EVENING SESSION.

April 28, 1899.

The House met at expiration of recess, and was called to order by Mr. Smith of Grayson, who was occupying the chair when the House took recess this afternoon.

Pending question—

Substitute House bill No. 111, the general appropriation bill, on its passage to engrossment, the items pertaining to the University of Texas, on pages 10 and 11, being that part of the bill under consideration, with amendment by Mr. Dies and substitute by Mr. McAnally for the amendment pending.

The Chair laid the same before the Powell. Wooten. House.

Pending consideration of the amendments,

At 10:10 p.m., on motion of Mr. Schlu-ter, the House adjourned until 9:30 o'clock a.m. tomorrow.

NINETY-FIRST DAY.

Hall of the House of Representatives, Austin, Texas, Saturday, April 29, 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—96.


Absent—Excused.


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

Pending reading of the Journal of yesterday.

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

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Peery for last Thursday, on motion of Mr. Stripling.

Mr. Dies for today, on motion of Mr. Kennedy.

Mr. Teagle for today, on motion of Mr. Sanssom.

Mr. Prince for today, on motion of Mr. Conoly.
Mr. Palmer for today, on motion of Mr. Loyd.
Mr. Adams for today, on motion of Mr. McClellan.
Mr. Clements for today, on motion of Mr. McKellar.
Mr. Grubbs for today, on motion of Mr. Tarver.
Mr. Hamilton for today, on motion of Mr. Eckols.
Mr. Beatty for today, on motion of Mr. Eckols.
Mr. Greenwood until next Wednesday, on motion of Mr. Littie.
Mr. Allen of Colorado for today, on motion of Mr. Monroe.
Mr. Murphy for today, on motion of Mr. Mercer.
Mr. Tompkins for today, on motion of Mr. Willrodt.
Mr. Barbee for today, on motion of Mr. Ratcliff.
Mr. Wheless for today, on motion of Mr. Savage.
Mr. Parish for today, on motion of Mr. Collins.
On account of sickness in his family: Mr. Schluter until next Wednesday, on motion of Mr. Oliver.
Mr. Marsh indefinitely, on motion of Mr. Dorroh.

COMMITTEE REPORT.

Committee Room, Austin, Texas, April 29, 1899.

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

Sir: Your Committee on Towns and City Corporations, to whom was referred House bill No. 827, a bill to be entitled "An Act to amend Section 40 of an Act to provide a charter for the city of Houston, Harris county, Texas, the same being Chapter 7, of the special Acts of the Regular Session of the Twenty-fifth Legislature, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

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

MCKAMY, Chairman.

(Mr. Bailey in the chair.)

SPEAKER'S TABLE.

The Speaker, laid before the House, on its third reading and final passage, Senate bill No. 48, a bill to be entitled "An Act to amend Chapter 134, Sections 1, 7 and 15, of the General Laws of the Twenty-fourth Legislature, of 'An Act to create a more efficient road system for Hill, Coke, Hunt, Jackson, Bee and Victoria counties, Texas."

Read third time, and passed.

Mr. McFarland moved to reconsider the vote by which Senate bill No. 48 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Savage called up the following report of the Committee on Contingent Expenses, which was printed in the Journal of March 18.

MAJORITY REPORT.

Committee Room, Austin, Texas, March 17, 1899.

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

Sir: Your Committee on Contingent Expenses beg to report as follows:

"A majority of your Committee recommend that Mr. Logan, Reading Clerk, be allowed $1.00 a day for the extra amount of work he is required to do, dating from March 1st, 1899.

SAVAGE, Chairman.

MINORITY REPORT.

Committee Room, Austin, Texas, March 18, 1899.

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

Sir: We, a minority of your Committee on Contingent Expenses do not concur in the opinion of the majority of this Committee, which recommends that the Reading Clerk be allowed $1.00 per day from March 1, 1899, for extra work. Personally we would be glad to support this resolution, but for the reason the granting of extra compensation as proposed, is, in our opinion, expressly prohibited by Section 44, Article 3, of the Constitution. Moreover, the Speaker has held that a resolution of this kind can not be considered unless the resolution provided for the organization of the House be reconsidered, and that it is now too late for such reorganization.

CALVIN, KENNEDY, MEITZEN.

The report was laid before the House, and read.

Mr. Savage moved to adopt the majority report.

Mr. Kennedy moved to substitute the minority report for the majority report.

Mr. Terrell raised the point of order that additional pay could not be allowed under Rule 63, which reads as follows: "No extra compensation shall be allowed to any clerk or other officer of the House."
The Chair overruled the point of order.
Mr. Chamber's raised the point of order that a proposition of like character had been submitted to the House before, that is, to allow extra compensation to officers of the House, and had been declared out of order by the Speaker on a point of order raised by the gentleman from Lamar, Mr. Henderson.

