EIGHTY-EIGHTH DAY.

Hall of the House of Representatives,  
Austin, Texas,  
Tuesday, April 25, 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—116.

Allen of Hopkins. Loyd.  
Ayers. Marsh.  
Bailey. Masterson.  
Barbee. Maxwell.  
Barrett. McCannally.  
Bean. McCellan.  
Bennett. McDowell.  
Bridgers. McKamy.  
Browne. McKellar.  
Caldwell. Meitzen.  
Calvin. Mercer.  
Chambers. Monroe.  
Childers. Morris.  
Childs. Morrow.  
Clements. Murphy.  
Cocke. Murray.  
Collins. Neff.  
Conoly. Nolan.  
Crawford. Oliver.  
Cross. Parish.  
Culp. Pfeuffer.  
Dean. Phillips, Lampasas.  
Derdens. Phillips of Camp.  
Dies. Poole.  
Dorroh. Powell.  
Eckols. Prince.  
Ellis. Ratcliff.  
Evans. Robertson, Harrison.  
Frost. Robertson of Bell.  
Garner. Rochele.  
Garrett. Rogers.  
Gill. Russell.  
Goodlett. Sansom.  
Goodman. Savage.  
Gordon. Schluter.  
Graham. Scurry.  
Greenwood. Shannon.  
Grogan. Shelbourne.  
Grubbs. Shropshire.  
Hamilton. Smith of Grayson.  
Henderson, Brazos. Smith of Collin.  
Henderson, Brazos.  
Howard.  
Burley.  
Jones.  
Kennedy.  
Kittrell.  
Lake.  
Laill.  
Little.  
Livsey.  
Looney.

Wells. Willbrodt.  
Wheelees. Wooten.  
Willacy. Wright.  
Absent.  
Beaty. Pitts.  
Peevy. Tarkington.  
Absent—Excused.

Adams. Decker.  
Allen of Colorado. Sutherland.  
Blount. Tate.

A quorum was announced present.

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

Pending reading of the Journal of yesterday,  
Mr. Staples moved that further reading be dispensed with.

The motion was lost.

The clerk then proceeded to read the Journal of yesterday, when, on motion of Mr. Ratcliff, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Childers for today, on motion of Mr. Ratcliff.

Mr. Browne for today, on motion of Mr. Henderson of Lamar.

Mr. Pfeuffer for yesterday, on motion of Mr. Cole.

Mr. Beaty for today, on motion of Mr. Collins.

Mr. Collins offered the following resolution:

Resolved, That beginning tonight, the House have night sessions for the purpose of considering the appropriation bill, to continue until said bill is disposed of; said sessions to begin at 8:30 each evening.

[Signed—Ratcliff, Terrell, Collins, Livsey.]

The resolution was read a second time, and Mr. Frost offered the following substitute:

“Resolved, That beginning today, the House meet at 2 p. m. and 8 a.m. each day until the general appropriation bill is disposed of.”

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

Question first recurred on the substitute, and it was lost.

Question next recurring on the resolution, yeas and nays were demanded by Mr. Smith of Collin, Mr. McClellan and Mr. Conoly.  

The resolution was adopted by the following vote:

Yeas—64.

Allen of Hopkins. Chambers.  
Bean. Clements.  
Bridgers. Collins.  
Calvin. Conoly.
The Chair laid before the House, as pending business, on its passage to engrossment, Substitute House bill No. 111, the general appropriation bill, items relating to the University of Texas, being the part of the bill next under consideration.

On motion of Mr. Schluter consideration of the items pertaining to this department was postponed until the night session.

Consideration of the bill was then begun with the Court of Civil Appeals, First District.

Mr. Kittrell offered the following amendment:

"Amend line 12, so as to read "$350.""

Lost.

Mr. Phillips of Lampasas offered the following amendment:

"Amend by striking out "$300," in line 14, page 11, and insert "$360" in lieu thereof."

