of the presiding judge.' And amend further by adding to caption of bill: 'And to repeal all laws and parts of laws in conflict therewith.'"

Mr. Morrow offered the following substitute for the amendment:

"Amend by adding after the word 'served,' in line 13, the following: 'Provided, that in counties with less than 30,000 inhabitants said committee shall not receive pay for more than five days.'"

Lost.

The amendment by Mr. Walton was adopted, and the bill was ordered engrossed.

The Chair laid before the House, on its passage to engrossment, House Joint Resolution No. 4, To amend Section 9, Article 8, of the Constitution of the State of Texas, relative to the rate of taxation, and relating to extermination of prairie dogs, which was read second time, and amended April 11.

Whereupon, Mr. Dies moved to take a recess until 8:30 p. m. today.

On motion of Mr. Little, the House, at 6:04 p.m., adjourned until 9:30 o'clock a.m. tomorrow.
Kittrell
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Lane
Lillard
Little
Livsey
Leoney
Loyd
Marsh
Masterson
Maxwell
McAnally
McClellan
McDowell
McFarland
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Meitzen
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Morrow
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Neff
Nolan
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Peery
Pfeuffer
Phillips
Phillips of Camp
Pitts
Pool
Conoly
Evans
Bennett
Greenwood
Grubbs
Rogers
Powell
Prince
Russell
Robertson, Harrison
Robertson of Bell
Rochelle
Russell
Sansom
Savage
Scurry
Shelburne
Shropshire
Smith of Grayson
Smith of Collin
Staples
Stewart
Stripling
Tarver
Tate
Teagle
Terrell
Thomas of Fannin
Tolbert
Tompkins
Tucker
Vaughan
Walton
Wells
Wheelas
Willeay
Wooten
Wright
Thomas of Wise
A quorum was announced present.
Prayer by Rev. W. J. Gatlin, Chaplain.
Pending reading of the Journal of yesterday,
On motion of Mr. Childers, further reading was dispensed with.
GRANTED LEAVE OF ABSENCE.
On account of important business:
Mr. Tompkins for yesterday, on motion of Mr. Willrodt.
Mr. Thomas of Wise for today, on motion of Mr. Crawford.
On account of sickness:
Mr. Evans for today, on motion of Mr. Thomas of Fannin.
BILLS SIGNED BY THE SPEAKER.
The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following bills:

House bill No. 402, "An Act granting to the city of Austin a block of land within said city for public free school purposes."

House bill No. 742, "An Act to diminish the civil and criminal jurisdiction of the County Court of Coke county, and to conform the jurisdiction of the district court of said county to such change."

House bill No. 740, "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, 1898, 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."

House bill No. 785, "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."

House bill No. 746, "An Act to provide a more efficient system for working the public roads of Lamar county, regulating the fees of officers where convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith, and declaring an emergency."

House bill No. 398, "An Act to amend Sections 17, 27, 98 and 116, of an act incorporating the city of Sherman, known as "An Act to incorporate the city of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and management of its affairs," passed by the Twenty-fourth Legislature, being Chapter 6, of the Special Acts of said Legislature, and to add Sections 96a, 116a, 116b, 116c, 116d, 116e, 116f, 179a and 179b thereto."

House bill No. 342, "An Act to incorporate the city of Dallas, and to grant it a new charter."

PETITIONS AND MEMORIALS.
By Speaker Sherrill:
Memorial from the State Medical Association, asking for the creation of a State Board of Health.
Read, and referred to Committee on Public Health and Vital Statistics.
By Mr. Looney:
Petition from forty-six citizens and representative business men of Marquez, Leon county, urging the passage of the anti-trust bill, being House bill No. 504.
BILLS AND RESOLUTIONS.

By Mr. Decker:
House bill No. 829, A bill to be entitled "An Act to diminish the criminal jurisdiction of the County Court of Carson county, and to conform the jurisdiction of the district court of said county to said change, and declaring an emergency."

