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JOURNAL

OF THE

House of Representatives

OF THE

STATE OF MISSISSIPPI

AT A

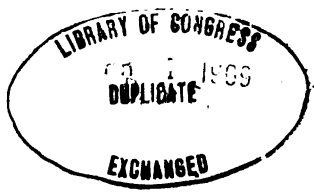
AT A SPECIAL SESSION

IN THE CITY OF JACKSON

JANUARY, FEBRUARY, AND MARCH, 1902

PUBLISHED BY AUTHORITY

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31

HOUSE JOURNAL

FIRST DAY.

TUESDAY, January 7, 1902.

At a special session of the Legislature of the State of Mississippi, convened in the Capitol, in the city of Jackson, on the 7th day of January, A. D. 1902, in compliance with the Constitution and laws of the State of Mississippi—

Be it remembered, That on the day and year aforesaid, the members of the House of Representatives assembled in their chamber, and at the hour of 12 o'clock M., were called to order by the Speaker, A. J. Russell, who introduced Dr. J. B. Hutton, of Jackson, who opened the proceedings with prayer, invoking God's blessings upon the Legislature.

The Clerk then called the roll of members from the various counties and legislative districts as follows:

Adams—City of Natchez, Ernest E. Brown; outside city of Natchez, C. S. Bennett.

Alcorn—T. H. Underwood and H. H. Ray.

Amite—W. I. Causey and D. S. McDaniel.

Attalla—John F. Allen and —

Benton—W. G. Gibson.

Bolivar—J. M. Goff and George B. Shelby.

Calhoun—D. C. Cooner and T. M. Murphree.

Carroll—L. S. Hemphill and S. E. Turner.

Chickasaw—J. R. Gilfoxy and L. P. Haley.

Choctaw—J. T. McCafferty.

Claiborne—Edgar Foster.

Clarke—A. Johnston.

Clay—H. L. Ford and J. G. Millsaps.

Coahoma—J. S. Ham and W. A. Alcorn, Jr.

Copiah—L. L. Brittain, J. J. Ellis and J. C. Smylie.

Covington—J. E. Byrd.

De Soto—Mial Wall and J. M. Granberry.

Franklin—T. K. Magee.

Greene—J. A. Smith.

Grenada—R. W. McAfee.

Hancock—E. J. Bowers.

Harrison—F. W. Elmer.

Hinds—J. A. P. Campbell, Jr., Clay Sharkey, L. A. Moss.

Holmes—S. M. Smith, J. B. Mitchell and J. W. Swinney.

- Issaquena—John W. Heath.
 Itawamba—W. H. Brown.
 Jackson—J. A. Broadus.
 Jasper—E. A. White.
 Jefferson—W. B. Alsworth.
 Jones—Hugh McManus.
 Kemper—J. R. Stennis and N. M. Pace.
 Lafayette—G. R. Hightower and Fielder Webster.
 Lauderdale—City of Meridian, A. J. Russell; the county outside the city of Meridian, J. D. Stennis; the whole county, including the city of Meridian, W. R. Denton.
 Lawrence—J. J. Denson.
 Leake—Pres Groves.
 Lee—Robert Gambrell and Robert L. Birmingham.
 Leflore—S. R. Coleman.
 Lincoln—W. R. Norton.
 Lowndes—That part of the county east of Tombigbee River, M. A. Franklin, J. T. Senter; that part of the county west of the Tombigbee River, J. H. Sharp.
 Madison—A. P. Hill and W. S. McAllister.
 Marion—N. C. Hathorn.
 Marshall—John M. Eddins, M. Franklin and Hugh Mahon.
 Monroe—A. A. Posey, John W. Thompson and E. R. Wren.
 Montgomery—J. P. Taylor.
 Neshoba—J. C. Long.
 Newton—Floyd Loper and W. S. Ferguson.
 Noxubee—W. J. Hubbard, W. S. Permenter and H. H. Brooks.
 Oktibbeha—That portion of the county east of the line running north and south, between ranges 13 and 14, J. W. Norment; that part of the county west of said line, J. W. Crumpton.
 Panola—A. S. Kyle, D. B. Arnold, and —
 Pearl River—H. K. Rouse.
 Perry—S. T. Garraway.
 Pike—Percy E. Quin and —
 Pontotoc—D. C. Langston and J. I. Longest.
 Prentiss—W. M. Cox and L. M. Burge.
 Quitman—M. E. Denton.
 Rankin—H. W. Bradshaw and Bee King.
 Scott—H. H. Harper.
 Sharkey—A. Miller.
 Simpson—Ira J. Stamps.
 Smith—J. J. Stubbs.
 Sunflower—S. D. Neill.
 Tallahatchie—Thomas B. Dudley.
 Tate—S. T. Clayton and S. W. Jones.
 Tippah—A. C. Anderson.
 Tishomingo—J. A. E. Pyle.
 Tunica—E. L. Irby.

Union—R. M. Frazer and C. Lee Crum.
 Warren—W. J. Voller, O. S. Robbins and —
 Washington—E. N. Thomas, S. Castleman and —
 Wayne—J. M. Wilkins.
 Webster—T. L. Lamb.
 Wilkinson—W. F. Tucker and H. M. Quin.
 Winston—J. D. Doss.
 Yalobusha—James Moore and T. J. McFarland.
 Yazoo—W. W. Coody, C. J. Burrus and H. G. Johnson.

FLOATER REPRESENTATIVES.

Franklin and Lincoln—A. M. Dodds.
 Benton and Tippah—S. Joe Owen.
 Claiborne and Jefferson—R. W. Magruder.
 Clarke and Jasper—James B. Evans.
 Grenada and Montgomery—W. T. McCuiston.
 Leake and Winston—John F. Sharp.
 Harrison and Jackson—George P. Hewes.
 Lee and Itawamba—A. T. Galloway.
 Hinds and Yazoo—J. W. George.

The following members were absent—Messrs. Alcorn, Allen, Castleman, Causey, Coody, Denton of Quitman, Evans, Foster of Claiborne, Heath, Hill, Hubbard, Magruder, McDaniel, Mitchell, Pace and Tucker.

Members-elect to fill vacancies were reported as follows:

Arthur Reynolds, of Attalla, to succeed T. Percy Guyton, resigned; J. M. Cox, of Panola, to succeed C. O. McCarthy, deceased; John A. Walker, of Pike, to succeed J. M. Tate, deceased; T. R. Foster, of Warren, to succeed George Anderson, resigned; Van B. Boddie, of Washington, to succeed Frank E. Larkin, resigned.

Mr. John A. Walker was absent.

Messrs. Reynolds, Cox, Foster and Boddie appeared and were sworn in by the Speaker as members.

The Clerk announced a quorum present, Speaker Russell then spoke as follows:

Gentlemen of the House:

The warm, red blood leaps with gladness in my veins while I look again into the light of your eyes. The merciful providence of God has permitted us to assemble again in an official capacity. But two of our members have been called hence since we parted. Out of one hundred and thirty-three two have stepped across the dark stream, we hope and believe, to a better and brighter land. Well do we remember the zealous and loyal manner in which they met and discharged the obligations that rested upon them as legislators. I have no doubt that you will at the proper time take such steps as shall pay tribute to their worth and commemorate their virtues. God bless their memories; peace to their ashes.

I congratulate you upon the plane upon which the people and the press of your beloved State have placed you and your labors of the last session. If you deserve one-fourth of the good things that have been ascribed to you, it is enough to fill the measure of any man's ambition.

Since Mississippi was a territory, more than one hundred years ago she took a stand in the forefront of the march of civilization, good government, broad culture and statesmanship. Her history is as charming as if it were a romance. She has never been a laggard in any of the intellectual, political or social pursuits. Her history is robust with unselfish patriotism, her statesmen strong, measuring with any of her sister States or Territories. She has never neglected to advance with America in all intellectual lines, civic virtues and broad culture. Her statesmen have been in the lead and stood shoulder to shoulder with the great of this greatest of governments. She has contributed as much if not more than any other State in the Union to the greatest forum in the world, the United States Senate. The standard of her judicial decisions is comparable to any in the Union. Why, my countrymen, near the spot where we now occupy, in the little town of Raymond, if I remember aright, was born Captain Brown, who during the Civil War conceived the principle of constructing an ironclad man-of-war; on the Yazoo River, just above us, with a fourth class blacksmith shop he made the ironclad vessel, the "Arkansas." This was done by taking old iron rails from railroad bed, heating them, and with rude hammers making them conform to the sides of the vessel and spiking them down. With a courage as undaunted as ever warmed the heart or nerved the arm of a sailor-soldier, he floated down the Yazoo River, trained his guns upon a fleet of the United States Government at Vicksburg, thus revolutionizing the mechanics of naval warfare.

But I must not detain you longer in attempting to recall even a few of the many great things Mississippi has always done in the crucial tests of her history.

On the other hand, Mississippi has not looked as diligently and industriously to the development of her material resources as perhaps she should have done. These are as essential for the success of the present day as it is to look after those things which I have just named. This body at the last session of the Legislature accentuated this development, I believe I may say, without just criticism, more than any previous Legislature. Our beloved State has caught the inspiration of material and industrial development, and we must do nothing that will retard her march to the achievement of her high destiny.

The past two years have been fruitful ones for Mississippi; the progressive spirit has been the dominating influence everywhere; animating every purpose, directing and energizing every endeavor. Our people have been enlisted in a service whose badge is one of honor because its results are useful and enduring. They have

come to a realizing sense of the value of their noble estate, its vast wealth and capabilities of production; they have begun to seize their opportunities and develop them for their own and their children's betterment.

And in this emergence from the night of adversity to greet the rising sun of the new day of prosperity, it rejoices us to see that same dignity and manliness of character summoned to the new duties of the new time that has been the anchor and the shield of Mississippi at every important epoch in all of her history.

Whatever may have been the shortcomings of the men of Mississippi, they have never been recreant to the call of public duty, or faltered in any cause that enlisted heart and conscience.

When the desolating simoon of war swept over our State, working havoc and devastation in a garden once the brightest and fairest on earth, the men of Mississippi, returning to their homes, cast one glance at the ruin and with stout hearts and strong hands began to repair the ravages of the storm. Scarce had they begun this work when the trying days of reconstruction ensued,

"When Southward sped
Every bird of venture save the dove."

A new kind of patience, of fortitude and of courage were demanded to meet the duty of the hour. But the heroic spirit was there, equal to the occasion that summoned it, and our State was delivered of these despoilers, cormorants more greedy, more ruthless than any that ever flocked to seize the remnants that the eagles of war had left behind.

The story of that struggle and triumph needs no embellishment. History will tell of it as one of the sublime examples of heroic patience and achievement in the annals of the race, and we, of the new generation, in the enjoyment of our goodly heritage and birthright, to-day do not forget the reverence due to those who wrested these things from the alien for our enjoyment.

Edmond Burke said that the traditions of a people were their most precious possessions, because they fixed a standard, constantly rising higher and higher for each succeeding generation to measure its achievement by. And as we realize the superb conduct of the men of the generation that preceded our own, many of whom yet linger amongst us—when we think of their courage, their steadfastness, their self-immolation, when we read the sublime record of their triumph over well nigh insuperable difficulties that you and I might enjoy the glorious privileges that are ours to-day, no other monition is needed to remind us of our duty.

And let me admonish you that our duties, if we but see them aright, are as binding and imperious, if not so difficult, as those our fathers so valiantly performed.

They preserved and have transmitted to us a rich and unincumbered estate, in trust for deliverance unimpaired to our children;

and supremely upon you and I, members of this Legislature, rests this sacred trust. It is our bounden duty to see that it shall grow and prosper and not be diminished through our keeping.

To this end all of our counsels, all of our endeavors should have for their aim the development of the commercial and industrial interests of our State and people, thus proving that we are worthy keepers of the estate rescued for us through so much self-abnegation, struggle and suffering on the part of our fathers.

Our duty in this behalf is imperative; the parable of the talents should make the lesson of every day; the unprofitable servant has no place in this House.

The season is auspicious for the promulgation of progressive ideas. The people are in an attitude of receptivity towards the broader and more generous gospel of growth and development. It is an opportunity for us to seize and make potential for the welfare of the commonwealth, and I have not the smallest fear that this House will be recreant to its duty and its obligation.

We shall have one subject to consider which will contribute more, in my opinion, to the furtherance of this material development than any other one thing, and that is a proper and generous appropriation to the Louisiana Purchase Exposition at St. Louis. Mississippi has possibly more undeveloped resources within her borders than any other State in the Union. To advertise and present these resources in an attractive and creditable manner to the attention of the world that will assemble at this magnificent exploitation of the arts, sciences and resources of the territory covered by the Louisiana Purchase can but give our beloved State an impetus in her march to that high plane of wealth and fame in this great nation to which she of right belongs.

Can any one calmly contemplate the splendid sinews that lie within the grasp of Mississippians without his heart and brain be moved to excel his comrades in appropriating a generous sum, that these sinews may be adequately presented to the world through this Exposition? Every reason conspires to convince the judgment of every true patriot in this House that we must not fail to give our State that place in this Exposition which her worth and resources demand that she shall take. Need I say more to this wise and patriotic body?

One other subject we shall have to consider and formulate into law is the question of redistricting the State into eight Congressional Districts. We can hear it whispered on the corners that we are to be here many weeks solving this proposition. The reason assigned is that the politicians will so dominate the members of this body that they will not be free to exercise that judgment and conscience that should guide, direct and shape their official conduct in the discharge of this duty, that for selfish purposes men are to control their actions. I want to say that I believe I know the mettle out of which the members of this body are made. I believe that every man has that mettle in him that will override the arts of

the demagogue and the blandishments of the politicians, and reflect in the legislation upon this subject, what he believes to be to the best interests of Mississippi. I believe that you, and each of you, will follow no light which does not come from that star that sheds it for the glory and best interests of our State.

As before said, you will lay down in the act that will redistrict Mississippi, the principles that should control; that is, compactness, contiguity and community of interest. Any man that can not be elected from such a district is unworthy to represent Mississippi in the Congress. So I apprehend that this body will discharge this duty as they have always discharged every duty that has been placed upon them.

It is needless for me to say that I am sure that you will do for our eleemosynary and educational institutions all that should be done. Your conduct in the past is a guarantee of this now—taking that just and wise ground between official extravagance and generous support of these institutions that you should.

Permit me to say that I feel deeply concerned in the triumph of our common public schools. In my judgment no money that is expended by Mississippi could have better or higher purpose than that given to these schools. My heart yearns for the day to come when Mississippi can so arrange her finances as to give to this system a term of at least seven months out of the twelve. Why should not we? Living in a Republic where the government is maintained by the common people, the integrity and perpetuity of our institutions depend upon the broad education of its citizens. "Our institutions are not like the strata of the everlasting hills, which holds that which is down, down forever, and that which is up, up forever, but they are more like the ocean, where any drop may circulate through all the depths and at length glisten upon the summit of the highest wave." Hence the importance that the government should equip every citizen with that educational foundation that will enable him to meet any of the possibilities that may be cast upon him by his people.

I congratulate you upon the manner in which you have heretofore met the duties incumbent upon you. I feel sure of my ground when I say that no just criticism can be passed upon me in declaring that having been chosen Speaker of this House of Representatives is a legacy which I shall hand down to my loved ones with pride. To have had the confidence and to have been given the suffrages of such a body of men places me upon a plane of which I shall always be proud. I can not lay claim to that mastery of our noble English tongue that would equip me fittingly to portray my gratitude to you for this honor.

Two years ago you gave emphasis by your wise legislation to the industrial movement and commercial success of the State. Factories of all kinds are coming to our State and to the South. To-day Congress takes up the Nicaragua Canal bill, a measure of supreme importance to us. (God forbid that the company who

have been tampering with the Panama scheme should divert our National Legislature from constructing the Nicaragua Canal.) When that shall be built, as it must be built, and the cotton factories shall be beside the cotton fields in this balmy clime, there shall come to us a period of prosperity, happiness and contentment for the next twenty-five to fifty years that never came, in my judgment, to any other country for the same length of time.

Each one of us, at the conclusion of our labors here, must return to our people the commission with which they have honored us, and their verdict of approval shall be the supreme recompense of the service. Let us then from this hour highly resolve that we shall win and wear this guerdon.

And now, fellow members, inspired by high purposes, locking arms and placing shoulder to shoulder, heart beat to heart beat, thought to thought, let us enter upon the work of pressing forward our good State in her march to conquest; thus represented her path can but "lead over the summit where the sunbeams lie."

On motion of Mr. George the speech was ordered spread on the journal.

A committee of the Senate notified the House that the Senate was in session and ready for the transaction of business.

On motion of Mr. Brown, of Adams, a committee of three was appointed by the Speaker to notify the Senate that the House was in session and ready to transact the business to come before the Legislature. The Speaker named on the committee Messrs. Brown of Adams, Harper and Underwood.

The committee soon returned, reported that it had performed the duty assigned, and was discharged.

Leave of absence was granted Mr. Tucker from day to day, on motion of Mr. Quin, of Wilkinson.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 7, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted a resolution providing for the appointment of a joint committee of three on the part of the Senate, and —— on the part of the House to notify the Governor that the two Houses are in readiness to receive any communication he may desire to submit to them, and has appointed on said committee on the part of the Senate Messrs. Moore, Martin, and Dent of the Sixteenth District.

Respectfully,

JOHN Y. MURRY, JR., *Secretary.*

Whereupon, on motion of Mr. Brown, of Adams, the Senate resolution was concurred in and three members on the part of the House were named on the committee by the Speaker as follows: Messrs. Brown of Adams, Harper and Underwood.

The committee soon returned, reported that the Governor

would soon send a communication to the House in writing, and the committee was then discharged.

A message from the Governor was received at the hands of his private secretary, and was read by the Clerk as follows :

MESSAGE FROM THE GOVERNOR.

Gentlemen of the Senate and House of Representatives:

As required by Section 122 of the State Constitution, I have the honor to present a condensed summary of the status of affairs of the State government and of the operations of its various departments, and to recommend for your consideration such general measures as I deem necessary and expedient to the progress and welfare of the government, the business interests of the State and the needs of the people, so far as such come within legislative jurisdiction.

I am fully cognizant of the constitutional admonition for short terms of the Legislature when convened in special session, and shall therefore endeavor to restrict the subjects which I shall submit for your consideration to those deemed of sufficient importance to demand your attention above the mere question of expense to be incurred in their consideration.

FINANCE.

The Legislature of two years ago seems to have "marked the parting of the ways" between an old and a new sentiment of governmental liberality.

Your honorable body at that session was liberal above all your predecessors, for many years at least, in the appropriation of funds for the assistance and maintenance of the State institutions and the proper objects for State aid.

It has been gratifying to note also that the spirit of progress and liberality manifested by you has been heartily approved by the people, who have come to know of a certainty that tax money, when judiciously expended for the comfort, education and general benefit of the masses, is not extravagance, but a safe and becoming investment by the State.

It is pleasing to report, however, that, notwithstanding the liberality of your said appropriations, and the reduction by you of one-half mill of the State tax levy, sufficient funds came into the treasury from the various sources of the State to meet all current expenditures required, and with which to pay off also \$400,000 of five per cent interest-bearing bonds, and to defray all the expenses to date incurred in the building of the new State house, without the sale of bonds provided for by the act authorizing the erection of a new capitol.

I direct your attention to the reports of the Auditor and State Treasurer for detailed statements of the moneys received and disbursed by the State during the two preceding years.

In the hope of furnishing some suggestions for your guidance in making appropriations of money at the present session, I take the liberty of submitting for your consideration the following careful estimates of the funds likely to come into the treasury during the years 1902 and 1903, to-wit:

State tax for 1902 and 1903, at 6 mills.....	\$2,425,000 00
State tax, privileges, 1902 and 1903, under present law	825,000 00
Land sales, including Chickasaw school lands.....	160,000 00
Fees collected by Secretary of State and Auditor..	25,000 00
Penitentiary	15,000 00
U. S. appropriation A. & M. Colleges, 1902 and 1903	50,000 00
Back taxes collections, 1902 and 1903.....	300,000 00
Poll tax collections, 1902 and 1903.....	550,000 00
Cash on hand January 1, 1902.....	550,000 00
	<hr/>
Making a grand total for the two years.....	\$4,900,000 00

It will be borne in mind that these amounts are estimated, but are believed to be approximately correct, and I beg to admonish that should the appropriations made at this session exceed the above amount serious embarrassment might result to the State.

PAYMENT OF BONDS.

The Legislature at its session in 1896 (Chapter 34), for the purpose of raising revenue to carry on the State government for the fiscal years 1896 and 1897, authorized the issuance of \$400,000 of 5 per cent bonds, payable in ten years, with the option given the State to redeem or pay off same in five years from their issuance, and in pursuance thereof and in accordance with the provision of said act, there were issued and sold on the first day of July, 1896, and said \$400,000 of bonds.

By Section 7 of the act, the credit of the State of Mississippi was pledged to the punctual payment, both principal and interest, of said bonds, and at the expiration of five years the State was given the option to pay off and retire any or all of them.

On July 1, 1901, when the said option matured, as the agent and representative of the State in the premises, I published a proclamation in words and figures following:

"STATE OF MISSISSIPPI,
"EXECUTIVE DEPARTMENT.

"PROCLAMATION BY THE GOVERNOR.

"To the holders of Mississippi State Bonds, Series 'B':

"WHEREAS, Under the provisions of an Act of the Legislature of the State of Mississippi, approved March 18, 1896, there were

sold on the 1st day of July of said year, \$400,000 of 5 per cent interest-bearing coupon bonds of Series 'B'; and,

"WHEREAS, By the provisions of said Act the State reserved the option to call in and pay said bonds at the expiration of five years, and it appearing to me that said five years' option matures on the first day of July, A. D. 1901; "

"Now, therefore, I, A. H. Longino, Governor of the State of Mississippi, by virtue of the authority vested in me do issue this my

PROCLAMATION,

giving notice to all holders of said Mississippi State bonds, series 'B,' numbered from 1 to 800, to present same on July 1st, A. D. 1901, to the Treasurer of the State of Mississippi at his office in the Capitol in the city of Jackson, Mississippi, for payment in full, with accrued interest. Interest will cease on said bonds from and after the 1st day of July, 1901.

"In testimony whereof, I have hereunto set my hand and caused the great seal of the State of Mississippi to be affixed.

"Done at the Capitol in the city of Jackson, this the 4th day of June, in the year of our Lord 1901.

"(Signed)

A. H. LONGINO, *Governor.*

"By the Governor,

"J. L. POWERS, *Secretary of State.*"

Under the foregoing call I have the honor to report that up to the 1st of October, 1901, \$338,000 of said bonds were presented to and cashed by the Treasurer, and that \$3,500 thereof have been paid off and canceled since October 1st, aforesaid, including all accrued interest on the bonds thus taken up.

The law governing the whole subject-matter relative to said bonds is contained in the said Act of 1896, and being of opinion that there was no constitutional or statutory inhibition to prevent the State's exercise of the option through its agents or fiscal officers, I deemed it wise and to the best interest of the State to pay them off and stop the interest of \$20,000 per annum. Especially did this course seem proper in view of the fact that there was ample idle money in the treasury to cover said bonds, not otherwise appropriated by the Legislature or needed for present use.

STATE HOUSE BONDS.

Chapter 54 of the Acts of the Legislature of A. D., 1900, authorized the Governor to have prepared a series of thirty-year four per cent interest bonds of the State of Mississippi to the amount of \$1,000,000, to be sold by him to the highest bidder for cash, at such times and in such amounts as he might elect. The further additional sum of \$2,500 was appropriated by said act for engraving the said bonds and advertising the same for sale. By Section 6 of the said act \$40,000 was appropriated with which to pay interest on the State house bonds aforesaid for 1900.

I confess to much pleasure in being able to report that no part of said bonds has been prepared or sold, and consequently there has been no occasion to use the money appropriated for interest, or for lithographing, and that the State has thus been saved four per cent interest, or \$80,000, for the two years since the passage of the act.

It is proper to explain that there has been sufficient funds in the treasury, not otherwise needed for public expenditure, to meet all expenses of the new Capitol to date. I cherish the hope that the State house will be carried to completion without the sale of any part of the bonds originally intended to be the exclusive source of funds for the building; but whether my hopes in this respect shall be realized or not will depend, of course, largely upon the action of the Legislature in its appropriation of the revenues now on hand and to accrue to the State from the ordinary revenue bearing sources.

NEW STATE FARM.

Under the provisions of a law passed by the last Legislature authorizing the Board of Control to purchase lands in the Yazoo-Mississippi Delta for additional penitentiary farm (see Chapter 56, Acts of 1900), I beg to report that acting in strict conformity to said law the Board purchased 13,789.32 acres lying in the northern part of Sunflower County, Mississippi, traversed by the Yazoo Delta Railroad, at and for the price of \$5.78 per acre. I am pleased to report that of the many thousands of acres which were offered and personally inspected by the Board of Control the tract selected was, in my opinion, wisely purchased. It is fertile, well located and well drained by means of permanent streams and bayous; the vast majority of it is first-class delta land, susceptible of being put into profitable cultivation, and was purchased at a remarkably low figure. It is being rapidly cleared and furnished with necessary and suitable stockades for the safety and care of the convict labor, and I confidently predict that within the next two years sufficient land will be cleared and accommodations provided for the concentration and work thereon of all the convicts except such as will be needed for the cultivation of the other convict farm properties owned by the State.

By reference to the report of the Board of Control it will be seen that four stockades, or homes for the prisoners, have been built, and that about 2,000 acres of land have been cleared since the purchase on January 12, 1901. This has been done without curtailing the operations of the Board, or lessening the land acreage cultivated during the several preceding years. In order to make the convicts self-sustaining and relieve the State from any burdens of taxation on that account the Board has adopted the plan of gradually clearing and developing the new property, dropping only such leased farms as seemed expedient to the gradual opening and cultivation of the new purchase. This scheme of yearly clearing and concentration of men will be continued until in 1904,

when I predict all the prisoners may be worked on the farms owned by the State without the necessity of leasing as heretofore, and thus ultimately relieve the State of the large sums now paid for rent. I estimate that at the present rate of improvement the new farm will in three or four years more be worth a quarter of a million dollars.

STATE TREASURER.

Owing to the unfortunate occurrences in connection with the State treasury since the last adjournment of the Legislature it becomes my unpleasant duty to lay before you *officially* the facts which brought about the vacation of the office by Treasurer Stowers, and the election of his successor.

In August last, acting under the requirements of Section 2159 of the Code, I counted the money in the vaults of the treasury, and, upon verification, there was found a shortage in the cash called for by the books to the amount of \$181,252.52. Whereupon, acting under requirements of the Code, I made and caused to be published a certificate covering in detail the facts and conditions as disclosed by such investigation and count, a copy of which certificate is as follows:

"On August 15, 1901, I deemed it proper to verify the cash balance on hand in the State treasury as shown by the books of the Treasurer, and to that end I went to the treasury office on the morning of the said 15th instant, without giving notice to any one in said office, for the purpose of counting the money on hand, but was informed by J. R. Stowers, Treasurer, that the time lock had been put on and that access to the cash was impossible before 5 o'clock that evening. I returned to the treasury at that hour when I counted the said funds in the presence of and with the assistance of Auditor W. Q. Cole, J. R. Stowers, Treasurer, and Charles Lowe, bookkeeper, in said office, who verified the correctness of said count, and I found the condition of the funds of the treasury on that day to be as follows, to-wit:

To cash on hand August 1st.....	\$786,044	80
To cash received since.....	141,195	84
	<hr/>	\$927,240 64
By bonds and warrants paid in August.....		86,772 23
		<hr/>
Balance	\$840,468	41
Currency on hand	\$443,876	00
Gold on hand	117,490	76
Silver on hand	90,705	00
Cash items in the drawer.....	7,144	13
Penitentiary accounts overdrawn for which credit is given.....	18,631	08 677,846 97
		<hr/>
Difference	\$162,621	44

Attest:

The Treasurer presented the following as cash assets and asked that they be counted as cash, to-wit:

Due bill O. J. Waite, cashier First Nat. Bank	\$ 10,000 00	
Receipt for draft for collection by F. B. Neal, Assistant Cashier of Merchants Bank	25,000 00	
Cash on deposit in Merchants Bank....	20,000 00	55,000 00
		<hr/>
	\$ 55,000 00	

Allowing the Treasurer credit for the aggregate of the above three items claimed by him as cash, there was still a balance belonging to the State unaccounted for, as shown, amounting to the sum of\$107,621 44

I indulged the hope that the amount of said shortage would be replaced if opportunity and time were given before publicity of the result of said count, and to the end that the State might thus recover the money without further trouble, expense or loss, I enjoined secrecy of those present on the whole proceedings, and agreed with Mr. Stowers that I would make another count of the money on Tuesday, August 20th. On the day fixed I made the said count with the following results, to-wit:

STATEMENT OF STATE TREASURY ON AUGUST 20, 1901.