Lost.

Mr. Kittrell offered the following amendments:

1) "Amend line 15, to read "$150.""

Lost.

2) "Amend line 17, so as to read "$300.""

Lost.

Mr. Phillips of Lampasas offered the following amendments:

1) "Amend by striking out "$300," in line 22, page 11, and insert "$360" in lieu thereof."

Lost.

2) "Amend by striking out "$300," in line 30, page 11, and insert "$360" in lieu thereof."

Lost.

Mr. Caldwell offered the following amendment:

"Amend line 4, page 12, by striking out "$50" and inserting "$150.""

Mr. Lane offered the following substitute for the amendment:

"Amend by striking out "$50," and inserting "$25.""

Lost.

The amendment was lost.

Mr. Henderson of Lamar offered the following amendment:

"Amend line 24, page 12, strike out "$54" and insert "$56"; strike out "$135,000" and insert "$140,000.""

Adopted.

Mr. Little offered the following amendments:

1) "Amend line 31, page 12, by striking out "$3000" wherever it occurs, and insert in lieu thereof "$2500.""

Lost.
(2) "Amend line 3, page 13, by striking out "$3000," and insert "$2500.""

Pending consideration of the above amendment (2), the House received the following

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 25, 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. 284, A bill to be entitled "An Act to amend Article 1880, Chapter 4, Title XXXIX, of the Revised Civil Statutes of Texas, adopted by the Twenty-fourth Legislature of the State of Texas."

Senate bill No. 318, A bill to be entitled "An Act to authorize companies and corporations chartered, or that may hereafter be chartered, by the laws of this State, for the purpose of owning, constructing or operating sewer systems, to condemn private property for the purpose of laying pipes, mains, laterals, connections, vats, filtering pipes, and for use of private property as a base of ultimate disposition of sewage."

Senate bill No. 333, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to acquire, by purchase or lease, the railroad of the Sherman, Shreveport & Southern Railway Company, extending from the city of McKinney, in Collin county, to the city of Jefferson, in Marion county, and any extension thereof from said city of Jefferson to the eastern line of Texas, in the direction of Shreveport, Louisiana, together with the property and franchises pertaining thereto, and to own, operate and maintain the same as a part of its line, with the right to extend the same, and construct branches therefrom, by amendment of its charter, under the general laws of the State of Texas, and investing said companies, and each of them with the power to make and execute all necessary contracts, agreements and conveyances to effect such sale or lease; also to authorize the said The Sherman, Shreveport & Southern Railway Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway of Texas, after such sale or lease, when the said railway so to be purchased or leased has been extended from the city of Jefferson to the eastern line of the State of Texas, in the direction of Shreveport, Louisiana, to connect with any railway extending to said city of Shreveport, and to acquire from the owner or owners of such line of railway in the State of Louisiana, by lease, trackage or running rights agreement, the use of such line to the said city of Shreveport; and further, to authorize the said The Sherman, Shreveport & Southern Railway Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, to acquire necessary facilities in the said city of Shreveport."

House bill No. 670, A bill to be entitled "An Act to amend Chapter 65, of the Acts of the Twenty-fifth Legislature, being 'An Act to create a more efficient road system for Montague, Red River and Wichita counties in the State of Texas,' etc."

J. P. Pool,
Secretary of the Senate.

The amendment (2) by Mr. Little was lost.

Mr. Henderson of Lamar offered the following amendment:

"Amend line 17, page 13, by adding after the word 'acre,' 'title to be approved by the Attorney-General.'"

Adopted.

Mr. Masterson offered the following amendment:

"Amend by inserting between lines 25 and 26, the following: 'Salary of third assistant physician, $1250 for each year.'"

Lost.

Line 31, page 18, being the item under consideration.

Mr. Phillips of Lampasas moved to take a recess until 3 o'clock p.m. today.
Mr. Kennedy until 2:30 p.m. today, and Mr. Ratliff until 2 p.m. today.