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

By Mr. Lane (by request):
House bill No. 830, A bill to be entitled "An Act to amend Section 12, of Chapter 54, Acts of 1891, special road law for Grayson, Dallas, Galveston, Brown, Comanche, Mills, Fannin, Travis, Hunt, Hill, Kaufman and Fayette counties; authorizing the employment of a county road commissioner, adding thereto the proviso that each county commissioner may qualify and act as road commissioner in his precinct."

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

By Mr. Terrell:
House Concurrent Resolution No. 52: Resolved by the House of Representatives, the Senate concurring, that the Twenty-sixth Legislature of Texas do adjourn sine die at 12 o'clock noon, Tuesday, May 9, 1899.

Read second time, and went to Speaker's table.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 2, 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, towit:

Senate bill No. 326, A bill to be entitled "An Act to amend Article 4340, Chapter 92, of the Revised Civil Statutes of the State of Texas, relating to quarantine, and the payment of expenses of maintaining the same in counties, cities or towns, and to repeal Articles 4331, 4332, 4334, 4335 and 4336 thereof."

Senate bill No. 266, A bill to be entitled "An Act for the relief of Mary E. Batchelor, widow of James W. Batchelor."

Respectfully,
J. P. Pool,
Secretary of the Senate.

(Mr. Smith of Grayson in the chair.)

SPEAKER'S TABLE.

The Chair laid before the House, as pending business, on its passage to engrossment,

Substitute House bill No. 111, the general appropriation bill, the items in that part of the bill pertaining to the University of Texas being the items under consideration, page 10, lines 29 to 32, inclusive, and page 11, lines 1 to 6, inclusive.

Mr. Maxwell offered the following amendment:
"Amend by inserting between lines 6 and 7, on page 11, the following: 'To supplement the available funds in support of the Main University from the general revenue, August 31, 1899, $35,000; August 31, 1900, $35,000.'"

After consideration by the House, Mr. Masterson moved the previous question on the University items, and the motion was not seconded.

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

Mr. Kennedy offered the following substitute for the amendment:
"Amend by inserting between lines 6 and 7, page 11, the following: 'To supplement the available funds in support of the Main University from the general revenues, $25,000, $20,000.'"

Mr. Rochelle moved the previous question on pending amendments, and the adoption of the University items, and the main question was ordered.

Question first recurred on the substitute by Mr. Kennedy, upon which yeas and nays were demanded by Mr. Peery, Mr. McAnally and Mr. Goodlett.

The substitute was lost by the following vote:

Yeas—29.
Adams. Masterson.
Allen of Colorado. McKellar.
Culp. Morrow.
Dean. Murray.
Dies. Poole.
Dorroh. Prince.
Eckols. Sansom.
Ellis. Shannon.
Hamilton. Stewart.
Kennedy. Stripling.
Lillard. Terrell.
Livesey. Tolbert.
Looney. Wells.
Loyd. Willacy.
Marsh. 

Nays—77.
Allen of Hopkins. Beaty.
Ayers. Blount.
Barbee. Bolin.
Bean. Bridgers.
May 2, 1899

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Absent: 
- Bailey
- Browne
- Calvin
- Clements
- Conoly

Absent—Excused:
- Barrett
- Bennett
- Evans
- Greenwood
- Grubbs

PAIRED:
Mr. Phillips of Lampasas (present) who would vote nay, with Mr. Thomas of Fannin (absent) who would vote yea.

"I vote no" on the University appropriation, because I do not believe we have the right, under the Constitution, to make an appropriation for the purpose intended, but only the right to make an appropriation for the benefit of the permanent fund.

"Teagle."

Question next recurred on the amendment by Mr. Maxwell, upon which yeas and nays were demanded by Mr. Childers, Mr. Bean and Mr. Savage.

