evans.                 Prince.
Garnett.               Ratliff.
Goodlett.              Savage.
Gordon.                Secour.
Grogan.                Shropshire.
Grubbs.                Staples.
Hamilton.              Stewart.
Henderson, Brazos.     Stripling.
Henderson, Lamar.      Tarkington.
Kennedy.               Thomas of Wise.
Kittrell.              Vaughan.
Lively.                Wheless.
Masterson.             Willrodt.

Mr. Tarver, present, and declining to vote, was under direction of the Chair (see Rule 18), recorded as voting with the minority.

Mr. Caldwell offered the following amendment:

"Amend by striking out the figures ‘$150’ wherever they occur in line 20, page 8, and insert in lieu thereof ‘$300.’"

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

Yeas and nays were demanded by Mr. Shropshire, Mr. Henderson of Lamar and Mr. McAnally.

The amendment was adopted by the following vote:

Yeas—44.
Bailey.                McKamy.
Beaty.                 McAllister.
Bridgers.              Meitzen.
Calwell.               Mercer.
Children.              Murphy.
Clements.              Palmer.
Cole.                  Poole.
Collins.               Prince.
Crawford.              Ratliff.
Cross.                 Robertson of Bell.
Dies.                  Russell.
Eckols.                Sansom.
Garner.                Stripling.
Goodlett.              Teagle.
Gordon.                Terrell.
Howard.                Thomas of Fannin.
Kennedy.               Tompkins.
Little.                Walton.
Masterson.             Wheless.
Maxwell.               Willacy.
McFarland.             Willrodt.

Nays—42.
Adams.                 Childs.
Bean.                  Derden.
Browne.                Evans.
Calvin.                Goodman.
March 20, 1899

HOUSE JOURNAL.

1085

Graham. Oliver. 
Grubbs. Pfiffer. 
Hamiton. Powell. 
Henderson, Lamar. Robertson, Harrison. 
Jones. Savage. 
Lillard. Seurry. 
Livsey. Shannon. 
Loyd. Shelburne. 
Marsh. Shropshire. 
McAulay. Staples. 
McClellan. Tarkington. 
Monroe. Thomas of Wise. 
Morris. Tucker. 
Morrow. Vaughan. 
Murray. Wells. 
Neff. Wooten. 

Absen.t

Ayers. Kittrell. 
Barbee. Looney. 
Bolin. Nolan. 
Chambers. Parish. 
Culp. Pitts. 
Dean. Rochelle. 
Decker. Rogers. 
Frost. Smith of Collin. 
Garrett. Stewart. 
Greenwood. Tarver. 
Grogan. Tate. 
Henderson, Brazos. Wright. 

Absen.t—Excused.

Allen of Colorado. Lake. 
Barrett. Lane. 
Bennett. McDowell. 
Blount. Peery. 
Dorothy. Smith of Camp. 
Ellis. Schluter. 
Gill. Sutherland. 
Hurley. 

Mr. Vaughan moved to take a recess until 2:30 p.m. today, and Mr. McKamy until 3 p.m. today.

(Speaker in the chair.)

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice there-of, and its caption had been read, the following bill:

Substitute House bill Nos. 275 and 313, "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education in the investment of the permanent free school fund, and adding thereto Article 3891a and Article 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds the Board of Education shall refund the same."

SENATE BILL ON FIRST READING.

The following bill, reported from the Senate yesterday, was read first time, and referred to appropriate committee, viz.: Senate bill No. 317 to the Committee on Finance.

MEMORIAL.

By Speaker Sherrill:

Memorial from the South and West Texas Press Association, now in session in Cuero, Texas, heartily and unanimously reiterating its protest against the injustice done honest publishers resulting from the lack of a civil statute governing libel, fair alike to the press and public, as promised by the Constitution, and urging upon the Twenty-sixth Legislature the public necessity of passing the bill known as the "Greenwood Libel Bill," and being House bill No. 282, or some equivalent, embracing the three cardinal reforms demanded, viz.:

(1) The definition of libel; (2) the specification of privileged publications; (3) the elimination of the presumption of malice by leaving the assertion of malice as well as damages, issues of proof, for the jury to decide from the evidence, as is now the law in most other States.

