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, and 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 situated 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:

Present—80.


Hall of the House of Representatives,  
Austin, Texas,  
Tuesday, May 23, 1899.

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

Speaker Sherrill in the chair.

Roll called, and the following members present:  

Present—114.

Adams. Loyd.
Allen of Colorado. Marsh.
Allen of Hopkins. Maxwell.
Bailey. McKamy.
Barbee. McKellar.
Barrett. Meitzen.
Beaty. Mecer.
Bennett. Monroe.
Blount. Morris.
Bolin. Morrow.
Bridgers. Murphy.
Brownie. Neff.
Calweil. Nolan.
Calvin. Oliver.
Chambers. Palm.
Childers. Pariah.
Childs. Pfeuffer.
Coche. Phillips of Camp.
Cole. Poole.
Collins. Powell.
Crawford. Prince.
Cross. Ratcliff.
Culp. Robertson, Harrison.
Dean. Robertson of Bell.
Decker. Rochelle.
Derden. Rogers.
Dier. Russell.
Doroh. Sansom.
Frost. Savage.
Ellis. Schluter.
Gill. Scurry.
Greenwood. Shannon.
Grubbs. Sheburne.
Henderson, Brazos. Smith of Grayson.
Henderson, Brazos. Smith of Collin.
Kennedy. Staples.
Kittrell. Stewart.
Lake. Stripling.
Lindsey. Sutherland.
Loyd. Tarkington.

Absent—Excused.

Bean. Masteron.
Evans. Peery.
Graham. 

There was not a quorum present,  
whereupon:

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

Mr. Vaughan moved to take a recess  
until 4 p. m. today.

Question recurring on the longest time  
first, the motion prevailed, and the  
House, at 3:10 p. m., adjourned until  
9:30 o'clock a. m. tomorrow.