giving due notice thereof, and their captions had been read severally, the following bills:

Senate bill No. 332, "An Act to provide for the organization of corporations for the purpose of the storage and transportation of oil and gas; to provide the manner and method of organizing such corporations; to prescribe the rights, powers, privileges and duties of such corporations; to authorize such corporations to construct, operate and maintain pipe lines, tanks, buildings, machinery, apparatus and devices as may be necessary; to own, use and occupy lands, buildings, easements and structures; to empower such corporations to condemn lands and other property for the uses and purposes of such corporations, and to provide the method therefor; issue stocks and bonds, and to borrow money and mortgage its franchises and property."

Senate bill No. 316, "An Act to amend Article 4218y, of Chapter 129, Acts of 1897, providing for the sale of isolated and detached lands in certain counties."

Senate bill No. 166, "An Act to amend Article 713, of Chapter 11, Title XXI, of the Revised Civil Statutes of the State of Texas, and to add Article 713a to said Chapter 11, Title XXI, of said Revised Civil Statutes of the State of Texas, relating to the purposes for which private corporations may be created."

COMMITTEE REPORTS.

Committee Room, Austin, Texas, May 10, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Judiciary Committee No. 2, to whom was referred Senate bill No. 322, A bill to be entitled "An Act to prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violate the terms of this act, and to authorize the institution of prosecutions and suits 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.

PITTS, Acting Chairman.

Committee Room, Austin, Texas, May 10, 1899.
Hon. J. S. Sherrill, Speaker of the House of Representatives.

Sir: Your Committee on Constitutional Amendments, to whom was referred

House Joint Resolution No. 34, A resolution to amend Section 5, Article 10, of the Constitution of the State of Texas," 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.

POWELL, Chairman.

Committee Room, Austin, Texas, May 10, 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. 639, A bill to be entitled "An Act to authorize the mayor and city council of the city of Alvin to issue $5000 in city bonds, to sell the same to the highest bidder, and to redeem certain outstanding warrants, prescribing the rate of interest such bonds shall draw, providing for raising the annual interest, the creation of a sinking fund, etc."

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. Schulte in the chair.)
Mr. Tarver moved to adjourn until 9 a. m. tomorrow.
Mr. Palmer moved to take a recess until 9:30 p. m. today.
Question recurring on the longest time first, the motion prevailed, and the House, at 6 p. m., adjourned until 9 o'clock a. m. tomorrow.

ONE HUNDREDTH DAY.

Hall of the House of Representatives, Austin, Texas, Thursday, May 11, 1899.

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

Speaker Sherrill in the chair.

Roll called, and the following members present:

Present—118.

Adams. Caldwell.
Allen of Hopkins. Calvin.
Ayers. Chambers.
Bailey. Childers.
Barbee. Childs.
Barrett. Clements.
Pean. Cocke.
Beaty. Cole.
Bennett. Collins.
Blount. Conoly.
Bolin. Crawford.
Bridgers. Cross.
Mr. Barrett until next Monday, on motion of Mr. Howard.

Mr. Teague until next Monday, on motion of Mr. Sansom.

Mr. Dies until next Monday, on motion of Mr. Hamilton.

SPEAKER'S TABLE.

The Speaker laid before the House, as pending business, on its passage to a third reading:

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," with amendment by Mr. Powell and amendment by Mr. Morrow to the amendment pending.

(Mr. Schluter in the chair.)

The amendment to the amendment was adopted.

Question then recurred on the amendment as amended, and Mr. Powell asked consent of the House to withdraw his amendment as originally offered, and substitute in lieu thereof the following:

"Amend Section 3, on page 2, line 20, of printed bill by inserting after the word 'conflict' the following: 'Exclusive of any excess there may be in each of said school sections; and by inserting after the word 'block,' in line 28, the words 'without considering the excess in each school section'; and by inserting after the word 'conflict,' in line 29, the words 'not including any excess there may be in each school section, nor to give any individual any more than their respective total complements by reason of such re-survey.' Amend by inserting after the word 'survey,' in line 17, page 2, the words 'unless there is an excess, in which case the excess shall go to the school survey.'"

Objection to the withdrawal was made, and Mr. Murphy moved that permission be granted.

On the motion of Mr. Murphy, yeas and nays were demanded by Mr. Childers, Mr. Blount and Mr. Graham.

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

The House permitted the withdrawal and substitution by the following vote:

Yea—47.

Ayers. Dean.
Barrett. Decker.
Bridgers. Derden.
Caldwell. Goodlett.
Chambers. Goodman.

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The question then recurred on the amendment by Mr. Powell as substituted and amended, and it was adopted.

On passage of the bill to a third reading, yeas and nays were demanded by Mr. Robertson of Harrison, Mr. Cole and Mr. Henderson of Lamar.

The bill was passed to a third reading by the following vote:

**Yeas—51.**

Allen of Hopkins.  
Ayers.  
Bridge.  
Brown.  
Crawford.  
Chambers.  
Conoly.  
Crawford.  
Dean.  
Decker.  
Pfeuffer.  
Derril.  
Ellis.  
Garner.  
Garrett.  
Greenwood.  
Grogan.  
Hamilton.  
Henderson, Brazos.  
Jones.  
Kittrell.  
Lanc.  
Little.  
Marsh.  
Maxwell.  
McFarland.  
McKamy.

**Nays—44.**

Allen of Hopkins.  
Ayers.  
Bridge.  
Brown.  
Crawford.  
Chambers.  
Conoly.  
Crawford.  
Dean.  
Decker.  
Pfeuffer.  
Derril.  
Ellis.  
Garner.  
Garrett.  
Greenwood.  
Grogan.  
Hamilton.  
Henderson, Brazos.  
Jones.  
Kittrell.  
Lanc.  
Little.  
Marsh.  
Maxwell.  
McFarland.  
McKamy.

**Absent.**

Adams.  
Barbee.  
Bean.  
Beatty.  
Blount.  
Caldwell.  
Childers.  
Collins.  
Culp.  
Ellis.  
Garrett.  
Gill.  
Lane.  
Masterson.  
McFarland.

**Absent—Excused.**

Alley.  
Bennett.  
Bolin.  
Childs.  
Collins.  
Culp.  
Eckols.  
Ellis.  
Garrett.  
Gill.  
Lane.  
Masterson.  
McFarland.

**Absent.**

Adams.  
Allen of Colorado.  
Bailey.  
Barrett.  
Bennett.  
Bolin.  
Childs.  
Collins.  
Cross.
SANsom.    Shelburne.
Savage.    Smith of Grayson.
Scurry.    Staples.
Shannon.   Weless.

Absent—Excused.

Dues.       Striping.
Dorroh.     Teagle.
Frost.      Wright.

Mr. Peery moved to reconsider the vote by which Substitute Senate bill No. 298 was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 5, A bill to be entitled "An Act to amend Chapter 4, Title VII, of the Code of Criminal Procedure of the State of Texas, by adding thereto Articles 525a, providing for the issuance of process for witnesses residing in the county before the meeting of the district court, to testify before the grand jury."

Whereupon, Mr. Vaughan called up Substitute House bill Nos. 30, etc., relating to public weighers, with Senate amendment. The bill was laid before the House, and the Senate amendment was read.

On motion of Mr. Vaughan the House concurred in the Senate amendment.

The House resumed consideration of the pending business, same being Senate bill No. 5, on its third reading and final passage.

Read third time, and

Mr. Crawford offered the following amendment to the bill:

"Amend the bill by adding after the word 'jury,' line 1, page 2: 'When the witness makes oath that he cannot give surety, the officer executing the attachment shall take his personal bond.'"