Read, and referred to Judiciary Committee No. 1.

BILLS INTRODUCED.

By Mr. Kennedy:

House bill No. 816, A bill to be entitled "An Act to create a Texas Civil Service Commission, and to define its powers and duties."

(Provides for appointment of three civil service commissioners at a salary of $500 a year each, and traveling expenses; also authorizing the said commission to employ a chief examiner at a salary not to exceed $1800 a year, to be employed only as needed, and he is also allowed his necessary traveling expenses; also providing for a secretary for the commission, to be appointed by the Governor, at a salary not exceeding $1000.)

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

By Mr. Teague:

House bill No. 817. A bill to be entitled "An Act to amend an Act known as House bill No. 444, enacted by the Twenty-sixth Legislature, providing for a more efficient road system for Liberty County, Texas, providing for the issuance of bonds by said county for the erection of roads and bridges, and prescribing the duties and powers of the commissioners court."
Read first time, and referred to Committee on Roads, Bridges and Ferries.

COMMITTEE REPORTS.

MAJORITY REPORT.

Committee Room,
Austin, Texas, April 19, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 804, A bill to be entitled "An Act providing the punishment of pools, trusts and conspiracies to control prices, and as to evidence and prosecution 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, with the following amendments:

"Amend by adding to Section 4 of the bill the following: 'Provided, that by the terms of this act it is not meant to prevent, prohibit or punish the lawful organizations of laborers for the purpose of fixing or maintaining any standard of wages.'"

WOOTEN, Chairman.

MINORITY REPORT (1).

Committee Room,
Austin, Texas, April 20, 1899.

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

Sir: We, a minority of your Judiciary Committee No. 1, to whom was referred House bill No. 804, Do not concur with the majority, and beg to recommend that the majority report be not adopted, but that the bill do pass with the following amendment:

"Amend Section 1 of the bill by adding thereto the following: 'Provided, that by the terms of this act it is not meant to prevent, prohibit or punish the lawful organizations of laborers for the purpose of fixing or maintaining any standard of wages.'"

STAPLES, CALVIN, DIES.

MINORITY REPORT (2).

Committee Room,
Austin, Texas, April 19, 1899.

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

Sir: We, a minority of your Judiciary Committee No. 1, to whom was referred House bill No. 804, Do not concur in the report of the majority, and beg leave to recommend that it do not pass.

RUSSELL, MASTERSON.

On motion of Mr. McKamy, the House, at 12:35 p.m., took recess until 3 o’clock p.m. today.

AFTERNOON SESSION.

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

SPEAKER’S TABLE.

The Speaker laid before the House, as special order for this hour, on its second reading and passage to a third reading, Substitute Senate bill No. 119, A bill to be entitled "An Act to amend Article 4368, Chapter 3, Title XCIV, of the Revised Civil Statutes of the State of Texas, prescribing the duties of railroad companies with respect to their general and public offices to be kept and maintained within this State."

The bill was read second time.

Pending consideration, the House received the following

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 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 bills, to wit: Substitute Senate bill No. 298, A bill to be entitled "An Act providing for the correction and division of unpatented
alternate surveys between the individual owner and State school land in conflict with said surveys, and to protect the purchasers of school land in conflict therewith, and for patenting the same."

Senate bill No. 319, A bill to be entitled "An Act to incorporate the city of Beaumont, to grant it a special charter, and to fix its boundaries."

House bill No. 398, A bill to be entitled "An Act to amend Sections 17, 27, 98 and 116, of an Act incorporating the city of Sherman, known as Act to incorporate the city of Sherman, in Grayson County, Texas, and to fix the times for holding courts in the Thirty-ninth Judicial District of the State of Texas, and to repeal all laws or parts of laws in conflict herewith."

J. P. Poole,
Secretary of the Senate.

Mr. Cole offered the following amendment to Senate bill No. 119:

"Amend the bill by striking out in line 27, page 1, the words 'Revised Statutes and insert in lieu thereof the following:

'of the Revised Civil Statutes of the State of Texas.'"