To cash on hand August 1st.....	\$786,044 80	
To cash received since.....	210,967 60	\$997,014 40
		<hr/>
By bonds and warrants paid in August up to the 20th		91,100 05
		<hr/>
Balance	\$905,914 35	
Currency on hand	\$575,291 00	
Gold on hand	117,490 76	
Silver on hand	95,655 00	
Cash items in the drawer.....	1,332 53	
Penitentiary account overdrawn for which credit is given	28,145 06	
		<hr/>
	\$815,914 35	
Draft for collection for sale of I., I. & C. lands in hands of Capital State Bank..	\$ 65,000 00	
Receipt for draft for collection by F. B. Neal, Assistant Cashier Merchants Bank	25,000 00	
		<hr/>
	\$905,914 35	905,914 35

"The above simple statement of facts showing the condition of the funds in the treasury on said counts is made as required of me by Section 137 of the Constitution, and in my opinion the books of the treasury show a correct statement of the amounts which should have been in the treasury on said 15th and 20th days of August, 1901, respectively.

"(Signed)
"A. H. LONGINO, *Governor.*"

"Afterwards, on the 23d day of August, the then Treasurer, J. R. Stowers, gave out for publication a statement which appeared in the newspapers, containing an admission of the correctness of the count made by me, and confessing also a shortage to the amount named, as shown by the foregoing copy of my certificate. His printed statement was in words as follows:

"It is perfectly true, as stated by the Governor, that he came to the treasury on the morning of August 15th and wanted to count the cash. It is also true that he was told that this would be impossible as the time lock was on and would not be off until 5 o'clock in the afternoon. It has been the custom of the office since I assumed charge to take out what was thought to be enough for the day's business—usually about \$40,000—and place this in the outside vault, putting the time lock immediately on the interior steel safe until about closing time. This is for protection against robberies during the daytime. The steel safe thus closed contains the bulk of the money. It will thus be seen that it would be impossible for any one in the office to be robbed of this amount during the daytime.

"The money left over from the day's business is placed within it and the lock turned on for 9 o'clock next morning. We thought the precaution a wise one. Governor Longino's statement is also correct that he returned at 5 P. M., when he, Auditor Cole, Bookkeeper Lowe and myself counted the money and found the total amount of \$107,000 less than the books called for. No one was more surprised than I when this was made clear, unless, indeed, Mr. Lowe, the bookkeeper.

"Governor Longino asked me what I was going to do about it. I told him that my cashier was up at Allison's Well on a little trip, and I would do nothing until he returned, when I was sure everything would be all right. I told him that neither Mr. Lowe nor myself handled any of the money in the vaults. I have on several occasions in the past instructed my cashier, Mr. Raiford, to place the funds in the different banks on good State and other bonds, because of the crowded condition of the safe shelves, and in pursuance of this authority the money shown not to be on hand last Thursday could not be counted. My cashier was notified and came at once. On August 20th Governor Longino returned, the cash was counted and found to be all right.

"(Signed)
"J. R. STOWERS, *State Treasurer.*"

In view of the statement made by the Treasurer that he had instructed his cashier to place the funds of the treasury in the different banks on good security, I addressed him the following inquiries, to-wit:

“EXECUTIVE DEPARTMENT,
“JACKSON, MISS., August 27, 1901.

“*Robert Stowers, State Treasurer, Jackson, Miss.*

“SIR: In the statement printed in the newspapers of this city on the 23d instant, purporting to be signed and given out by you to the public in explanation of the shortage of the funds in the treasury when the money was counted by me on the 15th instant, I note that you say, I have on several occasions in the past instructed my cashier, Mr. Raiford, to place the funds in the different banks on good State and other bonds, because of the crowded condition of the safe shelves, and in pursuance of this authority the money shown not to be on hand last Thursday could not be counted.

“Under the provisions of Section 2156 of the Code, paragraph (1), I have the honor to call on you to inform me in writing: 1st. With what banks were said deposits made?

“(a) How much was deposited with each and the date thereof?

“(b) What security was taken by you? State fully or file lists.

“(c) Has there been any consideration paid or agreed to be paid by any depository or anyone else for the use of the State's funds deposited with or used by them?

“(d) Were entries of said deposits made by you on the books in the Treasurer's office? If so give the dates of entry, name of book and pages thereof.

“(e) What evidence did you take from the banks showing such deposits? Exhibit same or copies thereof with your statement.

“(f) If there are any other facts connected with the treasury discrepancy which you deem proper to communicate please make statement as if you were specially interrogated by me.

“I will thank you for the information herein requested by 9 o'clock A. M., the 28th instant if practicable.

“Respectfully,

“(Signed)

“A. H. LONGINO, *Governor.*”

To which he replied:

“JACKSON, MISS., August 28, 1901.

“*A. H. Longino, Governor, Jackson, Miss.*

“SIR: Your communication of August 27th was handed me at 4 o'clock P. M. In said communication you call attention to my statement printed in the newspapers on August 23d, and call upon me for certain information under the authority conferred upon you by paragraph (1) of Section 2156 of the Code.

“In compliance with your request I beg leave to submit the following: Since my tenure in the office of State Treasurer began

there has been an unprecedented accumulation of money in the treasury, so much so that it has been impossible to find room for even all the currency within the steel safe secured by the time lock. Often all the silver and part of the currency had to be kept outside of the steel safe in the insecure vault, and at this time there is \$94,000 of silver in the treasury, which has to be kept outside of the safe. This insecure state of the money in the treasury has been a source of alarm to me all the time; and in this feeling of alarm for the danger of the situation you and other State officers participated to the extent that an extra guard was appointed by you. With this extra precaution the danger of the situation is not relieved, because these two guards could be easily overcome and silenced by a band of expert safe robbers, after so valuable a prize.

"Now, I am not a lawyer and do not pretend to be learned in the technicalities of the law, but in reading the statutes upon the duties of the Treasurer of the State, I have conceived it to be my duty to receive and keep the moneys of the State, to disburse the same agreeably to law and to take receipts and vouchers for moneys disbursed and to keep proper accounts of the receipts and expenditures. For the faithful discharge of this duty I gave bond with good securities and took the oath of office to perform them. This I have honestly endeavored to do, and have done.

"In studying the statutes and laws regulating the duties of my office, I have never found a requirement that all the money of the State shall be kept in the vault and safe, especially under circumstances like those which I have encountered, where the crowded condition of the treasury made it unsafe to keep it there. I have conceived the law to be the same with reference to the State and County Treasurers, and it is well known that the funds of nearly every county in the State are deposited in bank, subject of course at all times to the call and control of the Treasurer, and ready to be counted. In reading Section 137 of the Constitution of the State requiring the semi-annual statement to be published by the Treasurer, showing the condition of the treasury, with a certificate of the Governor 'that he had verified the count of the funds in the treasury and found the balance stated by the Treasurer actually in the vaults, or as the truth may be,' I did not conceive this to be a requirement that the cash necessarily had to be in the vault at all times, and under all circumstances, whether safe or unsafe. On the contrary, I supposed if the cash balance in the treasury was in the vault, or in good faith under the control of the Treasurer, safely kept and ready to be counted, the law and the conditions were strictly complied with.

"Now, if I have made a mistake in this view of the law and in acting thereunder, it has been an honest mistake, but be that as it may, it was in this view of the law and under the peculiar conditions of an overflowing and unsafe vault that the instructions to Mr. Raiford, mentioned in my published statement, from which you quote, were given. And you will observe that I was careful to protect the funds of the State and to keep them absolutely safe,

by requiring the cashier to have an amount of State bonds or other good bonds, in lieu of the cash, and the solvency of the bank was not even trusted. I can not conceive how I could have been more careful of the State's interest. I beg to further inform you that at no time, with my knowledge and consent, were any funds that could be conveniently and safely kept in the steel safe, under time lock ever allowed by me to remain in bank, and no very large amount in any one bank, and never was it allowed to stay in a bank for a great length of time, and never allowed to remain in a bank at all unless absolutely secured and when it was really safer than it could have been in the old vault of the treasury. The security taken by me for any money allowed to remain in bank was State bonds of equal amount with the deposit. I can not file a list because when the cash was paid into the treasury the securities were returned together with the certificates of deposits or receipt which I held to show where the money was.

"There has never been any consideration paid or agreed to be paid me by any depository or any one else for the use of the State's funds deposited with or used by them.

"All proper entries were made truthfully on the books in the Treasurer's office of all moneys received and disbursed as the law requires, and the books always showed the correct balance of cash in the treasury, and any money left in a bank, as above stated, was treated as cash in the treasury and was always subject to the call and control of the Treasurer, and was so counted. The evidence taken by me from the banks, when money was left with them, was either a receipt or certificate of deposit to me as State Treasurer held with the bonds in lieu of the cash and returned to them always with the bonds to the bank when the cash was paid in. I can not, therefore, exhibit the same nor a copy with the statement, but they like the receipt or deposit certificates exhibited to you when counts of the funds were made.

"In response to your request that I state any other facts connected with the treasury discrepancy, which I deem proper to communicate, kindly permit me to make the following observations:

"The insecurity of the vault at the State treasury is the same and there still exists the greatest danger of the treasury's being robbed, and but for your objection to the keeping of any portion of the State funds elsewhere than in the vault, I should continue the policy of keeping that portion of the funds which can not be placed under the time lock in the steel safe, deposited elsewhere under safe conditions; but yielding my own views as to the legality of that course to your better judgment and riper wisdom, I promise you, who, as Governor of the State, has the legal duty devolving upon you to superintend the Treasurer's office and to direct its policy in respect to how the funds may be kept, that from this time on during my occupancy of the office your wishes in that respect shall be observed and the money will all be kept in the vault, yet it will be with constant fear and alarm for the safety of that portion kept

outside the time lock steel safe, remembering always that my bond will have to make good any sum of which the safe may be robbed.

"You will observe that I have not named a bank in which any of the State funds have been deposited in the manner above set out. Before doing that I respectfully submit that I should know for what purpose that information is desired. From what has appeared in the public prints and from other sources, I have reason to suspect that you intend to take legal proceedings against me and possibly others. I do not feel conscious of having done any wrong in the conduct of my office. Every dollar of the State's money has been safely kept by me and is now in the treasury. In justice to myself I will respectfully ask, before answering that question, if it is your purpose to use the information in legal proceedings?

Respectfully,

"(Signed)

"J. R. STOWERS, *State Treasurer.*"

Upon the refusal of Mr. Stowers to disclose the facts called for in my said letter of August 27, and being advised and of the opinion that he had been guilty of gross misuse of a portion of the funds intrusted to his keeping, and that the missing money had been loaned out, I proceeded, under the authority conferred by Section 2158 of the Code, to suspend Treasurer Stowers from office, and to that end addressed him a communication of which the following is a copy:

"EXECUTIVE DEPARTMENT,

"JACKSON, MISS., August 28, 1901.

"*Robert Stowers, State Treasurer, Jackson, Miss.*

"SIR: Performing my duty under the laws of the State, having reason to expect that you have been guilty of embezzlement, peculation, defalcation or fraud in your office as State Treasurer, or of permitting the same to be done;

"Therefore, as Governor of Mississippi, I suspend you from the office of State Treasurer in pursuance of the statute.

"Respectfully,

"(Signed)

"A. H. LONGINO, *Governor.*"

By comparison with the records in the Auditor's office, I was convinced that the Treasurer's books showed the correct amount of money which should have been in the vaults of the treasury when the count was made, and consequently deemed it unnecessary and of useless expense to the State to appoint an expert accountant to investigate his said books.

Upon the removal of Mr. Stowers from the office of State Treasurer, I have the honor to report that I made forthwith temporary appointment of G. W. Carlisle, Esq., a resident and qualified voter of the city of Jackson, this State, to fill the said vacancy temporarily, and who promptly and on the same day qualified and took charge of the office.

Subsequently, on the 6th day of September, 1901, J. R. Stowers tendered his resignation to me in writing, as shown by a copy thereof following, to-wit:

"JACKSON, MISS., September 6, 1901.

"To His Excellency, A. H. Longino, Governor of Mississippi.

"SIR: I hereby resign the office of Treasurer of the State of Mississippi to take effect at once. Under the circumstances it is proper that I should make this statement. I would not resign if the books and funds of my office had not been examined and found correct, and, therefore, I leave the office and its affairs in proper and correct condition for my successor.

"When I accepted the office I had not had any experience in financial affairs, nor in the administration of the office, and I was ignorant of the law applicable to it, as well as the practical execution of its duties. In fact, I was not competent to keep the books or administer, practically, the office. I never had any conception, until recently, of the grave responsibility in law and in fact applicable to its administration.

"Even now there is contfariety of legal opinion as to what the Treasurer can and what he can not do in keeping the public funds. The common practice has heretofore obtained for State, county and municipal officers to deposit funds in banks, and with no thought of criminal liability; but now I am advised by some, and to the contrary by others, that it is a criminal offense to deposit the State money in banks, even though the deposit is amply secured by State bonds. So, too, I am advised that the Supreme Court has decided that a treasurer is liable on his bond for money taken from the safe provided by the Board of Supervisors by robbery by burglars; and that a State Treasurer is criminally liable, under the Code, for failing to turn over to his successor the money that should be on hand, without regard to how it got out of the treasury; and that under such circumstances the Legislature would be powerless to relieve because forbidden by Section 100 of the Constitution.

"With existing conditions of the treasury vault, and the risk of committing a criminal offense and of liability on my bond, if the money was put elsewhere, and my inability to personally run the office, I have resolved never again to occupy the Treasurer's office; and while my motives may be misconstrued by some, still I prefer the course, and hence send this my resignation.

"If the construction of the statute prevails that a deposit of the public funds in any bank, upon full security, imposed criminal liability on the Treasurer, and as the overflowing condition of the treasury practically requires, in the exercise of ordinary diligence, that the money should not be left there, and if the robbery of a bank were left, even on special deposit, would impose liability on the Treasurer's bond, and probably criminal liability on the Treasurer, then, these are consequences too grave for me to risk, as I

am now advised of their existence, not to incur such a responsibility.

Respectfully,

“(Signed)

“J. R. STOWERS.”

The resignation of Mr. Stowers made it necessary to order a special election to fill such vacancy, which I accordingly did by due proclamation directed to the Commissioners of Election of the various counties, whereupon the said G. W. Carlisle was duly elected to the office of State Treasurer, and it gives me pleasure to say that he has discharged the duties of said office faithfully and efficiently.

SECRETARY OF STATE.

It becomes my sad duty to make formal announcement to you that Col. J. L. Power, late Secretary of State, departed this life at his home in Jackson on the 24th day of September, A. D. 1901.

His love for the State of Mississippi knew no bounds, and his loyalty to its every interest was complete; his respect for its laws was reverential, and his contempt was supreme for those who wantonly dishonored and disobeyed them. As a private citizen his friendships were fervid and enduring, his enmities few, his philanthropy great and his charity sublime. In his death the State has lost one of its most public spirited and useful men, and the administration of which he was a part one of its wisest counselors.

It became my duty under the law to fill by temporary appointment the vacancy in said office, caused by the death of Col. Power, and I have the honor to report that Joseph W. Power, the faithful assistant and son of the late Secretary, was appointed to fill said vacancy until a successor could be elected.

A special election was accordingly ordered, and on the 5th day of November, 1901, the said Joseph W. Power was duly elected to the office of Secretary of State, to fill out the unexpired term of his deceased father, and I am pleased to report that the new Secretary is now administering the affairs of the office faithfully and efficiently, and his report will acquaint you with the affairs of his department.

GOOD ROADS.

The itinerary of the National Good Roads Association through the State last spring stimulated the already active demand among our people for better roads. The National Good Roads Association, in conjunction with the Illinois Central Railroad Company, ran a train laden with the most improved implements for working public roads, and gave practical demonstrations at McComb City, Oxford, Vicksburg, Natchez, Greenville, Clarksdale, Water Valley, and Jackson.

To further stimulate the improvement of our public roads, I deemed it of importance enough to call a State convention to con-

vene in the city of Jackson during the two days that the Good Roads train would be in Jackson.

Forty-two counties were represented at this convention. A permanent organization effected with Hon. J. A. Redhead, President; W. Q. Cole, Secretary, and J. J. Coman, Treasurer. Resolutions were passed looking to needed legislation. You will be acquainted with their recommendations through the President, and I earnestly recommend that you pass such laws as will further the building of better roads in the State.

STATE REVENUE AGENT.

The amounts collected by and through the State Revenue Agent and paid into the State, county, municipal and levee board treasuries for the past two years is unprecedented in the history of that office, and is ample evidence of the efficiency of Agent Wirt Adams, who has conducted all suits instituted by him with fairness and impartiality. By reference to his report it will be seen that he has paid into the State Treasury the sum of \$345,552.52, into county treasuries the sum of \$435,654.86, and into municipal treasuries the sum of \$43,930.49, and into the levee board treasuries the sum of \$3,521.59, which, together with amounts in hands of tax collectors (\$52,150.62) makes a grand total of \$1,096,958.05, less his fees.

The success of the Revenue Agent in collecting these several sums is sufficient proof of the wisdom of the Legislature in establishing this office and clothing it with wise laws. I am informed that the Revenue Agent has certain suits pending in court for taxes claimed by the State, which if successful, will considerably augment the amounts already paid into the State treasury. His report is full and complete and will put you in possession of the transactions of his office for the past two years.

There has been some important litigation by the Revenue Agent for the collection of back taxes from certain railroad companies involving the subject of exemptions from taxation claimed by said companies, whereby the good faith of the State has been called into question by some persons who are not advised of the real merits of the cases. In order that the Legislature may have a better understanding of the real issues involved I have deemed it proper and just to all concerned to submit as nearly as possible a succinct and comprehensive statement of the principles and questions involved in the litigation.

Your attention is directed to the following synopsis of the causes as decided by both courts:

The principal case—known popularly as the back tax case—was that of the Y. & M. V. R. R. Co. et al. vs. Wirt Adams, State Revenue Agent. The chief question involved in this case was whether the union of the old Y. & M. V. R. R. Co. with the old L. N. O. & T. R. R. Co. had resulted in merger or consolidation. If in merger, then the exemption from taxation remained. If in con-

solidation then, as the consolidation resulted in a new corporation, the new Y. M. & V. R. R. Co., Section 180 of the Constitution of 1890 applied, and the exemption was cut off by that section. The Supreme Court of Mississippi had held in the Lambert case, 70 Miss., that the result was merger. This case was overruled by the present Supreme Court, and the exemption consequently denied. On appeal to the United States Supreme Court this last decision was unanimously affirmed, not on any technicality, but the Supreme Court of the United States took jurisdiction, and re-examined the question independently, and then affirmed the conclusion of the present Supreme Court of Mississippi, deciding in favor of the State and against the railroad. The taxes involved were those for the year 1892 and subsequent years up to and including 1899. As the consolidation took place October 24, 1892, the railroad contended that the Supreme Court of Mississippi was wrong, at least as to the taxes of 1892, since the taxes for that year were not exigible till December 15th, though assessable February 1st. And so paying for all years except 1892, the railroad company obtained a re-argument as to the taxes of that year. On this re-argument the Supreme Court of the United States again unanimously affirmed the judgment of the Supreme Court of Mississippi, holding the railroad liable for the taxes of 1892, which the railroad company then paid. The holding of this re-hearing was that the decision of the Supreme Court of Mississippi to the effect that the taxes for 1892 were collectible was a construction of State statutes by the State Supreme Court, and hence not reviewable by the United States Supreme Court.

The second case was that of the G. & S. I. R. R. v. Hewes, Tax Collector. This case involved the question whether the exemption from taxes which had been granted by the Legislature of 1882 to the G. & S. I. R. R. had been repealed or not, even if originally valid; and also whether, being a special exemption by a special act of the Legislature to a particular corporation, and not a grant of exemption to all railroad corporations similarly situated, the Act of the Legislature was not null and void, as violating the Constitution of 1869, providing that "the property of all private corporations for pecuniary gain should be subject to taxation the same as that of individuals." The Supreme Court of Mississippi held both that the exemption had been repealed, and that the act granting the exemption was void originally, as violative of said constitutional provision. The court decided this case on the authority of opinion in Y. & M. V. R. R. Co. v. Adams, 77 Miss. The United States Supreme Court again unanimously affirmed this judgment, expressly on the first ground, that the exemption had been repealed, and intimated very strongly its approval of the second ground.

Since the last decision the railroad company has paid the taxes on Canton, Aberdeen & Nashville R. R., about \$130,000, and has dismissed its two cases in the Supreme Court, recognizing, I presume, the fact that the decision in the G. & S. I. R. R. case had

settled them in accordance with the view of the Supreme Court of Mississippi in the first back tax case aforesaid.

The Legislature will remember the effort made to secure a compromise of these taxes at the last session, and the high ground it took that if the railroad owed the taxes all should be paid, and if not, nothing should be paid, has thus been vindicated.

It will be seen also from a reading of the synopsis here given that the Supreme Court of Mississippi enjoys the very high distinction of having received the concurrence of the United States Supreme Court on every material principle involved in said cases.

SOLDIERS' HOME.

Much has been said and written of late on the subject of the State's duty to the homeless and dependent Confederate soldiers in our midst, and it is to be seen that there exists now in the public conscience a well defined certainty of conviction that a duty rests upon the State of Mississippi to establish and maintain, at public expense, a soldiers' home, where the indigent old Confederate, if necessary, may spend his few remaining days on earth free from the disturbing annoyances of want and helplessness.

In forming this conclusion as to the public wish, I have not taken counsel from that sycophantic class who seek political favor by the loud acclaim of love and loyalty toward the old soldier, but who in time of his severe needs are content to commiserate his fate rather than contribute to his wants. On the contrary, the public will is made manifest through the quiet, non-political efforts and unobtrusive methods of the patriotic women of the State, led by the Daughters of the Confederacy, whose untiring efforts and loyal sympathy have awakened the philanthropic sentiment of the State to the justice and needs of such a home.

Though there are few places, perhaps, less inviting or more cheerless than the average poor house, as they are commonly conducted in this State, yet it is reported, on good authority, that some of the disabled and dependent old soldiers have been compelled to take refuge in these hovels of misery, and to exist on what, by a strange perversion of language, is denominated public charity.

This is not in keeping with the just sympathy so characteristic of the people of Mississippi toward the needy residing in their midst, and I commend for your consideration at this session the wisdom and expediency of buying and equipping a home, where the dependent old soldier may go for succor and rest, and feel cheered back again almost into new life by the feeling of protection and support given him by his government—not as a poor house pauper, but as an honored and welcome guest of the State, which has possessed his unqualified affection and loyalty through the years even of his suffering and poverty.

I apprehend that those who have family ties and homes of their own, however humble, would not take refuge in the institution

here advocated. I anticipate, further, that the number of guests in the home would not be large. But be that as it may, the duty of the State remains the same, whether the number is likely to be great or small.

In considering the question it is proper to remember that about thirty-six years have elapsed since the war, and that the remnant of those engaged therein are fast passing away, and that within a few years at most there will be no need for a home for their accommodation.

In considering, therefore, the purchase of property for the purposes named, the length of time for its needs ought to be borne in mind, and the property should be bought with reference to location and character, so as to turn it to other valuable account to the State when it has served its purpose as a soldiers' home. By so doing the State may not only discharge a proper and becoming duty to its worthy defendants, but at the same time make a safe and even profitable investment of the money expended on the home.

There is a sentiment and an evident appropriateness in the State's ownership of Beauvoir, the home where President Jefferson Davis resided at the time of his death, not only because he was President of the Southern Confederacy, but because, also, of his intimate association and active participation in the public affairs of the State for over fifty years in the most interesting and stirring scenes of its history. It is a proper sentiment, also, that the home of their chief should be made the last abiding place of the loyal old men who followed his leadership both in peace and war.

I am advised that the property can be purchased by the State for this purpose from Mrs. Davis, the widow of the ex-president, at a price below even its actual value, and I predict that as the years go by Beauvoir will, by reason of its location and the sentiment that is attached to it, enhance in value even to the point of a profitable investment to the State. I am advised that the buildings will furnish sufficient and comfortable accommodations for the number of inmates who will likely accept the hospitalities of the home. Its location on the Gulf of Mexico, offering the advantages of healthfulness to its guests, who will be shielded alike from the winter's cold and the summer's heat, makes the property ideal for the purposes named. I recommend also the continuation of proper pension appropriation under existing law to such parties as are entitled to receive such aid and who may not elect to go into the home if established.

NATIONAL GUARD.

By reference to the report of Adjutant-General William Henry you will be fully advised on all material matters touching the State National Guard.

I desire, however, to say further, that when needed to aid the civil authorities in the enforcement of the law, the soldiers have

responded promptly to the call of the Governor and discharged their full duty with the courage becoming true soldiers. The men have manifested a most gratifying and commendable willingness to respond to the orders of their officers in every instance where localities have been threatened with riot or insurrection. When ordered under arms to await urgent and quick orders they have responded with such uncomplaining obedience and readiness for duty that their action may be claimed oftentimes to have deterred evil doers from the commission of deeds of great lawlessness and breaches of the peace.

While it may be said that the mission of the National Guard as defined by law, is to repel invasion, suppress riot, insurrection and rebellion, yet experience demonstrates that the organization's greatest usefulness and value to the State is to prevent rather than resist lawlessness.

It is a very common error to look upon the National Guard as a mere social organization which is maintained for the simple amusement and pastime of its members, when it is in fact an important and potent factor in our system of government, and is so regarded by law. Thus Section 221 of the State Constitution requires the Legislature to make annual appropriation for the efficient support and maintenance of the organization, with only one limitation imposed upon such annuities, namely, that no part of such funds shall be used to pay the soldiers except when in actual service.

Being, therefore, a patriotic functionary, volunteering its services in defense of the State when necessary, and being ready at all times to maintain the honor of the commonwealth by upholding its laws, the National Guard is entitled to a better recognition of its importance and usefulness than it is now receiving at the hands of the State Legislature.

It is highly essential to the proper maintenance of the organization, as well as to the discipline and instruction of the troops in the arts of militarism, that they be brought together for a period of common encampment at least once a year.

The Legislature, however, at its last session did not appropriate sufficient money to defray, for the two fiscal years, the necessary and actual expenses of board and transportation of themselves and equipments to and from the place of encampment. No general encampment was held in 1900, and during the past year the National Guard was forced to the humiliation of asking private aid and the donation of funds to pay in part their encampment expenses. I therefore recommend a more liberal appropriation to this branch of the State government.

BOARD OF HEALTH.

I beg to direct special attention to the report of the Board of Health which gives full and in detail the workings of that department during the past two years. It gives me pleasure to state that the physicians composing the Board are not only eminent in their

great profession, but are also patriotic citizens and men of affairs who have looked to the best interest of the State in their efforts to administer the work of their department.

It must be borne in mind, however, that they have been powerless to accomplish much toward the prevention and suppression of contagious diseases for want of sufficient funds with which to defray the expenses looking to this end. I commend to your careful consideration the subject of public health within the State, and to all such matters as properly belong to the department of the Board of Health.

I will submit, at a future day, for your consideration a communication from the State Medical Association.

CONGRESSIONAL APPORTIONMENT.

Under an Act of Congress approved January 16, 1901, entitled "An Act making an apportionment of Representatives in Congress," it is provided that Mississippi be given eight Representatives in the National Legislature. That act further provides that the Congressional Districts shall be composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants, and that the said districts shall be equal to the number of Representatives to which the State may be entitled.

In view of the fact that Mississippi, by said act, is entitled to an additional Congressman, it becomes necessary that the Legislature, at the present session, shall pass a bill redistricting the State so as to comply with the provisions of said Act of Congress.

It becomes my duty, therefore, to submit the subject for your consideration, and to recommend the enactment of a proper law governing the subject-matter. I venture here to express the hope that the high record of unselfish public duty which characterized the actions of this body at its last session will be sustained and made further manifest in this work, and that the districts will be formed with an eye single to the public interest, and without reference to individual political aspirations or personal interest.

BRANCH EXPERIMENTAL STATIONS.

The Board of Trustees of the Agricultural and Mechanical College acting under the provisions of Chapter 61 of Acts of 1900, located the branch experimental Station at McNeill, on the New Orleans and Northeastern Railroad, in Pearl River County. For information regarding this matter your attention is directed to the report of Hon. H. M. Street, chairman of the committee to locate the same. From the liberal donations made by the people of that section, I feel encouraged to believe that public attention is being attracted toward practical industrial lines, and from the encouragement in the location of this station I am constrained to the belief that your honorable body would do wisely to locate other experimental stations, one in the delta, and I respectfully recommend that you consider the matter and act as your judgment ap-

proves, looking to the interest of the farming classes of our people. The difficulties encountered at McNeill will, by a reasonable appropriation from you, be overcome and place the station in position to demonstrate to our people what can be done in an agricultural way in the pine woods.

I respectfully recommend that you make appropriation sufficient to carry this enterprise to successful ends, and to locate another similar station somewhere in the Yazoo-Mississippi delta.

DISEASE OF ANIMALS.

It will be remembered that the live stock industry is of vital and growing importance to the people of the State, and yet there is no law on our statute books for the prevention, regulation or suppression of dangerous, contagious or infectious diseases among domestic animals.

A virulent and fatal epidemic of charbon or anthrax visited a section of the delta during the summer of 1901, which almost completely devastated the live stock of every kind in that locality, thus causing to their owners an estimate loss of more than \$200,000, exclusive of other loss of stock from blackleg, glanders, Texas fever, hog cholera, and other stock diseases which are more or less prevalent all the time, but which are constantly increasing with the growth of the live stock industry.