The amendment was adopted by the following vote:

Yea—54:
- Allen of Colorado
- Bridgers
- Caldwell
- Chambers
- Childs
- Cocke
- Collins
- Cross
- Culp
- Decker
- Derden
- Dies
- Dorr
- Ellis
- Garrett
- Goodlett
- Grogan
- Henderson of Brazos
- Hodges
- Jones
- Kittrell
- Lake
- Lane
- Lillard
- Little
- Looney
- Masterson

Nay—52:
- Adams
- Allen of Hopkins
- Ayers
- Barbee
- Bean
- Beaty
- Blount
- Bolin
- Childs
- Crawford
- Dean
- Eckols
- Frost
- Garner
- Gill
- Goodman
- Gordon
- Graham
- Hamilton
- Henderson, Lamar
- Howard
- Hurley
- Kennedy
- Livey
- Loyd
- Marshall

Absent:
- Bailey
- Browne
- Calvin
- Clements
- Conoly
- Evans
- Pitts
- Tate
- Willrodt
Absent—Excused.
Barrett. Schluter.
Bennett. Sutherland.
Greenwood. Tarkington.
Grubbs. Thomas of Wise.
Rogers.

PAIRED.
Mr. Phillips of Lampasas (present) who would vote nay, with Mr. Thomas of Fannin (absent) who would vote yea.

"I vote 'no' on this appropriation, because, in addition to my reason given in the Journal yesterday, I think it is clearly unconstitutional.

"FROST."

"I vote 'no' on all amendments appropriating any part of the general fund of Texas to the State University for good reasons, which I am able to explain to any one who may hereafter question my vote on same.

"PHILLIPS of Lampasas."

"I vote against the amendment giving any appropriation from the general revenue of this state for the support of the institution in violation of the Constitution, and because I believe that its income of $83,629.91, as shown by the report of its Regents for current year, which may be expected to continue with some increase, is sufficient for its maintenance if conducted economically.

"MORROW."

Question next recurred on the adoption of the original items as amended, upon which yeas and nays were demanded by Mr. Bean, Mr. Savage and Mr. Shropshire.

Adopted by the following vote:

Yea-57.
Bailey. Kittrell.
Bridgers. Lake.
Caldwell. Lane.
Chambers. Lillard.
Childs. Little.
Clements. Looney.
Cocke. Masterson.
Cole. Maxwell.
Collins. McAnally.
Culp. McKamy.
Decker. Monroe.
Derden. Murphy.
Died. Neff.
Dorroh. Nolan.
Ellis. Palmer.
Garrett. Parish.
Goodlett. Poole.
Grogan. Prince.
Henderson, Brazos. Robertson of Bell.

Russell. Tompkins.
Sansom. Walton.
Scurty. Wells.
Shannon. Weathers.
Staples. Willacy.
striping. Wooten.
Tarver. Wright.
Tolbert.

Nays-51.
Adams. McClellan.
Allen of Hopkins. McDowell.
Ayres. McKellar.
Barbee. Meitzen.
Bean. Mercer.
Beaty. Morris.
Bolm. Murray.
Bolin. Oliver.
Childers. Peery.
Crawford. Pleufer.
Dean. Phillips of Camp.
Dorf. Powell.
Garner. Ratchiff.
Gill. Robertson, Harrison.
Goodman. Rochelle.
Gordon. Savage.
Graham. Shelburne.
Hamilton. Shropshire.
Howard. Stewart.
Hurley. Teagle.
Kennedy. Terrell.
Livesey. Tucker.
Loyd. Vaughan.
Marsh.

Absent.
Browne. Pitts.
Calvin. Tate.
Conoly. Willrodt.

PAIRED.
Mr. Phillips of Lampasas (present) who would vote nay, with Mr. Thomas of Fannin (absent) who would vote yea.

Mr. Childs moved to reconsider the vote by which the University items as amended were adopted, and to table the motion to reconsider. The motion to table prevailed.

At 12:40 p. m., on motion of Mr. Adams, the House took a 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.
On motion of Mr. Powell, Mr. Barrett
was excused for today, on account of sickness.

Mr. McAnally moved to reconsider the vote by which House bill No. 647 was on yesterday ordered engrossed, and the motion to reconsider prevailed.

Whereupon the Speaker laid before the House, as special order for the hour, 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," with amendment by Mr. Decker pending.