Adopted.

The bill was passed to a third reading.

Mr. Cole moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Substitute Senate bill No. 119 be put upon its third reading and final passage.

The motion prevailed by the following vote:

Yea—84.

Yeas—84.

Adams.
Allen of Hopkins.
Ayers.
Bailey.
Bean.
Bennett.
Bridgers.
Caldwell.
Cross.
Culp.
Dean.
Decker.
Deren.
Dies.
Eckols.
Evans.
Frost.
Goodlett.
Goodman.
Goldman.
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Grogan.
Grubbs.
Hamilton.
Henderson, Lamar.
Howard.
Jones.
Kittrell.
Lillard.
Livy.
Looney.
Loyd.
Masterson.
McAnally.
McClellan.
McFarland.
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Nays—4.

| Kennedy. | Nolan. |
| Marsh. | Whelis. |

Absent.

| Barbee. | Parish. |
| Browne. | Robertson, Harrison |
| Calvin. | Robertson of Bell. |
| Chambers. | Rochelle. |
| Culp. | Rogers. |
| Henderson, Brazos. | Russell. |
| Henderson, Lamar. | Staples. |
| Little. | Stewart. |
| Maxwell. | Wooten. |
| Monroe. | |

Absent—Excused.

| Allen of Colorado. | Dorroh. |
| Barrett. | Ellis. |
| Bennett. | Gill. |
| Blount. | Hurley. |

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

Senate bill No. 222, A bill to be entitled "An Act to authorize the Governor and Commissioner of the General Land Office to appoint not more than two agents for the public school lands of this State to investigate and report upon the location, condition, use or occupancy of the unsold and unleased public school lands of this State, reporting the same to the Governor and said Commissioner."

The bill was laid before the House, and was read second time, together with the committee report recommending a substitute for the bill.

SENATE BILL ON FIRST READING.

Pending consideration of the committee report on Senate bill No. 222, the following bill, reported from the Senate today, was laid before the House, read first time and referred, viz.: Senate bill No. 319 to the Committee on Towns and City Corporations.

The House returned to consideration of Senate bill No. 222, and the committee report was adopted.

Mr. Decker offered the following amendment to the bill:

"Amend the bill by striking out Section 1 and insert in lieu thereof the following, towit:

"Section 1. The Commissioner of the General Land Office, with the consent and approval of the Governor, shall appoint one State land agent, and one assistant State land agent, who shall hold their office at the pleasure of the Governor and Commissioner, and receive a salary of fifteen hundred dollars and twelve hundred dollars per annum, respectively. Such agents shall have the power and it is made their duty to investigate and make inquiries into and concerning the location, valuation and condition of any and all lands controlled or owned by the State for public free school purposes; also concerning the free use, occupancy or enclosure of any of said lands without authority of law, and all deprivations upon timber of said lands. They shall also procure and furnish information as to location and quality of such lands to all persons desiring to purchase or lease same. Such agents shall make monthly reports to the Commissioner and Governor touching any and all matters in-
tigated by them, and make such other reports and perform such other duties relating to such lands as may be required of them by the Commissioner and Governor. For the purposes of this act such agents shall have authority to administer oaths. In addition to the salary of such agents they shall be allowed their actual traveling expenses, not to exceed the sum of one thousand and five hundred dollars per annum for the expenses incurred by both of such agents, the same to be allowed only upon the duly sworn itemized statement that said sum was actually paid and necessary to the discharge of their duties. For the purpose of carrying into effect this act for the next two years, there is hereby appropriated the sum of eighty-four hundred dollars, or so much thereof as may be necessary, out of any money in the State treasury not otherwise appropriated."

"Amend further by striking out 'public free school purposes.' "

"After consideration by the House, Mr. Phillips of Lampasas moved the previous question on the pending amendments, and the main question was ordered. Question first recurred on the amendment by Mr. Savage to the amendment, and it was adopted. Question next recurred on the amendment as amended, upon which yeas and nays were demanded by Mr. Jones, Mr. Garrett and Mr. Dean. (Speaker in the chair.) The amendment was adopted by the following vote:

Yeas—50. Nays—42.