During the prevalence of the charbon epidemic I visited some of the infected places, where I witnessed the destructiveness of the disease and became convinced of the impossibility of confining or suppressing it in the absence of law or enforceable quarantine regulations, and I became furthermore convinced of the immediate importance of practical legislation on the subject.

I therefore submit the matter as pertinent for consideration at this special session, and recommend the passage of a law creating the office of State Veterinarian, and providing for a State Live Stock Sanitary Board to be clothed with authority to make and enforce rules and regulations for the protection against contagious diseases and the promotion of the health of domestic animals in the State, and to determine upon and employ sufficient and practical means to that end. I further recommend that a reasonable appropriation of funds be made to aid the said Board in carrying out the purposes for which it may be created.

STATE LANDS.

The report of E. H. Nall, Land Commissioner, for the two preceding fiscal years shows larger sums collected for the sale of lands of the different holdings of the State than for any similar period in the history of this department—which sales, exclusive of the different college lands, amount to the sum of \$182,081.33, and that he has collected \$3,540 in fees incident to the sale of said lands together with \$40 in rents, making the grand total received by him for the two years \$185,661.33.

For a number of years prior to January, 1900, the price charged for tax lands held by the State had been fixed at one-half valuation thereof, as shown by the assessment roll of 1892; but deeming it wise and greatly to the advantage of the State to change the above method of fixing the price, the Land Commissioner and I, in pursuance of the law authorizing us to regulate the selling price of such lands, have adopted the following rule governing the same, to-wit:

No State land shall be sold at less than the minimum statutory price of \$1.25 per acre. The Chickasaw school lands, statutory price, \$6 per acre. Forfeited tax lands shall be sold at their assessed value as shown by the assessment roll of 1892, except in cases where the assessed value was less than \$1.25 per acre, and except in cases where the price has heretofore been specially fixed by the Governor and Land Commissioner.

As a rule the lands usually forfeited to the State for non-payment of taxes were at the time of sale unappreciated, and considered of small value, and consequently listed to the assessor correspondingly low. The operations of the present rule have in some instances quadrupled the price received for land sold, over the former plan referred to, without seeming to discourage or lessen the sales.

I quote from a report made to me by Commissioner Nall on this subject, in which he says:

"The sales of land for the past two biennial periods are as follows:

1898 and 1899	\$ 91,470 54
1900 and 1901	185,661 33

"It will thus be seen that the sales for the past two years, 1900 and 1901, more than double the sales for the two preceding years, mainly due to the better prices secured by judiciously advancing the figures to correspond with the actual value of the lands."

The affairs of this department have been carefully and wisely managed by Commissioner E. H. Nall.

I beg to commend to your favorable notice the request by the Land Commissioner for an amendment to the law, transferring to his said department all the records pertaining to tax lands heretofore kept in the Auditor's office, and to require tax collectors hereafter to certify to his said department the lists of all lands forfeited to the State for the non-payment of taxes, to be listed and recorded in his said department, with authority to deal with same in all matters of redemption, instead of by the Auditor of Public Accounts.

SCHOOLS.

Under the term "Common Schools" are embraced all the schools of the State to which the general fund appropriated by the Legislature for free schools is distributed. These schools are di-

vided into two classes, namely: Separate school districts and rural schools.

The report of the State Superintendent of Education, recently issued, shows that 74 of the towns in Mississippi are organized into separate school districts, and it is gratifying to report that they, as a rule, have commodious, handsome and suitable buildings, and that during the scholastic year ending 1900, the enrollment was approximately 34,000, and for the year 1901 they enrolled in the aggregate 35,736 pupils. The average number of days taught in said schools during the last scholastic year was 163.3, or more than eight scholastic months. It further appears from the Superintendent's report that the total amount of money collected for these schools for the last scholastic year was \$412,449.83, and I estimate the same amount for 1900. These are gratifying statistics, and show that the citizens of the towns are progressive, and are keeping well in the van of the great educational movement now in progress in this country. It will further appear from the above that the approximate per capita per annum of all the funds received was \$11.55 on the total enrollment.

It may be interesting to extend this line of statistics to the State colleges for the last two years. The average amount per capita per annum expended on the students enrolled in these institutions for the last two years was as follows:

State University	\$129 54
Agricultural and Mechanical College.....	74 33
Industrial Institute and College.....	68 95
Alcorn Agricultural and Mechanical College.....	51 48

Add the appropriations of the last session of the Legislature for repairs and improvements on these institutions, the above figures will stand:

State University	\$196 60
Agricultural and Mechanical College.....	123 00
Industrial Institute and College.....	104 63
Alcorn Agricultural and Mechanical College.....	58 79

The approximate total enrollment in the rural schools for the scholastic year 1900 and 1901 was 691,742, which would make a per capita allowance out of their share of the \$2,000,000 appropriated by the Legislature for the said two years of \$2.62 per annum. The average number of days taught in these schools was 90, and there were employed in them during the year 1900 approximately 7,420 teachers, and during the year 1901, 7,805 teachers. It will thus be seen that the average salary paid to these teachers per annum out of the State common school appropriation for the two years was only about \$119 each, or \$24.25 per month for the school term of four and one-half months. It will be remembered, however, that some of these counties also derived assistance from the Chickasaw school fund, and others supplemented the State allowance by county levies, and other sources, thus increasing the

school fund above the State appropriation, and hence increasing to some extent the general average paid to teachers, as will appear from the State Superintendent's report.

I have not at hand the exact data from which to make all of the above calculations, but I think they bear sufficient relative and approximate correctness to serve the purpose for which they were intended, namely, to illustrate the disparity in amounts of public funds which go to the maintenance of the rural schools, as compared to the State's other educational institutions.

I heartily approve the liberality manifested toward the State's colleges and separate school districts and glory in the success of these institutions, but I desire to enter a special plea in behalf of the country schools. History has fully shown that the diffusion of education among the masses is one of the greatest sources of material prosperity to any commonwealth, and that where moral and intellectual advancement have kept pace with the progress of the times, happiness has been most generally distributed, and the higher wants of man more adequately provided for. It is proper to mention in this connection that in the rural schools are to be found 89½ per cent of our educable children, who are to become so large a portion of the citizenship of the State. The vast majority of these children will never attend any other schools than these, and so with an average term of only 90 days they must, in the very nature of the case, grow up without proper education. We have an army of faithful, conscientious public school teachers, many of whom can not afford to follow teaching strictly as a profession, but must supplement their meager earnings from that source, or else go unsupplied with any of the comforts and half the necessities of life. These teachers, though overworked and half paid, render the State a service which none can gainsay, and which I trust the Legislature will see fit to recognize by increasing the appropriation for the public schools so as to provide better salaries and longer terms. I recommend that this be done, even though the Legislature finds it necessary to economize expenditures along other lines of public work.

It is my opinion that the Legislature should be vested with the power to require the several counties to levy a tax to be used in addition to the State appropriation for the maintenance of their respective schools for a longer term than four months. Section 206, however, of the Constitution seems to leave it optional with any county or separate school district to make such a levy or not; and I take the liberty of suggesting to the Legislature the wisdom of submitting an amendment to said section, giving the Legislature authority to require such supplemental aid by the counties, to be voted on by the people.

I direct attention to the fact further that Mississippi has made no provision for a normal or training school for its common school teachers. It is now a well recognized fact by all that the training of the children of the State should be in the hands of teachers pos-

sessing not only good common school educations, but who have that professional training which will enable them to develop systematically, methodically and intelligently the minds, bodies and characters of the children. To secure this end it is highly important that the teachers receive technical training, and I would recommend that a State training school for teachers be established, as recommended by the State Superintendent, so planned and conducted that the humblest of our country teachers might be able to get, at the lowest possible cost, that instruction which would prepare them for their great work.

The State Superintendent has recommended in his report to you the advisability of ordering an enumeration of the educable children in 1902. His request has been numerously seconded by county superintendents of education, and I submit the subject to you for such action as you deem expedient in the premises.

STATE UNIVERSITY.

The reports of the Board of Trustees of the State University show an enrollment, including post graduates, of 287 students for session 1899-1900, and of 260 for the session 1900-1901.

In the summer terms of the University, maintenance for which was generously provided by Mrs. Fanny J. Ricks, of Yazoo City, Miss., 69 students attended in 1900, and 141 in the summer of 1901.

I am advised that the present session of the University began under most auspicious surroundings, and is characterized by a good attendance, most excellent work and harmony and good feeling between students and faculty.

Throughout its history the University has maintained a deservedly high reputation for thorough training and high scholarship. The present scope of its instruction includes academic courses, a school of law, and engineering courses, but very properly no preparatory department. There has been, in late years, a marked growth in the extent of its work and usefulness.

In a letter and memorial to the Governor and Legislature, the Board of Trustees set forth the affairs of the University in detail, and show also its needs.

The enlargement of its work, as well as the proper provision for its necessary current expenses and for such suitable equipment as will make the institution efficient and thorough should receive the careful attention of the Legislature. I commend a reading of the report of the Board of Trustees, showing the needs of the college, and from which it will be seen also that new electric and steam heating plants have been added to the institution, as provided by Chapter 16, Acts of 1900.

AGRICULTURAL AND MECHANICAL COLLEGE.

The present marks an epoch in the affairs of the Agricultural and Mechanical College not approximated in its history. The en-

rollment for the session ending June, 1900, was 386, and for the session of 1901 was 516.

At your last session you made appropriation for a textile department for the training of young men in the manufacture of the chief product of our State, thus bringing about a new industry and awakening the people to the possibilities likely to result to the State from the manufacture of cotton in our own midst into fabrics. It is with pleasure that I point to the model building and well equipped textile department now organized at the college. The Board of Trustees have been careful in expending the money appropriated for the purpose of inaugurating this much needed technical training, and while they have exceeded the said appropriation, it will be found upon investigation that the State has a building and equipment far in excess of the amount expended. Too much can not be said in praise of the possibilities resulting from this new department of the college. It is a well known fact that every cotton mill erected in the South has in the past been forced to go to New England for its operatives and depend upon them for success. Under the system inaugurated at the A. & M. College our boys can be trained in the technical branches of cotton manufacturing and become thoroughly equipped to take charge of any branch of that industry, thus giving employment, at good salaries, to the graduates of our school. I invite your attention to the report of the Board of Trustees and of the Director of the textile department for further information regarding this matter.

The full and comprehensive report of the Board of Trustees, with that of the President, will acquaint you with the conditions and wants of the college, as well as its broader plane of usefulness, and I respectfully recommend the suggestions therein made to your consideration for such legislation as your wisdom approves.

Since your last session Mr. J. J. Coman, who was appointed by the Board of Trustees to sell the lands donated by the Government to the State, for the use and benefit of the college, succeeded in selling said lands for the sum of \$138,571.90.

INDUSTRIAL INSTITUTE AND COLLEGE.

Under the successful management of President A. A. Kincannon, the college, since the last adjournment of the Legislature, has passed through two of its most prosperous and successful years.

The President and his corps of teachers, who are consecrated to the college, are doing a great work in the education of the girls of the State.

There were in attendance during the session of 1899-1900 395 young ladies, and for the session 1900-1901 there were 475 in attendance, while more than 500 are enrolled for the present term.

The constantly increasing attendance upon the college is evidence of emphatic approval by the people of industrial training of the girls of the State, and of the aims and purposes of the institution.

Since the last sitting of the Legislature a new handsome and very modern additional dormitory has been added, a modern up-to-date brick hospital erected; the system of heating and plumbing throughout the buildings has been much improved and extended; the fencing and grounds greatly improved and beautified, besides many other improvements and repairs which will be made known to you by the President in his report.

The money appropriated for the institution will all be properly accounted for in the reports of the Board of Trustees and President, to which your attention is directed.

I commend to your favorable consideration all the needs of the institution which will be brought to your attention by the reports of the Trustees and President as aforesaid.

ALCORN AGRICULTURAL AND MECHANICAL COLLEGE.

The affairs of the institution have been conducted without serious friction for the past two years, and the present session marks an improvement not excelled in the history of the college. The President's report discloses the fact that the negroes are appreciating the advantages offered by this college, for their training along industrial lines as never before, and the attendance bids fair to overtax the capacity of the present dormitory room, which is already much crowded.

The report of the Board of Trustees will acquaint you with the necessities of the college and of the expenditures of the money last appropriated, and I most respectfully invite your attention thereto.

The Trustees of this institution, following the example of similar ones in other States, and of our own State University and white Agricultural and Mechanical College, recently passed an order for the admission of girls to said institution, and to that end a contract was subsequently let by the Board for the erection of a suitable dormitory for their accommodation, and you will be asked to make appropriation to pay for said building. As above stated, there is ample precedent for the action of the Board in this regard, and this action should be well received and approved by both the Legislature and the people.

Though education is the natural right of all, and though volumes have been written to prove the necessity for the enlightenment of the masses, and to show that the progress of all countries is immediately dependent upon and directly proportioned to the intellectual and moral advancement of the citizenship, and though the experience of all countries confirms what has thus been written, yet history proves also the fact that no race of people was ever brought up to those standards of morality and social decorum, so indispensable to good citizenship, by educating only the men and withholding from its women those means by which intelligence is fostered and virtue exalted. It must be admitted that social and moral improvement is the hope of the negro race, and as proven by the experience of all the past such reforms must begin with the

wives, daughters and mothers, in the chastity and sanctity of the home.

The State has not hitherto furnished any school for the higher education or industrial training of negro girls, and it was to meet this need, so far as possible that the board of trustees of the Alcorn College decided to admit them into said institution, and I recommend a suitable appropriation for the dormitory aforesaid.

STATE NORMAL SCHOOL.

This institution is doing good work in the normal training of negroes. Its graduates find employment and show most excellent training. The appropriation made to the school is small, but brings good returns. The board of trustees is watchful of all the interests of the school, and looks well to the proper expenditure of funds appropriated. I recommend the usual appropriation.

INCREASE OF SALARIES.

True governmental policy requires the selection of those for office who are not only good men and true, but who are possessed also of superior efficiency and fitness for the responsible trusts they are called on to discharge. To insure the services of such men the government must be liberal and just in its compensations. Preference and selection by one's countrymen to office is an honor that is pleasing to most men, and by reason of such distinction many will make sacrifices of private interests to accept official preferment, provided the loss is not too great to them. But the fact that men are willing to accept office on small pay is no excuse to the State for not giving what their services are properly worth, and for obvious reasons is contrary to wise public policy not to do so. That "the laborer is worthy of his hire" is an adage which finds application no less to the public official than to those engaged in private enterprise. I beg to suggest that in my humble judgment the State officials, Supreme and Circuit Judges, Chancellors and District Attorneys are not sufficiently compensated for the very laborious and responsible work which they perform for the State. It should be the desire of all Mississippians that those whom they select for the highest official and judicial places in their government should receive such liberal remuneration for the high services they render as would yield to them at least such an easy and comfortable living as would exempt them from embarrassment.

I submit that the salaries now paid the above named officials are insufficient to meet the financial demands upon them, incident to an independent and comfortable livelihood for themselves and families and the education of their children.

I commend the subject for the increase of salaries to the Legislature at this session, and in doing so it can not be said that I am actuated by any selfish concern, for it will be remembered that the

Governor is forbidden by the Constitution to either succeed himself or to receive any increase of salary during his term of office.

INSTITUTE FOR THE BLIND.

The attendance at this institution for the past two years has been up to the standard, and its affairs have been conducted with wisdom and economy. The appropriation of \$4,000 made by your honorable body for the erection of accommodations for the colored blind children was not used, for the reason that the Board of Trustees found that a suitable building could not be erected for the said amount, and they wisely decided that it was best not to expend the money at all, rather than erect a building too small and insufficient for the needs of the institution.

The superintendent and teachers are working in harmony and doing most excellent service in the education and training of the blind in various lines of industrial work. It gives me pleasure to report that Dr. Sims, the superintendent, is an eye specialist who has achieved much success and distinction in that line of work, and has had the proud satisfaction of having restored a number of his pupils to sight, some of whom, I am advised, have been discharged by him and are in attendance upon the common schools with seeing pupils.

The report of the Board of Trustees, with that of the superintendent, will inform you of the needs of the institution, and I recommend that proper appropriation be made for its support and maintenance.

DEAF AND DUMB INSTITUTE.

This institution has, during the past two years, sustained its former record in the training and education of the deaf youths of the State.

It will appear from the report of the worthy superintendent that the attendance in the institution is the largest in its history, and I am pleased to report that harmony and good feeling prevails therein and nothing has occurred since the last session of the Legislature to detract from the splendid reputation heretofore enjoyed at this school. On the contrary, it has, under the able management of Superintendent Dobyns, aided by his corps of faithful and efficient teachers, continually advanced to a higher plane of work and usefulness. It is needless for me to dwell upon the importance of the institution or the duty of the State to those who attend it—both are self-evident—I therefore recommend an appropriation for its support and maintenance for the next two years.

EAST MISSISSIPPI INSANE HOSPITAL.

The arduous duties imposed upon the Governor have prevented my visiting this institution as often as I would like during the past two years, but I feel justified in saying that its affairs have been

administered with care and prudence by the Board of Trustees, who have been watchful in the expenditure of the appropriation, and that the medical superintendent has performed his duty with eminent satisfaction. I commend to your reading the reports of the Trustees and Superintendent, which are full of interest and which will acquaint you in detail with the necessities and affairs of the institution. Such recommendations as are made for the more efficient management and care of the unfortunates should receive your honorable consideration.

STATE INSANE HOSPITAL.

Being personally familiar with the affairs of this institution, enables me to say that they have been conducted for the past two years with wisdom and economy. The total number of patients received during the year 1900 was 1,074, and during the year 1901 was 1,249. The daily average during the year 1900 was 876.2, and for the year 1901, 978.6, and yet the average cost of maintenance of each patient has been reduced from \$110.39 for the year 1900 to \$100.03 for the year 1901 without detriment to the patients or lessening their comforts. This speaks well for the Superintendent, Steward and Board of Trustees, whose care over the institution has been vigilant and wise.

The Board of Commissioners, created by Chapter 8 of the Acts of 1900, have faithfully executed the trust imposed upon them, and have completed two large annex buildings, sufficient for the accommodation of 420 additional patients in a most satisfactory manner, and at a price to the State far below the most sanguine expectations.

The report of the Medical Superintendent and Board of Trustees is complete, and will acquaint you with the needs of the institution, to which I invite your careful and favorable consideration.

CHARITY HOSPITAL.

The well established reputation of the hospital at Natchez and the Charity Hospital at Vicksburg for economy, good management and skillful and successful work furnish sufficient guarantee of continued good results to merit favor at your hands. The reports of their worthy superintendents will acquaint you with the work done in said institutions and their respective Boards of Trustees will make known their needs of money.

LOUISIANA PURCHASE EXPOSITION OF 1903.

The Louisiana Purchase Exposition, which is to open in the city of St. Louis, Missouri, in 1903, promises to be one of the most extensive and comprehensive exhibits of modern times of the natural possessions, scientific and industrial progress of the age, not only of the States of this Union, but of foreign lands as well.

There is perhaps no section which possesses more varied and natural resources than Mississippi, or which offers greater inducement to capital seeking investment, or the immigrant hunting a home, and yet the State of Mississippi has never seemed to fully appreciate the importance of incurring expense in the advertisement of these facts to outside world, while other States not so well endowed by nature with the rich gifts of soil, timber, mineral and climate have made themselves rich and populous by properly proving their possessions on such auspicious occasions.

Just at this time, when the public eye seems to be watching more intently than ever before the rich undeveloped possessions of the State, I submit that so favorable an opportunity for advertising Mississippi as will be offered by the St. Louis Fair should be accepted as a great auxiliary force toward quickening her growth and greatness.

I therefore recommend the passage of a suitable bill providing for a becoming exhibit of the State's wealth and resources, and that an adequate appropriation be made therefor.

PROCEEDS OF SALE OF LANDS DONATED TO THE STATE FOR THE USE
OF UNIVERSITY AND COLLEGES.

The proceeds of the lands sold for the use and benefit of the University, Agricultural and Mechanical College, Industrial Institute and College and Alcorn Agricultural and Mechanical College upon which you are required by Section 212 of the Constitution to pay six per cent interest, is as follows, to-wit:

Amount to the credit of the University.....	\$134,668	24
Amount to the credit of Agricultural and Mechanical College	141,532	55
Amount to the credit of Industrial Institute and Col- lege	156,488	75
Amount to the credit of Alcorn and Mechanical Col- lege	96,296	27

All these amounts have been placed in the State treasury to the credit of the several institutions as required by Chapter 46 of the Acts of 1898.

MISSISSIPPI BOUNDARY COMMISSION.

On February 9, 1901, I appointed the following named gentlemen as Commissioners to confer with a like commission appointed by the Governor of Louisiana to consider the water boundary line between the two States, and arrange for the easy location and identification of the same by a proper system of buoys, to-wit:

Hon. J. I. Ford, Scranton, Miss.
 Hon. E. J. Bowers, Bay St. Louis, Miss.
 A. Keller, Bay St. Louis, Miss.
 Hon. W. A. White, Biloxi, Miss.
 Hon. H. T. Howard, Biloxi, Miss.

This commission met at Biloxi and elected H. T. Howard chairman and J. I. Ford secretary. Their report, which is transmitted to you, will acquaint you with the whole matter, and from which you will find that they suggest a friendly suit in the Supreme Court of the United States as the best method to fix the true boundary between the two States. I submit the matter for such legislation as in your judgment is best.

COMMISSION APPOINTED TO ASCERTAIN AND DETERMINE THE POSITIONS OCCUPIED BY MISSISSIPPI TROOPS IN DEFENSE OF VICKSBURG.

Under the provisions of Chapter 37 of the Acts of 1900, page 33, I appointed the following gentlemen as commissioners to ascertain and determine the positions occupied by Mississippi troops in the defense of Vicksburg, to-wit:

4th Infantry Regiment—T. M. Murphree, Pittsboro.
 35th Infantry Regiment—Redus McCoy, Scooba.
 36th Infantry Regiment—W. M. Roberts, Nettleton.
 37th Infantry Regiment—J. F. Parker, Ellisville.
 38th Infantry Regiment—J. H. Jones, Woodville.
 40th Infantry Regiment—J. H. Carroll, Starkville.
 42d Infantry Regiment—J. H. Burrell, Carthage.
 43d Infantry Regiment—J. O. Banks, Columbus.
 46th Infantry Regiment—S. R. Martin, Vicksburg.
 Third Battalion—J. M. Knight, Crosby.
 5th Regiment Mississippi State Troops—S. E. Bass, Carley.
 Mississippi Partisan Rangers (Company)—W. A. Ward, West Point.
 1st Mississippi Light Artillery—J. L. Power, Jackson.
 Batteries of same:
 A—Col. C. E. Hooker, Jackson.
 C—Capt. W. T. Ratliff, Raymond.
 D—Col. J. G. Hamilton, Durant.
 E—J. B. Simpson, Poplar Creek.
 G—W. L. Herrin, Monroe.
 I—Robert Bowman, Yazoo City.
 L—Geo. H. Tompkins, Vicksburg.
 14th Mississippi Light Artillery Battalion—W. W. Perkins, Batesville.

One battery of same—C. B. Vance, Batesville.
 Hudson's Mississippi Battery—E. S. Walton, Sardis.

The commission met in the city of Vicksburg on the 15th day of May, 1901, and the full report is submitted for such action as in your judgment may seem proper.

STATE LIBRARY.

From the report of the State Librarian you will learn that the already vast collection of legal, scientific and literary works are being continually added to until there is no room to conveniently arrange them.

The Librarian has made a complete catalogue and index of the library, and has performed her duties with ability and satisfaction.

The report of the Librarian will disclose the needs for the next two years.

ASSESSORS.

In December, 1900, the Auditor informed me that the appropriation made by your honorable body for payment of county assessors had been exhausted, and that \$1,000 was due H. S. Carpenter, Assessor of Perry County, and that \$834.64 was due E. S. Jeffries, Assessor of Claiborne County. Their rolls were full and complete, duly accepted and approved by the Board of Supervisors and filed with the Auditor of Public Accounts. Recognizing the injustice of their having to wait until your meeting in January, 1902, I paid these claims out of the executive contingent fund, taking their receipts therefor.

NOTARIES PUBLIC.

Section 3040 of the Code provides that the Governor may appoint one or more notaries public for each city or town. Section 3047 of the Code makes all Justices of the Peace and Clerks of the Circuit and Chancery Courts notaries by virtue of their offices and clothes them with all the powers belonging to the office of notary public. Clerks and Justices of the Peace are constitutional offices forming a very important part in the official system of the State which can not be dispensed with. These officials are but poorly paid at best, but when a large percentage of the fees which they might earn are divided by notaries public a hardship is thus wrought upon the occupant of the said constitutional offices.

I therefore recommend that said Section 3040 of the Code be so amended as to authorize the appointment of notaries only in places where there is neither Justices of the Peace nor Clerks of the Court.

NEW STATE HOUSE.

I beg to report that under the provisions of the Act of the last session of the Legislature to create a State House Commission, and to provide for the building of a new State House, I appointed Prof. J. C. Hardy as the Commissioner which the act authorized the Governor to appoint, and that in pursuance of the nomination of P. A. Rush, Esq., by the Senate, and W. G. Stovall, Esq., by the House of Representatives, the said nominees were appointed by me as members of the State House Commission, and all of the said appointees, together with the Governor and Attorney General, duly qualified as such Commissioners.

Under the authority conferred by Section 6 of the Act, L. T. Fitzhugh was appointed by the Governor as Secretary of said State House Commission.

After due organization, as aforesaid, Commissioner J. C. Hardy was elected by the Board of Trustees of the Agricultural and Mechanical College of Mississippi to the Presidency of that institution, to fill the vacancy caused by the death of President John M. Stone, and on the 7th day of April tendered his resignation as a member of the Commission to assume his new duties with the college, thus creating a vacancy on said Commission; whereupon I appointed R. H. Thompson, Esq., as his successor.

I have to make known also that on the 3d day of September, 1901, Commissioner P. A. Rush resigned from said Commission, and that on the same day I appointed Hon. R. A. Dean in the place instead of Mr. Rush. Both of said appointees qualified as required by the act.

J. F. Barnes, an eminent contractor and builder of Greenville, Miss., was duly elected under the provisions of said Act by the Commission as its advisory or confidential superintendent of the work on the building, and has made full and comprehensive reports on all matters referred to him by the Commission for inspection or investigation, and has made a general written report on the progress and manner of work at each meeting of the Commission.

The Commission, in pursuance of the provisions of the Act aforesaid, gave notice by publication in newspapers for a competitive architectural contest before said Commission for the best set of plans and specifications for the Capitol to be erected, and in response to such notice or call, fourteen architects entered the contest and submitted plans.

The Commission gave the plans and specifications of each competitor the most careful and analytical study and inspection of which the members were capable, aided by the authors of each plan respectively, but when the Commission had thus gone through with all of the plans it found so much of apparent excellence in each that it was unable, owing to its inexperience, in such work, to decide which of the competitors came best up to the requirements and needs of the State. It deemed it wise, therefore, and to the interest of public safety, to call into consultation an eminent and disinterested builder for counsel on the merits of the plans submitted, and accordingly procured the services of Mr. Bernard H. Green, of Washington, D. C., who stands at the head of his profession and enjoys a national reputation as a builder, who made, in connection with the Commission, a close and thorough study of all the plans and specifications, including the cost of erection. After such review and study of all the plans by Mr. Green, he reported in favor of the one submitted by Architect Theodore C. Link as being the best, both as to scheme and general utility for a State House. The Commission thereafter adopted the plan and specifications of Mr. Link, and gave due notice by

advertisement to let the contract for the building according to the plans and specifications thus adopted.

On the day fixed by the Commission and named in the advertisements sealed bids were filed with the Board, being twelve in number, which were opened and examined in regular session.

Upon inspection of said bids the Commission found that all were higher than justified by the appropriation, and that it was necessary to make alteration in the original specifications in order to bring the cost of the work within the range of the money available. Whereupon, Architect Link, by authority and under direction of the Commission, made changes in the specifications, discarding certain expensive material specified for interior decoration work, substituting therefor equally substantial but less costly materials—for example, providing the use of domestic marble instead of the costlier grades of foreign material, and other changes of like effect on the cost of inside decoration work. The changes ordered do not affect the size, shape or usefulness of the building, but the original design and plan will, in all the substantial and material particulars, be carried out in the completion of the building.

All the original bids aforesaid were rejected, and the said bidders were invited to submit bids for the contract with the modified specifications as aforesaid, and bids were accordingly submitted, when it was found that Messrs. A. E. and W. A. Wells were the lowest bidders. The contract was accordingly awarded to them on their bid of \$833,179. Before making contract with them the Commission was in possession of satisfactory testimonials as to the financial ability, integrity and thorough competency of Messrs. Wells to carry out their contract and erect the State House according to plans and specifications. Before entering upon the work they gave the required bond, and it gives me pleasure to say that they have conducted the work in a most competent and satisfactory manner, fulfilling the requirements in all particulars, thus sustaining their reputation as honest and competent contractors and builders.

