hereby reserved to the State, in the same manner and with the same effect as if this law had not been passed. Provided further, that this act shall take effect from and after January 31, A.D. 1900.

Sec. 15. The near approach of the end of the session, and the fact that we now have no adequate anti-trust law upon the statutes and the importance of such legislation, create an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted.

ONE HUNDRED AND SEVENTH DAY.

Hall of the House of Representatives, Austin, Texas, Friday, May 19, 1890.

The House met at 9:30 o'clock a.m., pursuant to adjournment.

Roll called, and the following members present:

Present—110.

Absence—Excused.

A quorum was announced present.

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

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

The motion was lost.

The Clerk then proceeded to read the Journal, and Mr. Caldwell moved that further reading be dispensed with.

The motion was lost.

The Clerk then proceeded with the reading, pending which, on motion of Mr. Dies, further reading was dispensed with.

GRANTED LEAVE OF ABSENCE.

On account of important business:

Mr. Childs, for today, on motion of Mr. Allen of Hopkins.

Assistant Reading Clerk Roberts, for today, on motion of Mr. Bolin.

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

Mr. Shannon, for today, on motion of Mr. Robertson of Bell.

On account of sickness in his family:

Mr. Shannon, for today, on motion of Mr. Robertson of Bell.
Mr. Peery indefinitely, on motion of Mr. Browne.

On account of important committee work:
Messrs. Henderson of Lamar, Stewart, Shropshire, Collins and Wilkacy, for today, on motion of Mr. Browne.

SPEAKER'S TABLE.

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

House bill No. 584. A bill to be entitled "An Act to amend Section 18, Chapter 77, of the Acts of the Twenty-fifth Legislature of the State of Texas of 1897, relating to the construction and maintenance of drains, ditches and water courses, and for the improvement and enlargement of natural drainage, etc.," yeas and nays being already demanded.

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

Senate bill No. 330. A bill to be entitled "An Act to grant leave to G. W. Burkitt of Anderson county, Texas, to bring suit against the State of Texas to redeem from forfeiture and re-sale Section No. 58, Block H, W. & N. W. R. R. Co survey of land, Abstract No. 852, in Hardeman county, Texas."

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

Mr. Looney moved to reconsider the vote by which Senate bill No. 330 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Smith of Collin pending business was further suspended to take up, and place on its third reading and final passage.

House bill No. 277. A bill to be entitled "An Act to provide for the assessment and collection of taxes on incomes, and to provide penalties for false swearing in relation thereto, and for refusing to make renditions thereof."

The bill was laid before the House, read third time, and Mr. Morrow offered the following amendment:

"Amend by striking out the words 'tax of two per centum' wherever they occur in the bill and insert in lieu thereof the following: 'State tax of one per centum'; and strike out all of Section 6 after the words 'ad valorem taxes' in line 16, on page 5."

Adopted.

The bill was passed.

Mr. Peery moved to reconsider the vote by which House bill No. 277 was passed, and to table the motion to reconsider.

The motion to table prevailed.

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

House bill No. 830. A bill to be entitled "An Act to amend Section 12, of Chapter 54, Acts of 1891, special road law for Hunt, Hill 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 third time, and Mr. Meitzen offered the following amendment:

"Amend by adding to Section 1 of the bill the following: 'Provided nothing in this act shall affect the road laws now in force for Kaufman county.'"

[Signed "Morrow."]

Adopted.
The bill was passed.

Mr. Meitzen moved to reconsider the vote by which House bill No. 830 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Monroe moved that pending business be further suspended for the purpose of disposing of all the Senate bills on the Speaker's table on their third reading.

The motion prevailed.

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

Senate bill No. 203. A bill to be entitled "An Act to authorize the several counties in this State to invest the permanent school fund belonging to such counties in their own bonds, and to use the proceeds thereof for general county purposes, and to make the county liable for such investment."

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

"Amend Section 1 by striking out all of said section after the word 'bonds,' in line 23."

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

Mr. Rochelle moved to postpone further consideration of the bill until Saturday, June 3. On the motion to postpone, yeas and nays were demanded by Mr. McDowell.

Mr. Adams and Mr. Lake.

Mr. Chambers moved the previous question on the motion to postpone, and the motion was not seconded.

HON. JAMES WILSON, SECRETARY OF AGRICULTURE.

Pending consideration of the motion to postpone, Mr. Kittrell rose in his seat and announced that Hon. James Wilson, Secretary of Agriculture, Washington, D.C., was present in the Hall, and moved that the courtesies of the House be extended to Mr. Wilson.
tended to him, and that he be invited to a seat on the Speaker's stand.

The motion prevailed, and the Speaker appointed Messrs. Kittrell, Allen of Hopkins, and Wooten a committee to escort Mr. Wilson to the Speaker's stand.

