Shelburne. Tucker. 
Terrell. Vaughan. 
Thomas of Fannin. 
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. 
Hurley. Rochelle. 
Kennedy. Rogers. 
Kittrell. Russell. 
Lake. Sansom. 
Lilard. Savage. 
Livsey. Schuler. 
Looney. Scurry. 
Marsh. Shannon. 
Masterson. Shelburne. 
Maxwell. Shropshire. 
McAnally. Smith of Grayson. 
McClellan. Smith of Collin. 
McFarland. Staples. 
McKamy. Stewart. 
McKellar. Stripling. 
Meitzien. Tarver. 
Mercer. Teagle. 
Monroe. Terrell. 
Morris. Thomas of Wise. 
Morrow. Thomas of Fannin. 
Murphy. Tompkins. 
Murray. Tucker. 
Neff. Vaughn. 
Nolan. Walton. 
Oliver. Wells. 
Palmer. Wheless. 
Parish. Willacy. 
Phillips of Camp. Wright. 

Absent. 
Beaty. Jones. 
Erowne. Little. 
Childers. Loyd. 
Childs. Pfeuffer. 
Cross. Sutherlan. 
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.
Mr. Tucker until next Wednesday, on motion of Mr. Murray.
Mr. Tarkinington for today, on motion of Mr. Eckols.
Mr. Logan, Reading Clerk, for today, on motion of Mr. Allen of Hopkins.
Mr. Childers for today, on motion of Mr. Ratcliff.
Mr. McFarland until next Wednesday, on motion of Mr. Chambers.
Mr. Walton for today, on motion of Mr. Tucker.
Mr. Goodman for today, on motion of Mr. Bailey.
Mr. Peery for today, on motion of Mr. Crawford.
Mr. Loyd until next Wednesday, on motion of Mr. Palmer.
Mr. Decker until next Wednesday, on motion of Mr. Shelburne.
Mr. Tompkins for today, on motion of Mr. Willrod.
Mr. Browne for today, on motion of Mr. Henderson of Lamar.

NOTICE.

Mr. Bailey gave notice that on to-morrow he would call up the motion to reconsider the vote by which the resolution by Mr. Shelburne, providing for a committee to investigate the various State institutions during vacation, was adopted, which motion to reconsider was spread upon the Journal April 18th.

SPEAKER'S TABLE.

The Speaker laid before the House, as pending business, on its passage to engrossment, Substitute House bill No. 111, the general appropriation bill,
Line 20, page 8, of the bill as amended, being the item under consideration. Same was adopted.
(Mr. Smith of Grayson in the chair.)
Mr. Caldwell offered the following amendment:
"Amend by adding between lines 20 and 21, page 8, the following: 'For salary due bailiff of Supreme Court for 1895, $100; for the year 1896, $100; for the year 1897, $150; for the year 1898, $150; total, $500. Of this amount $250 to be applied for the relief of M. M. Johnson, bailiff, and $250 for the relief of L. K. Smoot, bailiff.'"

Mr. Lane raised the point of order that the above amendment is not germane to this bill, but properly belongs in a general deficiency bill and, therefore, should not be considered.
The Chair sustained the point of order.
Mr. Kittrell offered the following amendment: "Amend line 22, by adding after the word 'office,' 'two porters, $720 each year.'"

Mr. Wheelus offered the following substitute for the amendment: "Amend by striking out lines 21 and 22, page 8, and insert in lieu thereof the following: 'Porter's hire for judges' and consulting room, $360; porter's hire for court room, library and clerk's office, $300.'"

Accepted.
Question then recurred on the amendment as substituted, and it was lost.

BILL ORDERED PRINTED.

Mr. Wooten asked unanimous consent (and it was granted) to move that three hundred extra copies be printed of House bill No. 804, A bill to be entitled "An Act providing the punishment of
The motion prevailed, and it was ordered that the extra copies be printed for distribution among the members.