Before preparing the foundation plans and specifications the architect made preliminary test, boring to the depth of ten feet to obtain information as to the character of the sub-soil for the foundation of the building. Said borings showed suitable and substantial clay to a depth which seemed sufficient for the bottom of the foundation, and in preparing the specifications therefor the said boring tests were employed to determine what should be the depth of the trenches and the width and thickness of the foundation walls, and the contract was let upon data thus obtained. But subsequently when the contractor had cut and removed the dirt from the trenches to the depth named in the specifications and in his contract, it was discovered to the great discomfiture of all concerned that the clay stratum, suitable for a foundation, did not extend to a sufficient depth below the bottom of said trenches to insure a safe foundation, and that there was an underlying stratum

of marl and treacherous earth highly susceptible to the influences of both moisture and drouth. Notwithstanding the contract was let for the erection of the building at a fixed sum, the Commission was unwilling to risk the foundation in the soil aforesaid, or to hazard any chances on the ultimate strength and success thereof, but felt serious embarrassment on account of the financial situation that confronted them, but because of this unforeseen large additional outlay of money that would be necessary to secure such strength of foundation as the size and needs of the building called for.

It will be borne in mind that the contract of W. A. & E. A. Wells extended only to the erection of the house, but did not include the items of cost incident to the work of heating and lighting or the furniture. In awarding the contract therefor the Commission was not unmindful that \$1,000,000 was the maximum for expenditure on the building complete, including the above named items. Before awarding any contracts the Commission endeavored to make reasonable and conservative estimates of what would be the cost of each part of the work so as to bring the whole of the expenditures within the amount appropriated by the Act of the Legislature aforesaid. And in pursuance of this plan the changes in the specifications hereinbefore enumerated were made in order to lessen the cost of the building proper, and to reserve out of the appropriation sufficient funds for the other purposes named in the bill. It will be seen that the amount thus relied on to pay expenses and for heating, lighting and furniture was the sum of \$166,821, which amount was deemed a reasonable margin to cover same.

The Commission has from the beginning been vigilant in its efforts to maintain the greatest possible economy throughout the entire scheme, and to prevent the "extras" so much to be feared and guarded against in a building of this magnitude, and was very much surprised and perplexed when it was found that the tests of boring into the soil, which have usually proven a safe and sufficient precaution, had failed to reveal the true conditions of the foundation soil. But the contract having been irrevocably let and the work under headway when these discoveries were made, there seemed to be no alternative left the Commission except to go forward and use a portion of the money designated above as the reserve fund, to meet the necessary additional cost on the foundation. To the end, therefore, that the most rigid economy be practiced in the premises, and thereby to create as light demand as possible on the reserve fund, the Commission made a special and supplemental agreement with the contractors Wells to do the entire foundation work for the actual cost thereof, plus five per cent of such cost, to compensate them for their superintendence of the work; but even with this economy the additional work of the foundation has increased the cost of the building \$38,952.09 above the price covered by the original contract with the Messrs. Wells, and makes a cor-

responding reduction from the remainder of the funds, or the reserve estimated for the remainder of the work above named.

That the Legislature may get a more comprehensive idea of this unexpected and additional cost, I beg to say that it became necessary to deepen the foundation trenches below the original contract specifications of six feet, or to an ultimate depth of 25 feet, and to widen the same to nearly twice their original width, or to a final width of 17 feet, and that the cost of the change was increased not alone by the cubic yards of dirt removed, but also by the very considerable additional amount of concrete necessary to fill up this increased trench space. An inspection of the building and floor plans with its great amount of foundation space under the outside walls, together with the numerous cross sections and inside foundations, will serve to furnish an object-lesson of the vastness and importance of the work now done on the foundation.

At a recent meeting of the Capitol Commission the contract for steam fitting and ventilation was awarded to Frank J. Butler, of Greenville, Miss., at and for the price of \$26,577, his being the lowest and best bid submitted. At the said meeting sealed bids were also received for putting the electric wiring system in the building, and the Frank Adams Electric Co., of St. Louis, Mo., being the lowest bidders, received the contract at \$13,200.

The thanks of the Capitol Commission and of the Legislature are due to the Illinois Central Railroad Company for its generous and courteous treatment throughout the progress of the work, and especially for building at its own expense a track from the main line to the Capitol building, whereby all freights are delivered on the grounds without additional charges. To better understand this service rendered by the railroad company it is proper to say that the estimated difference in hauling with teams the building material from the main line and the delivery on the grounds by rail under the present arrangement would amount to fully \$100,000, and would have necessitated a year or more of time for the completion of the building. The track having been arranged for, between the Commission and the said railroad company prior to letting the contract, the Commission was enabled to guarantee to the contractors this great saving of expense in delivery of material, and it felicitates itself and the people of the State that at least \$100,000 was saved and put in the building itself.

The Capitol Commission will submit to you a full report of its doings, and make known to you all the needs of the enterprise, and I specially recommend the careful consideration by you of all the suggestions and requests contained in said report, and ask you to take such action thereon as your judgment approves.

ATTORNEY GENERAL.

It gives me pleasure to bear testimony to the efficiency with which this officer has discharged the laborious and difficult affairs

of his department. Every interest of the State coming within his line of service has been faithfully looked after and guarded by him.

His report will show a full compliance with the requirements of Section 187 of the Code, and will acquaint you fully with all matters pertaining to his office.

I direct the attention of the Legislature, for such action as its wisdom approves, to the following subjects recommended by the Attorney General in his report, to-wit:

"Codification of the Laws," "Trusts and Combines," "Saving Clause," "Fees and Salaries," "Taxes," "Privilege Taxes," "Statistical."

STATE AUDITOR.

The business of this department is conducted in a most systematic, comprehensive and businesslike way, and the report of the Auditor shows in full and clearest detail all the information, material in his department, which is important for the Legislature to be advised of.

Your attention is respectfully directed to the recommendations of the Auditor of Public Accounts relative to the revision of insurance and banking laws, and to the establishment of a department in charge of a commissioner who shall have power to examine and supervise all insurance, banking, building and loan and other corporations, associations or orders doing business in this State. I heartily concur in his suggestions and submit them for your consideration. It is imperative, in my judgment, to have the laws on these subjects so simple, plain and easy of construction as to at once inspire confidence. The substantial and continuing increase in the number of banks, the large number of fraternal and assessment orders now operating in Mississippi without supervision from any source, the growing demand for sound and solvent insurance of all kinds, and the total inadequacy of our present laws, as demonstrated by recent events, make it clear that the time has come for the enactment of necessary laws regulating these matters and the establishment of a department charged with their proper enforcement.

Nearly every State in the United States has such a department, but Mississippi stands with the few which have not, and it is quite difficult to know just what our laws are, because some are found in the Code chapter on "corporation," some in the chapter on "insurance companies," others in "crimes and misdemeanors," and still others in the various Acts of the Legislature since the Code of 1892.

We have practically now no laws on banks and banking. Again, some insurance companies are required to report to the Auditor and others to the Secretary of State, while foreign building and loan associations report to the State Treasurer, and debenture companies, local building and loan associations, fraternal or-

ders and other corporations and associations are amenable to no department or person.

Other recommendations contained in the Auditor's report will perhaps be submitted for the consideration of the Legislature during the session.

REPORT
OF THE

PENITENTIARY.

Under the direction of an act passed by the last session of the Legislature ordering the removal of the penitentiary from the city of Jackson, so as to turn over the grounds to the Capitol Commission, on which to erect the new State House, the brick walls around the said grounds, together with the principal buildings, were by the Board of Control, with prison labor torn down and removed.

Under the present farming system by the Board of Control, the State has operated fifteen plantations, being respectively in Rankin, Hinds, Issaquena, Sharkey, Holmes, Washington, Bolivar, Coahoma and Quitman Counties, and the prisoners have been distributed among the said plantations.

So far as I have been able to ascertain, the convicts have been well fed and clothed, and have not been treated with undue severity; but I have to admit that by reason of the numerous duties which are imposed by law upon the Governor, it has been utterly impossible, though Chairman of the Board of Control, to give such personal attention to the convicts and penitentiary as would be necessary to properly understand the detailed workings of its affairs, on the various farms lying in nine different counties. I have made, however, such pilgrimages to the farms as my limited time would permit, and from such information, and that obtained from the warden, I feel justified in saying that the present system under which the convicts are worked is just to the prisoners and profitable to the State.

For a detailed statement of the business transactions and financial affairs of the penitentiary, I beg to refer you to the reports of the Warden and the Board of Control.

PRIMARY ELECTION LAW.

Section 241 of the State Constitution says: "The Legislature shall enact laws to secure fairness in party primary elections, conventions or other methods of nominating party candidates."

I beg to call the attention of the Legislature to the fact that the existing statutes on the subject do not meet the constitutional requirements or amount even to respectable makeshift.

I had the honor to direct your attention strongly to this subject at your session in 1900, and I beg again to call attention to what I then said.

GOV. JOHN M. STONE.

I have the painful duty to report that on the 26th day of March, 1900, Gov. John M. Stone departed this life at Holly Springs, Miss.

For more than a quarter of a century prior to his death the influence of the great mind and superb character of John Marshall Stone was a prominent and positive factor in all of the varied important public affairs of the State. In every walk of his eventful life, whether as soldier, legislator, private citizen, Governor or College President, he was the exponent of the highest type of intrepid public and private manhood. Perhaps no man ever lived in Mississippi who possessed more unanimously the esteem and confidence of his countrymen, and though firm, aggressive and positive in conviction and demeanor, there were none who dared impugn his motives or question his honor. By his stainless character, his zeal as an advocate and champion of the rights of the people and his distinguished public services in peace and war, he was one of the most prominent and conspicuous men of his State and section.

CONCLUSION.

It gives me pleasure to say that it is manifest in the State that there exists a better recognition of the mutuality of interests among all classes, and that there is a more fraternal feeling among the people generally than I remember to have ever before witnessed. There exists also absolute friendliness between labor and capital and a becoming liberality of sentiment by the masses toward corporate and other investments of money in our midst.

The progressive spirit displayed by your honorable body at the session in 1900 seems to have inspired the people with new hopes and to have given fresh impetus to all manner of business enterprises in the State.

For the past two years the capital incorporated, on which the required charter fees were paid, amounts to the handsome sum of twenty-six and one-half millions of dollars. Banking capital during said period has increased about \$6,000,000; ten or a dozen mills for the manufacture of cotton have been built; twelve railroad charters granted, and as shown by the Railroad Gazette at the close of the year 1900, Mississippi stood fourth on the list of States in the number of miles of railroads built during that year.

Railroad building in the State was materially increased during the year 1901, and I apprehend that she stands to-day higher up in the scale of the States in road building than she did in 1900, and I feel that the Legislature and the people are to be congratulated upon the material advancement going on in the State and the auspicious signs for even greater success in the future.

Now, gentlemen of the Senate and House of Representatives, having an abiding confidence in your wisdom, patriotism and fidelity to the State and people, I fervently ask the blessings of heaven upon your deliberations, and indulge the hope that your

actions will redound to the happiness and welfare of the commonwealth.

Respectfully,

A. H. LONGINO.

Mr. Crum offered the following:

Resolved, That the Governor's message be referred to a committee of six to be appointed by the Speaker for assignment to appropriate standing committees, and that 500 copies be printed for use in the House.

Adopted.

The Speaker named on the committee Messrs. Crum, Bennett, Gibson, Miller, Stennis of Lauderdale, and Webster.

Mr. Garraway offered the following:

Resolved, That a committee of six be appointed to prepare and report proper resolutions in reference to the death of C. O. McCarthy, of Panola County, and to prepare and report resolutions on the death of J. M. Tate, of Pike County, late members of the House.

Adopted.

The Speaker named on the committee Messrs. Kyle, Quin of Pike, Bowers, Brown of Adams, Thomas and Garraway.

At 2.45 P. M., on motion of Mr. Bowers, the House adjourned until to-morrow morning at 11 o'clock.

L. PINK SMITH,

Clerk of the House of Representatives.

SECOND DAY.

WEDNESDAY, January 8, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Long.

The roll being called, the following members answered to their names:

Mr. Speaker, Messrs. Alcorn, Allen, Alsworth Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coleman, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves,

Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Webster, White, Wilkins, Wren—Total 123.

Absent—Messrs. Castleman, Causey, Coody, Denton of Quitman, Heath, McDaniel, Tucker, and Walker—Total 10.

On motion of Mr. Harper the reading of the journal of yesterday was dispensed with and the same stood approved.

REPORT OF SPECIAL COMMITTEE ON GOVERNOR'S MESSAGE.

MR. SPEAKER: The special committee on the Governor's message has had under consideration the message of Governor A. H. Longino, referred to them, and have instructed me to report thereon with the following recommendations:

1st. That part of the message which refers to finance and that part referring to the recommendations of the Attorney General on Taxes and Privilege Taxes, be referred to the Committee on Ways and Means.

2d. That part which refers to the Governor's action in calling in and paying off the bonds issued under Chapter 34, Acts 1896; the action he took in reference to State Treasurer J. R. Stowers, and the recommendations of the Attorney General, referred to on the subject of the codification of our statute laws, be referred to the Judiciary Committee..

3d. That part which deals with State Farms and the Penitentiary be referred to Committee on Penitentiary.

4th. That part which refers to Roads be referred to Committee on Roads, Ferries and Bridges.

5th. That part which refers to a Soldiers' Home be referred to the Committee on Benevolent Institutions.

6th. That part which refers to the National Guard be referred to Committee on Military Affairs.

7th. That part which refers to Diseases of Animals and Boards of Health, be referred to the Committee on Public Health and Quarantine.

8th. That part which refers to Branch Experimental Stations be referred to the Committee on Agriculture.

9th. That part which refers to our Common Schools be referred to the Committee on Education.

10th. That part of the message which refers to our High

Schools, Universities and Colleges be referred to the Committee on Universities and Colleges.

11th. That part which refers to an Increase of the Salaries of the State Officials and Judges and Notaries Public be referred to the Committee on Fees and Salaries.

12th. Those parts of the message which refer to the Institute for the Blind, the Deaf and Dumb Institute, the East Mississippi Insane Hospital, the State Insane Hospital and the Charity Hospitals be referred to the Committee on Benevolent Institutions.

13th. That part of the message which refers to the Louisiana Purchase Exposition to be held at St. Louis and the part referring to certain assessors unpaid, be referred to Appropriations Committee.

14th. The part that refers to Mississippi Boundary Commission be referred to the Committee on Propositions and Grievances.

15th. The part referring to the management of our State Library be referred to Committee on Library.

16th. The part bearing upon the condition of the New State House be referred to the Committee on Public Buildings and Grounds.

17th. The part of the message referring to the recommendations of the Attorney General on the subject of Trusts and Combines be referred to the Committee on Trusts and Combines.

18th. That part which refers to the recommendations of the State Auditor on the subject of Insurance and Banking Laws be referred to the Committee on Insurance.

19th. That the part recommending the amendment of the Primary Election Laws be referred to the Committee on Registration and Elections.

20th. The part which refers to the apportionment of the State into eight Congressional Districts be referred to a special joint committee of the Senate and House, composed of members representing the interests of the different sections of the State.

21st. Your committee further recommends that suitable special committees consisting of five members each be appointed to draft and present to the House suitable resolutions of respect touching the lives and services of those two great and good men mentioned specially in the Governor's message, ex-Gov. J. M. Stone and our late Secretary of State, Col. J. L. Power.

Your committee having fully discharged its duties now asks to be itself discharged.

Respectfully submitted,

C. LEE CRUM, *Chairman.*

On motion of Mr. Crum the report of the committee was adopted and the committee was then discharged.

Mr. Sharp, of Lowndes, offered the following House Joint Resolution No. 1 :

Resolved by the House of Representatives, the Senate concurring, That each House appoint a committee of one from each Con-

gressional District and seven from the State at large, no two of whom shall be from the same Congressional District, to be a joint Special Committee to whom all bills for redistricting the State into eight Congressional Districts shall be referred.

Mr. Granberry moved to amend the resolution by striking out "seven from the State at large," and make the Resolution read "three from each Congressional District."

Mr. Gambrell moved to table the amendment offered by Mr. Granberry, which motion prevailed.

Mr. Thomas then moved to refer the resolution with all others introduced on the same subject to the Committee on Rules, which motion prevailed.

The following resolutions were then introduced and referred to the Committee on Rules, without being read :

By Mr. Arnold—Resolution No. 2 :

WHEREAS, There have been many changes in the membership of the House since the last session ; and,

WHEREAS, Under the Constitution of the State legislation is restricted in such a way as to leave no duty for many of the present committees to perform ; and,

WHEREAS, It is desirable to distribute the work of special session so as to make the services of all members available ; therefore,

Resolved, That the Committee on Rules be instructed to report a rule enlarging the important committees through which the principal work of the session must be performed, and when said report is made and adopted the Speaker is authorized and required to revise such committees, and all committees not so revised and enlarged shall be discontinued.

By Mr. Hightower—Resolution No. 3 :

Resolved by the House, the Senate concurring, That a special joint committee be appointed to divide the State of Mississippi into new Congressional Districts, said committee to be composed of two members from each Congressional District and two from the State at large to be appointed by the Speaker of the House, and ——— from each Congressional District, ——— from the State at large to be appointed by the President of the Senate.

By Mr. George—Resolution No. 4 :

Resolved, That a committee of fifteen, two from each Congressional District and one from the State at large, be appointed, which shall consider all bills and resolutions referring to the apportioning of the State into eight Congressional Districts.

By Mr. Mahon—Resolution No. 5 :

Resolved by the House, the Senate concurring, That a special committee composed of twenty-one on the part of the House and ——— on the part of the Senate, be appointed to which all bills in regard to the reapportioning of the State into eight Congressional Districts shall be referred, and that the twenty-one mem-

bers on the part of the House be composed of three members from each Congressional District.

By Mr. White—Resolution No. 6:

Resolved by the House of Representatives, the Senate concurring, That a joint committee consisting of three members from each of the present Congressional Districts and three from the State at large, on the part of the House, and ——— on the part of the Senate, be appointed, to whom shall be referred all bills for redistricting the State into Districts for the election of members of the House of Representatives of the Congress of the United States.

Mr. Brown, of Adams, offered the following:

Resolved, That this House has nothing to do with the returns of the recent special election for Secretary of State and State Treasurer, and they should be returned to the Secretary of State, whose duty it is to open them and declare the result of the election, whereby the will of the Legislature, as declared in the Act of March 1, 1900, contained in Chapter 79 of the Acts of 1900, may be carried out.

That the provisions of the Constitution as to the manner of dealing with the returns of election of Governor and other State officers are applicable alone to the regular quadrennial election provided for by the Constitution and have no referencē to special elections provided for by the Legislature.

Referred to Committee on Judiciary.

Mr. Sharkey offered the following:

WHEREAS, There being a difference of opinion as to the duty and rights of the Legislature, or Speaker of the House of Representatives to receive and count the votes cast in the late special election, therefore, be it

Resolved, That the returns of said election be received and held by the Speaker, and the question of the rights and duty of the Legislature to count the votes be referred to the Committee on Constitution, and they be instructed to report to the House their views on the question at the earliest opportunity, consistent with due deliberation of the same.

Referred to Committee on Judiciary.

Mr. Stennis, of Kemper, offered the following:

Resolved, That each member of the House pay for his own newspaper.

Adopted.

Mr. Sharkey offered the following:

Amend the rules of the House as follows:

The Clerk of the House of Representatives shall keep a calendar for the guidance of the House and shall enter thereon all bills reported by the committees in the order reported, and the regular order shall be the bills favorably reported, and no bill can be taken up except by a majority vote of the House, which has been

unfavorably reported on, unless a minority report shall be filed with the regular report.

Referred to Committee on Rules.

REPORT OF COMMITTEE ON MILEAGE.

MR. SPEAKER: Your Committee on Mileage beg leave to report as follows:

Mr. Speaker	192
Alcorn	320
Allen	120
Alsworth	186
Anderson	524
Arnold	300
Bennett	216
Birmingham	484
Boddie	348
Bowers	352
Bradshaw	64
Brittain	70
Broadus	400
Brooks	338
Brown of Adams	200
Brown of Itawamba	524
Burge	530
Burrus	90
Byrd	104
Campbell	—
Castleman	348
Causey	284
Clayton	392
Cock	280
Coleman	196
Coody	80
Cooner	294
Cox of Prentiss	516
Cox of Panola	310
Crum	432
Crumpton	260
Denson	168
Denton of Lauderdale	214
Denton of Quitman	376
Dodds	170
Doss	280
Dudley	290
Eddins	410
Ellis	58
Elmer	350
Evans	246

Ferguson	150
Ford	356
Foster of Claiborne.....	80
Foster of Warren.....	90
Franklin of Lowndes.....	415
Franklin of Marshall.....	415
Frazier	476
Galloway	540
Gambrell	512
Garraway	230
George	90
Gibson	438
Gilfoy	496
Goff	320
Granberry	416
Groves	100
Haley	446
Ham	444
Harper	122
Hathorn	328
Heath	218
Hemphill	220
Hewes	320
Hightower	316
Hill	50
Hubbard	300
Irby	500
Johnston of Clarke.....	262
Johnston of Yazoo.....	90
Jones	389
King	63
Kyle	320
Lamb	250
Langston	470
Long	210
Longest	496
Loper	128
Magee	164
Magruder	186
Mahon	376
McAfee	226
McAllister	62
McCafferty	226
McCuston	215
McDaniel	214
McManus	322
Miller	200
Millsaps	310
Mitchell	104

Moore	266
Moss	52
Murphree	304
Neill	300
Norment	260
Norton	132
Owen	500
Pace	252
Permenter	320
Posey	324
Pyle	624
Quin of Pike	156
Quin of Wilkinson	284
Ray	600
Reynolds	194
Robbins	90
Rouse	260
Senter	390
Sharkey	—
Sharpe of Leake and Winston	360
Sharp of Lowndes	360
Shelby	345
Smith of Greene	398
Smith of Holmes	140
Smylie	90
Stamps	140
Stennis of Kemper	290
Stennis of Lauderdale	212
Stubbs	200
Swinney	152
Taylor	186
Thomas	348
Thompson	420
Tucker	314
Turner	156
Underwood	600
Vollor	90
Wall	384
Walker	184
Webster	316
White	274
Wilkins	322
Wren	450

S. T. GARRAWAY, *Chairman*.

L. A. MOSS, *Secretary*.

On motion of Mr. Garraway the report was adopted.

Mr. McAllister offered the following:

WHEREAS, In the late war between the United States and Spain Admiral Winfield S. Schley, of the United States Navy,

won in the harbor of Santiago de Cuba, on July 3d, 1898, one of the greatest naval victories recorded in history; and,

WHEREAS, For the past three years every device known to unscrupulous method and envious cunning has been employed to rob Admiral Schley of the laurels achieved by his splendid naval genius upon the occasion aforesaid; and,

WHEREAS, So fierce and unbearable did the persecution of Admiral Schley become, that during the past year he, acting in the belief that "justice had not fled to brutish breasts," asked the government which he has so long and illustriously served to grant him a trial before an impartial court of inquiry; and,

WHEREAS, The vast volume of testimony adduced before said court not only acquitted him of every charge and slander uttered against him by the naval cabal, their tools and henchmen, but presented him in a far stronger light than before with the great body of his countrymen; and,

WHEREAS, To the surprise, humiliation and outrage of the public sense of justice, a majority of said court made a report seriously adverse to Admiral Schley, which has become a part of the record of naval history; and,

WHEREAS, Admiral George Dewey, President of the Court of Inquiry, made a minority report in accordance with the facts and testimony of the case, exonerating him and giving him due credit for his immortal victory at Santiago; therefore, be it

Resolved, by the Mississippi House of Representatives, That we consider Admiral Schley the real hero of Santiago, one of the world's greatest naval commanders, and the victim of the most detestable cabal that has existed since Cataline became everlastingly infamous.

Resolved, further, That we denounce the majority report and recoil at the injustice done Admiral Schley; that we endorse the report of Admiral Dewey exonerating him.

Resolved, further, That we extend an invitation to Admiral Schley to visit the State Capital during his contemplated Southern tour and receive a manifestation of the exalted respect, confidence and admiration in which he is held by the people of Mississippi.

On motion of Mr. Sharp, of Lowndes, the resolution was referred to the Committee on Federal Relations.

On motion of Mr. Thomas, Hon. John M. Allen was extended the privileges of the House.

The special joint committee appointed during the session of the Legislature of 1900 to investigate the affairs of the State penitentiary, reported through the Chairman on the part of the House as follows:

To His Excellency the Governor and to the Legislature of the State of Mississippi:

Your committee appointed under joint resolution to investigate the management and control of the State penitentiary, beg leave to submit the following report:

We have, with the assistance of an expert accountant employed by the committee, examined the books of the Board of Control as thoroughly as it has been possible to do under all existing circumstances and conditions. We have examined the following named witnesses, to-wit:

J. M. Parchman, Warden of the State penitentiary; Hons. John D. McInnis, A. Q. May and J. C. Kincannon, members of the Board of Control, and his Excellency, A. H. Longino, Governor. Hon. Monroe McClurg, Attorney General and *ex officio* members of the Board of Control, and Mr. J. J. Evans, former bookkeeper of the Board of Control, Mr. Baggett, sergeant of the Falked Deer Plantation; J. W. Hollinger, sergeant of the Levy Plantation; J. S. Given, sergeant of the Marks Plantation; F. E. Allen, sergeant of the Belmont Plantation; C. C. Sanford, sergeant of the Watson Plantation; Mr. Lewis, sergeant of the Weathersby Plantation; Mr. Buckley, sergeant of the New State Farm, Sunflower County; J. C. McCoy, sergeant of the Edwards Plantation; T. H. Allen, sergeant of the Cutrer Plantation; C. E. Vance, sergeant of the Shelby Plantation, and Mr. George B. Shelby, owner of the Shelby Plantation, and Mr. Bidwell, of the firm of Bidwell and Brothers, merchants on the New State Farm.

All of said witnesses were duly sworn, their evidence was reduced to writing, and the same is attached hereto and made a part of this report.

Your committee further respectfully reports as follows:

I.

We found that the books of the Board of Control have been kept in a manner far from satisfactory.

It is impossible, even with the most careful and long continued examination of the books, to ascertain with any degree of accuracy whatever, the results of the former operations of the Board of Control.

Sales of cotton, cotton seed and grain are entered in gross amounts with nothing whatever to show the quantities sold, to whom sold, or price per pound, bushel or ton, received, except in isolated cases.

Detailed statements or accounts of sale were called for, but neither the bookkeeper nor Board of Control could produce same.

In many instances we found an account credited with "received for labor of convicts," and gave number of dollars with no record whatever to show the nature or character of said work, the quantity performed, where or when done or with whom contracted.

Your committee has made diligent inquiry as to labor, other than the making, gathering and marketing of crops performed by the State convicts on the various farms worked by the Board of Control, and do not hesitate to assert without qualification that the books fail to show payment for a very large proportion of such services.

Such work consists principally of clearing large quantities of woodland and preparing same for cultivation, for the owners of the various plantations worked on the share system or lease, and often it was found that large tracts of such land had been so cleared by convict labor for various parties with whom the Board of Control had no farming contract whatever, and in whose lands the State had no interest whatever.

The books kept by the Board of Control fail to show for whom such labor was performed, or prices paid, or agreed to be paid for same, and we have been compelled to gather information on these points chiefly from the various sergeants in charge of the various plantations, or from outside parties who were familiar with the facts.

Your committee, however, feels fully warranted in saying that a very large part of the amounts justly due the State from such sources has never been realized, in so far as is shown by the books, or by information secured by your committee after diligent effort.

We can not too strongly condemn the loose, inaccurate and wholly unsatisfactory condition in which we found the books of the Board of Control.

II.

Your committee further reports that an examination of appraisements of property on each farm worked by the Board of Control—such appraisements being made annually—will in many instances show serious errors in that they contain and claim double credits for valuable property or large sums of money, thereby creating a fictitious credit and erroneously adding largely to the receipts or profits derived in any one year from such plantation.

By way of illustration, we draw attention to the fact that in many of such appraisements the Board of Control credits such place with a large lot of agricultural products on hand, and almost immediately thereafter claims a credit for large sum of money received from the sale of same products.

Such bookkeeping must inevitably "pad" the receipts or profits and create a showing which, however satisfactory to the Board of Control, is wholly unwarranted and puts not one dime in the State's treasury, and is misleading.

III.

We find that the labor of the convicts is largely used or employed in the improvement of, and making much more valuable the land of private individuals, in many instances without proper compensation to the State in so far as your committee can discover from the books of the Board of Control, or from any evidence that we could secure.

In connection with this, we call special attention to the fact that during the summer of 1901, a large quantity of woodland, belonging either to the warden, Mr. J. M. Parchman, or to some near relative of his, and situated in Bolivar county, was cleared and made ready for cultivation by convict labor.

In that work about 150 convicts were under the orders of Warden Parchman, removed from the Shelby place, the Edwards place and the Cutrer place to the lands to be cleared, and temporary barracks were erected for the safe keeping of these convicts while so employed.