SENATE BILLS ON FIRST READING.

The following bills reported from the Senate today were read first time, and referred to appropriate committees, viz.: Senate bill No. 284 to Judiciary Committee No. 1, Senate bills Nos. 318 and 333 to the Committee on Internal Improvements.

PETITIONS AND MEMORIALS.

By Mr. Shelburne:

Petition of eighty-eight citizens and property owners of Denton and Denton county, Texas, asking that fire insurance companies be exempted from the provisions of the anti-trust bill, being House bill No. 804, or amend the affidavit in the bill so as to make it applicable only to the State of Texas.

(The petitioners state that they believe the passage of the bill named will cause a general paralysis of business and drive the most stable fire insurance companies out of the State.)
Read, and referred to Judiciary Committee No. 1.

By Mr. Phillips of Lampasas:
Petition from thirty-four citizens of Lampasas, Lampasas county, Texas, asking that fire insurance companies be exempted from the provisions of the anti-trust bill, being House bill No. 804, especially those features of said bill which will prevent fire insurance companies from doing business in Texas when they are not parties to any trust or agreement with each other relating to their Texas business.

Read, and referred to Judiciary Committee No. 1.

By Mr. Allen of Hopkins:
Petition from forty-six citizens of Sulphur Springs, Hopkins county, Texas, protesting against the passage of the anti-trust bill, being House bill No. 804.

(The petition represents that should the said anti-trust bill be passed unchanged, fire insurance companies will be driven from Texas, and every agency closed, which means foreclosure of maturing loans, general paralyzation of trade and leaving unprotected all kinds of property.)

Read, and referred to Judiciary Committee No. 1.

By Mr. Dies:
Petition from eighty-five citizens of Port Arthur, Texas, asking the Legislature to exempt insurance companies from the operations of the anti-trust bill, being House bill No. 804, or delay action on the bill until the interests affected can be heard.

Read, and referred to Judiciary Committee No. 1.

By Speaker Sherrill:
Petition from fifty-five citizens of Texarkana, Texas, praying for such amendments to the anti-trust bill, being House bill No. 804, as will limit the scope of its regulations as affecting fire insurance companies to rates upon property in Texas, and to such agreements, combines, etc., outside of our State and affecting Texas property.

Read, and referred to Judiciary Committee No. 1.

By Speaker Sherrill:
Petition from fifty-six citizens of Bryan, Texas, asking that fire insurance companies be exempted from the provisions of the anti-trust bill, being House bill No. 804.

Read, and referred to Judiciary Committee No. 1.

By Mr. Phillips of Lampasas:
Petition from 100 citizens of Lampasas county, urging the passage of the anti-trust bill.

Read, and referred to Judiciary Committee No. 1.

By Mr. Bean:
Petition from sixty-six citizens of Kirbyville, Jasper county, Texas, asking for the passage of House bill No. 789, being a bill to encourage the freedom of trade, and to forbid the issuance of tickets, checks, etc., redeemable or payable in goods or merchandise.

Read, and referred to Judiciary Committee No. 2.

BILLS INTRODUCED.

By Mr. Willacy, Mr. Russell and Mr. Monroe:
House bill No. 822, A bill to be entitled "An Act to prescribe the time of holding the terms of the District Court of the Twenty-eighth Judicial District of the State of Texas, and to limit one term of the District Court of Nueces county to the transaction of civil business only, and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to Committee on Judicial Districts.

By Mr. Phillips of Camp:
House bill No. 823, A bill to be entitled "An Act to transfer Upshur county from the district school system to the community school system, and to authorize and empower the county to organize and conduct all of her public free schools under the community system, as provided by the laws now in force."

Read first time, and referred to Committee on Education.

COMMITTEE REPORTS.

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

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

Six: Your Judiciary Committee No. 1, to whom was referred House bill No. 724, A bill to be entitled "An Act to amend Articles 3294 and 3296, of the Revised Statutes of 1895, for the better protection of laborers, mechanics and material men's liens to buildings constructed and repaired for municipal and other corporations."