Mr. Thomas of Wise offered the following amendment to the pending bill: "Amend by striking out $1150' and inserting $1700,'"

Lost.

Mr. Phillips of Lampasas offered the following amendments:
(1) "Amend by striking out '$1140,' in line 32, page 8, and insert '$1200' in lieu thereof."
Lost.
(2) "Amend by striking out '$1140,' in line 3, page 9, and insert in lieu thereof '$1200.'"
Lost.
(3) "Amend by striking out '$1140,' in line 4, page 9, and insert in lieu thereof '$1200.'"
Lost.

Mr. Savage offered the following amendment: "Amend by adding after the word 'expenses,' in line 14, page 9, the following: Provided, that incidental expenses shall be limited to $100 for each year.'"

Adopted.
Mr. Grogan offered the following amendment:
"Amend line 32 by striking out "$1750", wherever it occurs, and insert in lieu thereof "$2000."

Mr. Crawford offered the following substitute for the amendment:
"Amend line 32, page 9, by striking out "$1750 for each year", and insert in lieu thereof "$1550 for each year."

Lost.

Mr. Lane offered the following substitute for the amendment:
"Amend by striking out "$1750", in line 32, page 9, and insert in lieu thereof "$1700."

Lost.

Mr. Savage offered the following amendment to the amendment:
"Amend amendment by striking out "$2000", and inserting "$1800."

Lost.

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

Mr. Thomas of Wise offered the following amendment:
"Amend by striking out "$2700", and inserting "$2400."

Lost.

Mr. Phillips of Lampasas offered the following amendment:
"Amend by striking out "$300", in line 4, page 10, and insert "$360" in lieu thereof.

Lost.

Mr. Kittrell offered the following amendment:
"Amend line 5 by striking out "$12,000", wherever it occurs, and inserting "$6000."

Mr. Masterson offered the following substitute for the amendment:
"Amend by striking out line 5, page 10.

Pending consideration of the amendment, the House received the following message:

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 24, 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:
Senate bill No. 314, A bill to be entitled "An Act to amend Subdivision 2, Article 22, Title 4, of the Revised Civil Statutes of Texas, 1895, so as to extend the time of the terms of the District Court in Nacogdoches county, and change the time of holding districts courts in Angelina and Cherokee county."
House bill No. 785, A bill to be entitled "An Act to require peddlers of clocks, agricultural implements, cooking stoves or ranges, wagons, buggies, carriages, surreys and other similar vehicles, washing machines and churns, and peddlers of all other merchandise of every description, to pay an annual occupation tax," with Senate amendments.

House bill No. 740, A bill to be entitled "An Act to amend Sections 2 and 5, of an act passed by the Twenty-sixth Legislature of the State of Texas, approved March 6, 1899, and entitled '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, and declaring an emergency.'"

J. P. Pool,
Secretary of the Senate.

Returning to consideration of the pending bill, Mr. Masterson withdrew his substitute.

Mr. Phillips of Lampasas offered the following amendment to the amendment to the amendment:
"Amend by striking out "$12,000", in line 5, page 10, and insert in lieu thereof "$10,000."

Lost.

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

The amendment to the amendment was lost, and the amendment was lost.

Mr. Derden offered the following amendment:
"Amend by adding between lines 5 and 6, page 10, the following, to wit: 'Or so much thereof as may be necessary.'"

Adopted.

Mr. Thomas of Wise offered the following amendment:
"Strike out "$1700" and insert "$1500."

Lost.

Mr. Caldwell offered the following amendment:
"Amend by striking out "$1100" wherever it occurs in line 17, page 10, and insert in lieu thereof "$1140."

Mr. Shelburne offered the following substitute for the amendment:
"Amend line 17, page 10, by striking out line 17."

Mr. Ratcliff moved the previous question on the amendment and item under consideration, and the main question was ordered.

Question first recurred on the substitute by Mr. Shelburne, upon which yeas and nays were demanded by Mr. Oliver, Mr. Robertson of Harrison and Mr. Savage.