Lillard.    Stripling.  Livesey.    Tate.

"Amend the Decker amendment by striking out 'one State land agent and one assistant State land agent' wherever it occurs, and insert in lieu thereof 'two State land agents,' and strike out the salaries of such agents wherever they occur, and insert in lieu thereof '$1300 each'; also strike out the words 'public free school purposes.' "

"Amend further by striking out '$8400' appropriation, and insert in lieu thereof '$8200.' "

"Pending consideration of the amendment by Mr. Decker, the Chair announced as special order for the hour the report of the Free Conference Committee on Senate bill No. 144. The report was laid before the House, and was read, there being a majority and minority report, which was printed in the Journal yesterday. Mr. Morrow moved to adopt the majority report. Mr. Shannon moved to adopt the minority report. On motion of Mr. Garner, further consideration of the report was postponed until next Wednesday, April 20, 10 o'clock a.m.

The House resumed consideration of House Committee substitute for Senate bill No. 222, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to appoint two State land agents, prescribing their duty, fixing their salaries, making an appropriation therefor; providing for the recovery for the depredation upon timber, and for the use or occupancy without lawful authority, and to prevent the free use and unlawful occupancy without lawful authority, and to prevent the free use and unlawful enclosure of any of the public lands owned or held in trust by the State for any purpose whatever, and creating an emergency," on its passage to a third reading with amendment by Mr. Decker pending. Mr. Savage offered the following amendment to the amendment:

"Amend the Decker amendment by striking out 'one State land agent and one assistant State land agent' wherever it occurs, and insert in lieu thereof 'two State land agents,' and strike out the salaries of such agents wherever they occur, and insert in lieu thereof '$1300 each'; also strike out the words 'public free school purposes.' "

"Amend further by striking out '$8400' appropriation, and insert in lieu thereof '$8200.' "

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Lillard.    Stripling.  Livesey.    Tate.

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"Amend further by striking out '$8400' appropriation, and insert in lieu thereof '$8200.' "
Mr. Lillard offered the following amendment:

"Amend the caption by inserting after the word 'office,' in line 13, page 3, the following words: 'With the consent and approval of the Governor.'"

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

After further consideration, the amendment by Mr. Lillard was adopted.

Mr. Jones offered the following amendment:

"Amend Section 2, as follows: In line 23, page 4, by adding after the word 'instituted,' the words 'in the court of proper jurisdiction in the county where the lands are situated or to which it is attached for judicial purposes,' and by striking out the words 'not less than five' in line 1, page 5, and inserting in lieu of them the word 'ten.'"

Lost.

Mr. Decker offered the following amendment:

"Amend the bill by striking out 'said commissioner,' in line 15, page 4; by striking out all of line 20, after the word 'fund,' and all of line 21, and the word 'same,' line 22, page 4; and by inserting after the word 'act,' line 30, page 4, the word 'survey;' and by striking out of line 2, page 5, the words 'for said article.'"

Mr. Dies moved the previous question, and the main question was ordered. The amendment by Mr. Decker was adopted.

The bill was passed to a third reading.

Mr. Decker moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House Committee Substitute for Senate bill No. 222 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—81.
Adams.
Allen of Hopkins.
Bailey.
Bean.
Beaty.
Bolin.
Bridge.
Brown.
Caldwell.
Calvin.
Calvins.
Clements.
Cole.
Collins.
Conoly.
Cross.
Culp.
Dean.
Decker.
Derden.
Dies.
Dekko.
Evans.
Garner.
Garrett.
Goodlett.
Gordon.
Greenwood.
Grogan.
Gruba.
Hamilton.
Henderson, Lamar.
Jones.
Kennedy.
Kittrell.
Lillard.
Lives.
Loone.
Loyd.
Marsh.

Nays—6.
Childers.
Howard.
McKellar.