That duty being performed, the Speaker introduced Mr. Wilson to the House, who addressed it briefly, and said:

Mr. Speaker and Gentlemen of the House of Representatives:

It is a great honor to be introduced to the Representatives of the districts of this great State in the Texas Legislature. I have seen a considerable part of Texas on this trip. I came to this State merely to learn my duty. I am directed by the President to make the agricultural department useful to all parts of the country. My stay must necessarily be short, as I have other places to visit before leaving the State. I came to this State not merely to inspect the many great educational institutions which you have, but to visit your many industries of an agricultural nature. I have visited your corn fields, your rice fields and your tobacco fields. Your tobacco raising industry, which was not of sufficient importance to receive mention in the last department reports, has grown very greatly and promises to become one of the most important in this empire State. I have visited your fruit orchards and found them promising. I would suggest that you give some attention to further diversity of crops and industries so that you may bring to your State the benefits and profits from divers directions now little thought of. I would also suggest the importance of having somewhere in Texas a corps of scientists who shall make a study of diseases of plant and animal life with a view of applying adequate remedies to such diseases. I deem it wise that you should liberally supply your Agricultural and Mechanical College with means to carry on their work of educating the young men of the State in industrial pursuits. I would also suggest that the State establish a first class creamery in connection with your agricultural college. Texas produces $2,000,000 of dairy products annually; you can make it $20,000,000, or $40,000,000, or $100,000,000, just as you see fit.

The Nicaragua canal will be opened in a few years, and with its opening there will be opened up to Texas a market in the far East for your products. You produce nearly everything in this State that anybody in the United States can produce. It has given me great pleasure to meet and say these few words to you.

You have much to do and I have many places to visit. I will not detain you with a speech. I thank you for your kind attention and bid you good bye.

His remarks were received with applause.

Resuming consideration of the pending question—same being, shall further consideration of Senate bill No. 203 be postponed to June 3, 1899?

The motion prevailed by the following vote:

Yeas—52.

Adams. McClellan.
Ayers. McDowell.
Bennett. McKany.
Blount. Merer.
Bolin. Moris.
Bridgers. Murray.
Browne. Palmer.
Caldwell. Phillips, Lampassas.
Chambers. Phillips of Camp.
Childers. Pitts.
Cross. Pool.
Dean. Robertson, Harrison
Derden. Robertson of Bell.
Dy. Rochelle.
Frost. Rogers.
Goodman. Smith of Collin.
Gordon. Tarkington.
Grubbs. Teagle.
Howard. Thomas, Brazos.
Hurley. Terrell.
Lake. Thomas of Fannin.
Lanef. Tolbert.
Lane. Tucker.
Lillard. Vaughn.
Loyd. Walton.
McAnally. Wells.
Wooten.

Nays—41.

Allen of Hopkins. Meizten.
Bailey. Monroe.
Barbee. Murray.
Barrett. Neff.
Beaty. Oliver.
Clements. Parish.
Cole. Peery.
Conoly. Pfeuffer.
Crawford. Greenwood.
Decker. Goodlett.
Eckols. Grogan.
Ether. Hamilton.
Evers. Jones.
Folt. Kittrell.
Garner. Little.
Galloway. Livsey.
Gardner. McKellar.
Gey. Wooten.

Absent.

Cocke. Looney.
Culp. Maxwell.
Ellis. McFarland.
May 19, 1899

Russell. Staples.
Smith of Grayson. Wheless.

Absent—Excused.
Bean. Murphy.
Childs. Powell.
Collins. Prince.
Dorroh. Scurry.
Evans. Shannon.
Gill. Shropshire.
Graham. Stewart.
Henderson, Lamar. Willacy.
Marsh. Wright.
Masterson.

PAIRED.

Mr. Calvin (present) who would vote nay, with Mr. Kennedy (absent) who would vote yea.

Mr. McDowell moved to reconsider the vote by which Senate bill No. 203 was postponed to June 3, 1899, 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. 290, A bill to be entitled "An Act to amend Article 4968 (4584), Title CII, Chapter 4, of the Revised Statutes of 1895, relating to estrays."

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

"Amend by striking out the emergency clause."

Adopted.

The bill was passed.

Mr. Wells moved to reconsider the vote by which Senate bill No. 290 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The House resumed consideration of the pending business, same being House bill No. 584, on its passage to engrossment.

The bill was ordered engrossed.

Mr. Wheless moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 584 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—87.

Hon. J. S. Sherrill, Speaker.

Adams. Caldwell.
Allen of Hopkins. Calvin.
Ayers. Chambers.
Bailey. Childers.
Barrett. Clements.
Beaty. Conoly.
Bennett. Crawford.
Blount. Dean.
Bolin. Decker.
Bridgers. Derden.

Dies. Parish.
Eckola. Pfeiffer.
Goodlett. Pitts.
Goodman. Poole.
Gordon. Ratcliff.
Greenwood. Robertson, Harrison.
Grubbs. Sansom.
Hamilton. Savage.
Howard. Schulte.
Hurley. Sheburne.
Lake. Smith of Grayson.
Lane. Smith of Collin.
Lillard. Stewart.
Little. Stripling.
Lishey. Sutherland.
Loyd. Tarkington.
Maxwell. Taxter.
McAnally. Teague.
McClellan. Terrell.
McDowell. Thomas of Wise.
McKamy. Thomas of Fannin.
Meitzen. Toler.
Monroe. Tompkins.
Morris. Tucker.
Morrow. Vaught.
Murray. Walton.
Neff. Wheless.
Nolan. Willrodt.
Palmer. Wooten.

Absent.

Allen of Colorado. Looney.
Cocke. McFarland.
Cole. McKellar.
Culp. Oliver.
Ellis. Robertson of Bell.
Garrett. Rochelle.
Grogan. Rogers.
Henderson, Brazos. Russell.
Jones. Staples.
Kittrell. Wells.

Absent—Excused.