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.
April 25, 1899

HOUSE JOURNAL.

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

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

SIR: Your Judiciary Committee No. 1, to whom was referred House bill No. 812, A bill to be entitled "An Act to amend Article 5049, of the Revised Civil Statutes, relating to occupation taxes, having for its object the suppression of trusts,"

Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it be referred to the Committee on Revenue and Taxation.

WOOTEN, Chairman.

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

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

SIR: Your Judiciary Committee No. 1, to whom was referred House bill No. 813, A bill to be entitled "An Act to amend Article 5049, of the Revised Civil Statutes, relating to occupation taxes, having for its object the suppression of trusts,"

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 referred to the Committee on Revenue and Taxation.

WOOTEN, Chairman.

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

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

SIR: Your Judiciary Committee No. 1, to whom was referred House bill No. 820, A bill to be entitled "An Act to prevent and punish unlawful marriages,"

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 24, 1899.

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

SIR: Your Judiciary Committee No. 1, to whom was referred House bill No. 805, A bill to be entitled "An Act to amend Article 745, of the Revised Civil Statutes of Texas, 1895, regulating the issuance of permits to foreign corporations to do business in this State, and defining what foreign corporations may be authorized to do or solicit business in Texas or to maintain general or special offices in this State,"

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 24, 1899.

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

SIR: Your Judiciary Committee No. 1, to whom was referred House bill No. 83, A bill to be entitled "An Act to authorize the Supreme Court to issue writs of habeas corpus."

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 24, 1899.

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

SIR: Your Judiciary Committee No. 1, to whom was referred House bill No. 814, A bill to be entitled "An Act to facilitate and enforce the collection of wages."

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 reason that it would be unconstitutional.

WOOTEN, Chairman.
and other officers to demand a bond of indemnity before levying a writ of execution.

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.

Mr. Smith of Collin sent up to the Clerk's desk and had read the following agreement, signed by members of the House:

Austin, Texas, April 19, 1899.

Resolved, That we, the undersigned Representatives of the Twenty-sixth Legislature, believing it to be the duty of representatives of the people to carry out the platform demands of the people as expressed through their delegates in the State Convention, do hereby agree to use all honorable means to have bills that are platform demands taken up and acted upon by this House.


Mr. Dies moved to refer the paper to the Committee on Public Health and Vital Statistics.

Pending consideration, the House, at 12:10 p.m., on motion of Mr. Phillips of Lampasas, 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.

Mr. Smith of Grayson asked leave of the House to make the following report:

MAJORITY REPORT.

Committee Room, Austin, Texas, April 25, 1899.

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

SIR: Your Committee on Internal Improvements, to whom was referred Senate bills Nos. 154 and 193, bills known as the Missouri, Kansas & Texas and the Cotton Belt consolidation bills, on April 13, 1899, have had the same under consideration, and I am instructed to ask the House to grant further time within which to report said bills, that other bills are pending in the House covering the same subjects, and it is desired to hold said bills until such pending bills are disposed of.

SMITH of Grayson, Chairman.

MINORITY REPORT.

Committee Room, Austin, Texas, April 25, 1899.

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

SIR: We, the minority of your Committee on Internal Improvements, beg to report that we do not agree with the majority of said committee in requesting further time on bills Nos. 193 and 154, but do report as a substitute for the said majority report the following: That the said bills be reported back to the House with the recommendation that said bills do not pass over the veto of the Governor.

GARNER, POWELL, KENNEDY, SMITH of Grayson, LILLARD, SANSOM.

Mr. Smith of Grayson moved to adopt the majority report.

After consideration by the House, Mr. Tarver moved the previous question on the motion to adopt the majority report, and the main question was ordered.

Yeas and nays were demanded by Mr. Garner, Mr. Smith of Collin and Mr. Staples.