The substitute was lost by the following vote:
Question next recurred on the amendment by Mr. Caldwell, and it was lost.

Mr. Phillips of Lampasas offered the following amendment:

“Amend by striking out $1000, in line 18, page 10, wherever it occurs, and insert in lieu thereof $1200.”

Lost.

Mr. Caldwell offered the following amendment:

“Amend by striking out $1000 whenever it occurs in line 18, page 10, and insert in lieu thereof $1140.”

Lost.

Mr. Shropshire offered the following amendment:

“Amend by striking out the figures $300, $300, in line 19, page 10, and insert in lieu thereof $300, $360.”

Adopted.

Mr. Caldwell offered the following amendment:

“Amend by striking out $500 wherever it occurs in line 21, page 10, and insert in lieu thereof $1200.”

Lost.

Mr. Lane offered the following amendment:

“Amend by striking out line 27.”

Lost.

Mr. Savage moved to adjourn until 2:30 p.m. today, Mr. Phillips of Lampasas until 3 p.m. today, and Mr. Masterson until 2 p.m. today.

PETITIONS AND MEMORIALS.

By Mr. Wooten:

Petition from 141 citizens of Navarro county; also a memorial from citizens of Garland, Dallas county, Texas, in mass meeting assembled, urging upon the Twenty-sixth Legislature the passage of the anti-trust bill, being House bill No. 804.

Read, and referred to Judiciary Committee No. 1.

By Mr. Parish:

Petition from 127 citizens and tax-payers of Robertson county, Texas, urging the passage of the anti-trust bill, being House bill No. 804, to go into effect January 1, 1900.

Read, and referred to Judiciary Committee No. 1.

By Mr. Terrell:

Petition from 106 citizens of Cherokee county, asking that manufactories be established in the walls of the Rusk penitentiary, to be operated by convict labor, in order to take convict labor out of competition with free laborers on the farm.
Read, and referred to Committee on Penitentiaries.

By Mr. Kennedy:
Petition from 125 citizens of Thornton, Limestone county, Texas, asking for the passage of the anti-trust bill, without amendments, said bill being House bill No. 804.

Read, and referred to Judiciary Committee.

BILLS INTRODUCED.

By Mr. Monroe:
House bill No. 820, A bill to be entitled "An Act to prevent and punish unlawful marriages."

(The bill provides that any person authorized by law to celebrate the rites of matrimony who shall perform the marriage ceremony without a license first having been issued as required by law shall be guilty of a misdemeanor, and on conviction shall be punished by fine of not less than twenty-five nor more than two hundred dollars.)

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

By Mr. Rogers and Mr. Goodlett:
House bill No. 821, A bill to be entitled "An Act to consolidate Soque University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place, under the name of Chappell Hill Female College, and to incorporate the same, and to define its powers and duties, and declaring it an emergency."

Read first time, and referred to Committee on Towns and City Corporations.

MESSAGE FROM THE SENATE.

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 today, was read first time and referred to House bill No. 314 to the Committee on Judicial Districts.

Mr. Grogan offered the following resolution:

Resolved, That in tendering the use of this hall to the Daughters of the Confederacy and John B. Hood Camp U. C. V. for use Wednesday evening, May 3rd, it is the sense of this House that the desks shall be moved to give room for said reception.

(Signed Grogan, Robertson of Bell.)

The resolution was read second time, pending consideration of which, On motion of Mr. Phillips of Lampasas, the House, at 12:16 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 pending business, on its second reading, Senate bill No. 314, A bill to be entitled "An Act to amend Subdivision 2, Article 22, Title IV, of the Revised Civil Statutes of Texas of 1895, so as to extend the time of the terms of the District Court in Angelina county and Cherokee 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.

DIES, Chairman.

SENATE BILL ON FIRST READING.

The following bill, reported from the Senate today, was read first time and referred to appropriate committee, viz.: Senate bill No. 314 to the Committee on Judicial Districts.