We have as yet been unable to discover what, if any, compensation was paid for this work.

Your committee emphatically condemns this transaction for many reasons, principally: (a) Because it is highly improper and against public policy that an official occupying the position of warden, exercising almost unlimited power and authority conferred upon him by the Board of Control, shall use his position or authority to have cleared and largely enhanced in value lands belonging either to himself or any member of his family. (b) We condemn the action upon the part of the Warden for the further reason that at the time this work was done the large number of convicts so employed could have been most profitably used in clearing the lands on the new State farm in Sunflower County. Because of the proximity of various plantations from which this large number of convicts was drawn to the new State farm, these convicts could have been, at a minimum expense and within the space of a few hours, carried to the said farm and there employed in similar work to the very great advantage of the State.

IV.

We found that cotton seed, approximating in value \$30,000, has been lost to the State from the crops of 1895-1900, inclusive.

It was stated to the committee that in many instances these seeds heated and became valueless because of want of storage room and shelter for the same. Often seed and cotton were held for an unreasonable length of time when if sold earlier in the season a handsome sum might have been realized.

In other instances large quantities of cotton seed, as well as of corn and other agricultural products actually existing and belonging to the State, have been in some way entirely lost sight of and no record or evidence found by this committee accounting for same.

In connection with this item we beg to draw attention to the fact that the State, during the years 1895-1900, inclusive, owned large quantities of corn, hay, fodder, peas, potatoes, and other products of like nature for which not one dollar had been realized.

The Warden advises your committee that these articles were used in the feeding of the convicts and live stock belonging to the State, but while the Board claims credit for all these articles, thereby largely swelling the apparent profits, no money or charge of same is made in expense account, though used entirely for feeding and maintaining the convicts and stock belonging to the Board of Control.

In this way a false and fictitious credit is created and profits reported and claimed which do not exist.

Referring again to the matter of immense quantities of cotton seed lost, or not accounted for as above mentioned, we find that the Board of Control has been careless and negligent in contracting with planters, in that no provision whatever has ever been made for the furnishing or erection of proper and necessary houses in which to store seed or for platforms or for scaffolding upon which to dry damp or wet cotton; because of these omissions large sums have been lost to the State.

Again, the Board of Control, or the Warden, is justly liable to censure in many instances in withholding cotton seed from the market until they have heated or spoiled, when with proper diligence they could have been sold and large sums of money realized.

V.

We find that the Warden, or Board of Control, has frequently sold on long credits to the owner of the land, large quantities of corn and cotton seed—in many instances so selling the entire portion of said crops received as the State's share upon a given plantation. These credit sales, coupled with long delays in making settlement, such delay in several instances extending over three years, has resulted in much confusion and great loss to the State.

We can see no possible excuse for these credit sales and years of delay in making settlement.

In many instances no settlement was made with the landlord for three years. The crops of three years were disposed of without an adjustment of the respective rights or claims of the parties.

At the end of these three years of inexcusable negligent delay, the Board of Control insisted upon settlement, claiming in each instance large sums of money due the Board.

The landlord in each instance produced counter claims, insisting that upon a correct accounting the State, or Board of Control, would occupy the position of debtor instead of creditor.

In one or more instances litigation ensued and several of these claims were eventually compromised upon the land owner paying to the Board of Control approximately twenty-five per cent of the amount claimed by the Board, such paltry sum being accepted in full settlement. If these sales had been for cash instead of on

credit, much confusion, litigation and loss to the State would have been avoided.

We find that a great many of the contracts made by the Board or by the Warden have been wholly verbal, there being no record or written evidence of the same, and that in other instances when contracts were reduced to writing, they were susceptible of more than one interpretation.

This loose and negligent manner of conducting this important business interest has led to very great confusion and resulted in losses to the State.

Though we used every effort to ascertain the expense incurred by the Board of Control, because of the litigation referred to, no information could be secured from the books or from the members of the Board.

While we do not know and can not determine whether or not the lessor was in any of these instances justly indebted to the State in any amount whatever, yet it can not be denied that these transactions reflect no credit whatever upon the Board or its agents, and these credit sales and long delays in settlement are not at all businesslike and are justly subject to condemnation.

VI.

We find that a large proportion of the State's cotton has been each year shipped to cotton factor or commission merchants in Greenville, Vicksburg and other cities, the State being thereby subjected to the payment of large costs and expense in the way of freight charges, storage, insurance and commission paid. We think this bad management and believe that the State will gain largely by selling its cotton through its own agents and without the intervention of factor and commission merchants.

VII.

Your committee further finds that about two hundred of the convicts were worked for a very considerable period in the building and construction of the Yazoo Delta Railroad in Sunflower County.

We have not been able to ascertain the particulars of the contract under which such labor was performed, by whom such contract was made, or compensation, if any, received therefor.

The books of the Board of Control, so far as your committee can ascertain, utterly fail to give such information.

This committee condemns this matter in unqualified terms and does not hesitate to say that in our opinion the law was most inexcusably and flagrantly violated.

VIII.

We find that the State is steadily year by year losing large sums of money in the operation of the Rankin County farm, and the Oakley farm, both of which properties belong to the State.

We beg to draw attention to the fact that though the expenses incident to the management of the Rankin County farm has, year by year, largely exceeded the annual revenues derived therefrom, until the losses sustained by the State on account of this investment, aggregated more than \$20,000; yet, strange to say, in the opinion of the Board of Control, and in the opinion of the Board alone, that property has yearly increased in value, as shown by the Board's annual appraisal, until it has at last been developed that a State farm may in five years cost the State, in losses, an amount equal to the full purchase-price, yet at the same time the value of the property increases twenty-five per cent.

This makes a good showing on paper and swells the apparent assets, but puts no money in the treasury.

IX.

Your committee further reports that in the purchase of the new State farm in Sunflower County, the Board of Control was limited to an expenditure of \$80,000, and that the Board paid therefor \$79,677.96.

We further report that the Board expended the further sum of \$9,000 in the purchase, as shown by its report of "personal property."

The said "personal property" embraces houses, sawmills, etc.

From said \$9,000 the said Board paid \$1,500 for a stock of goods, wares and merchandise, then on the premises and belonging to the Ohio Hardwood Lumber Company, and that soon thereafter the said stock of goods was by the Board of Control, or by the Warden, sold to Bidwell & Brothers for \$600; such sale was made on credit, without security and payable January 1, 1902, with the further understanding that the said Bidwell & Brothers should have their board furnished to them by the State, free of all charge, until January 1, 1902, and that they should also have the use and occupation of the storehouse on said farm free of all charge, until January 1, 1902.

Your committee can not account for or explain this remarkable transaction.

X.

Your committee found the water from the driven wells on the new State farm not good, and would suggest that artesian wells

be bored immediately, for the health and welfare of the convicts, the guards in charge, and also for stock of all kinds and for the machinery that will be requisite to run the property.

Your committee would suggest that an agricultural chemist should be sent to this place to examine and analyze the different soils, and to ascertain for what they are peculiarly fitted.

XI.

Your committee finds, with few exceptions, that the convicts have been well treated, are sufficiently clad and fed, but it finds on nearly every plantation many men who should be in the hospital, because afflicted with diseases that incapacitates them from work, and who therefore need special medical attention.

Your committee's attention was called to the fact that a majority of the deaths reported to the committee resulted from sun-stroke or blood poison, and your committee fears that these deaths were caused by improper working the convicts when not in condition for such work.

XII.

We further report that the members of the Board of Control have, in our opinion, been derelict in their duty in these particulars, to-wit:

Their visits to and examination of the various farms in which the State is interested and their personal inspection of the convicts thereon, have been few and far between, and we do not believe it possible that they can keep themselves fully advised as to the existing conditions and needs, unless at least two of said members shall visit and inspect each one of said farms at least once during each month of the year.

XIII.

We deem it proper to say that we are fully cognizant of the fact that duties imposed upon the *ex officio* members of the Board of Control, the Governor and the Attorney General, in connection with their offices as Governor and Attorney General, are multitudinous and exacting, and for that reason we concede that it is impossible for either of them to give such attention to the various matters discussed in this report as is necessary to familiarize themselves with the same and to enable them to apply the proper correctives; but we do insist that the remaining members of the Board should be required to give their personal time and attention to these important matters.

S M H J

RECOMMENDATIONS.

Your committee would recommend, first, that the present law be so amended as to require the Warden to cover immediately into the State treasury, to the credit of the general fund, all moneys coming into his hands from any and every source on account of the penitentiary, so that the same may become immediately available to the State, and that an annual appropriation be made by the Legislature to cover all necessary expenditures for the support and maintenance of the penitentiary; payments to be made out of this fund on proper vouchers.

Second, To require all contracts made by the Warden to be submitted to the Board of Control for its ratification and confirmation, which ratification and confirmation shall be done at a legal meeting of said Board and shall appear on the minutes of said Board.

Third, To require every such contract to be in writing and to be duly recorded in a book to be provided by the Board for that purpose.

Fourth, To require the members of the Board, other than the Governor and Attorney General, to visit and inspect all plantations owned or worked by the State, and the convicts on such plantations, at least once each month.

Fifth, Your committee recommends that competent sergeants in control of large planting interests in the State should receive adequate reward, at least as much or more than persons in charge of similar plantations of individuals, for the reason that the sergeant, almost like the prisoner, is completely isolated from society and all Christian influences. He should be allowed at least enough to educate his children, for they can have no school facilities in or near a convict farm.

Sixth, Your committee would further most earnestly recommend that the Board of Control be required to comply with the purpose and intent of the Legislature in providing for the purchase of the new State Farm, by placing all convicts on said farm at the earliest possible time at which said convicts can be placed there without entailing great loss on the State.

Seventh, Your committee recommends that a timber expert be employed to estimate the amount and value of merchantable timber now on the new State farm, as well as the timber that has been cut therefrom since the purchase, as your committee are advised that there was enough valuable timber on said farm at the time of purchase to pay for it.

Eighth, Your committee recommends that an expert cotton classifier be employed to classify the cotton of the State and assist in the sale thereof.

Ninth, We further recommend that each sergeant on each plantation, or part thereof, shall keep a well bound plantation record, in which shall be entered the number of pounds of cotton gathered by each convict each day, the number of bales of cotton and the

weight thereof made on each place; also the number of bushels of corn, amount of hay, and the amount and quality of every other agricultural product made on each place; and such record shall also show in detail all labor performed by the convicts in his care, of every kind and description other than that hereinbefore named, whether the same is done and performed on the plantation of which said sergeant has charge or elsewhere. And such sergeant shall be required to make weekly reports to the Board covering all of the above items, which report shall be recorded in the books of the Board, and said books shall be preserved and shall be open to inspection at all times, and the Board shall employ a competent bookkeeper to keep the books.

Respectfully submitted,

E. H. MOORE,
Chairman Senate Committee.

R. F. ABBAY,

J. W. HEARD,

L. C. DULANEY,

A. F. GARDNER,

E. N. THOMAS,

Chairman House Committee.

J. D. STENNIS,

E. R. WREN,

S. W. JONES,

Secretary.

On motion of Mr. Thomas 1,000 copies of the report, with the testimony taken, were ordered printed in pamphlet form for the use of the Legislature, and Friday, January 17th, fixed as the day for the consideration of the report.

On motion of Mr. Brown, of Adams, the thanks of the House were extended to the committee for the faithful performance of the arduous duties imposed upon it.

INTRODUCTION OF BILLS.

By Mr. Kyle—

H. B. No. 1, To be entitled An Act making an appropriation to defray the expenses of the special session of the Legislature of 1902.

Read twice and referred to Committee on Appropriations.

By Mr. Stubbs—

H. B. No. 2, To be entitled An Act to appropriate money for the relief of certain officers, soldiers, sailors, widows and servants of the war between the States.

Read twice and referred to Committee on Pensions.

By Mr. Robbins—

H. B. No. 3, To be entitled An Act to amend Section 3757 of the Annotated Code of Mississippi so as to exempt from taxation

money loaned, or any securities bearing a rate of interest not exceeding six per cent per annum.

Read twice and referred to Committee on Ways and Means.

By Mr. Brown, of Adams—

H. B. No. 4, To be entitled An Act to amend Section 6 of Chapter 34 of the Acts of 1894, so as to further limit the time within which the State Revenue Agent shall have the right to sue for, collect and have assessed delinquent taxes.

Read twice and referred to Committee on Judiciary.

By Mr. Denson—

H. B. No. 5, To be entitled An Act for the relief of Wade Polk, Tax Assessor of Lawrence County.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Moss—

H. B. No. 6, To be entitled An Act to make an appropriation to secure an exhibit of the resources of Mississippi at the Louisiana Purchase Exposition, to be held in St. Louis, Mo., in the year 1903.

Read twice and referred to Committee on Appropriations.

By Mr. Arnold—

H. B. No. 7, To be entitled An Act to divide the State into eight Congressional Districts.

Read twice and referred to Special Committee on Congressional Apportionment, when named.

By Mr. King—

H. B. No. 8, To be entitled An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

Read twice and referred to Committee on Appropriations.

By Mr. Johnston, of Clarke—

H. B. No. 9, To be entitled An Act for the working of public roads by contract.

Read twice and referred to Committee on Roads, Ferries and Bridges.

The Speaker announced the appointment of Ben Jones and James Gilliam as porters in place of Frank Walker and Joe James.

The Speaker announced the appointment of Frank Julienne as mail carrier.

At 12.50 P. M., on motion of Mr. Smith, of Greene, the House took a recess until 3 P. M.

AFTERNOON SESSION.

The House met at 3 P. M. pursuant to adjournment, with Speaker *pro tem.* Sharp in the chair.

A quorum present.

INTRODUCTION OF BILLS.

By Mr. Sharkey—

H. B. No. 10, To be entitled An Act to appropriate and set apart a portion of the Capitol grounds as a Confederate Memorial Park, and to create a commission to have charge of same, and to appropriate \$1,000 for same.

Read twice and referred to Committee on Appropriations.

Speaker Russell in the chair.

By Mr. Smith, of Holmes—

H. B. No. 11, To be entitled An Act to create the Exposition Bureau, to provide for an exhibit at the Louisiana Purchase Exposition and to make an appropriation therefor.

Read twice and referred to Committee on Appropriations.

Speaker Russell announced that the members elected since the last session of the Legislature would be placed on the committees on which their predecessors had been named, as follows:

Mr. Walker in place of the late Mr. Tate, on Immigration and Labor, County Affairs, Insurance.

Mr. Boddie in place of Mr. Larkin, on the Judiciary, to Investigate State Officers, Fees and Salaries, Levees, Registration and Elections.

Mr. Foster in place of Mr. Anderson of Warren, on the Judiciary, Public Education, Penitentiary.

Mr. Cox of Panola, in place of the late Mr. McCarthy, on Manufactures, Enrolled Bills.

Mr. Reynolds in place of Mr. Guyton, on Claims, Registration and Elections.

Mr. Bowers being second on the Committee on Judiciary, was made Chairman of the Committee by the resignation of Mr. Anderson of Warren.

Mr. Johnston, of Clarke, was added to the Committee on Roads, Ferries and Bridges.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 8, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following resolution, viz.:

Resolved, That a joint committee, comprised of two members of the Senate and —— members of the House, from each Congressional District, be appointed as a committee on Congressional Reapportionment, to whom all bills relating to Congressional Districts be referred without debate, and that in voting in committee meetings the committee appointed from each house vote separately.

JOHN Y. MURRY, JR., *Secretary*.

The resolution was referred to the Committee on Rules.

Mr. Thomas resigned as a member of the Committee on Constitution and Mr. Boddie was named in his place.

At 3.20 P. M., on motion of Mr. Thomas, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

THIRD DAY.

THURSDAY, January 9, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Coleman, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Webster, White, Wilkins, Wren—Total 118.

Absent—Messrs. Castleman, Causey, Cocke, Coody, Foster of Claiborne, Foster of Warren, Goff, Groves, Heath, Magee, Magruder, McDaniel, Pace, Tucker and Walker—Total 15.

Leave of absence granted from day to day to Messrs. Cocke, McAllister, Groves, Goff, Foster of Warren, Pace and Magee.

The journal of yesterday was read and approved.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendation:

H. B. No. 1, To be entitled An Act making an appropriation to defray the expenses of the special session of the Legislature of 1902.

Title sufficient; bill do pass.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON RULES.

MR. SPEAKER: The Committee on Rules has had under consideration the following resolutions referred to them, and have instructed me to report them back with the following recommendations:

Senate Joint Resolution No. 1, title sufficient—and that same be adopted and that blank in said resolution be filled with "three."

In view of the recommendation of the adoption of the Senate Resolution, we recommend that House Resolutions Nos. 1, 3, 4 5 and 6 be not adopted.

BOWERS, *Chairman.*

On motion of Mr. Bowers the Senate Joint Resolution reported by the committee was adopted as follows:

Resolved, That a joint committee comprised of two members of the Senate and three members of the House from each Congressional District be appointed as a Committee on Congressional Apportionment, to whom all bills relating to Congressional Districts be referred without debate, and that in voting in committee meetings the committee appointed from each House vote separately.

Mr. Sharp, of Lowndes, offered the following joint resolution:

WHEREAS, The Moore House and Temple Farm upon which it is situated, at Yorktown, Va., will carry with them through all time memories of the siege and victory by which the allied armies of France and the American Colonies secured the independence of our nation; and,

WHEREAS, It is reported that the property can at this time be bought for a nominal sum, and it is believed that the product of the farm will be sufficient to keep the buildings in repair, and the buildings are so situated as to be well adapted for Government purposes on occasions of naval inspection and reviews on York River; therefore, be it

Resolved by the House, the Senate concurring, That the Senators and Representatives in Congress from this commonwealth be, and are hereby requested to consider and, if in their judgment they can wisely do so, to support a bill for the purchase of Temple

Farm and Moore House, at Yorktown, Va., by the Government of the United States of America; provided, that the cost of the said farm with its improvements shall not exceed a reasonable sum; and be it .

Resolved, That properly attested copies of these resolutions be sent to the Senators and Representatives in Congress from this commonwealth.

On motion of Mr. Sharp, of Lowndes, the resolutions were adopted.

Mr. Sharkey offered the following:

Resolved, That the rules of the last House of Representatives be the rules of the present House, with such amendments as were prepared last session, and that the Committee on Rules as appointed at the last session be continued through this session, and to which all resolutions be referred changing the rules of the House.

Mr. Sharkey moved the adoption of the resolution.

Mr. Brown, of Adams, moved to table the motion to adopt, which motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 8, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following resolution:

Resolved by the Senate, the House of Representatives concurring therein, That the invitation extended by the Board of Trustees, the President and Faculty of the Agricultural and Mechanical College at Starkville and of the Industrial Institute and College at Columbus, that the Legislature of the State of Mississippi shall visit and inspect the said colleges, be and is accepted, and 7 o'clock A. M. of Saturday the 10th day of January, 1902, be, and is fixed as the date and hour for leaving the city of Jackson upon said inspection.

JOHN Y. MURRY, JR., *Secretary*.

On motion of Mr. Senter the House concurred in the Senate Resolution.

Mr. Crum offered the following:

A Joint Resolution to ascertain cost and expense of investigating the management of the penitentiary affairs.

WHEREAS, It is apparent that the special joint committee of the House and Senate appointed at the last session of this Legislature to investigate the management and control of the State penitentiary and farms have performed arduous labor and have necessarily incurred considerable expense; and,

WHEREAS, The Legislature is not advised of the amount of these expenses, the items thereof, the amount due them on a per diem, nor whether said joint resolution carried a sufficient appropriation to cover these items; therefore,

Resolved by the House, the Senate concurring, That the said joint committee be, and it is hereby requested to report to the House and Senate an itemized account of all necessary expenses incurred in the investigation of the subjects assigned it, and the sums due each of them on per diem for services rendered.

Adopted.

On motion of Mr. Kyle H. B. No. 1, To be entitled An Act making an appropriation to defray the expenses of the special session of the Legislature of 1902, was considered.

Whereupon the rules were suspended, the bill considered engrossed, read the third time, and, agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Coleman, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Webster, White, Wilkins, Wren, Mr. Speaker—Total 112.

Absent and those not voting—Messrs. Alcorn, Castleman, Causey, Coody, Cock, Denton of Quitman, Foster of Claiborne, Foster of Warren, George, Goff, Groves, Heath, Magee, McAllister, McDaniel, Norment, Pace, Senter, Shelby, Tucker and Walker—Total 21.

Unanimous consent was given the clerk to carry the bill just passed to the Senate at once.

INTRODUCTION OF BILLS.

By Mr. Arnold—

H. B. No. 12, To be entitled An Act to amend Section 3041 of Chapter 94 of the Annotated Code of 1892, in regard to Notaries Public.

Read twice and referred to Committee on Judiciary.

By Mr. Hathorn—

H. B. No. 13, To be entitled An Act to divide the State into eight Congressional Districts.

Read twice and referred to Committee on Congressional Apportionment, when named.

By Mr. Smith, of Holmes—

H. B. No. 14, To be entitled An Act to appropriate \$2,500 in the year 1902, and the same in the year 1903, for the Confederate Hospital Annex at Vicksburg, Miss., and to provide for the distribution of the same.

Read twice and referred to Committee on Appropriation.

By Mr. Kyle—

H. B. No. 15, To be entitled An Act to revise and recodify the statute laws of the State and to make an appropriation therefor.

Read twice and referred to the Committee on Judiciary.

By Mr. Stubbs—

H. B. No. 16, To be entitled An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of the educable children of the State every two years, instead of every four years.

Read twice and referred to the Committee on Education.

By Mr. Vollar—

H. B. No. 17, To be entitled An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg.

Read twice and referred to Committee on Appropriation.

By Mr. King—

H. B. No. 18, To be entitled An Act for the purpose of dividing the State into eight Congressional Districts.

Read twice and referred to Committee on Congressional Apportionment, when named.

By Mr. Evans—

H. B. No. 19, To be entitled An Act to appropriate money for the relief of certain officers, soldiers, sailors, widows and servants of the war between the States.

Read twice and referred to Committee on Pensions.

By Mr. Harper—

H. B. No. 20, To be entitled An Act to appropriate money for the relief of certain officers, soldiers, sailors, widows and servants of the war between the States.

Read twice and referred to Committee on Pensions.

By Mr. White—

H. B. No. 21, To be entitled An Act to divide the State into eight Congressional Districts.

Read twice and referred to Committee on Congressional Apportionment, when named.

By Mr. Haley—

H. B. No. 22, To be entitled An Act to divide the State of Mississippi into eight districts for the election of members to the House of Representatives in Congress.

Read twice and referred to Committee on Congressional Apportionment, when appointed.

By Mr. Smith, of Greene—

H. B. No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States.

Read twice and referred to Committee on Pensions.

By Mr. Byrd—

H. B. No. 24, To be entitled An Act to amend Chapter 32 of the Acts of 1892.

Read twice and referred to Committee on Education.

By Mr. Johnston, of Clark—

H. B. No. 25, To be entitled An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

Read twice and referred to Committee on Appropriation.

By Mr. Hewes—

H. B. No. 26, To be entitled An Act making an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903.

Read twice and referred to Committee on Public Health and Quarantine.

APPROVAL MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, JACKSON, MISS., January 9, 1902.

MR. SPEAKER: I am directed by his Excellency, the Governor, to inform the House of Representatives that he has this day approved the following entitled bills, to-wit:

H. B. No. 289, An Act to authorize the Board of Supervisors to pay for vaccine virus heretofore purchased by county health officers or reputable practicing licensed physician when the State Board of Health has failed to do so.

H. B. No. 147, An Act for the relief of J. P. Cain, Agent of the State, authorizing the Board of Supervisors of Carroll County to reimburse him for money expended in an effort to capture G. N. Carr.

H. B. No. 197, An Act for the relief of J. F. Williams, of Leake County.

H. B. No. 298, An Act to amend Section 902 of the Code so as to permit a county treasurer to either produce the county funds before the Board of Supervisors or satisfactory sworn statement from a responsible bank that the funds are in the bank to the credit of the county treasurer.

H. B. No. 223, An Act to authorize and provide for the sale of causes of action, or any interest therein, after suit is brought thereon.

H. B. No. 194, An Act to authorize the Board of Mayor and Aldermen of the town of Vaiden to sell certain parts of certain

streets and alleys of said town which has never been used or dedicated as a street.

H. B. No. 320, An Act to be entitled An Act to enable the Board of Supervisors of Jefferson County to compensate Mrs. Kate W. Grafton for repairs done to and insurance paid for the Fayette Female Academy during the time the title thereto was vested in her.

H. B. No. 335, An Act to authorize the Board of Supervisors of Jefferson County to examine and pay accounts of certain persons rendering services in smallpox cases in 1896.

H. B. No. 482, An Act to authorize the Board of Supervisors of Tate County to pay Dr. Thomason for services rendered.

H. B. No. 491, An Act to restore the right of suffrage to Geo. Payne, Jr., a citizen of Benton County, Mississippi.

H. B. No. 492, An Act to restore the right of suffrage to John D. Brown and Billie Bright, citizens of Benton County, Mississippi.

H. B. No. 291, An Act to amend Section 202 of the Annotated Code of 1892, and Section 1 of Chapter 60 of the Acts of the special session held in 1898 in relation to examination for admittance to practice as an attorney and counsellor at law.

Respectfully,

J. J. COMAN, *Private Secretary.*

VETO MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 9, 1902.

To the House of Representatives:

I herewith return House Bill No. 277, "An Act for the relief of H. L. Taylor, of Yazoo County, Mississippi," without my signature, for the reason that it is a special act for the benefit of an individual, which can be, and which in fact is, provided for by general law, viz.: Chapter 74, Acts of 1900.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 9, 1902.

To the House of Representatives:

I herewith return House Bill No. 349, "An Act to refund to J. B. McAlpin, ex-sheriff and tax collector of Newton County, the sum of (\$475.64) four hundred and seventy-five and 64-100 dollars, erroneously paid by him into the State treasury," without my signature, for the reason that it is a special act for the benefit of an individual, which can be, and which in fact is, provided for by general law, viz.: Chapter 74 Acts of 1900.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 9, 1902.

To the House of Representatives:

I herewith return House Bill No. 438, "An Act to change the time of holding Supervisors' Court in Itawamba County from the first Monday of March and September to the second Monday," without my signature, for the reason that said bill seeks to amend Section 278 of the Code, providing the time for holding Supervisors' Courts, in so far as said section applies to Itawamba County, yet the said proposed amendment is not in compliance with Section 61 of the State Constitution, which says: "No law shall be amended by reference to its title only, but the section as amended shall be inserted at length."

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 9, 1902.

To the House of Representatives:

I herewith return House Bill No. 144, "An Act to refund to W. K. Collins, a citizen of Franklin County, ten dollars (\$10) as a privilege tax license paid in 1891, paid and not required by law," without my signature, for the reason that it is a special act for the benefit of an individual, which can be, and which in fact is, provided for by general law, viz.: Chapter 74, Acts of 1900.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 9, 1902.

To the House of Representatives:

I herewith return House Bill No. 148, "An Act to refund to C. W. Graham taxes overpaid by him in the year 1898," without my signature, for the reason that it is a special act for the benefit of an individual, which can be, and which in fact is, provided for by general law, viz.: Chapter 74, Acts of 1900.

Respectfully,

A. H. LONGINO, *Governor.*

All the above veto messages were, on motion of Mr. Cox, of Prentiss, referred to Committee on Local and Private Legislation.

At 11.40 A. M., on motion of Mr. Gambrell, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

FOURTH DAY.

FRIDAY, January 10, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Dr. Chas. B. Galloway.

The roll being called, the following members answered to their names:

Mr. Speaker, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfof, Granberry, Haley, Ham, Harper, Hathorn, Hemp-hill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Webster, White, Wilkins, Wren—Total 119.

Absent—Messrs. Alcorn, Castleman, Causey, Cock, Denton of Quitman, Foster of Claiborne, Goff, Groves, Heath, Magee, McDaniel, Pace, Tucker, and Walker—Total 14.

Leave of absence granted Mr. Coody from day to day.

The journal of yesterday was, on motion of Mr. Smith of Holmes, corrected and approved.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendation:

H. B. No. 12, An Act to amend Section 3041 of Chapter 94 of the Annotated Code of 1892, in regard to Notaries Public.

Title insufficient, and that the bill do not pass.

BOWERS, *Chairman.*

Mr. Sharp, of Lowndes, offered the following:

Resolved, That the sympathies of the House be, and are hereby given to our fellow member, Hon. Pres Groves, of Leake County, upon the death of his son, which occurred yesterday, and that we extend to him our loving friendship while the dark shadows are gathering about his home and heart.

Adopted unanimously by a rising vote.

Mr. Quin, of Wilkinson, offered the following:

Resolved, That the use of the hall of the House of Representatives be tendered to the Mississippi Historical Society for its annual meeting Friday night, January 10, 1902.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 10, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

An Act making an appropriation to defray the expenses of the special session of the Legislature of 1902.

JOHN Y. MURRY, JR., *Secretary*.

INTRODUCTION OF BILLS.

By Mr. Eddins—

H. B. No. 27, To be entitled An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

Read twice and referred to Committee on Appropriations.