The majority report was adopted by the following vote:

Yea5—84.

"We vote 'aye' to grant further time to the Committee on Internal Improvements to act on the vetoed consolidation railroad bills for the reason that it is stated by the interested parties that the objections of the Governor are not met in the new bill, and it is so the roads when consolidated can give a through rate where now it does not exist, and the officers of the lesser road can be dispensed with, thereby saving much expense to the roads, and enables them to give a cheaper freight rate to shippers, and the people's interest ought to be subserved.

"PRINCIP.

"CHILDS.

"FROST.

"WALTON.

"HENDERSON OF LAMAR."

The Speaker laid before the House, on its second reading, a special order for the hour.

Substitute House bill No. 782. A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company with its franchises and appurtenances, the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances, the Lancaster Tap Railroad, with its franchises and appurtenances, the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or any or any of such railroads with its or their franchises and appurtenances, and to authorize the owners of each of said railroads and its franchises and appurtenances to sell the same, and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds, to the amount of the value of the railroads, franchises and appurtenances so purchased, and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act, as fixed or as the same may be fixed by the Railroad Commission of Texas, to regulate the rates of such properties and the operations thereof, and to authorize the Houston & Texas Central Railroad Company to construct, own, operate and maintain or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain a railroad from a connection with the Austin & Northwestern Railroad in Burnet county to the town of Lampasas."

April 25, 1899

The House Journal.

Nays—26.

Allen of Hopkins, Maxwel. 
Bean. McAnally. 
Cocke. Morrow. 
Conoly. Neff. 
Derden. Powell. 
Dyes. Sansom. 
Garner. Savage. 
Goodman. Shannon. 
Howard. Smith of Gravson. 
Kennedy. Smith of Collin. 
Lillard. Staples. 
Little. Thomas of Fannin. 
Lively. Wooten. 

Absent.

Bailey. Pitts. 
Culp. Rogers. 
Grogan. Tarkington. 
Henderson, Brazos. Willrodt. 
Peery. 

Absent—Excused.

Adams. Decker. 
Allen of Colorado. Sutherland. 
Beaty. Tate. 
Blount.
Amend

The bill was read second time, the committee having reported the above substitute for the original bill.

Question—Shall the committee report be adopted?

Mr. Wooten rose to a point of order, and said:

"Mr. Speaker: I make the point of order that the Chair having stated and held that the pending bill is substantially the same as the Senate bill on the same subject, which has been vetoed by the Governor, and is now pending on reconsideration in the Committee on Internal Improvements, the House cannot consider this bill:

"(1) Because the Constitution and Rules of the House do not authorize the consideration of a new bill when a bill on the same subject has been passed and vetoed and is pending on reconsideration under the veto, but the vetoed bill must be first disposed of.

"(2) The original bill is in contemplation of law a defeated bill, because it has been vetoed and the House has not overridden the veto nor acquiesced in it by definitive action. If the veto is sustained by the House, then this bill cannot be considered, as it covers the same subject. If the veto has not been sustained and is still pending, this method of avoiding decisive action on the veto is wholly unwarranted and is in violation of the constitutional procedure for acting on a veto message. Therefore, this bill cannot be properly considered at this time."

The Chair overruled the point of order on the ground:

1. That the original bill has not been "considered and defeated by either house of the Legislature," as provided in Section 34 of Article 3 of the Constitution.

2. That when the vetoed bill was received from the Senate the House had referred it to the Committee on Internal Improvements, and the House has on today granted further time to said committee for consideration of said bill.

3. The point of order is not sustained by precedent in this or any other State.

Mr. Smith of Grayson rose to a point of order, and said:

"Mr. Speaker: I raise the point of order that House bill No. 782 is the same as Senate bill No. 141, which has been vetoed by the Governor, and that the only bill on this subject that can be considered is Senate bill No. 141, in the manner prescribed by the Constitution; that if House bill No. 782 is not in substance the same as Senate bill No. 141, then that the same cannot be considered unless a new notice has been published and exhibited, it being a special law."