By Mr. Monroe:
House bill No. 820, A bill to be entitled "An Act to prevent and punish unlawful marriages."

(The bill provides that any person authorized by law to celebrate the rites of matrimony who shall perform the marriage ceremony without a license first having been issued as required by law shall be guilty of a misdemeanor, and on conviction shall be punished by fine of not less than twenty-five nor more than two hundred dollars.)

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

By Mr. Rogers and Mr. Goodlett:
House bill No. 821, A bill to be entitled "An Act to consolidate Soque University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place, under the name of Chappell Hill Female College, and to incorporate the same, and to define its powers and duties, and declaring it an emergency."

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

BILLS INTRODUCED.

By Mr. Monroe:
House bill No. 820, A bill to be entitled "An Act to prevent and punish unlawful marriages."

(The bill provides that any person authorized by law to celebrate the rites of matrimony who shall perform the marriage ceremony without a license first having been issued as required by law shall be guilty of a misdemeanor, and on conviction shall be punished by fine of not less than twenty-five nor more than two hundred dollars.)

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

By Mr. Rogers and Mr. Goodlett:
House bill No. 821, A bill to be entitled "An Act to consolidate Soque University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place, under the name of Chappell Hill Female College, and to incorporate the same, and to define its powers and duties, and declaring it an emergency."

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

Also in House amendments to Senate bill No. 218.

J. P. Pool,
Secretary of the Senate.

COMMITTEE REPORT.

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

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

Sir: Your Committee on Judicial Districts, to whom was referred Senate bill No. 314, A bill to be entitled "An Act to amend Subdivision 2, Article 22, Title IV, of the Revised Civil Statutes of Texas of 1895, so as to extend the time of the terms of the District Court in Angelina county and Cherokee 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.

DIES, Chairman.

SENATE BILL ON FIRST READING.

The following bill, reported from the Senate today, was read first time and referred to appropriate committee, viz.: Senate bill No. 314 to the Committee on Judicial Districts.

By Mr. Grogan offered the following resolution:

Resolved, That in tendering the use of this hall to the Daughters of the Confederacy and John B. Hood Camp U. C. V. for use Wednesday evening, May 3rd, it is the sense of this House that the desks shall be moved to give room for said reception.

(Signed Grogan, Robertson of Bell.)

The resolution was read second time, pending consideration of which, On motion of Mr. Phillips of Lampasas, the House, at 12:16 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 pending business, on its second reading, House bill No. 497, A bill to be entitled "An Act to amend Article 3096, Chapter 3, Title LVIII, of the Revised Statutes of Texas, relating to fraternal beneficiary associations."

The bill was read second time, together with a favorable committee report recommending a substitute for said bill.

(Mr. Shelburne in the chair.)

The committee report was adopted.

Mr. Shropshire offered the following amendment:

(1) "Amend by inserting after the word 'profit,' in line 15, page 1, the following: 'Or that issues benefit certificates to such of its members only as may apply therefor, and that maintains a separate branch composed of the members who hold such certificates, issued and
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governed by or through a separate board of management, authorized and appointed by such corporation, society or association for the sole purpose of managing and conducting such branch." Adopted.

(2) "Amend by inserting after the word 'assessments,' in line 26, page 1, the following: 'Monthly payments.'" Adopted.

(3) "Amend by adding after the word 'examination,' in line 6, page 3, the following: 'Provided, the cost of such examination shall never exceed the total sum of fifty dollars.'"

Mr. Lane offered the following substitute for amendment (3) by Mr. Shropshire:

"Amend by striking out in line 3, page 3, the word 'which,' and by striking out all of lines 4, 5 and 6 except the word 'and,' in line 6." Lost.

The amendment (3) by Mr. Shropshire was adopted.

Mr. Shropshire offered the following amendments:

(4) "Amend by striking out the words 'annum statement and,' as appears in line 7, page 6." Adopted.