Mr. Morrow offered the following substitute for the amendment:

"Amend by striking out the word 'attachment,' in line 31, page 1, and insert in lieu thereof the word 'subpoena.'"

Mr. Phillips of Lampasas moved the previous question, and the motion was not seconded.

The substitute was lost.

The amendment by Mr. Crawford was adopted.

The bill was passed.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 293, A bill to be entitled "An Act to define and punish unjust discrimination by officers, agents, servants and employees, and receivers, their officers, servants, agents and employees, of railroad companies in this State."

On motion of Mr. Browne pending business was suspended to take up, and place on its second reading and passage to a third reading.

Senate bill No. 350, A bill to be entitled "An Act to provide for the purchase of one hundred acres of land, known as the Magnus T. Habermehl homestead, in the Arthur McCormick league, in order that the State of Texas may own and preserve the San Jacinto battle grounds."

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

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

Yea's and nay's were demanded by Mr. Shropshire, Mr. Morrow and Mr. Lillard.

The bill was passed to a third reading by the following vote:

Yeas—57.
Barbee.             McKamy.
Barrett.           Meitzen.
Beaty.             Monroe.
Brownne.           Murphy.
Caldwell.         Nolan.
Chambers.         Oliver.
Chilids.           Palmer.
Clements.         Parish.
Cocke.            Peery.
Collins.         Pfeuffer.
Cross.            Prince.
Culp.             Russel.
Dean.             Sansom.
Deckor.          Scurry.
Eckols.            Smith of Collin.
Goodlett.       Staples.
Grogon.          Tarkington.
Henderson, Brazos.              Tarver.
Jones.           Tate.
Kittrell.        Tompkins.
Lane.              Tucker.
Lillard.         Vaughan.
Little.           Walton.
Liskey.          Willrodt.
Maxwell.         Wooten.
McClellan.    McClellan.

Adams.          Lake.
Ayers.          Looney.
Bean.            Loyd.
Calvin.            McKellar.
Cole.             Morrow.
Conoly.       Murray.
Derdon.       Phillips of Camp.
Goodman.      Pitts.
Gordon.         Poole.
Graham.           Powell.
Greenwood.     Ratcliff.
Hamilton.   Robertson, Harrison.
Howard.          Shelburne.
Hurley.     Shropshire.
Smith of Grayson. Thomas of Wise. of Texas, relating to the abolition of municipal corporations."

Stewart. Thomas of Fannin.

Sutherland. Tolbert. The bill was laid before the House, was read second time, and was passed to a third reading.

Terrell. Wells.

Absent.


Bolton. McAulay.

Bridgers. Mercer.

Childers. Nef.

Evans. Rogers.

Garner. Savage.

Garrett. Shannon.

Gill. Robertson of Bell.

Grubbs. Willacy.

Absent—Excused.

Dies. Stripling.

Doroh. Teagle.

Frost. Wright.

On motion of Mr. Thomas of Wise pending business was suspended to take up, and place on its second reading and passage to a third reading.

Senate bill No. 183, A bill to be entitled "An Act to amend Articles 3972, 3973, 3973c, 3974 (1) and (2), 3976e, 3980, Chapter 13, Title LXXXVI, Revised Statutes, 1895, relating to boards of examiners and teachers."

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

Mr. Thomas of Wise offered the following amendment:

"Amend page 3, line 26, by striking out 'general history' and inserting 'elements of mental and moral science.'"

Mr. Livsey offered the following substitute for the amendment:

"Amend by adding after 'general history,' 'psychology as applied to teaching.'"

Lost.

Mr. Grogan offered the following substitute for the amendment:

"Amend the bill by adding the subjects of 'mental and moral science.'"

Accepted.

After consideration by the House, Mr. Smith of Grayson moved the previous question, and the main question was ordered.

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

The bill was passed to a third reading.

On motion of Mr. Barbee pending business was suspended to take up, and place on its second reading and passage to a third reading.

Senate bill No. 125, A bill to be entitled "An Act to amend Article 617b, Chapter 12, Title XVIII, Revised Civil Statutes of Texas, relating to the abolishment of municipal corporations."

Mr. Barbee moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 125 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yea—89.

Adams. McDowell.

Allen of Hopkins. McKamy.

Ayers. McKellar.

Bailey. Meitzen.

Barbee. Monroe.

Barrett. Morrow.

Bean. Murphy.

Beaty. Murray.

Blount. Nef.

Bolin. Nolan.

Browne. Palmer.

Caldwell. Parish.

Calvin. Pfeuffer.


Childers. Phillips of Camp.

Clements. Pitts.

Cooke. Poole.

Cole. Powell.

Collins. Prince.

Conoly. Ratliff.

Crawford. Robertson, Harrison.

Cross. Robertson of Bell.

Decker. Russell.

Derden. Sansom.

Eckols. Savage.

Ellis. Shannon.

Garner. Shuburne.

Goodlett. Shropshire.

Goodman. Smith of Grayson.

Gordon. Staples.

Graham. Sutherland.

Hamilton. Tarkington.

Howard. Tate.

Hurley. Terrell.

Jones. Thomas of Wise.

Kennedy. Thomas of Fannin.

Kittrell. Tolbert.

Lake. Tompkins.

Lane. Vaughan.

Lillard. Walton.

Little. Wells.

Livesey. Wheless.

Lloyd. Willrod.

McClellan. Wooten.

Nays—8.

Culp. Henderson, Brazos.

Dean. Marsh.

Garrett. Rochelle.

Grogan. Smith of Collin.

Present and declining to vote.

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Absent.

Allen of Colorado. McAnally.
Bennett. McFarland.
Bridgers. Mercer.
Childs. Morris.
Evans. Oliver.
Gill. Peery.
Greenwood. Rogers.
Grubbs. Scurry.
Henderson, Lamar. Stewart.
Leoney. Tucker.
Maxwell. Willacy.

Absent—Excused.

Dies. Stripling.
Dorroh. Teagle.
Frost. Wright.

Senate bill No. 125 laid before the House on its third reading and final passage.

Read third time, and passed.

Mr. Terrell moved to reconsider the vote by which Senate bill No. 125 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Robertson of Bell, pending business was suspended to take up, on its second reading and passage to a third reading, 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."

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

Mr. Robertson of Bell offered the following amendments:

(1) "Amend page 2, line 2, by adding the following, "provided, that said condemnation shall not apply to lands on which churches and dwellings and cemeteries are located.""

On motion of Mr. Wooten, the amendment was tabled.

The bill was passed to a third reading.

Mr. Robertson of Bell moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 318 be put on its third reading and final passage.

The motion prevailed by the following vote:

Allen of Hopkins. McKellar.
Ayers. Meitzen.
Barrett. Monroe.
Beaty. Morrow.
Bount. Murray.
Bolin. Neff.
Browne. Nolan.
Caldwell. Oliver.
Calvin. Parish.
Chambers. Phillips.
Childers. Lampasas.
Childs. Phillips of Camp.
Cole. Pitts.
Poole.
Conoly. Powell.
Cross. Prince.
Culp. Ratliff.
Dean. Robertson of Bell.
Decker. Rochelle.
Derden. Russell.
Ellis. Sansom.
Garrett. Shannon.
Goodlett. Shelburne.
Goodman. Shropshire.
Gordon. Smith of Grayson.
Graham. Smith of Collin.
Grogan. Staples.
Hamilton. Stewart.
Henderson, Lamar. Sutherland.
Howard. Tarkington.
Hurley. Tate.
Jones. Terrell.
Kittrell. Thomas of Wise.
Lake. Thomas of Fannin.
Lank. Tolbert.
Lillard. Tompkins.
Little. Vaughan.
Loyd. Walton.
Marsh. Wells.
Masterson. Whelans.
McAnally. Willacy.
McClain. Willrodt.
McDowell. Wooten.