(Mr. Prince in the chair.)

On motion of Mr. Dean, pending business was suspended to take up and place on its second reading, House bill No. 826, A bill to be entitled "An Act to make it a penal offense for any person to alter, change, destroy or mutilate any public record or documents authorized, required or permitted by law to be kept by any officer within this State, and to fix the punishment therefor."

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

Mr. Masterson offered the following amendment:

"Amend by inserting after the word 'wilfully,' in lines 11 and 12, the words 'and maliciously.'"

Adopted.

Mr. Lane offered the following amendment:

"Amend by striking out the word 'injure,' in line 12."

Mr. Schluter offered the following substitute for the amendment:

"Amend by striking out of line 15 "felony," and insert in lieu thereof "misdemeanor," and strike out all after 'dollars,' in line 16, down to and including 'years,' in line 17."

The substitute was adopted.

Question then recurring on the amendment as substituted, Mr. Frost offered the following amendment to the amendment:

"Amend by striking out the word 'felony,' in line 15, and insert in lieu thereof the word 'misdemeanor.' By striking out the word 'thousand,' in line 16, and insert in lieu thereof the word 'hundred.' By striking out the word 'penitentiary,' in line 17, and insert in lieu thereof the words 'county jail.' And by striking out the words 'five years,' in line 17, and insert in lieu thereof 'six months.'"

Pending consideration of House bill No. 826, the Chair laid before the House, as special order for the hour, on its third reading and final passage, 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 either or any of such railroads with its or their franchises and appurtenances, or 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 railways, 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 reports 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."

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

"Amend Substitute House bill No. 782, by adding after the word 'void,' in line 26, page 6, the words, 'Provided, that said Houston & Texas Central Railroad Company shall establish and maintain division headquarters in the city of Austin.'"

Mr. Chambers moved to table the amendment, and the motion was lost.

The amendment was adopted.

Mr. Garner offered the following amendment:

"Amend by adding after the word 'same,' on page 3, in line 23, the following: The acceptance of the provisions of this act is an agreement by the Houston & Texas Central Railroad Company to abide by and submit to the rates,
rules, regulations and requirements of the Railroad Commission of the State of Texas until the same are set aside by a court of competent jurisdiction on final trial."

[Signed "PRINCE,"
"GARNER"]:"

Yeas and nays were demanded by Mr. Howard, Mr. Lillard, and Mr. Derden.

The amendment was adopted by the following vote:

Yeas-80.


Nays-23.


Absent.


Absent-Excused.


Yeas-80.

Absence.


Absent.


Absent-Excused.


Yeas-80.

Absence.


Absent.


Absent-Excused.


Yeas-80.

Absence.


Absent.


Absent-Excused.


Yeas-80.

Absence.


Absent.
main open to investigation and adjudication by the courts."
Adopted.

The bill was passed.

Mr. Stewart moved to reconsider the vote by which House bill No. 782 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Tucker, pending business was suspended to take up on its passage to engrossment (said resolution having been read second time and amended, April 11).

House Joint Resolution No. 4 To amend Section 9, Article 8 of the Constitution of the State of Texas relating to the rate of taxation and providing for the extermination of prairie dogs.

Mr. Dies offered the following amendment:

"Amend by adding after the word ‘dogs,’ in line 32 of page 1, the following: ‘Mosquitoes, sand flies, and bed bugs.’"

Tabled on motion of Mr. Wright.

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

The resolution was ordered engrossed by the following vote:

Yeas—73.
- Adams.
- Allen of Colorado.
- Bean.
- Beatty.
- Blount.
- Bolin.
- Bridgers.
- Browne.
- Caldwell.
- Chambers.
- Childers.
- Childs.
- Clements.
- Cole.
- Cross.
- Decker.
- Derden.
- Dorroh.
- Frost.
- Gill.
- Goodlett.
- Goodman.
- Gordon.
- Graham.
- Grogan.
- Henderson, Brazos.
- Howard.
- Jones.
- Kennedy.
- Kittrell.