Yeas—91.
Smith of Collin.
Tarkington.
Tarver.
Teagle.
Terrell.
Thomas of Vaughan.
Walton.
Wheless.
Willrodt.

Nays—6.
Ayers.
Barbee.
Chambers.
Cook.
Frost.
Goodman.
Graham.
Henderson, Brazos.
Little.
Maxwell.
Murphy.
Murray.

Mr. Lillard offered the following amendment:

"Amend the caption by inserting after the word 'office,' in line 13, page 3, the following words: 'With the consent and approval of the Governor.'"
Absent—Excused.
Allen of Colorado. Lake.
Barrett. Lane.
Bennett. McDowell.
Blount. Peery.
Dorroh. Schluter.
Ellis. Sutherland.
Gill. Sutherland.
Hurley.

House Substitute for Senate bill No. 222 laid before the House, on its third reading and final passage.
Read third time, and
Mr. Wright offered the following amendment:
"Amend by changing the word 'survey' in line 30, page 4, after the word 'act' to 'section.'"
Mr. Shelburne offered the following substitute for the amendment:
"Amend lines 30, 31 and 32, by striking out all after the word 'remedies,' in line 30, down to and including the word 'unsurveyed,' in lines 31 and 32; provided, that this shall not repeal any pre-existing criminal law."
The substitute was adopted. and the amendment as substituted was adopted.
The bill was passed by the following vote:

Yeas—82.
Ayers. Tarver. Wells.
Bolm. Thomas of Fannin. Willrodt.
Bridgers. Tompkins. Wright.
Caldwell. Gill. Schluter.
Childs. Gill of Sutherland.
Clements. Hurley. Sutherland.
Cocke. House Substitute for Senate bill No. 222.
Collins. Ellis. Schluter.
Conoly. Gill. Sutherland.
Crawford. Gillett. Sutherland.
Cross. Hamilton. Sutherland.
Culp. Harris. Sutherland.
Dean. Houston. Sutherland.
Dies. Pitts.
Eckols. Poole.
Evans. Powell.
Evans. Ratcliff.
Garner. Robertson, Harrison
Garrett. Robertson of Bell.
Goodlett. Russell.
Goodman. Sansom.
Gordon. Savage.
Greenwood. Shannon.
Grogan. Shelburne.
Grubbs. Shropshire.

Nays—10.
Howard. McKellar.
Jones. Murray.
Kennedy. Tarkington.
Leone. Teagle.
McAnally. Vaughan.

Absent.
Barbee. Parish.
Calvin. Prince.
Childers. Rochelle.
Dorroh. Rogers.
Frost. Scoury.
Graham. Smith of Bell.
Henderson, Brazos. Stewart.
Little. Stripling.
Marsh. Tate.
Maxwell. Wooten.

Absent—Excused.
Allen of Colorado. Lake.
Barrett. Lane.
Bennett. McDowell.
Blount. Peery.
Dorroh. Phillips of Camp.
Ellis. Phillips of Camp.
Gill. Schluter.
Hurley. Sutherland.

"I vote for the passage of Senate bill No. 222 with some reluctance, because I fear it is not in our power to pass such a law under Article 3, Sections 44 and 48, of our Constitution. And the authority conferred by Revised Statutes, Articles 4218c and 4218d, on the Commissioner of the General Land Office seems to provide adequate means for the evil now attempted to be remedied, but it was stated, and not denied, that the Governor has asked for the passage of the bill, and I do not wish to hamper his administration, hence I resolve all doubts in favor of the bill and cast my vote for the same.

"CHILDs."

"I vote 'no' on the final passage of Senate bill No. 222, for the following reasons:

"1. Because it gives to the Governor an equal power to appoint the commissioners with the Commissioner of the General Land Office. In my opinion the Commissioner of the General Land Office should alone have the power to appoint them, as they are to deal strictly with land matters, and all data necessary to the due prosecution of their duties must be obtained from the General Land Office, and not from the Governor's office. In my opinion, if the Commissioner is not
The Speaker laid before the House, on its third reading and final passage, "An Act to validate patent No. 146, Volume 15, issued to A. J. Gray, to 426 acres of land in Comanche county, Texas."