Bean. Masterson.
Childs. Murphy.
Collins. Peery.
Dorroh. Powell.
Evans. Prince.
Gill. Scurry.
Graham. Shannon.
Henderson, Lamar. Shropshire.
Kennedy. Willacy.
Marsh. Wright.

House bill No. 584, laid before the House, on its third reading and final passage.

Read third time, and passed.

Mr. Wheless moved to reconsider the vote by which House bill No. 584 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Schluter, the regular
order of business was suspended to take up, and place on its second reading, House bill No. 517, A bill to be entitled “An Act granting permission to W. H. Owen to bring suit against the State of Texas in the District Court of Travis county to ascertain and determine the amount, if any, due him for allowances as quartermaster of the Frontier Battalion from the 1st day of April, 1895, to the 1st day of February, 1899, for his traveling and other contingent expenses.”

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

Mr. Schluter moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 517 be put on its third reading and final passage.

The motion prevailed by the following vote:

Yea—76.

Hon. J. S. Sherrill, Speaker.

Allen of Hopkins. McAnally.

Ayers. McKamy.

Beaty. McKellar.

Bennett. Meitzen.

Blount. Mercer.

Bolin. Monroe.

Bridge. Murray.

Caldwell. Nolan.

Browne. Oliver.

Calvin. Phillips, Lampasas.

Chambers. Phillips of Camp.

Clemens. Pitts.

Cole. Poole.

Crawford. Ratcliff.

Cross. Robertson of Bell.

Dean. Rochelle.

Decker. Sansom.

Derden. Savage.

Eckols. Schluter.

Frost. Shebunne.

Garner. Smith of Grayson.

Goodlett. Smith of Collin.

Goodman. Staples.

Gordon. Sutherland.

Greenwood. Tate.

Grubbs. Teagle.

Hamilton. Thomas of Wise.

Howard. Thomas of Fannin.

Hurley. Tolbert.

Jones. Tompkins.

Kittrell. Tucker.

Lane. Vaughan.

Little. Walton.

Lively. Wells.

Looney. Wheeler.

Loyd. Williott.

Maxwell. Wooten.


Childers. Conoly.

Lake. Henderson, Brazos.

Lillard. Absent.


Nolan. Dies. Robertson, Harrison

Oliver. Ellis. Rogers.


Phillips of Camp. Tarver.

Pitts. Absent—Excused.

Poole. Bean. Murphy.

Ratcliff. Childs. Peery.

Robertson of Bell. Collins. Powell.

Robertson, Rogers. Dorroh. Prince.


Shuburne. Gill. Stewart.


Smith of Grayson. Masterson.

Smith of Bell.

Smith of Collin.

Tate.

Smith of Fannin.

Teagle.

Sutherland.

Tate.

Sutherland.

Tollbert.

Tollert.

Tompkins.

Tucker.

Vaughan.

Wells.

Wheeler.

Williott.

Wooten.

Conoly. Henderson, Brazos.
of line 14, the following: ‘Provided, that children under eight years of age shall not be entitled to the benefits of the free school fund for the scholastic year beginning September 1st, 1899.’"

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

Question first recurring on the amendment, it was adopted.

On final passage of the bill, yes and nays were demanded by Mr. Adams, Mr. Goodman and Mr. Rochelle.

The bill was passed by the following vote:

Yeas—49.

Nays—43.

Absent—Excused.

‘I vote 'aye' on the proposition to admit children of the age of seven years in the public free schools of this State, for the following reasons: to wit: Many mothers of children of that age are compelled to work for a living; they are not able to hire nurses. If this bill (Calvin school bill) becomes a law, the little seven-year-old tots will be furnished nurses under the name of teachers, many of whom would make better nurses than teachers, and the ladies will be able to look after their household duties and not be hourly worried by the lovely, sweet little tots.

‘TARKINGTON.’

Mr. Savage moved to reconsider the vote by which House bill No. 357 was ordered engrossed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Palmer, pending business was suspended to take up for consideration, the following resolution:

Senate Concurrent Resolution No. 4:

Whereas, the Constitution of the United States of America provided that Congress, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments to said constitution:

Therefore, we, the Senate of the State of Texas, the House of Representatives of the State of Texas concurring, do hereby petition and request the Congress of the United States of America to call a convention for proposing amendments to said constitution as soon as the Legislatures of two-thirds of the several States of the United States of America shall concur in this resolution by applying to Congress to call said convention. Be it further
Resolved, that the Secretary of State be and is hereby directed to send a copy of this resolution to the Congressmen from Texas, and to the Governor of each State at once, and to the Legislatures of the several States as they convene, with a request of them to concur with us in this resolution.

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

**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. 447, "An Act to amend an act of the Twenty-fifth Legislature, approved March 20, 1897, entitled 'An Act to amend Article 807, Chapter I, Title XXV, of the Revised Civil Statutes, relating to county finances.'

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

Substitute Senate bill No. 298, "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."

The Speaker laid before the House, on its third reading and final passage, House bill No. 820, A bill to be entitled "An Act to prevent and punish unlawful marriages."

Read third time, and passed.