Nays—23.
- Allen of Hopkins.
- Collins.
- Cupp.
- Dies.
- Eckols.
- Ellis.
- Garrett.
- Hamilton.
- Hurley.
- Little.
- McAnally.
- Mercer.
- N. T. Wright.
- Neff.
- Nolan.
- Oliver.
- Palmer.
- Peery.
- Pfenniger.
- Phillips, Lampasas.
- Powell.
- Ratcliff.
- Robertson, Harrison.
- Russell.
- Savage.
- Schluter.
- Tucker.
- Vaughan.
- Wells.
- Wooten.
- Wright.
- Morrow.
- Murphy.
- Parish.
- Phillips of Camp.
- Poole.
- Robertson of Bell.
- Sansom.
- Shannon.
- Shropshire.
- Teague.
- Terrell.
- Absent—Excused.
- Ayers.
- Bailey.
- Barbee.
- Barbee.
- Beck.
- Childs.
- Clement.
- Cole.
- Cross.
- Dean.
- Decker.
- Deer.
- Derden.
- Dorroh.
- Frost.
- Gill.
- Goodlett.
- Goodman.
- Gordon.
- Graham.
- Grogan.
- Henderson, Brazos.
- Howard.
- Jones.
- Kennedy.
- Kittrell.

The House resumed consideration of House bill No. 826, with pending amendments, viz.: Amendment by Mr. Schluter and amendment by Mr. Frost to the amendment.

Mr. Schluter, by consent, withdrew his amendment.

Question then recurred on the amendment by Mr. Frost, and Mr. Scurry offered the following substitute for the amendment:

"Amend by striking out in line 13, the following words: ‘Fee bill, cost bill,’ and also the words ‘record or’ in same line where it occurs the second time.”

Mr. Phillips of Lampasas moved the previous question, and the main question was ordered.

The substitute was adopted, and the amendment as substituted was adopted.

The bill was ordered engrossed.

The Chair laid before the House, as pending business, on its engrossment, House bill No. 604, with amendment by Mr. Decker pending.

On motion of Mr. Decker pending business was suspended to take up, on its
On motion of Mr. Terrell further consideration of the bill, with pending amendments, was postponed until next Friday, May 5, 5 p.m.

On motion of Mr. McAnally, pending business was suspended to take up, on its passage to engrossment (vote engrossing same having been today reconsidered).

House bill No. 647, A bill to be entitled "An Act to amend Article 873, Title XV, of the Revised Civil Statutes of the State of Texas, relating to the pay of committees to examine into the finances of counties."

The bill was laid before the House, and Mr. McAnally offered the following amendment:

"Amend by striking out the words 'so as to hereafter read as follows,' line 7, page 1, and insert between lines 7 and 8, page 1, the following: 'Be it enacted by the Legislature of the State of Texas: Section 1. That Article 873 (983), Title XV, of the Revised Civil Statutes of the State of Texas, be so amended as to hereafter read as follows.'"

Adopted.

The bill was ordered engrossed.

Mr. Shropshire moved to suspend pending business to take up, and place upon its second reading.

House bill No. 609, A bill to be entitled "An Act to require any person, firm, partnership, association or joint stock company doing a mercantile reporting business within the State of Texas, to obtain a permit from the Secretary of State; to give bond and designate a representative residing within the State of Texas before engaging in such business, and to provide penalties for failure to comply with the provisions of this act, and for other purposes."

The motion to suspend was lost.

Mr. Masterson moved to suspend pending business to take up, and place on its second reading.

House bill No. 260, A bill to be entitled "An Act to protect the wild game in this State and to prevent the sale of same in certain seasons by any person, firm, corporation, restaurant, hotel or boarding house, and to prescribe a penalty for the violations of this act."

The motion to suspend was lost.

Mr. Powell moved to suspend pending business to take up, on its passage to engrossment (which resolution was read second time and left pending, April 81),

House Joint Resolution No. 24, To amend Section 11, Article XVI, of the Constitution of the State of Texas, fixing the legal and contract rate of interest,

With a favorable committee report recommending amendment.
Yeas and nays were demanded by Mr. Powell, Mr. Adams and Mr. Morris.