The Speaker laid before the House, on its third reading and final passage, "An Act authorizing the board of managers of the Southwest Texas Insane Asylum at San Antonio, Texas, in conjunction with the Governor of Texas, to lease the sulphur water flowing from the artesian wells on the grounds belonging to said asylum."

Read third time, and, by unanimous consent, went over until next Wednesday.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 218, A bill to be entitled "An Act authorizing the board of managers of the Southwest Texas Insane Asylum at San Antonio, Texas, in conjunction with the Governor of Texas, to lease the sulphur water flowing from the artesian wells on the grounds belonging to said asylum."

Read third time, and passed by the following vote:

Yeas—90.

Adams. McAnally.
Allen of Hopkins. McClellan.
Bailey. McKamy.
Bean. McKellar.
Beaty. Mercer.
Bridgers. Morris.
Caldwell. Murphy.
Childers. Murray.
Childs. Neff.
Clements. Nolan.
Cocke. Oliver.
Cole. Palmer.
Collins. Pfeuffer.
Crawford. Pitts.
Crosby. Poole.
Culp. Prince.
Dean. Ratcliff.
Decker. Robertson, Harrison.
Derden. Robertson of Bell.
Dies. Russell.
Eckols. Sansom.
Evans. Savage.
Garrett. Shannon.
Goodlett. Shelburne.
Goodman. Shropshire.
Gordon. Smith of Grayson.
Greenwood. Staples.
Grogan. Stripling.
Grubbs. Tarver.
Henderson, Lamar. Terrell.
Howard. Thomas of Wise.
Jones. Thomas of Fannin.
Kennedy. Tompkins.
Kittrell. Tucker.
Lillard. Vaughan.
Livesey. Walton.
Lloyd. Wells.
Marsh. Willrodt.
Masiter. Wright.
April 20, 1899

HOUSE JOURNAL.

Absent.

Barbee. Rochelle.
Bolin. Rogers.
Chambers. Scurry.
Frost. Smith of Collin.
Garner. Stewart.
Graham. Tarkington.
Little. Tate.
Looney. Wether.
Maxwell. Willacy.
Monroe. Wooten.
Parish. Absent—Excused.
Allen of Colorado. Lake.
Barrett. Lane.
Bennett. McDowell.
Blount. Peery.
Dorroh. Phillips of Camp.
Ellis. Schiuter.
Gill. Sutherland.
Hurley.

Mr. Murphy moved to reconsider the vote by which Senate bill No. 218 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 260. A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school to be located at San Marcos, in Hays county, Texas, and to be known as the Southwest Texas Normal School."

Read third time, and passed by the following vote:

Yeas—66.
Adams. McClellan.
Ayers. McKamy.
Bailey. McKellar.
Bean. Meitzen.
Beatty. Mercer.
Browne. Monroe.
Caldwell. Morris.
Calvin. Murphy.
Childs. Murray.
Clements. Neff.
Cocke. Nolan.
Cole. Oliver.
Collins. Palmer.
Conoly. Peeleuer.
Cross. Poole.
Culp. Powell.
Dean. Prince.
Decker. Ratcliff.
Derden. Robertson, Harrison.
Dies. Robertson of Bell.
Eckols. Sansom.
Evans. Savage.
Frost. Shannon.
Garner. Shelburne.
Garrett. Shropshire.
Goodlett. Smith of Grayson.
Gordon. Staples.
Greenwood. Stripling.
Grogan. Tarver.
Grubbs. Tate.
Hamilton. Teagle.
Henderson, Lamar. Terrell.
Howard. Thomas of Wise.
Kennedy. Thomas of Fannin.
Kittrell. Tompkins.
Lillard. Tucker.
Livsey. Vaughan.
Loyd. Walton.
Marsh. Wells.
Masterson. Wether.
McAnally. Willrodt.

Nays—4.

Bridgers. Jones.
Childers. Morrow.

Absent.

Barbee. Rochelle.
Bolin. Rogers.
Chambers. Scurry.
Graham. Smith of Collin.
Henderson, Brazos. Stewart.
Little. Tarkington.
Looney. Wooten.
Maxwell. Wooten.
Parish. Wright.