The Chair overruled the point of order for the reason that the question whether notice has been given and the sufficiency of the same is for the House to determine in the first instance, and not the Chair, and finally, a question for the courts.

Mr. Tarver moved the previous question on adoption of the committee report, and the main question was ordered.

The committee report was adopted.

Mr. Shannon offered the following amendment to the bill:

"Amend by adding at end of line 23, page 3, the following: 'Nor shall such purchase or purchases be valid until each of the railroad companies mentioned in this act shall cancel and surrender to the Railroad Commission of this State all mortgages and bonds secured by any lien on said railroad property or properties; and provided further, that after such mortgages and bonds are surrendered and cancelled as aforesaid, such company or companies continuing in business may issue new bonds under and subject to the laws of this State, and the rules and regulations of the Railroad Commission of this State."

[Signed "SHANNON, "SMITH of Grayson."]

(Pending consideration of the amendment, Mr. Prince occupied the chair.)

Speaker in the chair, Mr. Prince offered the following amendment to the amendment:

"Amend the Shannon amendment by adding thereto these words, 'and the acceptance of the provisions of this act is an agreement on the part of the said Houston & Texas Central Railroad Company to abide by and submit to the control of the Railroad Commission of the State of Texas."

[Signed "PRINCE, "SMITH of Grayson."]

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

Question first recurred on the amendment to the amendment, upon which yeas and nays were demanded by Mr. Smith of Collin, Mr. Powell and Mr. Livsey.

Lost by the following vote:

Yea—47.

Allen of Hopkins. Evans.
Bridgers. Garner.
Caldwell. Gill.
Calvin. Goodman.
Cocke. Henderson, Brazos.
Collins. Howard.
Conolly. Kennedy.
Derrin. Lillard.
### Absent—Excused:

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<th>Name</th>
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<tr>
<td>Adams</td>
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<td>Allen of Colorado</td>
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<td>Beatty</td>
<td>Tate</td>
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### Yeas—32

- Ayers
- Barbee
- Barrett
- Bean
- Bennett
- Bolin
- Brown
- Chambers
- Childers
- Childs
- Clements
- Crawford
- Dean
- Derroh
- Eckols
- Ellis
- Frost
- Garrett
- Goodlett
- Goodwin
- Graham
- Greenwood
- Grubbs
- Hamilton
- Hurley
- Jones
- Lake
- Lane
- Looney
- Loyd
- Masterson

### Nays—61

- Ayers
- Barbee
- Barrett
- Bean
- Bennett
- Bolin
- Brown
- Chambers
- Childers
- Childs
- Clements
- Crawford
- Derroh
- Eckols
- Ellis
- Frost
- Garrett
- Goodlett
- Goodwin
- Graham
- Greenwood
- Grubbs
- Hamilton
- Hurley
- Jones
- Lake
- Lane
- Looney
- Loyd
- Masterson

### Nays—61

- Ayers
- Barbee
- Barrett
- Bean
- Bennett
- Bolin
- Brown
- Chambers
- Childers
- Childs
- Clements
- Crawford
- Derroh
- Eckols
- Ellis
- Frost
- Garrett
- Goodlett
- Goodwin
- Graham
- Greenwood
- Grubbs
- Hamilton
- Hurley
- Jones
- Lake
- Lane
- Looney
- Loyd
- Masterson

### Absent:

- Bailey
- Culp
- Dies
- Grogan
- Maxwell
- Nolan

### “I vote ‘nay’ on the Prince amendment to the Shannon amendment, for the reasons that such amendment is already the law of the land, and also is calculated to be only the sugar coating to the Shannon amendment, which amendment is impracticable and intended to kill the bill.”

*STEWART.*

*“I vote ‘no’ on the Prince amendment to the Shannon amendment, for the reason that all railroads in the State are under the Railroad Commission law.”