Mr. Monroe moved to reconsider the vote by which House bill No. 820 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, House bill No. 443, A bill to be entitled "An Act to provide for the payment of the bonds of the State of Texas that mature April 21, 1896, and to appropriate $2630 for that purpose, and to provide a sinking fund for the payment of the bonds of the State of Texas, held by private individuals that mature March 4, 1904, and April 21, 1909, and provide for the appropriation of $50,000, August 31, 1899, and $50,000 August 31, 1900, and provide for the investment of a sinking fund, and constitute a board for that purpose."

Read third time, and passed.

Mr. Smith of Grayson moved to reconsider the vote by which House bill No. 443 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, House bill No. 483, A bill to be entitled "An Act to amend Article 3938, Chapter 10, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, of 1895, relating to school districts."

Read third time.

Pending consideration, Mr. Murray moved to take a recess until 3 p. m. today; and Mr. Chambers until 2:30 p. m. today.

Question recurring on the longest time first, the motion prevailed, and the House, at 12:15 p. m., took recess until 3 o'clock p. m. today.

**AFTERNOON SESSION.**

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

Pending question—House bill No. 483, on its final passage. The bill was passed.

Mr. Little moved to reconsider the vote by which House bill No. 483 was passed, and to table the motion to reconsider.

The motion to table prevailed.

The Speaker laid before the House, on its third reading and final passage, House bill No. 572, A bill to be entitled "An Act to amend Article 148, Chapter 2, of the Revised Statutes of the State of Texas, relative to payment for the construction or improvement of State asylums."

Read third time.

Mr. Childers offered the following amendment:

"Amend the bill by striking out the word 'buildings,' in line 19." Mr. Phillips of Lampasas moved the previous question, and the main question was ordered.

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

On final passage of the bill, yeas and nays were demanded by Mr. Adams, Mr. Rochelle and Mr. Childers.

The bill was passed by the following vote:

Yeas—68.

Hon. J. S. Sherrill, Speaker.

Allen of Colorado. Calvin.
Allen of Hopkins. Chambers.
Ayers. Clements.
Barrett. Cooke.
Beaty. Conoly.
Browne. Dean.
Caldwell. Derden.
The Speaker laid before the House, on its third reading and final passage, House bill No. 647, A bill to be entitled "An Act to amend Article 873, Title XXV, of the Revised Civil Statutes of the State of Texas, and to repeal all laws and parts of laws in conflict therewith."

Read third time, and passed.

Mr. Robertson of Bell moved to reconsider the vote by which House bill No. 647 was passed, and to take the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
AUSTIN, Texas, May 19, 1899.

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

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed the following bills, to-wit:

House bill No. 784, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Bowie county, regulating the fees of officers where the convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith."

Also House Concurrent Resolution No. 35, relating to the leasing of the property known as the old Court House Property, with amendment.

Also Senate bill No. 358, A bill to be entitled "An Act to amend Article 493, Chapter 3, Title 21, of the Revised Civil Statutes of Texas, relating to the sale, slaughter and shipment of animals."

J. P. Pool,
Secretary of the Senate.
ing that the constitutional rule requiring bills to be read on three separate days be suspended, and said rule is so suspended."

Adopted.

The bill was ordered engrossed.

Mr. McKellar moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 135 be put on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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Hon. J. S. Sherrill, Speaker.

Adams. Looney.
Allen of Colorado. Loyd.
Allen of Hopkins. Maxwell.
Ayres. McClellan.
Barrett. McDowell.
Beaty. McKamy.
Bennett. McKeelar.
Bolin. Meitzen.
Bridgers. Monroe.
Calwell. Murray.
Calvin. Pitts.
Chambers. Poole.
Childers. Palmer.
Cocke. Phillips of Camp.
Collins. Pitts.
Conolly. Poole.
Crawford. Ratcliff.
Cross. Robertson of Bell.
Dean. Rochelle.
Decker. Russell.
Derden. Sansom.
Dies. Savage.
Eckols. Schluter.
Ellis. Shellburne.
Frost. Smith of Grayson.
Garner. Smith of Collin.
Goodman. Staples.
Gordon. Sutherland.
Grogan. Tarkington.
Grubbs. Teagl.
Hamiton. Terrell.
Henderson, Brazos. Thomas of Wise.
Henderson, Lamar. Thomas of Fannin.
Howard. Tolbert.
Hurley. Tompkins.
Jones. Tucker.
Kittrell. Vaughan.
Kite. Walton.
Lane. Wells.
Lillard. Willrodt.
Lively. Wooten.

Pfeuffer. Tarver.
Robertson, Harrison. Tate.
Rogers. Wheless.

Absent—Excused.

Bean. Peery.
Childs. Powell.
Dorrell. Prince.
Evans. Scoury.
Gill. Shannon.
Graham. Shropshire.
Kennedy. Stewart.
Marsh. Willacy.
Masterson. Wright.
Murphy.

House bill No. 135 laid before the House, on its third reading and final passage.

Read third time and passed.

Mr. McKellar moved to reconsider the vote by which House bill No. 135 was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Terrell moved to suspend pending business to take up, and place on its second reading and passage to a third reading.

Senate bill No. 43, A bill to be entitled "An Act to appropriate $75,000.00 to build and maintain a cotton or woolen manufactory or both within the walls of the Rusk Penitentiary and to buy necessary machinery therefor."

The motion to suspend was lost.

Mr. Caldwell called up House Concurrent Resolution No. 35, reported from the Senate with amendments.

The resolution was laid before the House, and the amendments were read.

Mr. Caldwell moved that the House do concur in the Senate amendments.