The motion prevailed by the following vote:

Yeas—73.

Adams. McKellar.
Allen of Hopkins. Morris.
Ayers. Morrow.
Beaty. Murray.
Blount. Neff.
Browne. Nolan.
Caldwell. Oliver.
Calvin. Palmer.
Cocke. Peery.
Cole. Pfeuffer.
Dean. Powell.
Derden. Robertson, Harrison.
Dorroh. Robertson of Bell.
Frost. Sansom.
Gill. Savage.
Goodman. Schluter.
Graham. Scurry.
Grogan. Shannon.
Hamilton. Shelburne.
Howard. Smith of Collin.
Hurley. Staples.
Jones. Stewart.
Kennedy. Stripling.
Kittrell. Tate.
Lake. Terrell.
Lillard. Tolbert.
Little. Tompkins.
Livsey. Tucker.
Loyd. Vaughan.
Marsh. Walton.
Maxwell. Wells.
McAnally. Wheless.
McClellan. Willacy.
McDowell. Wright.
McKamy. 

Nays—21.

Allen of Colorado. Lane.
Barbee. Meitzen.
Bean. Mercer.
Bridgers. Monroe.
Chambers. Phillips of Camp.
Dies. Poole.
Eckols. Ratcliff.
Garner. Russell.
Garrett. Shropshire.
Gordon. Teagle.
Henderson, Brazos. 

Absent.

Bailey. Ellis.
Bolin. Goodlett.
Childers. Looney.
Childs. Masterson.
Clements. McFarland.
Collins. Murph.
Conoly. Parish.
Crawford. Pitts.
Culp. Rochelle.
Decker. Tarver.

Thomas of Fannin. Wooten.
Willrodt. Absent—Excused.
Barrett. Rogers.
Bennett. Sutherland.
Evans. Tarkington.
Greenwood. Thomas of Wise.
Grubbs.

House Joint Resolution No. 24 was then laid before the House.

The committee report was adopted.

Mr. Derden offered the following amendment:

"Amend by striking out all after the word 'paragraph,' in line 31, page 1, and by striking out all of lines 1 and 2. Page 2."

Mr. Lane moved to postpone indefinitely further consideration of the resolution.

Yeas and nays were demanded by Mr. Powell, Mr. Goodman and Mr. Smith of Collin.

The motion was lost by the following vote:

Yeas—17.

Allen of Colorado. Hamilton.
Bean. Lane.
Collins. Meitzen.
Dies. Monroe.
Dorroh. Ratcliff.
Garner. Russell.
Goodlett. Wright.
Gordon. 

Nays—76.

Adams. Kittrell.
Ayers. Lake.
Beaty. Lillard.
Blount. Little.
Bridgers. Livsey.
Browne. Loyd.
Caldwell. Marsh.
Calvin. McAnally.
Childers. McClellan.
Clements. McKamy.
Cocke. McKellar.
Cole. Mercer.
Cross. Morris.
Culp. Morrow.
Dean. Murphy.
Derden. Murray.
Eckols. Neff.
Frost. Nolan.
Garrett. Oliver.
Gill. Palmer.
Goodman. Peery.
Henderson, Brazos. Poole.
Howard. Powell.
Hurley. Robertson, Harrison.
Jones. Rochelle.
Kennedy. Sansom.
Brazos valley have at last determined to
Shelburne.
Shannon.
8avage.
8mith of Grayson.
8curry.
Staples.
Shropshire.
8mith.
McFarland.
~tripling.
Crawford.
Conoly.
Childs.
Evans.
McDowell.
Masterson.
Decker.
Walton.
McDowell.
McFarland.

Absente—Excused.

Barrett.
Bennett.
Evans.
Greenwood.
Grubbs.

PAIRED.

Mr. Chambers (present) who would 
vote yea, with Mr. Allen of Hopkins (ab-
sent) who would vote nay.