By Mr. Taylor—

H. B. No. 28, To be entitled An Act to make an appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903.

Read twice and referred to Committee on Humane and Benevolent Institutions.

By Mr. Quin, of Wilkinson—

H. B. No. 29, To be entitled An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901.

Read twice and referred to Committee on Appropriations.

By Mr. Quin, of Wilkinson—

H. B. No. 30, To be entitled An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903 and for buildings and equipments needed.

Read twice and referred to Committee on Universities and Colleges.

By Mr. Robbins—

H. B. No. 31, To be entitled An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg.

Read twice and referred to Committee on Appropriations.

By Mr. Denton of Lauderdale—

H. B. No. 32, To be entitled An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903, and for other purposes.

Read twice and referred to Committee on Humane and Benevolent Institutions.

By Mr. Byrd—

H. B. No. 33, To be entitled An Act to amend Section 3771 of the Annotated Code of 1892, so as to have the lands assessed every two years instead of every four years.

Read twice and referred to Committee on Ways and Means.

By Mr. Rouse—

H. B. No. 34, To be entitled An Act to require a new assessment of lands in 1902, and every four years thereafter.

Read twice and referred to Committee on Ways and Means.

By Mr. Brown, of Adams—

H. B. No. 35, To be entitled An Act to transfer to the office of the Land Commissioner all State land records and levee land records and all other land records, except assessment rolls, now in the Auditor's office, and to repeal Sections 3815, 3837, 3857, 3858, 3859, 3863, 3864, 3865, and 3866 of the Annotated Code of 1892.

Read twice and referred to Committee on Public Lands.

At 11.40 A. M., on motion of Mr. Senter, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House met at 3 P. M. pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

On motion of Mr. White the privileges of the House were extended to Major M. F. Berry, of Jasper County.

Mr. George moved that the House extend an invitation to Hon. John M. Allen to address the House on the Louisiana Purchase Exposition to be held in St. Louis in 1903, and that a committee of three be appointed to notify Mr. Allen of the invitation.

Adopted.

The Speaker named as members of the committee Messrs. George, Stennis of Lauderdale, and Pyle.

Mr. Sharkey moved to call from Committee on Federal relations the resolution in regard to Admiral Schley, introduced January 8th by Mr. McAllister and referred to the said committee.

Mr. Haley moved to table the motion made by Mr. Sharkey, and the motion to table prevailed.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has adopted S. C. Res. No. 2, as follows, viz.:

Resolved by the Senate and the House concurring therein, That the decision of Admiral Dewey in the court of investigation of charges against Admiral Schley has our unqualified approval; be it further

Resolved, That no text-book ought ever to be used in the public schools of this State assailing the conduct of Admiral Schley as not being the hero of Santiago.

JOHN Y. MURRY, JR., *Secretary.*

Mr. Loper offered the following:

Resolved, That the Senate be invited to hear the speech of Hon. John M. Allen in the hall of the House of Representatives this afternoon, and that a committee of three be named by the Speaker to extend the invitation to the Senate.

Adopted.

The Speaker named as members of the committee Messrs. Bennett, Senter and Lamb.

The committee soon returned, and after announcing that the duty assigned it had been performed, was discharged.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

H. B. No. 1, An Act making an appropriation to defray the expenses of the special session of the Legislature of 1902.

FLOYD LOPER, *Chairman.*

Whereupon all business of the House was suspended while the Speaker signed the bill just reported, he having called the attention of the House thereto.

The Speaker announced the appointment of George Lee as a porter in the House, the services to begin January 11, 1902.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendation:

H. B. No. 4, To amend Section 6 of Chapter 34 of the Acts of 1894 so as to further limit the time within which the State Revenue Agent shall have the right to sue for, collect and have assessed delinquent taxes.

Title sufficient, and that the bill do not pass.

E. J. BOWERS, *Chairman.*

On motion of Mr. Brown, of Adams, the bill reported from the Judiciary Committee above was recommitted to the Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Mr. Evans—

H. B. No. 36, To be entitled An Act to require the several State officials hereinafter named to make guarantee or surety bonds, and to fix the penalty of same, and to provide for the payment of the premiums of such bonds out of the State treasury, and to repeal all laws in conflict herewith.

Read twice and referred to Committee on Judiciary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 10, 1902.

MR. SPEAKER: The Governor directs me to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 1, An Act making an appropriation to defray the expenses of the special session of the Legislature of 1902.

Respectfully,

J. J. COMAN, *Private Secretary.*

At this time the Committee appointed to notify Hon. J. M. Allen that he had been invited to address the Legislature returned with Mr. Allen. The Speaker in a few appropriate words introduced Mr. Allen to the House and visitors.

Mr. Allen delivered an interesting address on the prospects of the Louisiana Purchase Exposition and expressed the hope that the Mississippi Legislature would make a liberal appropriation for a Mississippi exhibit at the Exposition.

On motion of Mr. McAllister the thanks of the House were extended Mr. Allen for his address.

At 4.40 P. M., on motion of Mr. Garraway, the House adjourned until Tuesday morning, January 14, at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

 FIFTH DAY.

SATURDAY, January 11, 1902.

The House stood adjourned.

L. PINK SMITH,
Clerk of House of Representatives.

SIXTH DAY.

MONDAY, January 13, 1902.

The House stood adjourned.

L. PINK SMITH,
Clerk of the House of Representatives.

SEVENTH DAY.

TUESDAY, January 14, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Ferguson.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba; Burge, Burrus, Byrd, Campbell, Clayton, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Mitchell, Moss, Murphree, Neill, Norton, Owen, Pace, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 118.

Absent—Messrs. Castleman, Causey, Cock, Coleman, Foster of Claiborne, Goff, Groves, Hewes, Magee, McDaniel, Millsaps, Moore, Permenter, Quin of Pike and Tucker—Total 15.

Leave of absence granted from day to day to Messrs. Norton, Hubbard, Magee, Permenter, Quin of Pike, and Foster of Claiborne.

On motion of Mr. Gambrell the reading of the journal of yesterday was dispensed with and the same stood approved.

Privileges of the House were tendered to Hon. P. E. Williams, of Pearl River County, on motion of Mr. Rouse.

Mr. Crum offered the following :

Resolved, That the ministers' association of the city of Jackson be, and it is requested to furnish some one of its members to open each day's session of this House with prayer.

Adopted.

Mr. Brown, of Adams, offered the following :

Resolved, That the sincere thanks of the House be tendered the teachers, officers and students of the Agricultural and Mechanical College, and the Industrial Institute and College for their hospitable entertainment of the members of the Legislature during their inspection of said institutions; and especially to Hon. J. T. Senter and Hon. M. A. Franklin for their care in looking after the comfort and pleasure of the members.

Adopted.

Mr. Sharkey offered a memorial from the Mississippi division of United Confederate Veterans in regard to the Confederate monument now on the State Capitol grounds in Jackson.

Read and referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed the following concurrent resolution, to-wit:

A concurrent resolution inviting Dr. E. A. Alderman, President of Tulane University, to address the Legislature.

JOHN Y. MURRY, JR., *Secretary*.

Mr. McAllister introduced concurrent resolution to amend Section 36 of the Constitution of the State of Mississippi.

Was read and referred to Committee on Constitution.

Senate Concurrent Resolution approving the decision of Admiral Dewey in the investigation of the charges against Admiral Schley, was referred, on motion of Mr. McAllister, to the Committee on Federal Relations.

Senate Concurrent Resolution No. 6, inviting Dr. E. A. Alderman, President of Tulane University, to address the Legislature, was, on motion of Mr. Crum, concurred in.

Mr. Walker, elected to succeed the late Mr. Tate, of Pike County, appeared and was sworn in as a member of the House by the Speaker.

Mr. Gilfoy offered a memorial to the Senators and Representatives in Congress from Mississippi, requesting them to urge

the passage of a bill by Congress refunding to the ten States from which was collected the tax collected on cotton immediately after the war.

Referred to the Committee on Pensions.

INTRODUCTION OF BILLS.

By Mr. Taylor—

H. B. No. 37, To be entitled An Act to make appropriation to defray the expenses of the Institute for the Blind and for other purposes.

Read twice and referred to the Committee on Humane and Benevolent Institutions.

By Mr. Loper—

H. B. No. 38, To be entitled An Act to provide for a statistical statement of crimes committed in this State, showing name, age, sex, color, nativity and offense charged.

Read twice and referred to the Committee on Judiciary.

By Mr. Loper—

H. B. No. 39, To be entitled An Act to divide the State into eight Congressional Districts.

Read twice and referred to the Committee on Congressional Apportionment.

By Mr. Smith, of Holmes—

H. B. No. 40, To be entitled An Act to amend Chapter 45, Acts of 1900, in reference to the fees to be charged for the recording of charters of incorporations and to provide that no suit or defense shall be maintainable in favor of any corporation failing to have its charter recorded in accordance with the terms of this Act.

Read twice and referred to the Committee on Ways and Means.

By Mr. Kyle—

H. B. No. 41, To be entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State government and to pay interest on the State debt.

Read twice and referred to the Committee on Appropriation.

By Mr. Sharkey—

H. B. No. 42, To be entitled An Act to raise revenue by making valid and of binding effect all contracts made previous to the passage of this act and subsequent to January 1, 1899, which are or were null and void or voidable under previous or existing laws because of non-payment of privilege taxes due when such contracts were made, upon terms of full payment of all such privilege taxes so in default with two hundred per centum damages thereon, within sixty days after the passage of this act.

Read twice and referred to the Committee on Ways and Means.

By Mr. Moss—

H. B. No. 43, To be entitled An Act to further carry into effect the contract made under Chapter 385, Acts of 1888, being an

Act to better secure safety and health in the State institutions, etc., approved March 10, 1888, and to defray the expenses thereof.

Read twice and referred to the Committee on Appropriation.

By Mr. Moss—

H. B. No. 44, To be entitled An Act to pay for legal services rendered the State in the suit of Warren County et al. v. E. H. Nall, Land Commissioner.

Read twice and referred to the Committee on Local and Private Legislation.

By Mr. Crum—

H. B. No. 45, To be entitled An Act to amend Section 1991 of the Annotated Code, 1892, so as to graduate the salaries of Clerks of the Chancery Courts for *ex officio* services rendered.

Read twice and referred to the Committee on Fees and Salaries.

By Mr. Rouse—

H. B. No. 46, To be entitled An Act to make an appropriation for the equipment and support of the Branch Agricultural Experiment Station at McNeill, Mississippi.

Read twice and referred to the Committee on Appropriations.

At 11.30 A. M. the House, on motion of Mr. Brown, of Adams, took a recess until 4 o'clock P. M.

AFTERNOON SESSION.

The House met at 4 P. M. pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

REPORT OF COMMITTEE ON RULES.

MR. SPEAKER: The Committee on Rules has had under consideration the following resolution referred to them, and have instructed me to report it back with the following recommendations:

House Resolution to amend the rules so as to provide a calendar for the orderly transaction of business.

The resolution as amended by the committee be adopted.

BOWERS, *Chairman*.

Mr. Bowers, for the Committee on Rules, offered as a substitute to the resolution to amend the rules previously offered by Mr. Sharkey, the following:

The Clerk of the House of Representatives shall keep a calendar for the information and use of the House, and shall enter upon such calendar all bills in order in which same are reported. The

regular order shall be the bill favorably reported in the order in which same are returned to the House, and no bill unfavorably reported may be taken up except by a majority vote of the members present. No minority report shall be urged unless same be filed in writing. Appropriation and revenue bills shall always be entitled to precedence.

Adopted.

Mr. Cox moved to strike from the substitute the words "no minority report shall be urged unless same be filed in writing."

Adopted.

On motion of Mr. Bowers the substitute as amended was then adopted.

Mr. Bowers tendered his resignation as Chairman of the Committee on Local and Private Legislation, and Mr. Alcorn, second on the committee, was named by the Speaker as chairman of said committee.

Mr. Bowers moved to repeal the amendment to Rule 14 as adopted by the last House, which limited the time of a member speaking to five minutes, and restore the rule making the time limit twenty-five minutes.

Adopted.

By unanimous consent Mr. Bowers introduced House Bill No. 47, To be entitled An Act to repeal Section 3264 of the Annotated Code of 1892, to restrict participation in conventions and in primary meetings and elections to qualified voters, and to require uniformity of time in holding said conventions, primary meetings and elections.

Read twice and referred to Committee on Registration and Elections.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 15, An Act to revise and recodify the statute laws of the State and to make an appropriation therefor.

Title sufficient, and that the bill do not pass.

E. J. BOWERS, *Chairman.*

REPORT OF JUDICIARY COMMITTEE.

To the Speaker and House of Representatives:

GENTLEMEN: The Judiciary Committee, to which was referred House Resolution as to the disposition of election returns, beg leave to report as follows:

An inspection of the Constitution and statutes of the State of Mississippi have brought your committee to the conclusion that it becomes the Speaker's duty to open and publish the election returns upon Tuesday, the 14th day of January, and the duty of the

House to ascertain and count the votes; being of that opinion we are unable to report, that the resolution do pass.

Inasmuch as we understand that the resolution was referred with a view of obtaining the judgment of the committee as to the proper course to be taken with said returns, we beg to report our conclusions as follows:

Section 140 of the Constitution applies only to the election of the Governor, and that at the regular quadrennial election.

Section 143 provides that "all other State officers shall be elected at the same time and in the same manner as provided for election of Governor," and, in our judgment, applies only to the regular quadrennial election.

Elections to fill vacancies in State offices are, in our opinion, governed by Section 103, which provides that "in all cases not otherwise provided for in this Constitution, the Legislature may determine the mode of filling all vacancies in all offices, and in cases of emergency provisional appointments may be made by the Governor to continue until the vacancy is regularly filled, and the Legislature shall provide suitable compensation of all officers and shall define their respective powers."

An inspection of this section will demonstrate beyond cavil that neither Section 140 or 143 have any reference whatever to elections to fill vacancies, and that the whole matter with reference to said election is by the Constitution committed to the Legislature.

Sections 3672 and 3673, Code 1892, provide that a statement of all votes shall be sent to the Secretary of State, and that the Secretary of State, after receiving the returns of the election, shall transmit the same to the Speaker of the House of Representatives, "at the next ensuing session of the Legislature." While it is not expressly provided that the Speaker shall open and publish these returns and have the House ascertain and count the vote, it appears that such would follow by a necessary implication, because such is the procedure with reference to all the returns sent to him, and it is manifest that they could be delivered to him for no other purpose.

Section 3685 provides that all special elections or elections to fill vacancies shall in all respects be held, conducted and returned in the same manner as general elections, and thus applies the preceding provision of the Code to the special elections held to fill the vacancies in the offices of Treasurer and Secretary of State.

Chapter 79 of the Acts of 1900 contains nothing that conflicts with or repeals the three sections of the Code above cited; indeed, it contains no provision whatever as to the method of dealing with the returns in special elections for State and State district offices, thereby leaving the returns to be dealt with and the result promulgated as provided by the Code.

The only possible suggestion that militates against this view is the idea that by delaying the promulgation of the returns until

the next session of the Legislature, the candidate who has been elected may find his term of office expired before he has qualified to take his seat, but the reply to that suggestion is that no such case is before us, and that it is apparent that such a contingency is not provided for by the Acts of 1900. Indeed, such a possibility does not seem to have occurred to the Legislature, and it is simply a *casus omisus*. This omission could be remedied by appropriate legislation.

Inasmuch as the action of the Speaker and the House on this subject may prove a precedent, we have taken the liberty of giving in *extenso* the reasons which bring us to our conclusions.

E. J. BOWERS, *Chairman*.

On motion of Mr. Bowers the report was adopted.

On motion of Mr. Smith, of Holmes, the House proceeded to count the returns for the special election for the office of Secretary of State and State Treasurer, held November 5, 1901, the result being as follows:

For Secretary of State.

	Power.	George.	Quinn.	Eckford.	Dial.
Adams	298	8	49	3	2
Alcorn	104	56	5	120	3
Amite	158	...	139	1	...
Attala	194	138	11	46	88
Benton	184	68	2	6	...
Bolivar	235	35	16	...	2
Calhoun	230	59	3	26	6
Carroll	118	207	6	1	1
Chickasaw	126	23	12	121	17
Choctaw	62	37	82	61	5
Claiborne	113	18	42	...	...
Clarke	166	19	12	...	63
Clay	75	218	12	...	...
Coahoma	112	49	79	4	6
Copiah	231	89	155	3	6
Covington	142	32	24	3	11
DeSoto	231	108	21	...	1
Franklin	133	10	12	1	...
Greene	30	...	6	...	...
Grenada	55	95	23	2	1
Hancock	118	3	18	1	2
Harrison	146	20	55	29	91
Hinds	670	90	48	7	17
Holmes	252	88	20	98	2
Issaquena	128	1	1	1	...
Itawamba	107	8	...	155	...
Jackson	112	28	136	2	2
Jasper	189	47	4	...	28

	Power.	George.	Quinn.	Eckford.	Dial.
Jefferson	231	13	35	...	...
Jones	143	15	16	42	33
Kemper	122	23	2	6	119
Lafayette	194	91	56	34	54
Lauderdale	72	14	9	...	640
Lawrence	327	24	26	2	3
Leake	200	61	1	7	39
Lee	232	50	44	165	...
Leflore	79	203	10	19	2
Lincoln	226	24	45	3	2
Lowndes	174	75	5	68	5
Madison	202	42	15	4	1
Marion	123	3	28	2	4
Marshall	278	26	45	109	7
Monroe	68	12	4	524	3
Montgomery	111	146	33	...	...
Neshoba	148	40	3	3	18
Newton	209	46	38	5	203
Noxubee	143	31	14	21	37
Oktibbeha	53	57	22	207	3
Panola	270	65	87	6	2
Pearl River	83	2	10	4	10
Perry	137	20	24	7	37
Pike	199	8	530	...	1
Pontotoc	156	64	77	57	2
Prentiss	103	26	18	318	10
Quitman	40	2	3	15	...
Rankin	186	31	48	6	22
Scott	293	...	21	7	23
Sharkey	31	...	28	1	...
Simpson	124	7	13	1	...
Smith	170	5	18	1	16
Sunflower	87	23	7	...	...
Tallahatchie	145	48	2	2	1
Tate	294	54	45	1	...
Tippah	166	62	117	9	...
Tishomingo	44	37	4	122	2
Tunica	28	18	8	8	...
Union	202	93	36	41	5
Warren	384	98	86	11	4
Washington	139	69	31	81	...
Wayne	119	22	...	6	47
Webster	254	81	9	15	7
Wilkinson	84	...	220	...	...
Winston	138	48	11	3	20
Yalobusha	242	50	19	33	1
Yazoo	153	283	7	8	7
	12,335	3,747	2,903	2,575	1,745

For Treasurer.

	Carlisle.	Evans.
Adams	256	65
Alcorn	168	116
Amite	171	119
Attala	348	117
Benton	65	189
Bolivar	232	62
Calhoun	212	97
Carroll	117	198
Chickasaw	217	86
Choctaw	136	98
Claiborne	120	47
Clarke	164	80
Clay	88	272
Coahoma	120	116
Copiah	327	148
Covington	63	148
Desota	181	180
Franklin	100	54
Greene	21	14
Grenada	127	31
Hancock	46	78
Harrison	125	194
Hinds	658	163
Holmes	339	110
Issaquena	128	...
Itawamba	136	124
Jackson	41	222
Jasper	192	81
Jefferson	203	59
Jones	146	98
Kemper	153	117
Lafayette	278	129
Lauderdale	263	261
Lawrence	331	60
Leake	213	99
Lee	224	258
Leflore	216	88
Lincoln	212	76
Lowndes	244	82
Madison	244	16
Marion	141	26
Marshall	303	195
Monroe	204	406
Montgomery	113	141
Neshoba	132	78
Newton	338	146
Noxubee	126	118
Oktibbeha	73	271

	Carlisle.	Evans.
Panola	185	232
Pearl River	83	25
Perry	133	88
Pike	363	323
Pontotoc	258	92
Prentiss	101	358
Quitman	30	29
Rankin	191	110
Scott	153	187
Sharkey	35	22
Simpson	130	26
Smith	127	54
Sunflower	49	68
Tallahatchie	45	135
Tate	173	231
Tippah	113	235
Tishomingo	126	79
Tunica	26	35
Union	175	199
Warren	258	303
Washington	159	153
Wayne	37	159
Webster	247	108
Wilkinson	160	136
Winston	149	68
Yalobusha	223	115
Yazoo	201	259
	13,107	9,770

Whereupon the Speaker declared Mr. Joseph W. Power duly and constitutionally elected to the office of Secretary of State for the unexpired term caused by the death of the late J. L. Power, and declared Mr. George W. Carlisle duly and constitutionally elected to the office of State Treasurer for the unexpired term caused by the resignation of J. R. Stowers.

The vote cast on the constitutional amendment No. 2, on apportionment, cast in the general election held November 6, 1900, transmitted to the Speaker by the Secretary of State, was referred to the Committee on Constitution, that the amendment ratified at the election may be placed in the Constitution of the State.

The Speaker announced as members of the joint committee on Congressional Apportionment on the part of the House the following:

First District—Pyle of Tishomingo, Gambrell of Lee, and Norment of Oktibbeha.

Second District—Crum of Union, Arnold of Panola, and Mahon of Marshall.

Third District—Vollor of Warren, Boddie of Washington, and Neill of Sunflower.

Fourth District—Millsaps of Clay, Lamb of Webster, and Hemphill of Carroll.

Fifth District—George of Yazoo, Harper of Scott, and White of Jasper.

Sixth District—Hewes of Harrison, Hathorn of Marion, and Bennett of Adams.

Seventh District—Magruder of Claiborne, Campbell of Hinds, and McAllister of Madison.

Mr. Millsaps was named by the Speaker as chairman of said committee.

On motion of Mr. McCafferty the House, at 5.20 P. M., adjourned until to-morrow morning at 11 o'clock.

L. PINK SMITH,

Clerk of the House of Representatives.

EIGHTH DAY.

WEDNESDAY, January 15, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. J. T. Leggett.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Owen, Pace, Posey, Pyle, Quin of Wilkerson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie,

Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 118.

Absent—Messrs. Castleman, Causey, Cock, Foster of Claiborne, Goff, Groves, Hubbard, Magee, McDaniel, Neill, Norton, Permenter, Quin of Pike, Stamps and Tucker—Total 15.

On motion of Mr. Stubbs the reading of the journal of yesterday was dispensed with and the same stood approved.

Leave of absence was granted to Mr. Stamps from day to day on account of sickness, and also to Messrs. Neill and Goff on account of unavoidable detention at home.

On motion of Mr. Sharkey the privileges of the House were extended to Gen. A. P. Stewart and Gen. Stephen D. Lee.

Mr. Stubbs offered the following:

Resolved, That the pages of the House be, and are hereby allowed mileage the same as at the last session of the Legislature.

Adopted.

Mr. Smylie offered the following:

Resolved, That the doorkeeper of this House be paid mileage the same as at the last session.

Adopted.

Mr. Johnston of Clarke offered the following:

Resolved by the House of Representatives of the State of Mississippi, That hereafter no money shall be paid out of the House contingent fund for any purpose except by a yea and nay vote.

Resolved, 2d, That the result of such vote be recorded on the House journal as other votes are now recorded.

Mr. Underwood moved to table the motion to adopt the resolution, which motion prevailed.

Mr. Moore offered the following:

Be it resolved, That the Sergeant-at-Arms of the House and the Clerk of the House be allowed mileage on the same basis as was allowed mileage to pages at the last session of the Legislature.

Adopted.

Mr. Sharkey offered the following:

Resolved, That Miss Belle Kearney be invited to address the Legislature at 3 o'clock this afternoon, and that a committee of one be appointed to apprise the Senate of this action of the House and invite the Senators over to the House to hear the lecture.

Mr. Thomas offered as a substitute for the resolution that Miss Kearney be tendered the use of the hall at 3 o'clock this afternoon, and that the members of the House and Senate be requested to attend her lecture.

Mr. Sharkey moved to table the motion to adopt the substitute, which motion prevailed.

On motion of Mr. Sharkey the original resolution was then adopted, and the Speaker named Mr. Moss as a committee of one to notify the Senate of this action of the House.

Mr. Bennett offered the following concurrent resolution:

Resolved by the House, the Senate concurring, That a committee of five on the part of the House, and ——— on part of the Senate be appointed to investigate and report promptly upon the management, condition, affairs and needs of Natchez Hospital and the State Charity Hospital at Vicksburg.

Adopted.

The Speaker named as members of the committee on part of the House Messrs. Senter, Miller, Dodds, Moore and Loper.

REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER: The Committee on Education has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

House Bill No. 16, An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of the educable children of the State every two years instead of every four years.

Committee recommends that the title is sufficient and that the bill do pass.

House Bill No. 24, An Act to amend Chapter 32 of the Acts of 1898.

Committee recommends that the title is sufficient and that the bill do not pass.

HILL, *Chairman.*

REPORT OF COMMITTEE ON HUMANE AND BENEVOLENT INSTITUTIONS.

MR. SPEAKER: The Committee on Humane and Benevolent Institutions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 37, To be entitled An Act to make an appropriation to defray the expenses of the Institute for the Blind and for other purposes.

Committee recommends that the title is sufficient and that the bill do pass.

Referred to the Committee on Appropriations.

TAYLOR, *Chairman.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 42, To be entitled An Act to raise revenue by making valid and of binding effect all contracts made previous to

the passage of this act and subsequent to January, 1899, which are or were null and void or voidable under previous or existing laws, because of non-payment of privilege taxes due when such contracts were made, upon terms of full payment of all such privilege taxes so in default with two hundred per centum damages thereon within sixty days after the passage of this act.

Title sufficient; bill do pass.

E. N. THOMAS, *Chairman*.

REPORT OF COMMITTEE ON PUBLIC LANDS.

MR. SPEAKER: The Committee on Public Lands has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 35, To transfer to the office of the Land Commissioner all the State land records, all the levee land records, and all other land records, except assessment rolls, now in the Auditor's office, and to repeal Sections 3815, 3837, 3857, 3858, 3859, 3863, 3864, 3865, and 3866 of the Annotated Code of 1892.

Title sufficient and bill do pass.

BROWN, of Adams, *Acting Chairman*.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 25, To be entitled An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

Title sufficient and the bill do pass as amended.

A. S. KYLE, *Chairman*.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT.

JACKSON, MISS., January 14, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following matter, to-wit:

A bill to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and to provide for its maintenance, and for the issuance of future publications of the Mississippi Historical Society.

Respectfully,

A. H. LONGINO, *Governor*.

REPORT OF COMMITTEE ON PENSIONS.

MR. SPEAKER: The Committee on Pensions has had under consideration the following memorial referred to them, and have instructed me to report it back with the following recommendations:

That the memorial and resolutions do pass.

SMITH, of Greene, *Chairman*.

REPORT OF COMMITTEE ON PENSIONS.

MR. SPEAKER: The Committee on Pensions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

That House Bill No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States.

Title sufficient and bill do pass.

SMITH, of Greene, *Chairman*.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT.

JACKSON, MISS., January 15, 1902.

To the House of Representatives.

GENTLEMEN: Upon petitions from the Women's Christian Temperance Union of the State, and various requests from different religious bodies and numerous citizens for the submission by me to your honorable body at this special session the question of enactment by you of a peremptory State law against the selling or giving away of vinous, spirituous or malt liquors in the State of Mississippi, I have the honor to submit the subject for such action as your wisdom approves in the premises.

Respectfully,

A. H. LONGINO, *Governor*.

EXECUTIVE DEPARTMENT.

JACKSON, MISS., January 15, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and for such action as you may deem proper the following matter, to-wit:

An Act to regulate the fishing and canning of oysters in the State of Mississippi, and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the laws of 1896, and Chapter 90 of the laws of 1898.

Respectfully,

A. H. LONGINO, *Governor*.

INTRODUCTION OF BILLS.

By Mr. Norment—

House Bill No. 48, To be entitled An Act making an appropriation for the support, repairs, additional buildings, improvements and equipment of the Mississippi Agricultural and Mechanical College.

Read twice and referred to Committee on Appropriations.

By Mr. Mahon—

House Bill No. 49, To be entitled An Act for the support and maintenance of the State Normal School at Holly Springs.

Read twice and referred to Committee on Appropriations.

By Mr. Denton, of Quitman—

House Bill No. 50, To be entitled An Act to appropriate money to carry out the provisions of Chapter 76 of the laws of 1900, so as to refund money erroneously paid to the State.

Read twice and referred to Committee on Appropriations.

By Mr. Brown, of Adams—

House Bill No. 51, To be entitled An Act to make an appropriation for fuel, lights, telephone and janitor for the Governor's mansion for the years 1902 and 1903.

Read twice and referred to Committee on Appropriations.

By Mr. Stubbs—

House Bill No. 52, To be entitled An Act to amend Section 3771 of the Annotated Code of 1892, so as to provide for the assessment of the lands in the year 1902, and every four years thereafter.

Read twice and referred to the Committee on Ways and Means.