*LOONEY.*

Question next recurred on the amendment by Mr. Shannon, upon which yeas and nays were demanded by Mr. Shannon, Mr. Livsey and Mr. Lillard.

The amendment was lost by the following vote:

- Yeas-32
  - Ayers
  - Barbee
  - Barrett
  - Bean
  - Bennett
  - Bolin
  - Browne
  - Chambers
  - Childers
  - Childs
  - Clements
  - Crawford
  - Dean
  - Derroh
  - Eckols
  - Ellis
  - Frost
  - Garrett
  - Goodlett
  - Goodwin
  - Graham
  - Greenwood
  - Grubbs
  - Hamilton
  - Hurley
  - Jones
  - Lake
  - Lane
  - Looney
  - Loyd
  - Masterson

- Nays—61
  - Ayers
  - Barbee
  - Barrett
  - Bean
  - Bennett
  - Bolin
  - Brown
  - Chambers
  - Childers
  - Childs
  - Clements
  - Crawford
  - Derroh
  - Eckols
  - Ellis
  - Frost
  - Garrett
  - Goodlett
  - Goodwin
  - Graham
  - Greenwood
  - Grubbs
  - Hamilton
  - Hurley
  - Jones
  - Lake
  - Lane
  - Looney
  - Loyd
  - Masterson

### Absent—Excused:

- Adams
- Allen of Colorado
- Beatty
- Blount

*“I vote ‘nay’ on the Prince amendment to the Shannon amendment, for the reasons that such amendment is already the law of the land, and also is calculated to be only the sugar coating to the Shannon amendment, which amendment is impracticable and intended to kill the bill.”

*STEWART.*
Question next recurring on engrossment of the bill, it was ordered engrossed.

Mr. Tarver moved to reconsider the vote by which the bill was ordered engrossed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Stewart moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Substitute House bill No. 782 be put on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary constitutional four-fifths majority):

Yeas—83.


Nays—26.


Absent—Excused.


COMMITTEE REPORTS.

Committee Room, Austin, Texas, April 25, 1899.

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

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 318, A bill to be entitled "An Act to empower companies and corporations chartered, or that may hereafter be chartered by the laws of this State, for the purpose of owning, constructing or operating sewer systems, to condemn private property for the purpose of laying pipe, mains, laterals, connections, vats, filtering pipes, and for use of private property as a base of ultimate disposition of sewage,"

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, April 25, 1899.

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

Sir: Your Committee on Internal Improvements, to whom was referred House bill No. 682, A bill to be entitled "An Act to authorize the lease of any railroad connecting at the State line, not exceeding thirty miles in length, by any railroad company so connecting with same."

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

SMITH of Grayson, Chairman.

MAJORITY REPORT.

Committee Room, Austin, Texas, April 25, 1899.

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

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 333, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to acquire, by purchase or lease, the railroad of the Sherman, Shreveport & Southern Railway Company, extending from the city of McKinney, in Collin county, to the city of Jefferson, in Marion county, and any extension thereof from said city of Jefferson to the eastern line of Texas, in the direction of Shreveport, Louisiana, together with the property and franchises pertaining thereto, and to own, operate and maintain the same as a part of its line, with the right to extend the same, and construct branches therefrom, by amendment of its charter, under the general laws of the State of Texas, and investing said companies, and each of them with the power to make and execute all necessary contracts, agreements and conveyances to effect such sale or lease; also to authorize the said The Sherman, Shreveport & Southern Railway Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, to acquire necessary terminal facilities in the said city of Shreveport."

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.

SMITH of Grayson, Chairman.

MINORITY REPORT.

Committee Room, Austin, Texas, April 25, 1899.

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

Sir: We, a minority of your Committee on Internal Improvements, to whom was referred Senate bill No. 333, do not concur in the report of the majority, and beg leave to recommend that it do not pass.