(5) "Amend by inserting after line 8, page 6, the following: 'Fee for filing annual statement, one dollar.'" Adopted.

(6) "Amend by adding after the word 'imprisonment,' in line 18, page 6, the following: 'Provided, the provisions of this section shall not be so construed as to prohibit any member or members of a local or subordinate lodge from soliciting any person or persons to become a member of any local or subordinate lodge already in existence; and provided further, the provisions of this section shall not apply to any member or members of any local or subordinate lodge who participates in, supervises, directs or conducts the organization or establishment of any local or subordinate lodge within the limits of the county of his or their residence or lodge district.'" Adopted.

(7) "Amend line 7, page 6, by striking out 'ten dollars' and insert 'five dollars' in place thereof." Adopted.

Mr. Kittrell offered the following amendment:

"Amend on page 8, after Section 15, by adding another section, to be known as Section 15a, as follows:

'Section 15a. The provisions of this act shall not apply to nor include the Order of Railway Conductors, Order of Locomotive Engineers, Order of Locomotive Firemen or Brotherhood of Railway Trainmen, or Order of Railway Telegraphers, which issue policies of insurance or benefit certificates only to members of their respective organizations, and said organization shall be exempt from the provisions of this act.'

[Signed "KITTRELL, DORROH, MARSH."]

Adopted.

The bill was ordered engrossed.

Mr. Shropshire moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Substitute House bill No. 497 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Allen of Hopkins. McIcellan.
Barbee. McKamy.
Barrett. McKellar.
Benn. Meitzen.
Bolin. Mercer.
Bridgers. Monroe.
Caldwell. Morris.
Calvin. Murphy.
Chambers. Murray.
Clements. Neff.
Cocke. Nolan.
Collins. Oliver.
Conoly. Palmer.
Dean. Phillips, Lampasas.
Darden. Phillips of Camp.
Dies. Poole.
Dorroh. Powell.
Eckols. Ratcliff.
Ellis. Robertson, Harrison.
Evans. Robertson of Bell.
Ganer. Rochelle.
Garrett. Russell.
Goodlett. Sansom.
Gordon. Savage.
Graham. Schluter.
Greenwood. Scurry.
Grubbs. Shannon.
Hamilton. Shorburne.
Henderson, Brazos. Shropshire.
Howard. Smith of Collin.
Hurley. Staples.
Kennedy. Stewart.
Kittrell. Stripling.
Lake. Teagle.
Lane. Terrell.
Lillard. Thomas of Wise.
Little. Thomas of Fannin.
Livsey. Tucker.
Looney. Vaughan.
Marsh. Walton.
Maxwell. Wells.
McAnally. Wheless.
Wright.  Willrodt.

Ayers.  Grogan.
Bailey.  Masterson.
Childs.  Pfeuffer.
Cross.  Pitts.
Culp.  Prince.
Gill.  Rogers.

Absent—Excused.

Adams.  Jones.
Allen of Colorado.  Loyd.
Beaty.  McDowell.
Bennett.  McFarland.
Blount.  Peery.
Browne.  Sutherland.
Childers.  Tarkington.
Decker.  Tarver.
Frost.  Tate.
Goodman.  Tompkins.

Substitute House bill No. 497 laid before the House, on its third reading and final passage.

Read third time, and passed.

Mr. Shropshire moved to reconsider the vote by which Substitute House bill No. 497 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Greenwood called up House bill No. 785, relating to occupation tax on peddlers, with Senate amendment.

The bill was laid before the House, and the Senate amendment was read.

Mr. Greenwood moved that the House do concur in the Senate amendment.

Mr. Oliver moved that the House non-concur in the Senate amendment, and that a Free Conference Committee be asked for to adjust the differences between the two houses on said bill.

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

Question first recurred on the substitute by Mr. Oliver, upon which motion yeas and nays were demanded by Mr. Conoly, Mr. Phillips of Lampasas and Mr. Greenwood.

The motion to non-concur was lost by the following vote:

Yeas—43.