The motion to concur prevailed.

On motion of Mr. Vaughan, the regular order of business was suspended to take up, and place on its second reading and passage, Senate bill No. 198, A bill to be entitled "An Act to authorize the Railroad Commission of Texas to charge fees for all copies of papers in its office, except such as may be furnished to some department of the State government, and to prescribe the amount of such fees."

The bill was laid before the House, was read second time, and Mr. Vaughan offered the following amendment:

"Amend by adding the following:

"The fact that there is now no law to authorize the Commission to charge for copies of papers in their office, and the fact that this session of the Legislature is nearing a close, and the further fact that the large number of bills on the calendar renders it improbable that this bill can be reached in its regular order,
create an imperative public necessity for
the suspension of the constitutional pro-
vision requiring bills to be read on three
several days in each house, and said rule
is hereby suspended."

Adopted.

The bill was passed to a third reading.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of
the House, after giving due notice
thereof, and its caption had been read, the
following bill:

Senate bill No. 344, "An
Act to au-
thorize the issuance of patents to lands
which, under the ruling of the Land
Office and the decisions of the courts,
belong to the public school fund of the
State, and which may have been applied
for and purchased as public domain
under the provisions of Title LXXXVII,
chapter 11, of the Revised
Civil Stat-
utes of the State of Texas of 1895, prior
to May 23, 1898, and to provide for the
disposition of the proceeds, and to
declare an
emergency."

(Mr. McKamy in the chair.)

Mr. Vaughan moved to suspend the
constitutional rule requiring bills to be
read on three several days in each house,
and that Senate bill No. 198 be put on
its third reading and final passage.

The motion prevailed by the following
vote.

Yeas—89.

Hon. J. S. Sherrill, Speaker.


Allen of Hopkins. Grogan.

Ayers. Hamilton.

Bailey. Henderson, Brazos.

Beaty. Henderson, Lamar.

Bennett. Howard.

Bolin. Hurley.

Bridgers. Jones.

Browne. Kittrell.

Caldwell. Lake.

Calvin. Lane.

Chambers. Lillard.

Childers. Little.

Clements. Livsey.

Cocke. Looney.

Conoly. Loyd.

Crawford. Maxwell.

Cross. McNally.

Dean. McChllan.

Decker. McKamy.

Derden. McFall.

Dies. Meitzen.

Eckols. Monroe.

Ellis. Morrow.

Frost. Murray.

Garner. Oliver.

Goodlett. Palmer.


Phillips of Camp. Sutherland.

Pitts. Tate.

Ratcliff. Teague.

Robertson of Bell. Terrell.

Rochelle. Thomas of Wise.

Russell. Thomas of Fannin.

Sansom. Tolbert.

Savage. Tompkins.

Schulter. Tucker.

Shelburne. Vaughan.

Smith of Grayson. Wells.

Smith of Collin. Whelless.

Staples. Willrodt.

Absent.

Barbee. Naff.

Blount. Nolan.

Cole. Parish.

Culp. Pfeiffer.

Garrett. Harrison.

Greenwood. Rogers.

McDowell. Tarver.

McFarland. Walton.

Mercer. Wooten.

Morris.

Absent—Excused.

Bean. Murphy.

Chidsc. Peery.

Collins. Powell.

Dororh. Prince.

Evans. Seurry.

Gill. Shannon.

Graham. Shropshire.

Kennedy. Stewart.

Marsh. Wilacy.

Masterson. Wright.

Senate bill No. 198, was laid before the
House, on its third reading and final
passage.

Read third time, and passed.

Mr. Vaughan moved to reconsider the
vote by which Senate bill No. 198 was
passed, and to table the motion to recon-
sider.

The motion to table prevailed.

On motion of Mr. Smith of Grayson
the regular order of business was sus-
pected to take up, and place on its sec-
ond reading.

House bill No. 845, A bill to be entitled
"An Act to amend Article 5318, of the
Revised Statutes of the State of Texas,
prescribing penalties against trusts and
conspiracies against trade."

The bill was laid before the House,
was read second time, and ordered en-
grossed.

Mr. Smith of Grayson moved to sus-
pend the constitutional rule requiring
bills to be read on three several days in
each house, and that House bill No. 845
be put upon its third reading and final
passage.
The motion prevailed by the following vote.

Yeas—86.
Hon. J. S. Sherrill, Speaker.
Adams. Looney.
Allen of Colorado. Maxwell.
Allen of Hopkins. McAnally.
Ayers. McClellan.
Bailey. McKamy.
Barrett. McKellar.
Beaty. Metzen.
Bollif. Monroe.
Broders. Morrow.
Browne. Murray.
Caldwell. Oliver.
Calvin. McClellan.
Clements. Pitts.
Cocke. Poole.
Conolly. Ratcliff.
Crawford. Robertson of Bell.
Cross. Rochelle.
Dean. Russel.
Decker. Sansom.
Derden. Savage.
Dies. Schutner.
Ekols. Shelburne.
Ellis. Smith of Grayson.
Frost. Smith of Collin.
Garner. Staples.
Goodlett. Stripling.
Goodman. Sutherland.
Gordon. Tarkington.
Grogan. Tate.
Grubbs. Teague.
Hamilton. Terrell.
Howard. Thomas of Fannin.
Hurley. Tolbert.
Jones. Tompkins.
Kittrell. Tucker.
Lake. Vaughan.
Lane. Weless.
Lillard. Willrodt.
Little. Wooten.
Livsey. 