GARNER, LILLARD, POWELL, SANSOM, SMITH of Grayson.

Committee Room, Austin, Texas, April 25, 1899.

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

Sir: Your Committee on Public Lands and Land Office, to whom was referred 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 older valid surveys, and to protect the purchasers of school land in conflict therewith, and for patenting the same."

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

WRIGHT, Chairman.

Committee Room, Austin, Texas, April 25, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred Substitute House bill No. 497, A bill to be entitled "An Act to define and regulate fraternal beneficiary societies, orders or associations; to prescribe the terms and conditions on which such societies organized under the laws of other States, or those doing business in other States, may be permitted to do bus-
ness in Texas, and to define the duties of the Commissioner of Insurance of this State in relation thereto; providing for the incorporation of such societies, and declaring an emergency."

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

McANALLY, Acting Chairman.

The Speaker laid before the House, as pending business, on its second reading, House Joint Resolution No. 28, 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, with majority favorable report without amendment, and minority favorable report with amendment.

Mr. Mercer moved to suspend pending business to take up, and place on its second reading, House bill No. 796, relating to authorizing the St. Louis Southwestern Railway Company of Texas to purchase, own and operate certain other railways, etc.

Pending consideration of the motion to suspend,

On motion of Mr. Little, the House, at 5:55 p.m., took a recess until 8:30 p.m. today.

EVENING SESSION.

The House met at expiration of recess, and was called to order by the Speaker. The Speaker laid before the House, on its passage to engrossment, Substitute House bill No. 111, the general appropriation bill, the items pertaining to the University of Texas, on pages 10 and 11, being that part of the bill under consideration.

(Mr. Smith of Grayson in the chair.)

Mr. Dies offered the following amendment:

"Amend by striking out "$50," in line 5, of page 11, and insert in lieu thereof "$30.""

Mr. Shropshire offered the following substitute for the amendment:

"Amend by striking out all of lines 29, 30, 31, 32, page 10; all of lines 3, 4, 5, and 6, page 11, and insert: 'The available University fund, including interest on bonds, interest on land notes, income from land leases, and fees from students to be fixed by the Regents at $80 for academic department from each student, with such laboratory fees as the Regents shall fix, and $30 from each law student.'"

Accepted.

The amendment as substituted was adopted.

Mr. Dies offered the following amendment:

"Amend by adding between lines 6 and 7, page 11, the following: "To supplement the available fund in support and maintenance of the Main University from the general revenue, 1899-1900, $40,000; 1900-1901, $40,000.""

Mr. McAnally offered the following substitute for the amendment:

"Amend by adding between lines 6 and 7, page 11, the following: "To supplement the available fund in support of the Main University from the general revenue, 1899-1900, $75,132.76; 1900-1901, $75,132.76.""

Pending consideration of the substitute,

Mr. Grubbs yielding the floor, Mr. Tarver moved to adjourn until 9 a.m. tomorrow.

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

Question recurring on the longest time first, the motion prevailed, and the House, at 10:30 p.m., adjourned until 9:30 o'clock a.m. tomorrow.

EIGHTY-NINTH DAY.

Hall of the House of Representatives, Austin, Texas.

Wednesday, April 26, 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—116.

Adams.  Culp.
Allen of Colorado.  Dean.
Allen of Hopkins.  Derden.
Ayers.  Dies.
Bailey.  Dorroh.
Barbee.  Eckols.
Barrett.  Ellis.
Bean.  Evans.
Beaty.  Frost.
Bennett.  Garner.
Bolin.  Garrett.
Bridgers.  Gill.
Brown.  Goodlett.
Caldwell.  Goodman.
Calvin.  Gordon.
Chambers.  Graham.
Childs.  Grogan.
Childers.  Grubbs.
Clements.  Hamilton.
Cooke.  Henderson, Brazos.
Collins.  Howard.
Conoly.  Hurley.
Crawford.  Jones.
Cross.  Kennedy.