By Mr. Senter—

House Bill No. 53, To be entitled An Act to aid, assist and encourage the organization of the Mississippi National Guard, and for their efficient support and maintenance, as contemplated in Section 221 of the Constitution of the State of Mississippi.

Read twice and referred to Committee on Military Affairs.

By Mr. Anderson, of Tippah—

House Bill No. 54, To be entitled An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years 1902 and 1903, and to reduce the tax levy to $5\frac{1}{2}$ mills.

Read twice and referred to Committee on Ways and Means.

By Mr. Miller—

House Bill No. 55, To be entitled An Act to provide for the incorporation of State mutual insurance companies and the operation of the same.

Read twice and referred to Committee on Insurance.

By Mr. Burge—

House Bill No. 56, To be entitled An Act to amend Section 7, Chapter 76, of the Acts of 1900, in reference to making an appropriation to carry out provisions in said act.

Read twice and referred to Committee on Appropriations.

By Mr. Cox, of Prentiss—

House Bill No. 57, To be entitled An Act to secure the better enforcement of the anti-trust laws of this State by supplementary provisions now fully regulating the venue and procedure establishing certain rules of evidence, imposing additional penalties, and regulating the ownership and disposition of the property of corporations whose charters may be adjudged forfeited.

Read twice and referred to Committee on Trusts and Combines.

By Mr. Hightower—

House Bill No. 58, To be entitled An Act to require and regulate the working of public roads.

Read twice and referred to Committee on Roads, Ferries and Bridges.

House Bill No. 37, To be entitled An Act to make appropriation to defray the expenses of the Institute for the Blind and for other purposes was, on motion of Mr. Taylor, recommitted to the Committee on Appropriations.

House Bill No. 25, To be entitled An Act to appropriate money for the support of the common schools in the State of Mississippi for the years 1902 and 1903, was, on motion of Mr. Kyle, considered.

The Committee on Appropriations offered to amend the bill as follows:

Strike out "one million five hundred thousand dollars," where the same occurs in the bill, and insert in lieu thereof "one million two hundred and fifty thousand dollars."

On motion of Mr. Kyle the amendment was adopted.

Whereupon, on motion of Mr. Kyle, the bill as amended was considered engrossed, under the suspension of the rules, and the bill was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Clayton, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfof, Granberry, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Owen, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Tay-

lor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 112.

Absent and those not voting—Messrs. Bowers, Byrd, Campbell, Castleman, Causey, Cock, Coleman, Foster of Claiborne, Goff, Groves, Hubbard, Irby, Magee, McDaniel, Neill, Norton, Pace, Permenter, Quin of Pike, Stamps and Tucker—Total 21.

On motion of Mr. Thomas the House, at 1.10 P. M., took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

House met at 3 P. M. pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

The Speaker, in a few appropriate words, introduced to the House and Senators present Miss Belle Kearney.

Miss Kearney then delivered an interesting address in favor of State prohibition.

On motion of Mr. Crum the thanks of the House were extended to Miss Kearney for the interesting, eloquent and instructive address, the motion being adopted unanimously by a rising vote of the members of the House.

Mr. Denson introduced House Bill No. 59, To be entitled An Act to amend Section 1574, Code of 1892, and to repeal Sections 1575 and 1576 and 1610 to 1620, inclusive, of said Code, thereby prohibiting the sale or giving away to induce trade of intoxicants.

Read twice and referred to Committee on Liquor Traffic.

On motion of Mr. Gilfoy a resolution memorializing the Senators and Representatives in Congress to urge the passage of a bill by Congress refunding to the ten States from which was collected the tax collected on cotton immediately after the war, was adopted.

REPORT OF COMMITTEE ON FEDERAL RELATIONS.

MR. SPEAKER: The Committee on Federal Relations has had under consideration the following resolution referred to them, and have instructed me to report it back with the following recommendations:

Resolution in regard to Admiral Schley, and we recommend that the committee's substitute be adopted.

COODY, *Chairman.*

The Committee on Federal Relations offered as the substitute for the resolution endorsing Admiral Schley the following:

WHEREAS, In the late war between the United States and Spain Admiral Winfield S. Schley, of the United States Navy, won, on

July 3, 1898, in the harbor of Santiago de Cuba, one of the greatest naval victories recorded in history; and,

WHEREAS, For the past three years Admiral Schley has been pursued by methods which stand opposed to the frowns of all enlightened nations in an attempt to divest him of the laurels achieved by his splendid naval genius upon the occasion referred to; and,

WHEREAS, So persistent and unbearable did the envious pursuit and malicious misrepresentations of Admiral Schley become, that during the past year he was constrained to petition the Government which he has so long and illustriously served to grant him an impartial trial before a court of inquiry; and,

WHEREAS, The vast volume of testimony adduced before said court, not only acquitted Admiral Schley of every charge noised against him, but presented him in a far stronger light than before to the great body of his countrymen; and,

WHEREAS, To the surprise and humiliation of the public sense of justice a majority of said court made a report adverse to Admiral Schley, which has become a part of the record of naval history; and,

WHEREAS, Admiral George Dewey made a report in accordance with the facts of the case and in harmony with the cherished principles of justice, exonerating Admiral Schley and giving him due credit for his immortal victory at Santiago; therefore, be it
Resolved by the Mississippi House of Representatives, That Admiral Schley is the real hero of Santiago; that he is one of the world's greatest naval commanders and is entitled to the unfading gratitude of his country.

Resolved, further, That we condemn the majority report aforesaid, and recoil at the injustice done Admiral Schley; that we endorse the report of Admiral Dewey, and commend him to the emulation of future ages of just and enlightened men.

Resolved, further, That we extend a most cordial invitation to Admiral Schley to visit the State capital during his contemplated Southern tour and receive a public manifestation of the exalted respect, confidence and admiration in which he is held by the people of Mississippi.

Resolved, further, That an enrolled copy of these resolutions be sent to Admiral Schley.

On motion of Mr. McAllister the substitute was adopted.

At 5.10 P. M., on motion of Mr. Taylor, the House adjourned until 10 o'clock to-morrow morning.

L. PINK SMITH,
Clerk of House of Representatives.

NINTH DAY.

THURSDAY, January 16, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Present — Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfoyl, Granberry, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wilkins, Wren—Total 119.

Absent—Messrs. Castleman, Causey, Coleman, Dodds, Foster of Claiborne, Garraway, Goff, Groves, Magee, McDaniel, Neill, Norton, Quin of Pike, and Tucker—Total 14.

Leave of absence granted to Mr. Causey on account of the death of his sister. Leave of absence granted to Mr. Dodds on account of sickness.

On motion the privileges of the House were extended to Hon. J. F. McCool, of Attala County, ex-Speaker of the House of Representatives.

On motion of Mr. Webster the privileges of the House were extended to Hon. R. A. Dean, of Lafayette County, member of the Capital Commission.

On motion of Mr. George the reading of the journal of yesterday was dispensed with and the same stood approved.

On motion of Mr. Quin, of Wilkinson, Gen. A. P. Stewart and Gen. Stephen B. Lee were invited to address the House at once and a committee of two from the House be appointed to inform the Senate and extend to the Senators an invitation to hear the

speeches in the hall of the House of Representatives. The Speaker named as the members of the committee to inform the Senate of the action of the House Messrs. Lamb and Hewes.

The committee returned in a few moments and informed the House that the duty assigned had been performed, and the committee was discharged.

The Speaker named Messrs. Franklin of Lowndes and Quin of Wilkinson to escort Generals Stewart and Lee to the Speaker's stand, and delegated to Mr. Franklin the duty of introducing to the House Gen. A. P. Stewart.

Mr. Franklin, in a few eloquent words, presented this distinguished soldier to the House and Senators present.

General Stewart spoke eloquently in regard to the heroism of the Southern soldiers on Chickamauga's battlefield, and asked the Legislature to make appropriations to look after the dead Confederate soldiers now buried on this field.

The Speaker, in beautiful terms, introduced Gen. Stephen D. Lee, who spoke briefly but eloquently in favor of erecting a monument to Mississippi's dead on Chickamauga's battlefield.

Mr. Brown, of Adams, moved that the thanks of the House be tendered to General Stewart and General Lee for their eloquent and interesting addresses, and that the House esteem it an honor to have among its membership Gen. J. H. Sharp, to whom General Lee during his address paid such a tribute for courage and gallantry on the battlefield.

Mr. Cox offered the following resolution:

Be it resolved, That five hundred copies of the communication addressed by certain citizens of Chattanooga to the Governor and Legislature of Mississippi, and just read to the House and Senate by Gen. A. P. Stewart, be printed, and that a copy thereof be laid upon the desk of each member of the House, and that a copy be furnished the Governor and to such Senators as may desire them.

Be it resolved, further, That General Stewart be requested to permit the publication of five hundred copies of the other papers read by him, and that five hundred copies of each and all of said papers, with the consent of General Stewart, be printed, and that a copy of each be laid upon the desk of each member of the House and furnished to the Governor and to the Senators.

On motion of Mr. Cox the resolution was adopted.

Mr. Galloway offered the following:

Resolved by the House of Representatives, That the postmistress of the House be allowed mileage, to be paid out of the contingent fund of the House.

Adopted.

Mr. McAllister offered the following:

Resolved, That the House Committee on Liquor Traffic be, and is hereby instructed to inquire into the operation of the South Carolina Dispensary system, and report the result to this session,

if obtained in time, but if not, then said report to be made to the next session.

Referred to Committee on Liquor Traffic.

The following was offered by Mr. McAllister:

Resolved, That the House Committee on Judiciary be, and is hereby instructed to report to this House during the present session to what extent is the original package decision of the United States Supreme Court affected by the Wilson Act of Congress, and how far modified by the decisions of the United States Supreme Court, in the decisions bearing upon the dispensary law.

Referred to Committee on Judiciary.

By Mr. Anderson—

House Concurrent Resolution No. 2, To insert into the State Constitution Section 206 of the Constitution as amended, was referred to Committee on Constitution.

INTRODUCTION OF BILLS.

By Mr. Bowers—

House Bill No. 60, To be entitled An Act to regulate the fishing and canning of oysters in the State of Mississippi, and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 120 of the laws of 1896, and Chapter 90 of the laws of 1898.

Read twice and referred to Committee on Fisheries, Commerce and Shipping.

By Mr. Taylor—

House Bill No. 61, To be entitled An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903.

Read twice and referred to Committee on Humane and Benevolent Institutions.

By Mr. Magruder—

House Bill No. 62, To be entitled An Act making appropriation for the maintenance and support of the Alcorn Agricultural and Mechanical College and for the erection of additional buildings for the use of the students of said college.

Read twice and referred to Committee on Appropriations.

By Mr. Brooks—

House Bill No. 63, To be entitled An Act to raise revenue to carry on the State government of Mississippi for the fiscal years of 1902 and 1903.

Read twice and referred to Committee on Ways and Means.

By Mr. Foster of Warren—

House Bill No. 64, To be entitled An Act making an appropriation to carry out the provisions of Chapter 76 of the laws of the State of Mississippi of 1900, being an Act entitled An Act to enable the Auditor of Public Accounts and Land Commissioner of the State of Mississippi to properly conduct their respective offices and to correct mistakes in land description and land sales and pro-

vide relief in repayment of money erroneously paid in privilege and State taxes and land purchases, and to save the State cost in passing bills for relief by local and private legislation in certain cases.

Read twice and referred to Committee on Appropriations.

By Mr. Cox, of Prentiss—

House Bill No. 65, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties and to provide for its maintenance and for the issuance of the future publications of the Mississippi Historical Society.

Read twice and referred to Committee on Judiciary.

By Mr. Kyle—

House Bill No. 66, To be entitled An Act to appropriate money to pay the per diem and mileage of the Presidential Electors for two meetings in December, 1900, and January, 1901, as directed by Section 3703 of the Annotated Code of 1892.

Read twice and referred to Committee on Appropriations.

On motion of Mr. George the House, at 12.40 P. M., adjourned until to-morrow morning at 11 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

TENTH DAY.

FRIDAY, January 17, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. J. R. Farish.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb,

Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 124.

Absent—Messrs. Brown of Adams, Castleman, Crum, Dodds, Foster of Claiborne, Garraway, McDaniel, McManus and Tucker—Total 9.

Leave of absence granted to Mr. McManus from day to day on account of sickness in his family, and to Mr. Crum from day to day.

On motion of Mr. Langston the reading of the journal of yesterday was dispensed with and the same stood approved.

Mr. Hewes extended an invitation to the members, officials and employees of the House to visit Gulfport on Friday next, January 24th, as the guest of the Business Association of that town.

On motion of Mr. Lamb the invitation was formally accepted by the House.

On motion of Mr. Walker the privileges of the House were extended to Dr. Hart, of Pike County.

On motion of Mr. Underwood the consideration of the report of the special committee appointed at the last session of the Legislature to investigate the affairs of the penitentiary, set for to-day, was postponed until Tuesday, January 21st, at 10 o'clock A. M.

House Bill No. 28, To be entitled An Act to make an appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903, was, on motion of Mr. Taylor, recommitted to Committee on Appropriations.

House Bill No. 10, To be entitled An Act to appropriate and set apart a portion of the Capitol grounds as a Confederate Memorial Park, and to create a commission to have charge of same, and to appropriate one thousand dollars for the same, was, on motion of Mr. Kyle, recommitted to Committee on Pensions.

REPORT OF COMMITTEE ON HUMANE AND BENEVOLENT INSTITUTIONS.

MR. SPEAKER: The Committee on Humane and Benevolent Institutions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 28, To make an appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903.

Title sufficient, and that the bill do pass, and the committee recommend that the bill be referred to the Committee on Appropriations.

TAYLOR, *Chairman.*

REPORT OF COMMITTEE ON TRUSTS AND COMBINES.

MR. SPEAKER: The Committee on Trusts and Combines has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 57, An Act to secure the better enforcement of the anti-trust laws of this State by supplemental provision more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties and regulating the ownership and disposition of the property of corporations whose charters may be adjudged forfeited.

Title sufficient, and the bill do pass as amended by this committee.

W. M. Cox, *Chairman.*

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed the following concurrent resolution, to-wit:

S. C. R. No. 8, A concurrent resolution instructing the joint committee to continue the investigation of the affairs of the State penitentiary, authorizing them to send for persons and papers, etc.

JOHN Y. MURRY, JR., *Secretary.*

SENATE CHAMBER, JACKSON, MISS., January 16, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

S. B. No. 3, An Act to prevent unintended defeat of criminal prosecutions and of enforcement of penalties by statutory changes of criminal laws.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 48, To be entitled at Act making an appropriation for the support, repairs, additional buildings, improvements and equipment of the Mississippi Agricultural and Mechanical College.

Title sufficient; bill do pass as amended.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON INSURANCE.

MR. SPEAKER: The Committee on Insurance has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 55, An Act entitled An Act to provide for the incorporation of stock insurance companies and the operation of the same.

Title sufficient; bill do pass as amended.

CLAY SHARKEY, *Chairman.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 17, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to allow solvent banks within the State to take, on loan or deposit, any idle money in the State treasury to an amount equal to fifty per cent of its paid up capital and surplus combined, whenever such bank shall deposit with the State Treasurer an equal amount of State bonds or United States bonds.

An Act allowing all bonds required of State officials to be made through guarantee bond companies, to be paid for by the State.

Respectfully,

A. H. LONGINO, *Governor.*

INTRODUCTION OF BILLS.

By Mr. Magruder—

House Bill No. 67, To be entitled An Act to encourage the religious and educational interest in the State, and to exempt all property belonging to or used by religious and educational bodies from taxation.

Read twice and referred to Committee on Ways and Means.

By Mr. Brittain—

House Bill No. 68, To be entitled An Act to amend Section 4387 of the Code of 1892 in relation to the salary of the porter for the Supreme Court so as to increase same.

Read twice and referred to Committee on Fees and Salaries.

By Mr. Cox, of Panola—

House Bill No. 69, To be entitled An Act empowering the Board of Mayor and Aldermen of municipalities constituting separate school districts to levy taxes for school purposes on territory added to separate school districts.

Read twice and referred to Committee on Education.

By Mr. Stubbs—

House Bill No. 70, To be entitled An Act to appropriate from the pension funds returned to the treasury money to pay pensions

to those whose applications were received after the distribution had been made to the counties by the Auditor.

Read twice and referred to Committee on Pensions.

By Mr. Boddie—

House Bill No. 71, To be entitled An Act to amend Section 3772 of the Annotated Code of Mississippi of 1892, so as to apportion the payment of taxes between the borrower and lender of money secured by lien on land.

Read twice and referred to Committee on Ways and Means.

By Mr. Senter—

House Bill No. 72, To be entitled An Act to divide the State into eight Congressional Districts.

Read twice and referred to Committee on Congressional Apportionment.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 17, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to submit herewith the reports of the Commission appointed to ascertain and determine the positions occupied by Mississippi troops in defense of Vicksburg, and the Commission appointed to confer with a like Commission appointed by the Governor of Louisiana to consider the water boundary line between the two States, and arrange for the easy location and identification of the same by a proper system of buoys.

Respectfully,

J. J. COMAN, *Private Secretary.*

On motion of Mr. Broadus the report of the Boundary Commission to establish the water line between the State of Mississippi and Louisiana, submitted by the Governor, was referred to the Committee on Fisheries, Commerce and Shipping.

Senate Bill No. 3, To be entitled An Act to prevent unintended defeat of criminal prosecution and of enforcement of penalties by statutory changes of criminal laws, was read twice and referred to Committee on Judiciary.

House Bill No. 42, To be entitled An Act to raise revenue by making valid and of binding effect all contracts made previous to the passage of this Act and subsequent to January 1, 1899, which are or were null and void or voidable under previous or existing laws because of non-payment of privilege taxes due when such contracts were made upon terms of full payment of all such privilege taxes so in default, with two hundred per centum damages thereon, within sixty days after the passage of this act, was, on motion of Mr. Thomas, considered.

Mr. Coleman moved the adoption of an amendment to the bill as follows:

Add at the close of Section 1 the words, "Provided that nothing in this Act shall affect any suit now pending so as to defeat or impair any defense that may be made on account of such failure to pay privilege taxes.

Mr. Thomas moved to table the motion to adopt the amendment, which motion prevailed.

Mr. Quin, of Pike, moved to amend the title and the bill by striking out where the same occurs the words "January 1, 1899," and insert in lieu thereof the words "March 1, 1900."

Mr. Stennis, of Lauderdale, moved to table the amendment offered by Mr. Quin, of Pike, which motion was lost.

Whereupon, on motion of Mr. Quin, of Pike, the amendment was adopted.

On motion of Mr. Thomas the rules were suspended, the bill as amended was considered engrossed, read the third time and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Alsworth, Anderson of Tippah, Arnold, Bennett, Boddie, Bradshaw, Broadus, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Groves, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Stamps, Thomas, Turner, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 93.

Nays—Messrs. Alcorn, Birmingham, Brittain, Coleman, Crumpton, Ford, Granberry, Johnston of Clarke, Magee, Owen, Ray, Smith of Holmes, Smylie, Stennis of Kemper, Stubbs, Swinney, Taylor, Underwood, Vollar, Wall—Total 20.

Absent and those not voting—Messrs. Bowers, Brown of Adams, Campbell, Castleman, Causey, Crum, Dodds, Dudley, Foster of Claiborne, Garraway, Goff, Haley, Heath, Irby, McDaniel, McManus, Senter, Stennis of Lauderdale, Thompson and Tucker—Total 20.

On motion of Mr. Cox House Bill No. 57, To be entitled An Act to secure the better enforcement of the anti-trust laws of this State by supplementary provisions more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties and regulating the ownership and disposition of the property of corporations whose charters may be adjudged for-

feited, was made special order for Monday, January 20, at 10 o'clock A. M.

The House, at 1.20 P. M., on motion of Mr. Thomas, adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

ELEVENTH DAY.

SATURDAY, January 18, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Birmingham.

The roll being called, the following members answered to their names:

Present—Mr. Speaker, Alcorn, Allen, Alsworth, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Granberry, Groves, Ham, Harper, Hathorn, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Magee, Mahon, McAfee, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thompson, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren—Total 109.

Absent—Messrs. Broadus, Brown of Adams, Castleman, Crum, Dodds, Foster of Claiborne, Foster of Warren, Franklin of Marshall, Garraway, Goff, Haley, Heath, Hemphill, Loper, Magruder, McDaniel, McManus, Neill, Normont, Robbins, Sharkey, Thomas, Tucker and Vollar—Total 24.

Leave of absence granted to Messrs. Foster of Warren, Vollar, Magruder, Haley, Normont, Robbins, Long, Neill, Pace, Heath, Galloway, Hemphill, Loper and Crum.

On motion of Mr. Coody the reading of the journal of yesterday was dispensed with, and the same stood approved.

Mr. Franklin, of Lowndes, offered the following:

Resolved, That the mileage which has been allowed the postmistress be the same as allowed pages at the last session.

Adopted.

Mr. Stubbs moved that House Bill No. 16, To be entitled An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of the educable children of the State every two years instead of every four years, be read the third time and be placed on its final passage, which prevailed.

Mr. Coleman moved to reconsider the vote by which the bill had been placed on third reading, which motion prevailed.

Whereupon, on motion of Mr. Coleman, the bill was recommitted to the Committee on Education.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

House Bill No. 29, To be entitled An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901.

Title sufficient; bill do pass.

House Bill No. 37, To be entitled An Act to make appropriation to defray the expenses of the Institute for the Blind and for other purposes.

Title sufficient; bill do pass.

House Bill No. 66, To be entitled An Act to appropriate money to pay the per diem and mileage of the Presidential Electors for two meetings in December, 1900, and January, 1901, as directed by Section 3703 of the Annotated Code of 1892.

Title sufficient; bill do pass.

House Bill No. 28, To be entitled An Act to make an appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903.

Title sufficient; bill do pass.

House Bill No. 11, To be entitled An Act to create the Exposition Bureau, to provide for an exhibit at the Louisiana Purchase Exposition, and to make an appropriation therefor.

Title sufficient; substitute do pass.

House Bill No. 51, To be entitled An Act to make an appropriation for fuel, lights, telephone and janitor for the Governor's mansion for the years 1902 and 1903.

Title sufficient; bill do pass.

A. S. KYLE, *Chairman.*

INTRODUCTION OF BILLS.

By Mr. Stamps—

House Bill No. 73, To be entitled An Act authorizing the Board of Supervisors of any county in this State to order an extra assessment of the land therein.

Read twice and referred to Committee on Ways and Means.

By Mr. Causey—

House Bill No. 74, To be entitled An Act to authorize the Board of Supervisors of Amite County to pay A. H. Wing, L. E. Roberts and F. C. Causey for guarding a wounded prisoner, and H. L. Lewis for medical attention.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Causey—

House Bill No. 75, To be entitled An Act to authorize the Board of Supervisors of Amite County to transfer money from the common county fund to the school fund.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Groves—

House Bill No. 76, To be entitled An Act for the relief of Dr. N. H. Howard, health officer of the county of Leake, and to pay him for vaccine virus used in said county.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Cox, of Panola—

House Bill No. 77, To be entitled An Act to amend Section 4043 of the Annotated Code of 1892, so that the County School Board of Education may open the winter term as early as the first Monday in October, and the summer term as early as the first Monday in April.

Read twice and referred to Committee on Education.

By Mr. Langston—

House Bill No. 78, To be entitled An Act to amend Section 4043 of the Annotated Code of 1892, so as to change the time for the opening of the winter and the summer schools.

Read twice and referred to Committee on Education.

By Mr. Birmingham—

House Bill No. 79, To be entitled An Act to amend Section 7 of Chapter 73 of the laws of 1900 in relation to pensions.

Read twice and referred to Committee on Pensions.

By Mr. Millsaps—

House Bill No. 80, To be entitled An Act making an appropriation for the payment of fees due Critz and Beckett for legal services rendered the State in injunction suits against the Railroad Commission.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Turner—

House Bill No. 81, To be entitled An Act to divide the State into eight Congressional Districts.

Read twice and referred to Committee on Congressional Apportionment.

Resolution by Mr. McAllister requesting the Committee on Liquor Traffic to investigate the operation of statutory and constitutional prohibition in States where the same has been tried and report to the House, was read and referred to Committee on Liquor Traffic.

House Bill No. 48, To be entitled An Act making an appropriation for the support, repairs, additional buildings, improvements and equipments of the Mississippi Agricultural and Mechanical College, was, on motion of Mr. Kyle, recommitted to Committee on Appropriations.

House Bill No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States, was on motion of Mr. Smith of Greene, recommitted to Committee on Appropriations.

On motion of Mr. Kyle, House Bill No. 29, To be entitled An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901, was, under the suspension of the rules, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson of Tippah, Arnold, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Frazier, Gambrell, George, Gilfoxy, Granberry, Groves, Harper, Hathorn, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Magee, Mahon, McAllister, McCafferty, McCuiston, Miller, Mitchell, Moore, Murphree, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 93.

Absent and those not voting—Messrs. Allen, Bennett, Broadus, Brown of Adams, Castleman, Causey, Crum, Dodds, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Garraway, Gibson, Goff, Haley, Ham, Heath, Hemphill, Hubbard, Long, Loper, Magruder, McAfee, McDaniel, McManus, Millsaps, Moss, Neill, Norment, Pace, Robbins, Shar-

key, Shelby, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker and Vollor—Total 40.

On motion of Mr. Kyle House Bill No. 37, To be entitled An Act to make an appropriation to defray the expenses of the Institute for the Blind and for other purposes, was, under suspension of the rules, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson of Tippah, Arnold, Birmingham, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Frazier, Gambrell, George, Gilfoy, Granberry, Groves, Harper, Hathorn, Hewes, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Magee, Mahon, McAfee, McAllister, McCafferty, McCuiston, Miller, Mitchell, Moore, Moss, Murphree, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Thompson, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 94.

Absent and those not voting—Messrs. Allen, Bennett, Bowers, Broadus, Brown of Adams, Castleman, Crum, Dodds, Foster of Claiborne, Foster of Warren, Franklin of Marshall, Galloway, Garraway, Gibson, Goff, Haley, Ham, Heath, Hemphill, Hightower, Hubbard, Long, Loper, Magruder, McDaniel, McManus, Millsaps, Neill, Norment, Pace, Robbins, Senter, Sharkey, Shelby, Stennis of Lauderdale, Swinney, Thomas, Tucker and Vollor—Total 39.

On motion of Mr. Kyle House Bill No. 66, To be entitled An Act to appropriate money to pay the per diem and mileage of the Presidential Electors for two meetings in December, 1900, and January, 1901, as directed by Section 37 of the Annotated Code of 1892, was, under the suspension of the rules, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson of Tippah, Arnold, Birmingham, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Franklin of Lowndes, Frazier, Gambrell, George, Gilfoy, Granberry, Groves, Harper, Hathorn, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Magee,

Mahon, McAfee, McAllister, McCuiston, Miller, Millsaps, Mitchell, Moore, Murphree, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wikinson, Ray, Reynolds, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stubbs, Swinney, Taylor, Thompson, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 94.

Nays—Messrs. Campbell and Stennis of Kemper—Total 2.

Absent and those not voting—Messrs. Bennett, Bowers, Broadus, Brown of Adams, Castleman, Crum, Dodds, Elmer, Foster of Claiborne, Foster of Warren, Franklin of Marshall, Gallo-way, Garraway, Gibson, Goff, Haley, Ham, Heath, Hemphill, Johnston of Clarke, Long, Loper, Magruder, McCafferty, McDaniel, McManus, Moss, Neill, Norment, Pace, Robbins, Sharkey, Shelby, Stennis of Lauderdale, Thomas, Tucker and Vollar—Total 37.

Mr. Kyle moved to reconsider the vote by which the bill had passed.

At 12 o'clock M. Mr. George moved to adjourn until 3 o'clock P. M. next Monday.

Lost.

At 12.05, on motion of Mr. Gambrell, the House adjourned until 11 o'clock next Monday morning.

L. PINK SMITH,
Clerk of House of Representatives.

TWELFTH DAY.

MONDAY, January 20, 1902.

The House met pursuant to adjournment, Speaker *pro tem.* Sharp in the chair.

Prayer by Rev. W. F. Yarbrough.

The roll being called, the following members answered to their names:

Present—Mr. Speaker, Alcorn, Alsworh, Anderson of Tippoah, Arnold, Birmingham, Bowers, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Evans, Ford, Foster of Warren, Franklin of Lowndes, Frazier, Gambrell, Garraway, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper,

Hathorn, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Magee, Magruder, Mahon, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Rouse, Senter, Sharkey, Sharpe of Leake and Warren, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Tucker, Wall, Walker, Webster, White, Wilkins, Wren—Total 100.

Absent—Messrs. Allen, Bennett, Boddie, Bradshaw, Broadus, Byrd, Castleman, Elmer, Ferguson, Foster of Claiborne, Franklin of Marshall, Galloway, George, Ham, Heath, Hemphill, Hewes, Hill, Hubbard, Long, Loper, McAfee, McDaniell, McManus, Neill, Norton, Reynolds, Robbins, Shelby, Swinney, Turner, Underwood and Vollar—Total 33.