Nays—1: Bean.
Absent.
Allen of Colorado. Livsey.
Bailey. Looney.
Barbee. Maxwell.
Bennett. McFarland.
Bridgers. Mercer.
Clements. Morris.
Cooke. Murphy.
Collins. Palmer.
Crawford. Peery.
Eckols. Pfeuffer.
Evans. Robertson, Harrison.
Gill. Rogers.
Greenwood. Scurry.
Grubbs. Tarver.
Henderson, Brazos. Tucker.
Kennedy. Absent—Excused.
Dies. Stripling.
Dorroh. Teagle.
Frost. Wright.

Senate bill No. 318 laid before the House on its third reading and final passage.
Read third time, and passed by the following vote:

Yeas—87.
Allen of Hopkins. Maxwell.
Ayers. McAnally.
Beaty. McClellan.
Blount. McDowell.
Bolin. McKamy.
Browne. McKellar.
Caldwell. Meitzen.
Calvin. Monroe.
Chambers. Morrow.
Childs. Murray.
Clements. Neff.
Coke. Nolan.
Cole. Oliver.
Conoly. Palmer.
Cross. Parish.
Culp. Peery.
Dean. Pfeuffer.
Eckols. Phillips of Camp.
Ellis. Pitts.
Garner. Poole.
Garrett. Powell.
Goodlett. Prince.
Goodman. Ratcliff.
Gordon. Robertson, Harrison.
Hamilton. Robertson of Bell.
Henderson, Lamar. Robertson of Bell.
Howard. Russell.
Hurley. Sansom.
Jones. Shannon.
Kittrell. Sheburne.
Lake. Smith of Grayson.
Lane. Staples.
Lillard. Stewart.
Little. Sutherland.
Loyd. Tarkington.
Marah. Tate.
Masterson. Terrell.

Nays—4.
Adams. Childers.
Dean. Graham.

Mr. Robertson of Bell moved to reconsider the vote by which Senate bill No. 318 was passed, and to table the motion to reconsider.
The motion to table prevailed.
The Speaker laid before the House, as pending business, on its passage to a third reading.

Senate bill No. 209, A bill to be entitled "An Act to amend Article 5060g, of Chapter 1a, of Title CIV, of the Revised Civil Statutes, relating to the regulation of the sale of intoxicating liquors, and proposing to insert the word 'knowingly' in the statute wherever the dealer in intoxicating liquors is prohibited from selling to certain persons," with amendment by Mr. Powell pending.

Mr. Wooten offered the following substitute for the amendment:
"Amend by striking out the word 'knowingly' wherever it occurs except in line 23, page 2, and further amend by striking out all from the word 'provided,' in line 24, page 2, to the word 'bond,' in line 26, page 4, and insert in lieu thereof the following, provided, that in all suits for violation of the conditions of the bonds herein required, whether prosecuted at the instance of the State or of any person entitled to maintain such suits, proof that the sale was made to a minor, husband or habitual drunkard in good faith and with the belief that the person to whom the sale was made was not in fact such prohibited person, and that
there was good ground for such belief, shall be a valid defense to any recovery on such bond.

Mr. Smith of Grayson moved the previous question, and the motion was not seconded.

Mr. Blount moved to table the substitute.

Upon the motion to table, yeas and nays were demanded by Mr. Blount, Mr. Lloyd and Mr. Kittrell.

The motion to table was lost by the following vote:

Yeas—21.

Blount, Monroe.
Chambers, Morrow.
Collins, Palmer.
Graham, Powell.
Grogan, Sansom.
Henderson, Lamar.
Lake, Terrell.
Lillard, Tolbert.
Little, Vaughan.
Maxwell, Wells.
McAnally, Monroe.

Nays—72.

Adams.
Allen of Hopkins, Meitzen.
Ayers, Morris.
Bailey, Murphy.
Barbee, Neff.
Barrett, Nolan.
Bean, Oliver.
Beaty, Parish.
Bolin, Peery.
Caldwell, Pfeuffer.
Calvin, Phillips, Lampassas.
Childs, Phillips of Camp.
Clements.
Cole, Pitts.
Conoly, Poole.
Culp, Prince.
Dean, Ratcliff.
Derden, Robertson, Harrison.
Eckols, Robertson of Bell.
Ellis, Rochelle.
Evans, Russell.
Garner, Savage.
Garrett, Shannon.
Goodman, Shropshire.
Gordon, Smith of Grayson.
Hamilton, Staples.
Howard, Stewart.
Jones.
Kennedy, Tarkington.
Kittrell, Thomas of Wise.
Lane.
Livesay, Thomas of Fannin.
Loyd.
Marsh.
McKamy.
McKellar.

Absent.

Allen of Colorado, Bridgers.
Bennett, Browne.
Childers.
Cooke.
Crawford.
Cross.
Decker.
Gill.
Goodlett.
Greenwood.
Grubbs.
Henderson, Brazos.
Hurley.

Looney.
McClellan.
McDowell.
McFarland.
Merceer.
Rogers.
Scarry.
Sheburne.
Smith of Collin.
Tarver.

Absence—Excused.

Dye.
Stripling.
Dorroh.
Teagle.
Frost.
Wright.

Mr. Powell offered the following resolution:

Whereas, The anti-trust bill is preeminently the most important bill before the Twenty-sixth Legislature; therefore, be it

Resolved, That Senate bill No. 323 be made the special order for today at 3 o'clock p. m., and the consideration thereof be continued until finished.

[Signed "POWELL."
"PITTS."]

The resolution was read second time, Whereupon, Mr. Rochelle moved to take a recess until 2:30 p. m. today, Mr. Vaughan until 3 p. m. today, and Mr. Monroe until 2 p. m. today.

BILLS INTRODUCED.

By Mr. Sansom and Mr. Little:

House bill No. 838, A bill to be entitled "An Act to amend Article 3994, Chapter 15, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the incorporation of towns and villages for free school purposes only."

(The bill changes the requirements as shown in Article 3994 from 200 inhabitants to 100 inhabitants, and the territory to be incorporated from sixteen to twenty-five square miles.)

Read first time, and referred to Committee on Education.

By Mr. Ayers and Mr. Stewart:

House bill No. 839, A bill to be entitled "An Act to define and reorganize the Seventeenth and Forty-eighth Judicial Districts of the State of Texas, to regulate the proceedings therein, and to provide for the election of judges thereof, and to fix the time of holding court therein, and to repeal all laws and parts of laws in conflict with this act, and to provide for the election of the judges of each of said districts by all the qualified voters of Tarrant county."

Read first time, and referred to Committee on Judicial Districts.
By Mr. Decker:
House bill No. 840, A bill to be entitled
"An Act to restore the criminal and civil jurisdiction of the County Court of Hartley county."
Read first time, and referred to Committee on State Affairs.

COMMITTEE REPORT.

Committee Room,
Austin, Texas, May 11, 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. 111, A bill to be entitled "An Act making appropriations for the support of the State government for the two years beginning March 1, 1899, and ending February 28, 1901, and for other purposes," have carefully examined said bill and find the same correctly engrossed.
McANALLY, Acting Chairman.
Mr. Rochelle moved to take a recess until 2:30 p.m. today, Mr. Vaughan until 3 p.m. today, and Mr. Monroe until 2 p.m. today.