Nays—1.

Walton. Absent.
Barbee. Mercer.
Bennett. Morris.
Blount. Neff.
Culp. Parish.
Garrett. Pleuffer.
Greenwood. Robertson, Harrison.
Henderson, Brazos. Rogers.
Loyd. Tarver.
McDowell. Wells.
McFarland. 

Absent—Excused.
Bean. Dorroh.
Childs. Evans.
Collins. Gill.

Graham. Prince.
Kennedy. Scurry.
Marsh. Shannon.
Masterson. Shropshire.
Murphy. Stewart.
Peery. Willacy.
Powell. Wright.

House bill No. 845, laid before the House, on its third reading and final passage.

Read third time and passed.
Mr. Smith of Grayson moved to reconsider the vote by which House bill No. 845 was passed, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Bailey, the regular order of business was suspended to take up, and place on its second reading, House bill No. 291, A bill to be entitled "An Act to amend Chapter 6, Title XVII, of the Penal Code of the State of Texas, by adding thereto Articles 839a and 845a, defining and punishing the crime of burglary of a private residence at night."
The bill was laid before the House, and was read second time, together with a favorable committee report recommending amendments.

The committee report was adopted.
Mr. Bailey offered the following amendment:

"Amend by adding the following section and properly numbering it to conform with other sections of the bill:

"Section . . . The near approach of the close of the present session of the Legislature, and the crowded condition of the calendar rendering it improbable that this bill can be reached in its regular order, create an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house, and it is so suspended."

Adopted.

Mr. Lillard offered the following amendment:

"Amend the committee report, on page 2, by inserting after the word 'used,' in line 14, the words 'at the time of the offense.'"

Adopted.

Mr. Lane offered the following amendment:

"Amend by striking out the word 'before,' in line 1, page 2, committee report, and insert in lieu thereof the word 'after.'"

Adopted.

The bill was ordered engrossed.
Mr. Bailey moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and
that House bill No. 291 be put on its third reading and final passage. The motion prevailed by the following vote:

Yea~—85.

Hon. J. S. Sherrill, Speaker.
Adams. Loyd.
Allen of Colorado. Maxwell.
Allen of Hopkins. McAnally.
Ayers. McClellan.
Bailey. McDowell.
Barrett. McKamy.
Beatty. McKellar.
Bolin. Meitzen.
Browne. Monroe.
Caldwell. Morrow.
Crawford. Hobertson of Bell.
Cocke. Murray.
Childers. Palmer.
Dean. Poole.
Decke-. Rate'lliff.
Dearden. Robertson of Bell.
Dies. Rochelle.
Eckols. Sansom.
Elis. Savage.
Ellis. Schluter.
Ellis. Shelburne.
Frost. Smith of Grayson.
Garner. Smith of Collin.
Garrett. Staples.
Garth. Stewart.
Goodlett. Stripling.
Goodman. Sutherland.
Evans. Tate.
Gordon. Tangle.
Grogan. Thomas of Wise.
Henderson, Brazos. Thomas of Fannin.
Henderson, Lamar. Tolbert.
Howard. Tompkins.
Hurley. Tucker.
Jones. Vaughan.
Lance. Wells.
Lillard. Willrodt.
Little. Wooten.

The resolution was read second time, and adopted.

REPORT OF FREE CONFERENCE COMMITTEE ON SENATE BILL NO. 323, ADOPTED.

Mr. Wooten called up the report of the Free Conference Committee on Senate bill No. 323, the anti-trust bill, and moved its adoption. The report was laid before the House and the motion to adopt prevailed.
Mr. Schluter moved to reconsider the vote by which the report was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Schluter moved that the report of the Review Conference Committee on Senate bill No. 187, be printed in the Journal of today, and the motion prevailed.

Mr. Staples moved to suspend the regular order or business to take up, and place on its second reading, House bill No. 282, known as the Greenwood libel bill.

The motion to suspend was lost.

Mr. Dies moved to adjourn to 3 p. m. next Monday.

SENATE BILL ON FIRST READING.

The following bill reported from the Senate today was read first time and referred to the appropriate committee, viz.:

Senate bill No. 358, to the Committee on Stock and Stock Raising.

BILL INTRODUCED.

By Mr. Ayers:

House bill No. 846, A bill to be entitled "An Act to appropriate the sum of twenty-five thousand dollars, or so much thereof as may be necessary, to pay the railroad companies of this State for transportation of troops between the points within this State during the war with Spain," and to declare an emergency.

Read first time, and referred to Committee on Finance.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, May 19, 1899.

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

Sir: Your Committee on Contingent Expenses, beg leave to report that we have allowed the following accounts:

To the Superintendent of Public Buildings and Grounds, elevator account ending April 29... $6 00
To Geo. Price, for washing bed linen for Speaker's room, from April 29 to May 30 ......... 3 10
To Ben L. Jones & Co., for paper furnished for House Journal, May 16, 1899 ............... 291 20
To Von Boeckmann Publishing Company:
For printing House Record from April 29 to May 11, 1899 .... 178 23
For printing bills for House from April 29 to May 11, 1899 .... 67 76
Von Boeckmann Printing Company, stationery, April 30 .... 24 35

Von Boeckmann Printing Company, stationery, May 8 to 11, inclusive ........ 93 10
Von Boeckmann Printing Company, stationery, April 11 to 17, inclusive ........ 108 25
Ice for April .................. 18 00
Lock and key account for April ... 10 75
Wash bills paid to Mrs. Grubbs.. 11 05
(in contested election—Wason vs. Bennett, House of Representatives):
To Robert Horlock, traveling expenses from Navasota to Austin, via Hearne, 140 miles, and return.............. $8 40
To four days per diem, at $2 per day .................. 8 00
Total ............................ $942 29

SAVAGE, Chairman.