Mr. Ellis (present) who would vote 
 yea, with Mr. Maxwell (absent) who
would vote nay.

Question then recurred on the amend-
ment by Mr. Derden.

Mr. Blount moved the previous ques-
tion, and the main question was ordered.

The amendment was lost.

The resolution was ordered engrossed.

Mr. Ratcliff moved to suspend pending business to take up, for consideration, on 
its final passage.

House bill No. 46, A bill to be entitled
"An Act to amend Subdivision 19 of an act entitled 'An Act to amend Article 
3049, of Chapter 1, Title 24, of the Rev-
ised Statutes, relating to general occupa-
tion taxes'"

The ten pin alley bill, which was read 
third time on February 7, and recomit-
ted, the committee having made a favor-
able report without amendment.

Whereupon, Mr. Phillips of Lampasas, 
by unanimous consent, offered the follow-
ing resolution:

Resolved, That the House do not ad-
Journ until tomorrow this afternoon, but 
take a recess until 8 o'clock tonight to 
consider the anti-trust bill.

(Signed—Phillips of Lampasas, Dies, 
Kennedy, Barbee.)

Read second time, and pending consid-
eration, the following bills were read 
first time, and referred to appropriate 
committees:

SENATE BILLS ON FIRST READING.

Senate bill No. 266, to the Committee 
on Claims and Accounts.

Senate bill No. 326, to the Committee 

Senate bill No. 291, to the Committee 
on State Affairs.

PETITIONS AND MEMORIALS.

By Mr. Parish:

Petition from sixty-seven citizens of 
Robertson county favoring the passage 
of the anti-trust bill, being House bill 
No. 804.

Read, and referred to Judiciary Com-
mittee No. 1.

BILLS AND RESOLUTIONS.

By Mr. Kittrell and Mr. Wheless:

House bill No. 831, A bill to be entitled 
"An Act to provide for the prompt pay-
ment of wages of railroad employes in 
case of discharge, with penalty for in-
fracion.

The bill provides that if the unpaid 
wages of any railroad employe or servant 
are not paid on the day of such dis-
charge, then, as a penalty for such non-
payment, the wages of such servant or 
employe shall continue at the same rate 
until paid: provided, such wages shall 
not continue more than sixty days un-
less an action therefore shall be com-
enced within that time, and any such 
 servant or employe who is employed for 
a definite time and who is discharged 
without cause before expiration of such 
time, may, in addition to the penalties 
prescribed by this act, have an action 
against such employer for any damages 
he may have sustained by reason of such 
wrongful discharge, and such action may 
be joined with an action for unpaid 
wages and penalty.

Read first time, and referred to Judi-
 ciary Committee No. 1.

By Mr. Masterson:

Whereas, The people living in the 
Brazos valley have at last determined to 
open that river for navigation, and are 
now exerting every effort in that direc-
tion; and

Whereas, The opening of said river to 
navigation means a great deal to Texas 
in the way of development; therefore be 
it

Resolved by the House of Representa-
tives, that every Texas Congressman be, 
and is hereby requested to urge upon 
Congress an appropriation sufficient to 
open said river for navigation.

Read, and went to Speaker's table.
COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Committee on State Affairs, to whom was referred  
House bill No. 829, A bill to be entitled  
"An act to diminish the jurisdiction of County Court of Carson county, and declaring 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.
SHELBURNE, Chairman.

Committee Room,  
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Committee on State Affairs, to whom was referred  
House Concurrent Resolution No. 45, Authorizing the Governor to have properly marked and designated the place and point where occurred the massacre of J. W. Fannin, and making an appropriation therefor,  
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.
SHELBURNE, Chairman.

Committee Room,  
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Committee on State Affairs, to whom was referred  
Senate bill No. 317, A bill to be entitled  
"An Act to amend Article 4323, of the Revised Civil Statutes of the State of Texas, relating to the salary of the State Health Officer,"  
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.
SHELBURNE, Chairman.