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

SPEAKER'S TABLE.
The Speaker laid before the House, as pending business, on its passage to a third reading, Senate bill No. 209, A bill to be entitled "An Act to amend Article 5060g, of Chapter 1a, of Title CIV, of the Revised Civil Statutes, relating to the regulation of the sale of intoxicating liquors, and proposing to insert the word "knowingly" in the statute wherever the dealer in intoxicating liquors is prohibited from selling to certain persons," with amendment by Mr. Powell and substitute by Mr. Wooten for the amendment pending.
(Mr. Schluter in the chair.) Mr. Ellis moved the previous question, and the motion was not seconded.
Mr. Powell, by consent, withdrew his amendment.

"Amend the bill by striking out the enacting clause."
Mr. Kennedy moved the previous question, and the main question was ordered.
Question first recurred on the amendment by Mr. Blount, upon which yeas and nays were demanded by Mr. Blount, Mr. Smith of Collin and Mr. Wells.
The amendment was adopted by the following vote, which killed the bill:

Yeas—60.
Adams. Livey.
Allen of Hopkins. Loyd.
Barbee. Marsh.
Beatty. McAnally.
Bennett. McClellan.
Blount. Mercer.
Browne. Monroe.
Calvin. Morris.
Chambers. Neff.
Childers. Palmer.
Cole. Peery.
Crawford. Pool.
Dean. Powell.
Decker. Ratcliff.
Eckols. Rochelle.
Evans. Russell.
Goodman. Sansom.
Graham. Savage.
Grogan. Shelburne.
Hamilton. Smith of Collin.
Henderson, Brazos. Sutherland.
Henderson, Lamar. Terell.
Howard. Thomas of Fannin.
Hurley. Tolbert.
Kittrell. Tompkins.
Lake. Vaughn.
Lillard. Wells.
Little. Willacy.

Nays—35.
Bailey. Murphy.
Barrett. Murray.
Bean. Nolan.
Caldwell. Parish.
Childs. Pitts.
Clements. Prince.
Cocke. Robertson, Harrison.
Ellis. Robertson of Bell.
Garrett. Shannon.
Goodlett. Shropshire.
Jones. Smith of Grayson.
Kennedy. Staples.
Lane. Tarver.
Looney. Thomas of Wise.
McKamy. Walton.
McKellar. Whaleless.
Meitzen. Willrodt.

Absent.
Ayers. Cross.
Bolin. Culp.
Mr. Blount moved to reconsider the vote by which Senate bill No. 209 was killed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Looney, pending business was suspended to take up and place on its second reading and passage to a third reading.

Senate bill No. 76, A bill to be entitled "An Act to prevent the sale of cigarettes and tobacco to persons under the age of sixteen years, and to prescribe a penalty for the violation of the same."

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

Mr. Tarver offered the following amendment:

"Strike out '16' and insert '14 years.'"

Tabled on motion of Mr. Decker.

Mr. Kittrell offered the following amendment:

"Amend by inserting after the word 'guardian,' in line 21, the words 'of such minor.'"

Adopted.

Mr. Shropshire offered the following amendment:

"Amend by adding at the end of Section 1 the following, 'any boy under the age of 16 years who shall buy or offer to buy any cigarettes or tobacco of any kind shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding ten dollars.'"

Mr. Blount moved to table the amendment, upon which yeas and nays were demanded by Mr. Shropshire, Mr. Chambers and Mr. Barbee.

Tabled by the following vote:

Yea-82.

Yeas:
Adams.
Allen of Hopkins.
Ayers.
Barbee.
Barrett.
Blist.
Brown.
Caldwell.
Calvin.
Dean.
Decker.
Eckols.
Ellis.
Evans.
Garrett.
Gordon.
Graham.
Grogan.
Hamilton.
Henderson, Lamar.
Howard.
Hurl.
Jones.
Kennedy.
Kittrell.
Lake.
Lillard.
Little.
Lively.
Looney.
Loyd.
Marsh.
McAnally.
McClellan.
McKamy.
Monroe.
Neff.
Oliver.
Palmer.
Nays:
Bailey.
Bean.
Beatty.
Bennett.
Cocke.
Goodlett.
Henderson, Brazos.
Henderson, Lamar.
Henderson, Lufkin.
Henderson, Madison.
Henderson, Titus.
Henderson, Yoakum.
Jackson.
Johnson.
Johnson of Austin.
Johnson of Trinity.
Johnson of Williamson.
Johnson, Denton.
Johnson, San Saba.
Johnson, Travis.
Johnson, Waco.
Johnson, Williamson.
Johnson, Walker.
Johnson, Washington.
Johnson, Wharton.
Johnson of Brazos.
Johnson of Bexar.
Johnson of Nueces.
Johnson of Smith.
Johnson of Uvalde.
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Johnson of Williamson.
Mr. Childers offered the following substitute for the amendment:

"Amend the bill by inserting the following, 'provided, that this act shall apply to all minors.'"

Mr. Rochelle moved the previous question on the amendments, and the main question was ordered.

Question first recurred on the amendment by Mr. Childers, and it was lost.

The amendment by Mr. Morrow was lost.

Mr. Phillips of Lampasas offered the following amendment:

"Section 3. That the large amount of business remaining to be disposed of before the final adjournment of this session, creates an imperative public necessity and emergency which authorizes the suspension of the constitutional rule requiring bills to be read on three several days, and this act take effect and be in force from and after its passage, and it is so enacted."

[Signed "PHILLIPS of Lampasas, "KENNEDY."]

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

Question first recurred on the amendment, and it was adopted.

The bill was passed to a third reading.

Mr. Looney moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 76 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:


Ayers

Barbee

Barrett

Bean

Bennett

Blount

Bridgers

Browne

Calwell

Calvin

Chambers

Childers

Cocke

Cole

Collins

Conoly

Crawford

Cross

Culp

Dean

Decker

Ellis

Evans

Goodman

Gordon

Graham

Grogan

Hamilton

Henderson, Lamar

Jones

Kennedy

Kittrell

Lake

Lillard

Little

Looney

Looney

Loyd

Marsh

Maxwell

McAnally

McClennan

McKamy

Morrow

Nolan.

Oliver.

Palmer.

Parish.

Peery.

Phillips, Lampasas.

Phillips of Camp.

Poole.

Powell.

Ratcliff.

Robertson, Harrison

Tucker.

Robertson of Bell.

Rochelle.

Sansom.

Saxton.

Savoy.

Scourry.

Shannon.

Sheburne.

Scurry.

Sulivan.

Savoy.

Scurry.

Saxton.

Saxton.

Saxton.

Scurry.

Saxton.

Snaffles.

Scurry.

Saxton.

Saxton.

Scurry.

Saxton.

Saunder.

Scurry.

Saxton.

Saunder.

Scurry.

Saxton.

Saunder.

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Scurry.
May 11, 1899

**HOUSE JOURNAL.**

| Yeas | 93 |

"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."

House bill No. 334, A bill to be entitled "An Act to authorize admission to record and evidence in the courts of this State of duly certified copies of all deeds and other instruments of conveyances of land which have been duly registered or recorded in other States, or in the Republic of Mexico, but which laws of such States or of the Republic of Mexico require to be retained in the deed or notarial archives of such States, or of said Republic of Mexico, and to give such instruments like effect, as notice and proof, as is given by deeds executed in this State, and to declare an emergency," with amendments.

Also the Senate requests the House to return to the Senate Substitute Senate bill No. 65.