Committee Room,
Austin, Texas, May 19, 1899.

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

Sir: Your Committee on Contingent Expenses, beg leave to report that we have allowed the following accounts:

To J. D. Lyons, typewriter rent for four months, at $5 per month ................ $20 00
To H. C. Jarrell, typewriter rent for four months, at $5 per month .......... $20 00
To Miss M. E. Green, typewriter rent for four months, at $5 per month .......... $20 00
To B. Thomas, typewriter rent for two months, at $3 per month .............. 10 00
To H. Fowler, typewriter rent for two months, at $3 per month .............. 10 00
To H. Otto, typewriter rent for four months, at $5 per month .. 20 00

Total ............................ $100 00

And the committee recommends that the warrant for $16 for Hon. S. P. Evans, deceased, be forwarded to his wife.

SAVAGE, Chairman.

Committee Room,
Austin, Texas, May 19, 1899.

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

Sir: Your Committee on Judicial Districts, to whom was referred Senate bill No. 329, A bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the Twenty-eighth Judicial District of the State of Texas, and to limit one term of the District Court of Nueces county to
May 19, 1899

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the transaction of civil business only, to
repeal all laws and parts of laws in conflict herewith,"

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

DIES, Chairman.

Committee Room,
Austin, Texas, May 19, 1899.

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

Sir: Your Committee on Judicial Districts, to whom was referred
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."

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

DIES, Chairman.

Committee Room,
Austin, Texas, May 19, 1899.

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

Sir: Your Committee on Engrossed Bills, to whom was referred
House bill No. 584, A bill to be entitled
"An Act to ammend Section 18, Chapter 77, of the Acts of the Twenty-fifth Legislature of the State of Texas of 1897, relating to the construction and maintenance of drains, ditches and water courses, and for the improvement and enlargement of natural drainage, etc."

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

McANALLY, Acting Chairman.

Committee Room,
Austin, Texas, May 19, 1899.

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

Sir: Your Committee on Enrolled Bills, to whom was referred
House bill No. 447, A bill to be entitled
"An Act to amend an act of the Twenty-fifth Legislature, approved March 20, 1897, entitled 'An Act to amend Article 867, Chapter 7, Title XXV, of the Revised Civil Statutes, relating to county finances."

Have carefully examined said bill and find the same correctly enrolled, and I have this day, at 3:15 o'clock p. m., presented the same to the Governor.

LIVSEY, Acting Chairman.

Mr. Bridgers moved to adjourn until 10 a. m. next Monday, and Mr. Sutherland until 9:30 a. m., next Monday.

At 5:30 p. m., on motion of Mr. Dies, the House adjourned until 3 o'clock p. m. next Monday.

APPENDIX.

FREE CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 18.

Austin, Texas, May 19, 1899.

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

Sirs: We, your Free Conference Committee, to whom was referred the differences between the House and the Senate on the matter of House amendments to Senate bill No. 187, beg leave to report that we recommend that the Senate recede from all of its amendments.

The committee further recommends that Section 7 of the bill be amended so as to hereafter read as follows:

"Section 7. No promissory note or other instrument of writing which is the evidence of a debt that is wholly or partially secured by land or personal property situated in this State, shall be taxed at the value of such security, but in such cases the lien shall be the duty of the assessor of taxes in each county of this State to assess all lien, mortgage, bond, notes and other evidences of debt, secured by deed of trust, lien or mortgage and of record in the office of the county clerk of his county, and list the same for taxation against the beneficiary under such lien, deed of trust, mortgage, bond or
The committee further recommends that the section numbered "10" in the printed bill, be numbered "11," to conform to the changes herein made.

The committee further recommends that the word "personal" be inserted in the printed bill wherever necessary to make the securities therein taxed apply to liens on personal property as well as on land.

The committee further recommends for the purpose of correcting the bill, that the following words be inserted therein, to wit:

On page 2, after the word "or," in line 7, insert the words "appears as," and strike out the word: "a.

On same page, insert in line 11, after the word "State," the words "are recorded."

On same page, line 12, after the word "but," insert the word "which," and in same line strike out the words "shall be.

"property," insert the words "are recorded."

Respectfully submitted,

SCHLUTER,
ALLEN of Hopkins,
SUTHERLAND,
LILLARD,
PALMER.

On the part of the House.

GRINNAN,
DIBRELL,
DAVIDSON,
PATTERSON,
JAMES.

On the part of the Senate.

THE NEW BILL.

The new bill as recommended by the committee will read as follows:

A bill to be entitled "An Act making and declaring all mortgages, deeds of trust, contracts and other obligations in writing, whereby land or personal property situated in the State of Texas is made security for the payment of debts, together with such debts, to be land or personal property, for the purpose of assessment and taxation; to provide for the assessment thereof for taxation, and the collection of taxes thereon, and to provide for the sale thereof for such taxes; and to declare null and void all sales of property under said liens, if the taxes thereon have not been paid each year.