The Chair held the point of order not well taken.

After consideration by the House, Mr. Phillips of Lampasas moved the previous question on the minority report, and the main question was ordered.

Mr. Henderson of Lamar raised the point of order that a proposition of like character had been submitted to the House before, that to allow extra compensation to officers of the House and had been declared out of order by the Speaker on a point of order raised by the gentleman from Lamar, Mr. Henderson.

The Chair held the point of order not well taken.

Mr. Henderson of Lamar raised the point of order that it is not proper to entertain a proposition to grant extra compensation to an officer of the House until a resolution relating to organization of the House, adopted January 10, 1899, is rescinded.

The Chair held the point of order not well taken.

Yeas and nays were demanded by Mr. Morrow, Mr. Childers and Mr. Calvin.

The minority report was adopted by the following vote:

Yea—46.
Allen of Hopkins.
Ayers.
Bean.
Bridgers.
Browne.
Calvin.
Chambers.
Childers.
Conolly.
Dean.
Eckols.
Evans.
Goodman.
Graham.
Grogan.
Henderson, Lamar.
Howard.
Hurley.
Jones.
Kennedy.
Lillard.
Loyd.
McAnally.
Yeaves
McDowell.
Mercer.
Morris.
Morrow.
Murray.
Neff.
Peery.
Phillips of Camp.
Ratcliff.
Robertson of Bell.
Rochelle.
Russell.
Smith of Grayson.
Stripling.
Terrell.
Thomas of Wise.
Thomas of Fannin.
Tolelt.
Tucker.
Walton.
Willacy.
Willrodt.
Wooten.

Nay—40.
Bailey.
Barrett.
Bolin.
Caldwell.
Cocke.
Collins.
Culp.
Decker.
Derden.
Ellis.
Frost.
Garner.
Yeaves
Garrett.
Gill.
Goodlett.
Gordon.
Kittrell.
Lake.
Little.
Livesey.
Looney.
Maxwell.
McClanahan.
McFarland.

McKamy.
Monroe.
Oliver.
Phillips, Lampasas.
Poole.
Powell.
Robertson, Harrison.
Wells.
Sansom.
Yeaves
Savage.
Scarry.
Shropshire.
Smith of Collin.
Tarver.
Vaughan.
Stewart.
Tate.

Absen1—Excused.
Adams.
Allen of Colorado.
Barbee.
Beaty.
Bennett.
Blount.
Clements.
Crawford.
Dies.
Greenwood.
Grubbs.
Hamilton.
Ham.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.
Henderson, Brazos.

"We vote no,' because the House has demanded extra work from the Reading Clerk, he being an extraordinary reader, although the Assistant Reading Clerk is a good reader; and furthermore, he being a lawyer has been able to save much time to the House in aiding the Speaker, and in the discharge of his duty.

"Powell.
"Wells."

Mr. Kennedy moved to reconsider the vote by which the minority report was substituted for the majority report, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its second reading and passage to a third reading.

Senate bill No. 268, A bill to be entitled "An Act to amend Sections two (2), six (6) ten (10), and fourteen (14), of the Special Laws of the Twenty-fifth Legislature, entitled 'An Act to provide a charter for the city of Houston, Harris county, Texas,' and to add to said article Section 41a, to provide for the extension of the corporate limits for purposes of improving Buffalo Bayou, and providing that the land embraced in said extension shall not be subject to taxation by said city."

The bill was read second time.
Mr. Browne offered the following amendment:

"Amend Senate bill No. 268 by adding thereto another section, to read as follows:

"The fact that the city of Houston is now without any authority for the extension of the corporate limits of the said city of Houston for the purpose of improving Buffalo Bayou, and the present crowded condition of the calendar, together with the near approach of the end of the present session of the Twenty-sixth Legislature, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

The bill was passed to a third reading.

Mr. Browne moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that Senate bill No. 268 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—86.
Barrett. Lake. Tarver.
Bean. Lillard. Terrell.
Bridgers. Maxwell. Tolbert.
Caldwell. McAnally. Willrodt.
Calvin. McAdoo. Wooten.
Chambers. Caldwell. Wright.
Curtis. Murphy. Austin.
Dean. Parish. Beaudon.
Decker. Peery. Biddle.
Frost. Ill. Bmt.

73-House

Senate bill No. 268 laid before the House, on its third reading and final passage.

Read third time, and passed.

Mr. Kittrell moved to reconsider the vote by which Senate bill No. 268 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its final passage, House bill No. 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."

The bill was passed.