J. P. Pool,
Secretary of the Senate.

On motion of Mr. Cooke, pending business was suspended for the purpose of taking up and passage to a third reading.

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."

The bill was laid before the House.

**SPECIAL ORDER FIXED.**

Mr. Bailey moved that pending business be suspended for the purpose of taking up Senate bill No. 328, the anti-trust bill, to make it a special order for 10 a.m. tomorrow.

Mr. Smith of Collin moved to substitute for the above motion that said bill be made a special order for 4 o'clock p.m. today.

Mr. Bailey accepted the substitute, and the motion as substituted prevailed.

The House resumed consideration of the pending business, same being Senate bill No. 284, on its second reading, and it was read second time.

The bill was passed to a third reading.

Mr. Sherrill moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that Senate bill No. 284 be put on its third reading and final passage.

The motion prevailed by the following vote:

- Adams.
- Allen of Hopkins.
- Bailey.
- Barret.
- Bean.
- Beaty.
- Bennett.
- Bolin.
- Bridges.
- Browne.
- Caldwell.
- Calvin.
- Chambers.
- Childers.
- Clements.
- Cocke.
- Cole.
- Collins.
- Conoly.
- Crawford.
- Cross.
- Culp.
- Dean.
- Decker.
- Eckols.
- Ellis.
- Evans.
- Garner.
- Garrett.
- Goodlett.
- Goodman.
- Gordon.
- Graham.
- Greenwood.
- Grogan.
- Hamilton.
- Howard.
- Hurley.
- Jones.
- Kennedy.
- Kittrell.
- Lake.
- Lane.
- Lillard.
- Little.
- Livsey.

- Absent.

- Allen of Colorado.
- Ayers.
- Barbee.
- Childs.
- Derden.
- Gill.
- Grubbs.
- Henderson, Brazos.
- Henderson, Lamar.
- Henderson, Lampasas.
- Henderson, Pitts.
- Masterson.
- McClellan.
- McDowell.
- McFarland.
- Dies.
- Dorroh.
- Frost.

- Absent—Excused.

- Dokes.
- Leagle.
- Wright.

- Yeas—93.
Senate bill No. 284 laid before the House on its third reading and final passage.

Read third time, and passed.

Mr. Rochelle moved to reconsider the vote by which Senate bill No. 284 was passed, and to table the motion to reconsider.

The motion to table prevailed.

**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 several times, the following bills:

- Senate bill No. 78, "An Act to validate patent No. 146, Volume 15, issued to A. J. Gray, to 426 acres of land in Comanche county, Texas."
- Senate bill No. 8, "An Act to amend Article 1333, of the Revised Civil Statutes, relating to the submission of special issues to the jury."
- House bill No. 808, "An Act to amend Section 1 of an Act granting permission to B. F. Gohlson and J. W. Benson, or their assigns, to bring suit against the City of Waco, to ascertain the amount, if any, due them for services rendered the State of Texas as rangers or soldiers, passed on the 13th day of March, 1899, and became a law on the 24th day of March, 1899."
- House bill No. 538, "An Act to amend an act entitled 'An Act to incorporate the city of Waco, and to define its boundaries and powers,' approved February 19, 1889."

House bill No. 720, "An Act to amend Article 4902, Chapter 15, Title LXXXVI, of the Revised Civil Statutes, 1895, with reference to the collection of taxes in independent school districts incorporated for free school purposes only."

House bill No. 719, "An Act to amend Articles 2941, 2945, 2946, 2948 and 2949, Title LIV, of the Revised Statutes of the State of Texas, and to repeal Articles 2942, 2943, 2944, 2947 and 2950, Title LIV, of the Revised Statutes of the State of Texas, so as to place the House of Correction and Reformatory under the management and control of the Governor and Board of Penitentiary Commissioners of the State of Texas, to repeal all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

Substitute House bill Nos. 160, 501 and 574, "An Act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors and their widows, under certain conditions, and to make an appropriation therefor."

House bill No. 679, "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, and making county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of the commissioners courts of said counties, and fixing a penalty for the violation of this act, and to repeal all laws in conflict with this act."

House bill No. 107, "An Act to amend Article 3909a, Title LXXXVI, Chapter 7, of the Revised Civil Statutes of the State of Texas of 1895, relating to the course of study taught in the public schools of Texas."

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

- House Joint Resolution No. 35, Amending Article 8, of the Constitution of the State of Texas, by adding thereto Section 29, providing for the organization of irrigation districts, and for the levying and collection of a tax for the construction of reservoirs, dams and canals.

The resolution was laid before the House, read third time, and was passed by the following vote:

Yeas—98.

- Adams
- Goodlett
- Allen of Hopkins
- Gordon
- Ayers
- Greenwood
- Bailey
- Grogan
- Barbes
- Hamilton
- Barrett
- Henderson, Brazos
- Bean
- Howard
- Beaty
- Hurley
- Bennett
- Jones
- Blount
- Kittrell
- Bolin
- Lake
- Bridgers
- Lane
- Browne
- Lamm
- Caldwell
- Lasser
- Calvin
- Little
- Chambers
- Livesey
- Childs
- Looney
- Clements
- Loyd
- Cock
- Maxwell
- Cole
- Meany
- Conoly
- McClellan
- Cross
- McKamy
- Dean
- McKellar
- Eckols
- Meitzen
- Ellis
- Mercer
- Evans
- Monroe
- Garner
- Morris
"I vote 'ayre' on the assurance that the expenses of advertising will not have to be paid by the State. The president of the City National Bank of Wichita Falls has, by letter and telegram and through their Representative, Judge Scurry, assured the House of Representatives that he had two thousand dollars deposited in said bank to pay for advertising said amendment to be voted on at next general election.

"BEATTY."

On motion of Mr. Allen of Hopkins the regular order of business was suspended to take up, on its second reading, Senate Concurrent Resolution No. 20, relating to authorizing the Governor to take steps toward collecting certain claims of the State of Texas against the United States government. The resolution was laid before the House, was read second time, and adopted.

Yeas—60.

Bailey. 
Barrett. 
Bennett. 
Bolin. 
Bridgers. 
Brown. 
Caldwell. 
Chambers. 
Clements. 
Cocke. 
Collins. 
Culp. 
Decker. 
Garner. 
Garrett. 
Goddett. 
Goodman. 
Greenwood. 
Hamilton. 
Howard. 
Hurley. 
Jones. 
Kittrell. 
Lane. 

Yeas—3.

Childers. 
Culp. 

Absent—Excused.

Doe. 
Dorothy. 
Frost. 

Yeas—3.

Allen of Colorado. 
Collins. 
Crawford. 
Decker. 
Garrett. 
Gill. 
Graham. 
Grubbs. 
Henderson, Lamar. 

Yeas—3.

Allen of Hopkins. 
Collins. 
Crawford. 
Decker. 
Garrett. 
Gill. 

Mr. Monroe, for the committee on part of the House, submitted the following report:

Committee Room, 
Austin, Texas, May 11, 1899.

Hon. J. S. Sherrill, Speaker of the House of Representatives, and Hon. Jas. N. Browning, President of the Senate.

Sirs: Your Free Conference Committee, appointed on the part of the Senate and the House to adjust the differences between the two houses on Senate bill No. 175, beg to recommend that the House recede from House amendment No. 2, and that the House adhere to amendments Nos. 1, 3 and 4, and that the Senate concur in the same.

Respectfully submitted,

MONROE, 
GARNER, 
TATE, 
MORROW, 

On part of the House.

GOSS, 
DAVIDSON, 
BURNS, 

On part of the Senate.