Allen of Hopkins.  Hamilton.
Barbee.  Henderson, Brazos.
Beaty.  Henderson, Lamar.
Bolin.  Hurley.
Caldwell.  Kennedy.
Chambers.  Kittlef.
Collins.  Lillard.
Crawford.  Livsey.
Culp.  Looney.
Derden.  Mercer.
Graham.  Monroe.
Murphy.  Smithcurry.
Oliver.  Smith of Grayson.
Phillips of Camp.  Stripling.
Pitts.  Terrell.
Toole.  Thomas of Wise.
Powell.  Tucker.
Ratcliff.  Walton.
Robertson, Harrison.  Wells.
Rochelle.  Willacy.
Schluter.

Nays—52.

Bridgers.  McClellan.
Calvin.  McFarland.
Childs.  McKamy.
Clements.  McKellar.
Cocke.  Metzten.
Cole.  Morris.
Conoly.  Morrow.
Dean.  Murray.
Dies.  Neff.
Dorothy.  Nolan.
Eckols.  Palmer.
Ellis.  Parish.
Evans.  Robertson of Bell.
Garnet.  Sansom.
Garrett.  Savage.
Gill.  Shannon.
Goodlett.  Shuburne.
Gordon.  Shropshire.
Greenwood.  Stewart.
Grubbs.  Tarver.
Howard.  Teagle.
Lake.  Thomas of Fannin.
Lane.  Vaughan.
Little.  Wheeler.
Marsh.  Willrodt.
McNally.  Wooten.

Absen.

Adams.  Jones.
Allen of Colorado.  Loyd.
Beaty.  McDowell.
Bennett.  Peery.
Blount.  Sutherland.
Childers.  Tarkington.
Decker.  Tate.
Frost.  Tompkins.
Goodman.

Question then recurred on the motion of Mr. Greenwood that the House do concur in the Senate amendments to House bill No. 785, and the motion prevailed.

Mr. Robertson of Bell moved to reconsider the vote by which the House concurred in the Senate amendment to
House bill No. 785, 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.

House bill No. 181, A bill to be entitled "An Act to levy an occupation tax upon the gross earnings or royalty accruing to persons, firms, corporations or associations of persons engaged in the business of leasing or renting, in this State, cotton presses, compresses or gin machinery of any kind, and to require lessees, their agents or managers, to make returns of said gross earnings or royalty to the county tax collectors, and to prescribe penalties for failure to do same."

Read third time, and yeas and nays being demanded by Mr. Phillips of Lampasas, Mr. Kennedy and Mr. Teagle, the bill was passed by the following vote:

Yeas—62.


Nays—32.


"I vote 'no' on final passage of House bill No. 181 because I believe it is class legislation, and unconstitutional; also because it has been stated on the floor of the House, and uncontradicted by the friends of this bill, that the farmers save $1.25 per bale by using the round bale press, and I cannot vote for a bill that proposes to levy a prohibitory tax so as to drive out of the State a press that saves a dollar to one of the toiling masses. I am also opposed to suppressing anything by taxation. If an evil exists in this State don't try to beat the devil around the bush by taxing it out of existence, but declare it a nuisance and inhibit it by positive law. I am also in favor of encouraging the latest and best inventions of machinery for harvesting and marketing the products of the farmers of this State."

Mr. Robertson of Bell moved to reconsider the vote by which House bill No. 181 was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, April 24, 1899.

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

Mr. Speaker: I am directed by the Senate to inform the House that the Senate refuses to concur in House amendments to Substitute Senate bill No. 68, and ask the appointment of a Free Con
ference Committee, and that Senators Greer, Davidson, Atlee, Sebastian and Turney have been appointed on said committee on the part of the Senate. Also that the Senate has adopted the majority report of the Free Conference Committee on Senate bill No. 144. And said bills are herewith reported to the House for its action.

Dawson A. Walker, Assistant Secretary of the Senate.