Absent—Excused.

Bennett. Dorroh.
Committee Room, Austin, Texas, April 20, 1899.

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

Sir: Your Committee on State Affairs, to whom was referred Senate bill No. 243, A bill to provide for the incorporation of such corporations, and to authorize such corporations to construct, operate and maintain pipeline systems, tanks, buildings, machinery, apparatus and devices as may be necessary, to own, use and occupy lands, easements, buildings and structures, to empower such corporations to condemn lands and other property for the uses and purposes of such corporations, and to provide the methods therefor, issue stocks and bonds, and to borrow money and mortgage its franchises and property.

Read first time, and referred to Committee on Internal Improvements.

AYERS, Acting Chairman.

Committee Room, Austin, Texas, April 20, 1899.

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

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 817, A bill to be entitled "An Act to amend an Act of the Twenty-sixth Legislature, providing for a more efficient road system for Liberty county, providing for the issuance of bonds by said county for the erection of roads and bridges, and prescribing certain duties of the commissioners court of said county.

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

SHELDBURNE, Chairman.

Committee Room, Austin, Texas, April 20, 1899.

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

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred Substitute House bill Nos. 275 and 313, A bill to be entitled "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education in the investment of the permanent public free school fund, and adding thereto Articles 3891a and 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds, the Board of Education shall refund the same.

Read first time, and referred to Committee on Roads, Bridges and Ferries.

AYERS, Acting Chairman.
Have carefully examined said bill, and find the same correctly enrolled, and I have this day, at 12:30 o’clock p. m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room,
Austin, Texas, April 20, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Tolls and City Corporations, to whom was referred Senate bill No. 319, A bill to be entitled “An Act to incorporate the city of Beaumont, to grant it a special charter, and its boundaries,”

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.

Committee Room,
Austin, Texas, April 19, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 20, by Senator Wayland, setting forth the fact that the State of Texas has a valid claim against the United States government for the reimbursement of money expended by the State in protecting the frontier from Indian incursions prior to the war, and requesting the Governor to inquire into the facts and take such action as will place the money in the State treasury,

Beg leave to make the following report:

In their examination into the facts recited in the preamble to the resolution your committee had before them a volume of evidence embracing official copies, prepared in the office of the Secretary of War, of the various letters, documents and other letters filed in the department in connection with the Texas claim, giving a comprehensive history of the claim from the beginning; also a statement in detail made by the Secretary of War in 1872, giving his conclusions as to the claim of Texas after his examinations of the vouchers filed by the State, all of which papers were embraced in his report to Congress. From this official data your committee find that the claim of the State of Texas was recognized as just by Congress, and appropriations made in 1850 and 1860, to pay the same: the first adjustment of which was interrupted by the breaking out of the Civil War. Before the close of the war, these appropriations had, under a general statute lapsed, and the amount was carried by the government to the surplus fund, and by a provision of the law was not available until reappropriated by Congress. It further appears from the report of the Secretary of War, giving his result of the examination of the claim of Texas, that a considerable sum is due the State, and your committee, believing that the amount should be promptly paid by the Federal government, recommend that the resolution do pass.

ALLEN of Hopkins, Chairman.

Mr. Terrell moved to adjourn until 9 o’clock a. m. tomorrow, Mr. Kennedy until 9:30 a. m. next Monday, and Mr. Grogan until 9:30 next Saturday.

Question recurring on the longest time first, yeas and nays were demanded by Mr. Livsey, Mr. Collins and Mr. terrell. The motion prevailed by the following vote:

Yeas—52.

Ayers.
Bailey.
Bean.
Bolin.
Browne.
Childs.
Clements.
Coke.
Conolly.
Crawford.
Cross.
Culp.
Dies.
Eckols.
Frost.
Garnet.
Garrett.
Goodlett.
Gordon.
Greenwood.
Grubbs.
Jones.
Kennedy.
Loyd.
Marsh.
Masterson.

Nays—35.