The report was read, and Mr. Monroe moved that it be adopted. After consideration by the House, Mr. Kennedy moved the previous question, and the main question was ordered.

Yeas and nays were demanded by Mr. Childers, Mr. McAnally and Mr. Pitts. The report was adopted by the following vote:

Yeas—60.

Bailey. 
Barrett. 
Bennett. 
Bolin. 
Bridgers. 
Brown. 
Caldwell. 
Chambers. 
Clements. 
Cocke. 
Collins. 
Culp. 
Decker. 
Garner. 
Garrett. 
Goodlett. 
Goodman. 
Greenwood. 
Hamilton. 
Howard. 
Hurley. 
Jones. 
Kittrell. 
Lane. 

Nays—3.

Childers. 
Culp. 

Absent.

Allen of Colorado. 
Collins. 
Crawford. 
Decker. 
Garrett. 
Gill. 
Graham. 
Grubbs. 
Henderson, Lamar. 

Yeas—60.

Bailey. 
Barrett. 
Bennett. 
Bolin. 
Bridgers. 
Brown. 
Caldwell. 
Chambers. 
Clements. 
Cocke. 
Collins. 
Culp. 
Decker. 
Garner. 
Garrett. 
Goodlett. 
Goodman. 
Greenwood. 
Hamilton. 
Howard. 
Hurley. 
Jones. 
Kittrell. 
Lane. 

Nays—3.

Childers. 
Culp. 

Absent.
Sevury. Tucker.
Shelburne. Walton.
Staples. Whelless.
Sutherland. Wilacy.
Tate. Willrodt.
Terrell. Wooten.

Nays—49.

Adams. Little.
Allen of Hopkins. Loyd.
Ayers. McAnally.
Barbee. Neff.
Beeey. Nolan.
Beaut. Palmer.
Blount. Pitts.
Calvin. Powell.
Children. Prince.
Childs. Robertson, Harrison.
Cole. Rochelle.
Conoly. Sansom.
Crawford. Savage.
Cross. Shannon.
Dean. Shropshire.
Eckols. Smith of Grayson.
Ellis. Smith of Collin.
Evans. Stewart.
Gordon. Tarkington.
Grogan. Thomas of Wise.
Henderson, Brazos. Thomas of Fannin.
Henderson, Llamar. Tolbert.
Kennedy. Tompkins.
Lake. Wells.
Lillard. Absent.

Allen of Colorado. Masterson.
Gill. Ratliff.
Graham. Rogers.
Grubbs. Tarver.
Looney. Vaughan.

Absent—Excused.

Dies. Stripling.
Dorrah. Teagle.
Frost. Wright.

Mr. Monroe moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, as special order for the hour, on its second reading and passage to a third reading, Senate bill No. 323, A bill to be entitled “An Act to prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles: to prevent the formation or operations of pools, trusts, monopolies and combinations of charters of corporations that violate the terms of this act, and to authorize the institution of prosecution and suits therefor.”

The bill was read a second time, and Mr. Bailey offered the following amendment:

“Amend by adding after Section 11, line 18, page 9, of the printed bill, the following: ‘Provided, that this act shall be enforced and take effect from and after the 31st day of January, A. D. 1900.’”

Mr. Oliver moved the previous question on the amendment, and the main question was ordered.

The amendment was adopted.

Mr. Shropshire offered the following substitute for the bill:

Amend by striking out all after the enacting clause, and insert the following:

Section 1. Any corporation organized under the laws of this or any other State or country and transacting or conducting any kind of business in this State, or any partnership, or individual, or other association of persons whatever, who shall create, enter into, become a member of, or a party to any pool, trust, agreement, combination, confederation or understanding with any other corporation or association, partnership, individual or any other person or association of persons, to regulate or fix the price of any article of manufacture, mechanism, merchandise, commodity, convenience, repair, any product of mining, or any article or thing whatsoever, or the price or premium to be paid for insuring property against loss or damage by fire, lightning or storm, or to maintain said price when so regulated or fixed, or shall enter into, become a member of, or a party to any pool, agreement, combination, contract, association or confederation to fix or limit the amount or quantity of any article of manufacture, mechanism, merchandise, commodity, convenience, repair, any product of mining, or any article or thing whatsoever, or the price or premium to be paid for insuring property against loss or damage by fire, lightning, storm, cyclone, tornado or any other kind of policy issued by any corporation, partnership, individual or association of persons aforesaid, shall be deemed and adjudged guilty of a conspiracy to defraud, and be subject to the penalties as provided by this act.

Sec. 2. Any person, partnership, firm or association, or any representative or agent thereof, or any corporation or company, or any officer, representative or agent thereof, violating any of the provisions of this act shall forfeit not less than one hundred dollars nor more than five thousand dollars for every such offense, and each day such person, corporation, partnership or association shall continue to do so, shall be a separate offense, the penalty in such case to be recovered by an action in the name of the State at the relation of the Attorney-General or the district or county attorney; the moneys thus collected to go into the State treasury and to become a part...
of the general fund, except as hereinafter provided.

Sec. 3. Any corporation created or organized by or under the laws of this State, which shall violate any of the provisions of the preceding sections of this act shall thereby forfeit its corporate rights and franchises; and its corporate existence shall, upon proper proof being made thereof in any court of competent jurisdiction in the State, be by the court declared forfeited, void and of non-effect, and its corporate rights and franchise, and privilege to do business in this State, and if it be an insurance company, to the Secretary of State, and if any corporation created or organized by or under the laws of any other State or country, which shall violate any of the provisions of the preceding sections of this act, shall thereby forfeit its right and privilege thereafter to do any business in this State, and upon proper proof being made thereof in any court of competent jurisdiction in the State, its right and privilege to do business in this State shall be declared forfeited; and in all proceedings to have such forfeiture declared, proof that any person who has been acting as the agent of such foreign corporation in transacting its business in this State has been, while acting as such agent, and in the name, behalf, or interest of such foreign corporation, violating any provisions of the preceding sections of this act, shall be received as prima facie proof of the act of the corporation itself; and it shall be the duty of the clerk of said court to certify the decree thereof to the Secretary of State, and if it be an insurance company, to the Commissioner of Insurance, Statistics and History of the State, who shall take notice and be governed thereby as to the corporate powers and rights of said corporation.

Sec. 4. It shall be the duty of the Secretary of State, on or about the first day of July of each year, to address to the president, secretary or treasurer of each incorporated company doing business in this State, a letter of inquiry as to whether the said company has all or any part of its business or interest in or with any trust, combination or association of persons or stockholders, as named in the preceding provisions of this act and to require an answer, under oath, of the president, secretary or treasurer, or any director of said company; a form of affidavit shall be inclosed in said letter of inquiry, as follows:

**AFFIDAVIT.**

STATE OF TEXAS,
County of ...........