Mr. Peery moved to reconsider the vote by which House bill No. 447 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, House bill No. 784, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Bowie county, regulating the fees of officers where convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith."
Read third time, and passed.
Mr. Frost moved to suspend the regular order of business to take up, and place on its second reading, House bill No. 765, providing for the creation of the county of Ross.
The motion to suspend was lost.
The Speaker laid before the House, on its second reading, House bill No. 604, A bill to be entitled "An Act to appropriate and set apart to Wheeler county all taxes collected in behalf of the State from Wheeler county for the year 1899, for the purpose of rebuilding the court house and jail of said county, destroyed by cyclone, and declaring such a great public calamity."
The bill was read second time.
Mr. Decker offered the following amendment:
"Amend the bill by striking out all of line 23, page 1, after the word 'hereby' and insert 'remitted,' and by striking out all of lines 24 and 25, and all of Section 2."
On motion of Mr. Decker further consideration of the bill was postponed until next Tuesday, May 2, 3 o'clock p. m.

SPECIAL ORDER

FIXED.

House bill No. 782, the H. & T. C. consolidation bill, on its third reading and final passage, for next Tuesday, May 2, 3:30 p. m., on motion of Mr. Stewart.
The Speaker laid before the House, on its second reading and passage to a third reading, 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."
The bill was read second time, and passed to a third reading.
Mr. Bridgers moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 294 be put on its third reading and final passage.
The motion to suspend the constitutional rule prevailed by the following vote:

Yeas—87.


Absent—Excused.


SPECIAL ORDER FIXED.

Senate bill No. 102, defining white-capping, on its second reading, for next Wednesday, May 4, 4 o'clock p. m., on motion of Mr. Rochelle.

Mr. Maxwel moved to take up House Concurrent Resolution No. 35, relating to lease of certain properties about the city of Austin, for the purpose of making it a special order for next Tuesday, May 2, 4 p. m., and the motion was lost.

Mr. Phillips of Lampasas moved to suspend the constitutional rule to suspend pending business to take up on its third reading and final passage.

Senate bill No. 78, A bill to be entitled "An Act to validate patent No. 146, Volume 15, issued to A. J. Gray, to 420 acres of land in Comanche county, Texas."

The motion to suspend was lost.

The motion to reconsider the vote by which Senate bill No. 314 was passed, and to table the motion to reconsider.

The motion to suspend was lost.

The Call laid before the House, on its second reading and passage to a third reading.

Senate bill No. 314, A bill to be entitled "An Act to amend Subdivision 2, Article 11, Title IV, of the Revised Civil Statutes of Texas of 1895, so as to extend the time of the terms of the District Court of Nacogdoches county, and change the time of holding courts in Angelina county and Cherokee county."

The motion to suspend, on its third reading and final passage.

There was not a quorum voting, and Mr. Conoly moved a call of the House.

The call was seconded, and the Sergeant-at-Arms was directed to bring in enough members to make a quorum.

Later a quorum was developed, and the motion to suspend the constitutional rule prevailed by the following vote:

Yeas—87.


Absent.


Absent—Excused.


Senate bill No. 314 laid before the House, on its third reading and final passage.

Read third time, and passed.

Mr. Stripling moved to reconsider the vote by which Senate bill No. 314 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Call laid before the House, on its second reading.

Senate bill No. 331, A bill to be entitled "An Act to consolidateSoule 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 in-
corporate Chappell Hill Female College, and defining its powers and duties, and declaring an emergency."

The bill was read second time, and passed to a third reading.

Mr. Goodlett moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 337 be put on its third reading and final passage.

There was not a quorum voting, and Mr. Goodlett moved a call of the House.

The call was seconded, and the Sergeant-at-Arms was directed to bring in enough members to make a quorum.

Later a quorum was developed, and the motion to suspend the constitutional rule prevailed by the following vote:

**Yeas—87.**


---

**Absent—Excused.**


---

Senate bill No. 337 laid before the House, on its third reading and final passage.

Read third time, and passed by the following vote:

**Yeas—87.**


---


---

Mr. Goodlett moved to reconsider the vote by which Senate bill No. 337 was passed, and to table the motion to reconsider. The motion to table prevailed.

The Chair laid before the House, on its second reading, House bill No. 396, A bill to be entitled "An Act to validate the titles to lands located and patented in Carson, Dallam and Hutchinson counties in July 4, 1879."

The bill was read second time, and Mr. McDowell raised the point of order that the bill was not a local bill, and that it was not in order to consider same today. The Chair sustained the point of order, and the bill went over.

The Chair laid before the House, on its second reading, House bill No. 790, A bill to be entitled "An Act to renders more effective and efficient the present road law of the State of Texas in its application and operation in the county of Calhoun, and to authorize and empower the said county to issue bonds for the construction and maintenance of public roads and highways within said respectively county."

Read second time, and ordered engrossed.

The Chair laid before the House, on its second reading, 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."

Read second time, and ordered engrossed.

At 12:40 p.m., on motion of Mr. Powell, the House adjourned until 9:30 o'clock a.m. next Monday.