Allen of Hopkins.
Beaty.
Bridgers.
Caldwell.
Calvin.
Cole.
Collins.
Dean.
Decker.
Evans.
Goodman.
Grogan.
Hamilton.
Henderson, Lamar.
Howard.

McFarland.
Mckamy.
Micter.
Murphy.
Murray.
Nolan.
Palmer.
Pfeiffer.
Phillips, Lampasas.
Pitts.
Powell.
Prince.
Robertson, Harrison
Shannon.
Smith of Grayson.
Staples.
Stripling.
Tarkington.
Tarver.
Teagle.
Tompkins.
Walton.
Wells.
Whelless.
Willrodt.
Wright.

Yeas—52.

Lilard.
Livsey.
McAully.
McClellan.
McKellar.
Meitzen.
Morrow.
Neff.
Oliver.
Poele.
Ratcliff.
Roberts.
Simsom.
Savage.

Nays—35.
House Journal

April 24, 1899


Absent.

Adams. Parish.
Barbee. Rochelle.
Chambers. Rogers.
Childers. Russell.
Derden. Scurry.
Graham. Shropshire.
Henderson, Brazos. Smith of Collin.
Little. Stewart.
Looney. Tate.
Maxwell. Thomas of Wise.
Monroe. Willacy.
Morris. Wooten.

Absent—Excused.
Allen of Colorado. Lake.
Barrett. Lane.
Bennett. McDowell.
Blount. Peery.
Dorroh. Phillips of Camp.
Ellis. Schuler.
Gill. Sutherland.
Hurley.

"We vote 'aye' to adjourn, because we have absolute information to the effect that at least one-half of the members of this House will be absent tomorrow, thereby breaking a quorum.

"AYERS, "POWELL."

Accordingly the House, at 6:38 p.m., adjourned until 9:30 o'clock a.m. next Monday.

EIGHTY-SEVENTH DAY.

Hall of the House of Representatives, Austin, Texas, Monday, April 24, 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:

Present—104.
Ayers. Crawford.
Bailey. Culp.
Barbee. Dean.
Barrett. Derden.
Bean. Dies.
Bolin. Eckols.
Bridgers. Ellis.
Caldwell. Evans.
Calvin. Garner.
Chambers. Garrett.
Clements. Gill.
Cocke. Goodlett.
Cole. Gordon.
Collins. Graham.

Greenwood. Pitts.
Grogan. Poole.
Grubbs. Powell.
Hamilton. Prince.
Henderson, Brazos. Ratcliff.
Henderson, Lamar. Robertson, Harrison.
Howard. Robertson of Bell.
Hulsey. Rochelle.
Kennedy. Rogers.
Kittrell. Russell.
Lake. Sansom.
Lane. Savage.
Lillard. Schuler.
Livsey. Scurry.
Looney. Shannon.
Marsh. Shelburne.
Masterson. Shropshire.
Maxwell. Smith of Grayson.
McAnally. Smith of Collin.
McClellan. Staples.
McFarland. Stewart.
McKamy. Stripling.
McKellar. Tarver.
Meitzen. Teagle.
Mercer. Terrell.
Monroe. Thomas of Wise.
Morris. Thomas of Fannin.
Morrow. Tompkins.
Murphy. Tucker.
Murray. Vaught.
Neff. Walton.
Nolan. Wells.
Oliver. Whelless.
Palmer. Willacy.
Parish. Willrodt.
Phillips of Camp. Wright.

Absent.
Beaty. Jones.
Browne. Little.
Childers. Loyd.
Childs. Pfeuffer.
Cross. Sutherland.
Decker. Tarkington.
Dorroh. Tate.
Frost.

Absent—Excused.
Allen of Colorado. McDowell.
Bennett. Peery.
Blount.

A quorum was announced present.
Prayer by Rev. W. J. Gatlin, Chaplain.
Pending reading of the Journal of last Thursday, April 20.
On motion of Mr. Conoly, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Adams until next Thursday, on motion of Mr. McClellan.
Mr. Jones until next Wednesday, on motion of Mr. Cocke.