I, ............... , do solemnly swear that I am the ............... (president, secretary, treasurer, or director) of the corporation known and styled ............... duly incorporated under the laws of ............... on the ............... day of ............... 18 .... and now transacting or conducting business in the State of Texas, and that I am duly authorized to represent said corporation in making this affidavit; and I do further solemnly swear that the said ............... known and styled as aforesaid, has not, since the ............... day of ............... (naming the day upon which this act takes effect) created, entered into or become a member of, or a party to, and was not, on the ............... day of ............... , nor at any day since that date, and is not now, a member of, or a party to, any pool, trust, agreement, combination, confederation, or understanding, with any other corporation, partnership, individual, or any other person or association of persons, to regulate or fix the price of any article of manufacture, mechanism, merchandise, commodity, convenience, repair, any product of mining, or any article or thing whatsoever, or the price or premium to be paid for insuring property against loss or damage by fire, lightning, storm, cyclone, tornado or any other kind of policy issued by the parties aforesaid; and that it has not entered into or become a member of, or a party to, any pool, trust, agreement, contract, combination or confederation, to fix or limit the amount of supply or quantity of any article of manufacture, mechanism, merchandise, commodity, convenience, repair, or any product of mining, or any article or thing whatsoever, or the price or premium to be paid for insuring property against loss or damage by fire, lightning, storm, cyclone, tornado or any other kind of policy issued by the parties aforesaid; and that it has not issued, and does not own any trust certificates, and for any corporation, agent, officer or employee, or for the directors or stockholders of any corporation, has not entered into, and is not now with any combination, contract or agreement, with any person or persons, corporation or corporations, or with any stockholders or directors thereof, the purpose and effect of which said combination, contract or agreement, would be to place the management or control of such combination or combinations, or the manufactured product thereof, in the hands of any trustee or trustees, with the intent to limit or fix the price, or lessen the production and sale of any article of commerce, use or consumption, or to prevent,
restrain or diminish the manufacture or output of any such article.

(Prosecuting attorney a fee of not more than two hundred and fifty dollars, to be paid out of the assets of said corporation; and when the Attorney-General takes part in said prosecution he shall be entitled to his actual expenses, to be paid in like manner. All actions authorized and brought under this act shall have precedence, on motion of the prosecuting attorney or Attorney-General, of all other business, civil and criminal, except criminal cases where the defendants are in jail.

Sec. 7. Provided, that the six foregoing sections of this act shall be construed to be cumulative to all laws now in force in this State.

(Mr. Prince in the chair.)

Mr. Livsey moved to table the substitute, upon which motion yeas and nays were demanded by Mr. Shropshire, Mr. Phillips of Lampasas and Mr. Tarver.

Tabled by the following vote:

Yeas—96.

Adams. Little.
Allen of Hopkins. Livsey.
Ayers. Looney.
Bailey. Loyd.
Barbee. Marsh.
Barrett. Maxwell.
Beau. McClellan.
Beaty. McDowell.
Bennett. McKamy.
Blount. McKellar.
Bolin. Mercer.
Bridgers. Monroe.
Caldwell. Morris.
Calvin. Morrow.
Chambers. Murphy.
Children. Neff.
Childs. Nolan.
Clements. Oliver.
Cole. Palmer.
Collins. Parish.
Conoly. Peery.
Cross. Poole.
Dean. Powell.
Decker. Ratcliff.
Eckols. Robertson, Harrison.
Ellis. Rochelle.
Evans. Russell.
Garner. Sansom.
Garrett. Savage.
Goodlett. Schluter.
Goodman. Scourry.
Graham. Shannon.
Grogan. Shelburne.
Hamilton. Smith of Grayson.
Henderson, Brazos. Smith of Collin.
Howard. Staples.
Hurley. Stewart.
Kennedy. Sutherland.
Kittrell. Tarkington.
Lake. Tate.
Lane. Terrell.
Lillard. Thomas of Wise.
Mr. Henderson of Lamar called up the communication from the Senate requesting return to the Senate of Substitute Senate bill No. 65, the Senate general appropriation bill, and moved that the request be granted. The motion prevailed.

SENATE BILL NO. 65.

Mr. Henderson of Lamar called up the communication from the Senate requesting return to the Senate of Substitute Senate bill No. 65, the Senate general appropriation bill, and moved that the request be granted. The motion prevailed.

Mr. Henderson of Lamar, was read first time, and referred to appropriate committee, viz.: Senate bill No. 343 to Judiciary Committee No. 2.

SUBSTITUTE SENATE BILL NO. 65.

Mr. Henderson of Lamar called up the communication from the Senate requesting return to the Senate of Substitute Senate bill No. 65, the Senate general appropriation bill, and moved that the request be granted. The motion prevailed.

The Speaker laid before the House, with Senate amendments.

House bill No. 324, relating to admission to record and evidence in the courts of this State certified copies of certain records, etc.

The amendments were read, and, on motion of Mr. Kittrell, the House concurred in the Senate amendments.

SELF-EXPLANATORY.

Mr. Phillips of Lampasas asked leave of the House, and it was granted, to have the following statement and copies of correspondence published in the Journal:

No. 1.

(Copy of agreement.)


Dear Sirs: We hereby accept the selling agency of Garret's Scotch Snuff on the conditions stated in your Circular No. 8, of November 15, 1894, and pledge you our good faith and honor to strictly maintain your selling prices, and faithfully conform to all your conditions.

Yours truly,

No. 2.

(Circular No. 8.)

I, , one of the firm or company of , do hereby certify that I have full supervision over all salesmen in our employ, and that I have personally examined all ten and twenty-five case sales of the Atlantic Snuff Company's brands, consisting of Garret's, Ralph's, Dental, Bruton & Condon's and Liberty Bell snuffs made by our firm or company from the first day of to the first day of

I also certify that these lots were sold at list prices, and that we did not allow over 10 per cent. discount, and did not give over 60 days without adding interest, or more than 2 per cent. off for cash in ten days on such sales: and that no concessions or rebates other than the above discount and terms have been or are to be allowed either directly or indirectly through our salesmen, or by credit slips, pocket rebates or wages of any kind whatsoever.

I further certify that our firm have not taken the whole or any part of such shipments back into their stock, and that my company is fully and justly entitled to the extra 10 per cent. commission on all ten and twenty-five case shipments, and the freight paid upon the same, for all claims which have been rendered you.

I further certify that I have not al-
If our contract, and agree to maintain the
stipulated prices, it will give you and
ship the goods, until you send it to us.

if we can get you and
without a contract, we will send them an
affidavit to sign that they have not cut
prices.

I would say, that if we can get you and
buying in small quantities, are not re-
duced prices, or conditions
made by the Atlantic Snuff Company
for sale of their snuffs, either in selling same
to semi-jobbers or retailers.

I also certify that the report of stock
herein given is a correct account of all
the Atlantic Snuff Company's goods on
hand and in transit on the date specified.

I certify to the above statements in
good faith, and upon my honor, and am
ready to make affidavit to the above when
called upon to do so by the Atlantic Snuff
Company.

(Gentlemen: We have a complaint
against you that you are selling our 6
oz. at 20¢ each.

We inclose you our Circular No. 8, and
postal card agreement for you to sign,
and would say, that if you do not imme-
diately write us that you will make the
price 25c., and keep it there, we shall be
obliged to notify every jobber in Texas
not to sell you any of our snuff at any
price.

We trust that you will co-operate with
us along this line, and we shall be glad
to fill your order.

Yours very truly,

W. E. GARRET & SONS.

Philadelphia, Pa.,

Gentlemen: We are in receipt of
your favor of the 28th ult., and in reply
I would say, that while it is true that
dealers like yourselves who have been
buying in small quantities, are not re-
quired to sign any contract as to
prices, yet when complaints are made to us that
they are doing so, it is our practice to
notify the wholesale jobbing trade to re-
fuse to sell them any of our goods, for
we are trying our level best to secure the
proper margin of profit to all dealers
who handle our goods, and we do not
think that you or any other dealer should
find fault with our action.

In cases of this kind it seems to be the
uniform practice of those who are cut-
ting prices to justify themselves in so
doing from the fact that others are doing the
same thing. We are dealing with
each case as it comes before us, and it
is no justification that others are also
guilty.