The Speaker laid before the House, on its third reading and final passage, House bill No. 447, A bill to be entitled "An Act to amend an Act of the Twenty-fifth Legislature, approved March 20, 1897, entitled 'An Act to amend Article 867, Chapter 1, Title XXV, of the Revised Civil Statutes, relating to county finances,' and providing that in counties without banking facilities a certificate of the cashier of any reputable bank of this State may be considered as actual cash."

Read third time.

On motion of Mr. Bailey, the pending business was suspended to take up and place on its second reading, House bill No. 719, A bill to be entitled "An Act to amend Articles 2941, 2945, 2946, 2948 and 2949, Title LIV, of the Revised Civil Statutes of the State of Texas, so as to place the House of Correction and Reformatory under the management and control of the Governor and Board of Penitentiary Commissioners of the State of Texas, to repeal all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

The bill was laid before the House, and was read second time, together with a favorable committee report recommending amendments. The committee report was adopted.

Mr. Bailey offered the following amendment: "Amend by adding as follows: "'Section 5. That all appropriations of money made or hereafter to be made for the House of Correction and Reformatory shall be available and used by the said Board of Commissioners as now prescribed by law, and make other sections conform thereto.'"

Adopted.

The bill was ordered engrossed.

Mr. Bailey moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 719 be put on its third reading and final passage. The motion prevailed by the following vote:

Yeas—71.


Nays—16.


Absent.


Absent—Excused.

House bill No. 719 laid before the House on its third reading and final passage.

Read third time.

Mr. Culp moved to postpone further consideration of the bill to next Friday, April 28, 3 p.m.

Mr. Wooten moved to table the motion to postpone.

Upon the motion to table, yeas and nays were demanded by Mr. Savage, Mr. Howard and Mr. Culp.

Tabled by the following vote:

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Question next recurring on final passage of the bill, yeas and nays were demanded by Mr. Thomas of Wise, Mr. Howard and Mr. Savage.

The bill was passed by the following vote:

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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 same subject matter is covered by House bill No. 819.

SMITH of Grayson, Chairman.

Mr. Bailey moved to reconsider the vote by which House bill No. 719 was passed, and to table the motion to reconsider.

The motion to table prevailed.

BILL RECOMMITTED.

House bill No. 464 (reported favorably with amendments), for correction, to Judiciary Committee No. 2, on motion of Mr. Villacy.

COMMITTEE REPORTS.

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

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

Sin: Your Committee on Internal Improvements, to whom was referred House bill No. 819, A bill to be entitled "An Act to provide for the organization of corporations for the purpose of the storage and transportation and purchase and sale of oil and gas; to provide the manner and method of organizing such corporations; to prescribe the rights, powers, privileges and duties of such corporations; to authorize such corporations to construct, operate and maintain pipe lines, tanks, buildings, machinery, apparatus and devices as may be necessary to own, use and occupy lands, casements, buildings and structures; to empower such corporations to condemn lands and other property for the uses and purposes of the uses and purposes of such corporations, and to provide the method therefor; issue stocks and bonds and to borrow money and mortgage its franchises and 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.

SMITH of Grayson, Chairman.

On motion of Mr. Neff, the regular order of business was suspended to take up and place on its second reading, House Joint Resolution No. 28, A resolution to amend Section 1, of Article 6, of the Constitution of the State of Texas, relating to suffrage, and making the payment of a poll tax a prerequisite to the exercise of the right of suffrage."

The resolution was laid before the House, with majority favorable report without amendment, and minority favorable report with amendment.

Mr. Vaughan moved to adjourn until 9 a. m. tomorrow, Mr. Smith of Grayson to take a recess until 8 p. m. today, Mr. Dies to take a recess until 8:30 p. m. today, and Mr. Tarver to adjourn until 9:30 a. m. tomorrow.

Question recurring on the longest time first, the motion prevailed, and the House, at 6:23 p. m., adjourned until 9:30 o'clock a. m. tomorrow.