Be it enacted by the Legislature of the State of Texas.

Section 1. That any mortgage, deed of trust, contract, or other obligation whereby land or personal property situated in this State is made security for the payment of a debt, together with such debt, shall, for the purpose of assessment of taxation, be deemed and treated as land or personal property.

Sec. 2. All mortgages, deeds of trust, contracts, or other obligations whereby land or personal property situated in this State is made security for the payment of a debt, shall be assessed and taxed to the owner of such security and debt in the county, city, town or district in which such land or personal property affected by such security is situated, and the taxes so assessed and levied on such security and debt, shall be a lien thereon, and on such security and debt, and may be sold in the same manner and like other lands or personal property for the payment of taxes due thereon.

Sec. 3. The person deemed the owner of such mortgage, deed of trust, contract or other obligation mentioned in this act shall be the person who appears on the face thereof to be such owner, or appears as assignee by written transfer executed, duly acknowledged by such apparent owner, and recorded in the manner now provided by law, and if not so provided, then in the same manner as mortgages or deeds of trust on real and personal property in this State are recorded; provided, that in case of vendor’s lien notes, or other debts secured upon lands or personal property but which are not recorded, as contemplated by this act, the payee of such obligation or the endorser or holder thereof shall be deemed the owner thereof.

Sec. 4. No payment on the debt secured by mortgage, deed of trust, contract, or other obligation on land or personal property is to be taken into consideration in assessing the tax on the property and debt authorized for taxation by this act, unless a release for the amount of such payment is executed by the owner of such debt, and such release is acknowledged and recorded in the same manner now provided by law, and if not so provided, then in the same manner as mortgages and deeds of trust on real and personal property are recorded.
in this State; or unless the owner of such debt and mortgage shall prove to the assessor by affidavit the amount of such payment at the date of assessment. And such mortgage, deed of trust, contract or other obligation, together with the debt secured thereby, shall be assessed for the full amount appearing by the records to be owing, unless in the judgment of the board of equalization the land or personal property is not worth so much, in which case they are to be assessed at their real cash value. In making assessments, when the land or personal property is situated in two or more counties, or in several tracts in the same county, the debts secured thereby, in, for the purpose of considering the value of such security and of apportioning the taxes between the owners of the property and the lien, may be apportioned to such land or personal property in the several counties or tracts in proportion to the estimated value of such land or personal property, made by the several boards of equalization in the counties where portions of said property are situated.

Sec. 5. It is the duty of the county clerk or such other officer, having the lawful custody of the instruments named in the preceding sections of this act, when requested to do so, to deliver annually to the tax assessor or the board of equalization of the county in which the land or personal property, affected by such instrument, is situated, such information as may be desired by them in arriving at a proper assessment of property for tax under this act.

Sec. 6. Any debt secured by a mortgage, deed of trust, contract or other obligation on land or personal property in any county in this State, shall, for the purpose of taxation, be deemed and considered as indebtedness within this State, and the person or persons owing such debt shall be entitled to deduct the same from his or their assessments of such land or personal property for taxes.

Sec. 7. No promissory note or other instrument of writing, which is the evidence of a debt that is wholly or partially secured by land or personal property in this State, shall be taxed for any purpose in this State, unless the same is of greater cash value than such security; but, in such cases, the lien shall be taxed to the value of the land, or personal property, and in such case, the value of the note over and above the value of such security shall be taxed as any other debt, not secured by land or personal property under the laws in this State.

Sec. 8. Any contract or agreement whereby a person owing a debt secured by a mortgage, deed of trust, contract or other obligation on land or personal property is to pay the taxes against such lien or debt, shall be void and of no effect for the amount of such taxes.

Sec. 9. It shall be the duty of the assessor of taxes in each county in this State to assess all liens, mortgages, bonds, notes, and other evidences of debt secured by deed of trust, lien or mortgage and of record in the office of the county clerk of his county, and list the same for taxation against the beneficiary under such lien, deed of trust, mortgage, bond or note; and such assessment shall be collected by the tax collector of each county from such beneficiary. And no sale, judicial or otherwise, under such mortgage, lien or deed of trust shall be valid, unless such taxes have been paid each year, as is required of other property. All vendor's liens and mortgage notes shall be rendered for taxes in the county in which the property is situated, to which such notes refer; and all bonds shall be rendered for taxes in the county in which they were issued.

Sec. 10. The near approach of the close of the present session of the Legislature, the crowded condition of the calendar of both the Senate and the House, and the fact that no adequate law exists for the taxation of mortgages, deeds of trust, and other liens on real estate and personal property creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted.

ONE HUNDRED AND EIGHTH DAY.

Hall of the House of Representatives, Austin, Texas,
Monday, May 22, 1899.

The House met at 3 o'clock p.m., pursuant to adjournment.
Speaker Sherrill in the chair.
Roll called, and the following members present:

Adams.
Allen of Hopkins.
Ayers.
Bailey.
Barrett.
Bennett.
Bridgers.
Calder.
Calvin.
Chambers.
Childers.
Childs.
Clements.

Cocke.
Collins.
Cross.
Dean.
Decker.
Derdan.
Dies.
Dorroh.
Eckols.
Garner.
Goodlett.