We have an order on hand for you
from Scudder-Gale Grocer Co., of St.
Louis, dated March 5th, which we are
holding for your contract, and we cannot
ship the goods until you send it to us.

You ask us what benefit you can ex-
pect from signing our contract. In reply
I would say, that if we can get you and
all other dealers in your vicinity to sign
our contract, and agree to maintain the
stipulated prices, it will give you and
all others a satisfactory margin of profit.
If you will sign the contract, and return
to us we will fill your order, and in order
to protect you, if you will give us the
names of others who are violating their
contracts, or are selling at cut prices
without a contract, we will send them an
affidavit to sign that they have not cut
prices. If they cannot do so, we will
place them on the black-list, and notify
the wholesale jobbing trade to refuse to
sell them.

We trust that you will co-operate with
us along this line, and we shall be glad
to fill your order.

Yours very truly,

W. E. GARRET & SONS.

Philadelphia, Pa.,

Gentlemen: We have a complaint
against you that you are selling our 6
oz. at 20¢ each.

We inclose you our Circular No. 8, and
postal card agreement for you to sign,
and would say, that if you do not imme-
diately write us that you will make the
price 25c., and keep it there, we shall be
obliged to notify every jobber in Texas
not to sell you any of our snuff at any
price.

We trust that you will co-operate with
us along this line, and we shall be glad
to fill your order.

Yours very truly,

W. E. GARRET & SONS.

The foregoing is a true copy of the
W. E. Garret & Sons, Philadelphia, Pa.,
or the Atlantic Snuff Co.'s selling
contract, Circular No. 8, as referred to in
contract. Also copy of two correspond-
ences between said snuff company and a
mercantile firm in Lampasas, Texas. No.
1 is their contract, No. 2, Circular No. 8;
Nos. 3 and 4, letters from said snuff com-
pany, etc.

- COMMITTEE REPORTS.

Committee Room.
Austin, Texas, May 11, 1899.
Hon. J. S. Sherrill, Speaker of the House
of Representatives.
Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No. 837, A bill to be entitled
"An Act to amend Title XCIV, Chapter
19, Revised Statutes, relating to restric-
tions upon duties and liabilities of rail-
road corporations by adding Article
4535a, providing the manner and condi-
tions upon which railroad corporations
in this State shall receive from railroad
corporations outside of the same any in-
state shipment of freight,"

Have had the same under considera-
tion, and I am instructed to report it
back to the House with the recommenda-
tion that it do pass.

WOOTEN, Chairman.
Committee Room, Austin, Texas, May 10, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 828, A bill to be entitled "An Act to prohibit corporations, foreign or domestic, which shall or may be a member of or a party to any pool, trust or combine in any State or country whatever, from doing business in Texas, and to provide a penalty for the violations of the provisions of 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 not pass.

WOOTEN, Chairman.

Committee Room, Austin, Texas, May 10, 1899.

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

Sir: Your Judiciary Committee No. 1, to whom was referred House bill No. 834, A bill to be entitled "An Act to amend Chapter 1, Title LV, of the Revised Civil Statutes of the State of Texas, relating to the celebration of marriages, by adding thereto Article 2902a."

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.

Committee Room, Austin, Texas, May 11, 1899.

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

Sir: Your Committee on Finance, to whom was referred Senate bill No. 220, A bill to be entitled "An Act to punish any person who shall knowingly purchase for another or sell any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication."

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.
have this day, at 4 o'clock p. m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room, Austin, Texas, May 11, 1899.

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

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 107, A bill to be entitled "An Act to amend Article 3909a, Title LXXXVI, Chapter 7, of the Revised Civil Statutes of the State of Texas, 1895, relating to the course of study taught in the public schools of Texas."

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 5 o'clock p. m., presented the same to the Governor.

COLLINS, Chairman.

Committee Room, Austin, Texas, May 11, 1899.

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

Sir: Your Committee on Enrolled Bills, to whom was referred House bill No. 679, 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, and making county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of the commissioners courts of said counties, and fixing a penalty for the violation of this act," have carefully examined said bill and find the same correctly enrolled, and I have this day, at 5 o'clock p. m., presented the same to the Governor.

COLLINS, Chairman.

Mr. Bridgers moved to take a recess until 9:30 p. m. today, and Mr. Culp moved to adjourn until 9 a.m. tomorrow. Question recurring on the longest time first, yeas and nays were demanded by Mr. Garner, Mr. Goodman and Mr. Dean. The motion prevailed by the following vote:

Yeas—52.


Nays—49.


Absent—Excused.


Absene.

DIES. Dorroh. Frost.

Accordingly the House, at 6:30 p. m., adjourned until 9 o'clock a. m. tomorrow.
ONE HUNDRED AND FIRST DAY.

Hall of the House of Representatives, Austin, Texas, Friday, May 12, 1899.

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

Speaker Sherrill in the chair.

Roll called, and the following members present:

Present—117.
Allen of Hopkins. Marsh.
Ayers. Maxwell.
Bailey. McAnally.
Barbee. McClellan.
Barrett. McDowell.
Bean. McFarland.
Beaty. McKamy.
Bennett. McKellar.
Bill. Meitzen.
Bolin. Mercer.
Bridgers. Monroe.
Browne. Morris.
Caldwell. Morrow.
Calvin. Murphy.
Chambers. Murray.
Childers. Neff.
Childs. Nolan.
Clements. Oliver.
Cooke. Palmer.
Cole. Parish.
Collins. Peery.
Conoly. Pfeuffer.
Culp. Pitts.
Dean. Poole.
Decker. Powell.
Eekola. Prince.
Ellis. Richfield.
Evans. Robertson, Harrison.
Garner. Robertson of Bell.
Garrett. Rochelle.
Gill. Rogers.
Goodlett. Russell.
Goodman. Sansom.
Gordon. Savage.
Graham. Schluter.
Greenwood. Seurry.
Grogan. Shannon.
Grubbs. Shelburne.
Hamilton. Shoshire.
Henderson, Brazos. Smith of Grayson.
Howard. Staples.
Hurley. Stewart.
Jones. Sutherland.
Kennedy. Tarkington.
Kittrell. Tarver.
Lake. Tate.
Lane. Terrell.
Lillard. Thomas of Wise.
Little. Thomas of Fannin.
Livsey. Tolbert.
Looney. Tompkins.
Loyd. Tucker.

Vaughan. Willacy.
Walton. Willrodt.
Wells. Wooden.
Weless. Absent.

Adams. Derden.
Allen of Colorado. Masterson.

Absent—Excused.

Dies. Stripling.
Dorroh. Tragle.
Frost. Wright.

A quorum was announced present.

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

Pending reading of the Journal of yesterday,

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

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Derden until next Monday, on motion of Mr. Shoshire.

Mr. Allen of Colorado until next Monday, on motion of Mr. Monroe.

Mr. Wright until next Monday, on motion of Mr. Monroe.

On account of sickness in his family:

Mr. Savage for today, on motion of Mr. Sutherland.

SPEAKER'S TABLE.

The Speaker laid before the House, on its third reading and final passage.

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.

Whereupon, Mr. Childs offered the following

RESOLUTION.

Whereas, The session of the Twenty-sixth Legislature is now rapidly drawing to a close, and we yet have no anti-trust bill; therefore, be it

Resolved, That we take up the anti-trust bill now, and continue its consideration from day to day until it is finally disposed of.


The resolution was read second time.

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

"MR. SPEAKER: I make this point of order: That by a resolution adopted by this House, Wednesday and Thursday evenings of each week was set aside for the consideration of Senate bills, and the