Committee Room,  
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Committee on Claims and Accounts, to whom was referred  
Senate bill No. 296, A bill to be entitled  
"An Act for the relief of Mary E. Batchelor, widow of James W. Batchelor,"  
Have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.
CHILDS, Chairman.

Committee Room,  
Austin, Texas, May 1, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills, to whom was referred  
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, creating a more efficient system of public roads and bridges for Liberty county; providing for the issuance of bonds by said county for the purpose of constructing permanent public roads; to authorize the investment of the permanent school funds of the State and of said county in such bonds; to prescribe and define the powers and duties of the commissioners court in reference thereto, and to validate public roads heretofore laid out and established in said county."

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

Mcanally, Acting Chairman.

Committee Room,
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 790, A bill to be entitled "An Act to render 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 the said county."

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

Mcanally, Acting Chairman.

Committee Room,
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred House bill No. 647, A bill to be entitled "An Act to amend Article 873, Title XXX, of the Revised Civil Statutes of the State of Texas, and to repeal all laws and parts of laws in conflict therewith."

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 402, A bill to be entitled "An Act granting to the city of Austin a block of land within said city for public free school purposes."

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:30 o'clock a.m., presented the same to the Governor.

LIVSEY, Acting Chairman.

Committee Room,
Austin, Texas, May 2, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 398, 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."

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:30 o'clock a.m., presented the same to the Governor.

LIVSEY, Acting Chairman.
Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:30 o'clock a. m., presented the same to the Governor.

LIVSEY, Acting Chairman.

Committee Room, Austin, Texas, May 2, 1899.

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

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 742, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Coke county, and to conform the jurisdiction of the district court of said county thereto."

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:30 o'clock a. m., presented the same to the Governor.

LIVSEY, Acting Chairman.

Committee Room, Austin, Texas, May 2, 1899.

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

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

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:30 o'clock a. m., presented the same to the Governor.

LIVSEY, Acting Chairman.

Committee Room, Austin, Texas, May 2, 1899.

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

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

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 10:30 o'clock a. m., presented the same to the Governor.

LIVSEY, Acting Chairman.

Committee Room, Austin, Texas, May 2, 1899.

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

Sir: Your Committee on Irrigation, to whom was referred Senate bill No. 297, A bill to be entitled "An Act to amend Article 496, Chapter 2, Title XIII, of the Penal Code of the State of Texas, relating to irrigating canals, wells, reservoirs, etc., and the protection thereof."

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

Masters, Chairman.

THANKS TO CONGRESSMAN BALL.

The Hon. Thomas H. Ball, member of Congress from this State, has presented to the Speaker of the House of Representatives of the Twenty-sixth Legislature, and those who may hereafter fill the position, a volume entitled "Parliamentary Precedents of The House of Representatives of The United States." I desire for myself, and in behalf of those who may succeed me in this position, to express to Mr. Ball my sincere thanks and the thanks of this House for this valuable present. Containing as it does, the rules, practices and precedents of the House of Representatives of the United States Congress, the most popular branch of the most important legislative body in the world, it can but be of great service to the presiding officer and members of this House.

J. S. Sherrill, Speaker.

Austin, Texas, May 2, 1899.

Mr. Smith of Grayson moved to adjourn until 9:30 a. m. tomorrow, and Mr. Goodman to 9 a. m. tomorrow.

Mr. Rochelle moved to take a recess until 8:30 p. m. today, and that the evening session be devoted to consideration of the general appropriation bill.

At 6:10 p. m., on motion of Mr. Smith of Grayson, the House adjourned to 9:30 o'clock a. m. tomorrow.

NINETY-FOURTH DAY.

Hall of the House of Representatives, Austin, Texas, Wednesday, May 3, 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—117.

Adams. Ayers.
Ayres. Barbee.
Barbee. Barbee.
Bean. Beaty.
Beaty. Bean.
Bridgers. Barbee.
Browne. Bailey.
Caldwell. Bailey.
Calvin. Bailey.
Chambers. Bailey.

 roll call.