On motion leave of absence was granted to the following: Messrs. Franklin of Marshall, Swinney, Turner, Boddie, Ferguson, Underwood and Shelby.

Mr. Alcorn moved the adoption of the following:

WHEREAS, The arbiter elegant of this House, the genial, jovial, rural gentleman from Coahoma, Hon. J. S. Ham, requests this House to permit him to go home for a few days to "round up"; therefore, be it

Resolved, That Mr. Ham be granted leave of absence for such time as he desires for the purpose indicated.

Adopted.

On motion the privileges of the House were extended to the following: Hon. Claud Pintard of Natchez, Lieut. Col. Sharp, John S. Buckley, D. W. Huff and E. M. Barber.

On motion of Mr. Johnston, of Yazoo, the reading of the journal of yesterday was dispensed with and the same stood approved.

The special order for the day, House Bill No. 57, To be entitled An Act to secure the better enforcement of the anti-trust laws of the State by supplementary provisions more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties and regulating the ownership and disposition of the property of corporations whose charters may be adjudged forfeited, was considered.

On motion of Mr. Cox, of Prentiss, the special order was postponed until Thursday morning, January 23d, at 10 o'clock, and three hundred copies of the bill were ordered printed for the use of the members of the House.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

House Bill No. 56, To be entitled An Act to amend Section 7, Chapter 76 of the Acts of 1900, in reference to making an appropriation to carry out provisions in said act.

Title insufficient; bill do not pass.

House Bill No. 27, To be entitled An Act to appropriate money for the support and maintenance of the common schools of the State of Mississippi for the years 1902 and 1903.

Title sufficient; bill do not pass.

House Bill No. 8, To be entitled An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

Title sufficient; bill do not pass.

House Bill No. 64, To be entitled An Act making an appropriation to carry out the provisions of Chapter 76 of the Laws of the State of Mississippi of 1900, being an act entitled An Act to enable the Auditor of Public Accounts and Land Commissioner of the State of Mississippi to properly conduct their respective offices and to correct mistakes in land descriptions and land sales, and provide relief in repayment of money erroneously paid in privileges and State taxes and land purchases, and to save the State cost in passing bills for relief by local and private legislation in certain cases.

Title sufficient; bill do pass.

House Bill No. 50, To be entitled An Act to appropriate money to carry out the provisions of Chapter 76 of the laws of 1900 so as to refund money erroneously paid to the State.

Title insufficient; bill do not pass.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON HUMANE AND BENEVOLENT INSTITUTIONS.

MR. SPEAKER: The Committee on Humane and Benevolent Institutions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 32, To make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903 and for other purposes.

The committee recommends that the title is sufficient and that the committee's substitute do pass. The committee further recommends that the substitute be referred to the Committee on Appropriations.

TAYLOR, *Chairman.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 3, To be entitled An Act to amend Section 3757 of the Annotated Code of Mississippi so as to exempt from taxation money loaned or any securities bearing a rate of interest not exceeding six per cent per annum.

Title sufficient, and the bill do not pass.

E. N. THOMAS, *Chairman*.

On motion of Mr. Denton, of Lauderdale, House Bill No. 32, To be entitled An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903 and for other purposes, was recommitted to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Mr. Sharkey—

House Bill No. 82, To be entitled An Act to provide for the protection of the property of the State at the Capitol from damage or destruction by fire, and the appropriation of one thousand dollars for the year 1902, and one thousand dollars for the year 1903 for the same.

Read twice and referred to Committee on Appropriations.

By Mr. Lamb—

House Bill No. 83, To be entitled An Act for the relief of W. T. Gwin, ex-tax assessor of Webster County, so as to compensate him for assessing the taxes for the year 1899, and for which he received no compensation from the State.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Senter—

House Bill No. 84, To be entitled An Act to authorize the city of Columbus to issue certain bonds to refund and pay off outstanding bonds heretofore issued to the Columbus, Fayette & Decatur Railroad, or bearer.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Senter—

House Bill No. 85, To be entitled An Act to authorize the city of Columbus to issue and sell bonds to build a new city hall, complete sewerage plant and erect a new school building.

Read twice and referred to Committee on Local and Private Legislation.

Mr. Owen offered the following House Concurrent Resolution:

WHEREAS, It is notoriously circulated to the very great hurt and prejudice of the State University at Oxford that certain gross immoral practices, etc., exist in some or all of the Greek Letter Fraternities of said institution, thus crippling it in general good; therefore, be it

Resolved, That a committee of three on part of the House, and ——— on part of the Senate, be appointed with instructions and power to inquire into said matter and report back any findings and recommendations that their judgment may warrant.

Resolved, further, That no appropriation be made said University until report of said committee is in hand and satisfactorily acted upon.

Was, on motion of Mr. Owen, referred to Committee on Universities and Colleges.

Mr. Smith, of Holmes, moved the adoption of the following:

Resolved, That the Sergeant-at-Arms be, and is hereby directed to distribute one copy to each member of the Senate and House of Representatives of the two hundred copies of the report of the Penitentiary Investigating Committee now in his hands, and that he deliver the balance of said two hundred copies remaining after said distribution is made to the chairman of said committee, to be distributed by him.

Resolved, further, That when the balance of the copies of said report ordered to be printed are received by the Sergeant-at-Arms he distribute same pro rata among the members of the Senate and House of Representatives.

The motion to adopt prevailed.

House Bill No. 35, To be entitled An Act to transfer to the office of Land Commissioner all State land records, all levee land records and all other land records except assessment rolls now in the Auditor's office, and to repeal Sections 3815, 3837, 3857, 3858, 3859, 3863, 3864, 3865 and 3866 of the Annotated Code of 1892, was, on motion of Mr. Brown, of Adams, considered.

Whereupon, on motion of Mr. Brown, of Adams, the rules were suspended, the bill considered engrossed, read the third time and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alsworth, Anderson of Tippah, Arnold, Birmingham, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Evans, Ford, Foster of Warren, Frazier, Gambrell, Garraway, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Hathorn, Hightower, Irby, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Magee, Magruder, Mahon, McAllister, McCafferty, McCuiston, Miller, Millsaps, Moore, Moss, Murphree, Norment, Owen, Pace, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Tucker, Wall, Walker, Webster, White, Wilkins—Total 86.

Absent and those not voting—Messrs. Alcorn, Allen, Boddie, Bennett, Bowers, Bradshaw, Brittain, Broadus, Byrd, Castleman.

Cox of Prentiss, Denton of Quitman, Elmer, Ferguson, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Ham, Heath, Hemphill, Hewes, Hill, Hubbard, Johnston of Clarke, Long, Loper, McAfee, McDaniel, McManus, Mitchell, Neill, Norton, Permenter, Reynolds, Robbins, Shelby, Swinney, Taylor, Thomas, Thompson, Turner, Underwood, Vollar, Wren and Mr. Speaker—Total 47.

At 12.30 P. M., on motion of Mr. Thomas, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

THIRTEENTH DAY.

TUESDAY, January 21, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative McCafferty.

The roll being called, the following members answered to their names:

Present—Mr. Speaker, Alcorn, Allen, Alsworth, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 122.

Absent—Messrs. Castleman, Foster of Claiborne, Franklin of Marshall, Galloway, Ham, Hubbard, Irby, Long, McDaniel, McManus, and Sharpe of Leake and Winston—Total 11.

Leave of absence granted to Mr. Sharpe of Leake and Winston.

On motion of Mr. Langston the reading of the journal of yesterday was dispensed with and the same stood approved.

This being the day and the hour fixed for the consideration of the report of the special committee to investigate the affairs of the State penitentiary, the same was taken up for consideration.

Mr. Bowers moved that the report of the special committee, together with the Senate Concurrent Resolution No. 8, instructing the joint committee to continue the investigation of the affairs of the State penitentiary, be now open for general discussion and consideration.

The motion prevailed.

On motion of Mr. George the concurrent resolution was adopted.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 5, An Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, to provide for elevators and for the erection of an Industrial Hall and laundry and for the enlargement of the chapel building, and for the repairs and equipment of the buildings of said institution during the years 1902 and 1903, and to provide for payment of same.

Also S. B. No. 14, An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund, for the period from March 10, 1900, to November 1, 1901.

Also H. B. No. 25, An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

JOHN Y. MURRY, JR., *Secretary.*

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 20, 1902.

To the House of Representatives.

GENTLEMEN: I am in receipt of the following communication signed by Hons. E. H. Moore, L. C. Dulaney, W. B. Martin, R. F. Abbay, R. B. Campbell, A. F. Gardner, T. B. Dudley, E. N. Thomas, Geo. B. Shelby, E. L. Irby, Van B. Boddie, S. R. Coleman, Sam Ham, M. F. Denton, S. D. Neill and W. A. Alcorn, asking the submission of the same to your honorable body for such consideration and action as in your judgment is best, to-wit:

"The undersigned Representatives and Senators from the com-

mittee composing the Fourth Circuit Court District, respectfully submit the following facts to your Excellency:

"Since the creation of this district there has been an increase in population of about fifty thousand. This increase has been principally by the immigration of negroes.

"By reason of this increase in population, which has been attended with an appalling increase in crime, the term of the court in several of the counties is entirely inadequate for the proper dispatch of business.

"In Leflore County the term is now two weeks. It is not possible to transact the criminal business in this length of time, and the civil business is therefore forced to be continued or dismissed. As an evidence of the amount of work to be done, last year nineteen felons were convicted and sentenced to the penitentiary and two sentenced to death in this county, and there are at present eleven men in the county jail under indictment for murder alone."

It will be seen from this statement of facts that no less than four weeks will be sufficient for the transaction of the business of the county.

"In the counties of Coahoma and Bolivar the conditions are identical with Leflore. As a result and necessary consequence of these conditions it is never possible to try misdemeanors in the Circuit Court. The entire time of the court is taken up with the trial of felonies, and those who commit misdemeanors go absolutely unwhipped of justice. Blind tigers are punished by Justices of the Peace, but if the penalties imposed are heavier than they wish to submit to they simply prosecute an appeal to the Circuit Court, knowing that it will be impossible for their cases to be reached for the reasons above stated. Crime is on the increase in our district to an alarming extent, and we believe this is largely due to the conditions above mentioned. There were eighty-five sentences to the penitentiary and six sentences to hang in our district last year, and every jail in the district is now full of criminals awaiting trial. It is next to impossible, in fact it is impossible, for litigants in civil matters to have their cases tried and the constitutional guarantee of a speedy trial is denied those charged with crime.

"It is not possible under these conditions to enforce the criminal law, and without its enforcement the respect of the law and for the courts, which is absolutely necessary to a proper administration of justice, is lacking.

"The terms of court, as at present fixed in our district, consume forty-eight weeks of the year. It is, therefore, not possible to extend the terms of our several courts without taking several of the counties now in the district out.

"The premises considered, we most earnestly request your Excellency to submit to this Legislature the proposition to create a new Circuit Court District."

I am further advised that a similar condition of affairs exists in the Third Circuit Court District, and I submit the subject of creating a new Circuit Court District from the two districts mentioned to your consideration for such action as you deem proper.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 20, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following matter, to-wit:

An Act to amend Chapter 215 of the Acts of 1896, authorizing the Mobile, Jackson & Kansas City Railroad Company to locate its railroad within the State of Mississippi.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 20, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following matter, to-wit:

An Act to authorize the County of Grenada, in the State of Mississippi to issue bonds in the amount of \$25,000, to run not less than twenty years, for the purpose of liquidating the present indebtedness of said county, and for further internal improvements.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 20, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to authorize the city of Columbus to issue certain bonds to refund and pay off outstanding bonds heretofore issued to the Columbus, Fayette & Decatur Railroad, or bearer.

An Act to authorize the city of Columbus to issue and sell bonds to build a new city hall, complete sewerage plant, and erect a new school building.

Respectfully,

A. H. LONGINO, *Governor.*

Mr. Senter announced that Dr. E. A. Alderman, President of Tulane University, had accepted the invitation of the Legislature to address its members on Wednesday evening, January 22d, at 8 o'clock.

Mr. Senter offered the following:

Resolved by the House, the Senate concurring, That a committee of two on the part of the House, and ——— on part of the Senate, be appointed to arrange for the reception and address of Dr. Alderman.

The resolution was adopted and the Speaker named as members of the committee on the part of the House Messrs. Senter and Crum.

At 1.20 P. M., on motion of Mr. Foster, of Warren, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

FOURTEENTH DAY.

WEDNESDAY, January 22, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Long.

The roll being called, the following members answered to their names:

Present—Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Castleman, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes,

Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 123.

Absent—Messrs. Causey, Crumpton, Foster of Claiborne, Galoway, Ham, Magee, McDaniel, McManus, Neill, and Sharpe of Leake and Winston—Total 10.

Leave of absence was granted to Messrs. Neill, Crumpton, Causey, Sharpe of Leake and Winston and Magee.

On motion of Mr. Arnold the privileges of the House were extended to Hon. John C. Kyle, of Panola County.

On motion of Mr. Gambrell the reading of the journal of yesterday was dispensed with and the same stood approved.

Mr. Broadus extended an invitation to the members, officers and employees of the Legislature, with their families, to visit Scranton and Pascagoula on their visit to the coast.

On motion of Mr. Senter the invitation was accepted by the House.

MESSAGE FROM THE SENATE.

JANUARY 22, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

S. B. No. 12, An Act to provide for a collateral inheritance and succession tax.

Also has concurred in House Concurrent Resolution to appoint a committee to visit and investigate the needs of the Natchez Hospital and the State Charity Hospital at Vicksburg; and has fixed the number of said committee on the part of the Senate at nine, and has named as said committee on the part of the Senate Senators Dent of the Sixteenth District, Wharton, Dulaney, Sharborough, Bailey, Chrisman, Wilson, Adams and McGehee.

Also has concurred in House Resolution providing for a joint committee to arrange for the reception of Dr. E. A. Alderman, who will address the Legislature in the hall of the House of Representatives at 8 o'clock this evening, and has fixed the number of said committee on the part of the Senate at two, and has appointed as said committee on the part of the Senate Senators George and Hughes.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON PENSIONS.

MR. SPEAKER: The Committee on Pensions has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

House Bill No. 10, title sufficient and the bill do pass.

House Bill No. 70, title sufficient; bill do pass.

J. A. SMITH, *Chairman.*

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES.

MR. SPEAKER: The Committee on Universities and Colleges has had under consideration the following:

Concurrent resolution to appoint a committee to investigate the Greek Letter Societies of the State University.

Do pass as amended by your committee.

GEORGE, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 43, To be entitled An Act to further carry into effect the contract made under Chapter 385, Acts of 1888, being an Act to better secure safety and health in the State institutions, etc., approved March 10, 1888, and to defray the expenses thereof. Title sufficient; bill do pass as amended.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

House Bill No. 44, To be entitled An Act to pay for legal services rendered the State in the suit of Warren County et al. vs. E. H. Nall, Land Commissioner.

House Bill No. 80, To be entitled An Act making an appropriation for the payment of fees due Critz & Beckette for legal services rendered the State in injunction suits against the Railroad Commission.

House Bill No. 84, To be entitled An Act to authorize the city of Columbus to issue certain bonds to refund and pay off outstanding bonds heretofore issued to the Columbus, Fayette & Decatur Railroad, or bearer.

House Bill No. 85, To be entitled An Act to authorize the city of Columbus to issue and sell bonds to build a new city hall, complete sewerage plant, and erect new school building.

The relief sought in each of the above bills, to-wit: House Bills Nos. 44, 80, 84 and 85, can not be reached by a general law or by a proceeding in court, because the subject-matter of each is purely and essentially local and private in its nature, and there is no general law covering it, nor would a general law be applicable or advantageous; hence the committee recommends that the

title to each is sufficient, and the bills being meritorious, they do pass.

Respectfully submitted,
W. A. ALCORN, JR., *Chairman.*

REPORT OF COMMITTEE ON MILITARY AFFAIRS.

MR. SPEAKER: The Committee on Military Affairs has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 53, To be entitled An Act to aid and assist and encourage the organization of Mississippi National Guard, and for the efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi.

The committee recommends the title sufficient and the bill do pass as amended.

SHARP, of Lowndes, *Chairman.*
MOSS, *Secretary.*

REPORT OF COMMITTEE ON FEES AND SALARIES.

MR. SPEAKER: The Committee on Fees and Salaries has had under consideration the following bills referred to them and have instructed me to report them back with the following recommendations:

House Bill No. 45, To be entitled An Act to amend Section 1991 of the Annotated Code of 1892, so as to graduate the salaries of Clerks of the Chancery Courts for *ex officio* services rendered. Title sufficient and the bill do pass.

House Bill No. 68, To be entitled An Act to amend Section 4387 of the Annotated Code of 1892 in relation to the salary of the porter for the Supreme Court so as to increase same.

Title sufficient and the bill do not pass.

HEWES, *Chairman.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill and find that it is correctly enrolled and we herewith present it to the Speaker for his signature, to-wit:

House Bill No. 25, An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

LOPER, *Chairman.*

Whereupon all business of the House was suspended while the speaker signed the bill just reported, he calling the attention of the House thereto.

Senate Bill No. 14, To be entitled An Act to provide for the payment of interest due the University of Mississippi on account

of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901, was read twice and referred to Committee on Appropriations.

Senate Bill No. 5, To be entitled An Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, to provide for elevators and for the erection of an Industrial hall and laundry, and for the enlarging of the chapel building and for the repairs and equipment of the buildings of said institution during the years 1902 and 1903, and to provide for payment of same.

Read twice and referred to Committee on Appropriations.

On motion of Mr. Smith, of Greene, House Bill No. 10, To be entitled An Act to appropriate and set apart a portion of the Capitol grounds as Confederate Memorial Park and to create a commission to have charge of same, and to appropriate one thousand dollars for same, was recommitted to the Committee on Appropriations.

On motion of Mr. Smith, of Greene, House Bill No. 70, To be entitled An Act to appropriate from the pension funds returned to the treasury money to pay pensions to those whose applications were received after the distribution had been made to the counties by the Auditor, was recommitted to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Mr. Burge—

House Bill No. 86, To be entitled An Act to make an appropriation to pay A. W. Jones, of Prentiss County, balance on pension due him for the year 1899.

Read twice and referred to Committee on Appropriations.

By Mr. Ferguson—

House Bill No. 87, To be entitled An Act to divide the State into eight Congressional Districts.

Read twice and referred to Committee on Congressional Apportionment.

By Mr. Brown, of Itawamba—

House Bill No. 88, To be entitled An Act to appropriate from the pension funds returned to the State treasury \$475 to refund to C. L. Graham, Treasurer of Itawamba County, money paid out as pensions by mistake to persons whose application was received after the distribution of the pension fund to the counties by the Auditor.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Millsaps—

House Bill No. 89, To be entitled An Act to require the members of the Board of Control and the Warden of the penitentiary to pay into the general fund of the State treasury, immediately upon the request thereof, any money they receive from the labor

of convicts or from the sale of agricultural products produced on farms worked by the State, or from the sale of any penitentiary property, and to provide for disbursement for penitentiary purposes from the State treasury on the Auditor's warrant, and to provide for the making of an appropriation to meet such disbursement.

Read twice and referred to Committee on Ways and Means.

By Mr. Stennis, of Lauderdale—

House Bill No. 90, To be entitled An Act to tax mortgages, deeds of trust and other liens.

Read twice and referred to Committee on Ways and Means.

On motion of Mr. Kyle House Bill No. 43, To be entitled An Act to further carry into effect the contract made under Chapter 385, Acts of 1888, being an Act to better secure safety and health in the State institutions, etc., approved March 10, 1888, and to defray the expenses thereof, was considered.

Mr. Kyle moved the adoption of the amendment offered by the committee as follows:

Add to Section I of the bill the following: The appropriation shall be used upon the certificate of the Governor, Attorney General and Secretary of State, certifying that the light, heat and water company have complied with their contract.

The motion to adopt prevailed.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Castleman, Causey, Clayton, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, Millsaps, Mitchell, Moore, Moss, Murphy, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Ray, Reynolds, Robbins, Rouse, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 114.

Absent and those not voting—Messrs. Campbell, Cock, Crumpton, Foster of Claiborne, Foster of Warren, Galloway, Ham,

Longest, Magee, McAfee, McDaniel, McManus, Miller, Neill, Quin of Wilkinson, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, and Vollar—Total 19.

House Bill No. 51, To be entitled An Act to make an appropriation for fuel, lights, telephone and janitor for the Governor's mansion for the years 1902 and 1903, was under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Castleman, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Norton, Pace, Permenter, Posey, Pyle, Quin of Pike, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 104.

Nays—Messrs. Anderson of Tippah, Arnold, Brooks, Gibson, Johnston of Clarke, Owen, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stubbs, Taylor, Wilkins—Total 12.

Absent and those not voting—Messrs. Campbell, Causey, Coleman, Crumpton, Doss, Foster of Claiborne, Foster of Warren, Galloway, Ham, Magee, McDaniel, McManus, Miller, Neill, Quin of Wilkinson, Sharpe of Leake and Winston, and Vollar—Total 17.

House Bill No. 64, To be entitled An Act making an appropriation to carry out the provisions of Chapter 76 of the Laws of the State of Mississippi of 1900, being an Act entitled An Act to enable the Auditor of Public Accounts and Land Commissioner of the State of Mississippi to properly conduct their respective offices and to correct mistakes in land descriptions and land sales and provide relief in repayment of moneys erroneously paid in privileges and State taxes and land purchases, and to save the State cost in passing bills for relief by local and private legislation in certain cases. On motion of Mr. Kyle the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Alsworth, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain,

Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfof, Goff, Granberry, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, Millsaps, Mitchell, Moore, Moss, Murphree, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 113.

Absent and those not voting—Messrs. Alcorn, Campbell, Castleman, Causey, Crumpton, Foster of Claiborne, Foster of Warren, Galloway, Ham, Irby, Magee, McAfee, McDaniel, McManus Miller, Neill, Norment, Sharpe of Leake and Winston, Thompson and Vollar—Total 20.

By unanimous consent Mr. Cox, of Prentiss, introduced House Bill No. 91, To be entitled An Act to provide for a monument and markers to commemorate the valor of Mississippi troops upon the field of Chickamauga, was read twice and referred to Committee on Military Affairs.

On motion of Mr. Kyle House Bill No. 11, To be entitled An Act to create the Exposition Bureau, to provide for an exhibit at the Louisiana Purchase Exposition and to make an appropriation therefor, was considered.

On motion of Mr. Smith, of Holmes, the substitute offered by the committee with same number and title as the original bill, was adopted.

At 1.10 P. M. Mr. Sharkey moved to take a recess until 3 P. M. The motion was lost.

At 1.11 P. M., pending further consideration of House Bill No. 11, on motion of Mr. Franklin, of Lowndes, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

FIFTEENTH DAY.

THURSDAY, January 23, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. F. L. McCue.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, Gibson, Gilfof, Goff, Granberry, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 122.

Those absent—Messrs. Broadus, Castleman, Causey, Crump-ton, Foster of Claiborne, Galloway, George, Ham, Magee, McDaniel, and Sharpe of Leake and Winston—Total 11.

Leave of absence was granted to Mr. Broadus on account of sickness.

On motion of Mr. Alsworth, the privileges of the House were extended to Judge Jeff Truly, of Jefferson County.

On motion of Mr. Denton, of Lauderdale, the privileges of the House were extended to Hon. W. P. Grissett, Maj. B. V. Whit: and Col. J. L. Spinks, of Meridian.

On motion of Mr. Harper the reading of the journal of yesterday was dispensed with and the same stood approved.

Mr. Bowers moved that the Legislature leave Jackson on its trip to Gulfport Friday morning at 10 o'clock, instead of at 2 P. M., as previously agreed.

The motion was lost.

The business pending at close of yesterday's session, to-wit: House Bill No. 11, To be entitled An Act to create the Exposition Bureau, to provide for an exhibit at the Louisiana Purchase Exposition and to make an appropriation therefor, was resumed.

Mr. Crum moved the adoption of an amendment to the bill as follows:

Amend the bill by striking out "\$60,000" where same occurs in first section, and by inserting in lieu thereof "\$50,000."

The motion to adopt prevailed.

Mr. Quin, of Pike, offered the following :

Add after line 7 in Section 3 of the bill the words: "Provided the salary of said commissioner shall not begin until within twelve months prior to the opening of the Exposition."

Pending the motion to adopt the amendment Mr. Sharp, of Lowndes moved to recommit the bill and amendments to Committee on Appropriations.

The call for the yeas and nays on the motion to recommit being sustained, the motion was lost by the following vote:

Yeas—Messrs. Anderson, Bradshaw, Brooks, Campbell, Coleman, Cooner, Cox of Panola, Evans, Frazier, Gibson, Groves, Harper, Hemphill, Irby, King, Long, McCafferty, Murphy, Owen, Rouse, Sharp of Lowndes, Smith of Greene, Stubbs, Turner, Wall, Wilkins, Wren—Total 27.

Nays—Messrs. Alcorn, Allen, Alsworth, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Clayton, Cock, Coody, Cox of Prentiss, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, Goff, Granberry, Haley, Hathorn, Heath, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norton, Pace, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Underwood, Vollar, Walker, Webster, White, Mr. Speaker—Total 90.

Absent and those not voting — Messrs. Broadus, Castleman, Causey, Crumpton, Foster of Claiborne, Galloway, George, Gilfoy, Ham, Magee, McDaniel, Norment, Permenter, Sharpe of Leake and Winston, Shelby and Taylor—Total 16.

Recurring to the motion to adopt the amendment offered by Mr. Quin of Pike, the motion to adopt prevailed.

Mr. Sharkey offered the following :

Amend Section 3 by adding: "Provided that no State officer or member of the Legislature shall be elected State Commissioner."

On motion of Mr. Sharkey the amendment was adopted.

Mr. Smith, of Holmes, then moved the previous question on the passage of the bill as amended, which prevailed.

Whereupon, on motion of Mr. Smith of Holmes, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Bennett, Boddie, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coody, Cox of Prentiss, Crum, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, George, Goff, Granberry, Haley, Hathorn, Heath, Hewes, Hightower, Hill, Hubbard, Jones, Langston, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Norment, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Underwood, Vollar, Webster, White, Mr. Speaker—Total 80.

Nays—Messrs. Anderson of Tippah, Arnold, Birmingham, Bradshaw, Brooks, Coleman, Cooner, Cox of Panola, Denson, Evans, Ferguson, Frazier, Gibson, Groves, Harper, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Lamb, Long, McCuiston, Moore, Murphree, Norton, Owen, Pace, Permenter, Posey, Reynolds, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stubbs, Taylor, Turner, Wall, Walker, Wilkins, Wren—Total 41.

Absent and those not voting—Messrs. Broadus, Castleman, Causey, Crumpton, Foster of Claiborne, Galloway, Gilfoy, Hemp-hill, Magee, McCafferty, McDaniel, and Sharpe of Leake and Winston—Total 12.

REPORT OF COMMITTEE ON HUMANE AND BENEVOLENT INSTITUTIONS.

MR. SPEAKER: The Committee on Humane and Benevolent Institutions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 61, To make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903.

The committee recommends that the title is sufficient and that the committee's substitute do pass, and ask that it be referred to the Committee on Appropriations.

TAYLOR, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

Senate Bill No. 5, To be entitled An Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, to provide for elevators and for the erection of an industrial hall and laundry, and for the enlarging of the chapel building, and for the repairs and equipment of the buildings of said institution during the years 1902 and 1903, and to provide for payment of same.

Title sufficient; bill do pass as amended.

House Bill No. 48, To be entitled An Act making an appropriation for the support, repairs, additional buildings, improvements and equipment of the Mississippi Agricultural and Mechanical College.

Title sufficient; bill do pass as amended.

House Bill No. 49, To be entitled An Act for the support and maintenance of the State Normal at Holly Springs.

Title sufficient; bill do pass.

House Bill No. 62, To be entitled An Act making appropriation for the maintenance and support of the Alcorn Agricultural and Mechanical College and for the erection of additional buildings for the use of the students of said College.

Title sufficient; bill do pass as amended.

A. S. KYLE, *Chairman.*

MINORITY REPORT ON HOUSE BILL NO. 48.

MR. SPEAKER: The undersigned members of the Committee on Appropriations dissent from the majority of said committee in favorably reporting House Bill No. 48, being an Act making an appropriation for the support, repairs, additional buildings, improvements and equipment of the Mississippi Agricultural and Mechanical College, and in presenting this minority report we feel impelled by a sense of duty to state briefly to the House of Representatives some of the reasons which have constrained us to dissent.

1st. If we may consider the appropriations in the past as affording any criterion in shaping the policy of the Legislature in providing for the needs of this College, it seems apparent to us that the appropriation carried by this bill is so far in excess of any past appropriation as to suggest to the Legislature the necessity of such prompt readjustment of the operating policy of the institution as will reduce its expenses to a point compatible with the ordinary revenues of the State.

We see by reference to past Acts of the Legislature that in 1898 and 1899 the support fund was for each year \$ 20,500 00

And interest on land scrip fund. 5,914 50

Making total for support each year. \$ 26,414 50

For repairs and water supply 1898-1899. 4,090 00

For support for the years 1900 and 1901 for each year 25,719 28

And interest on land scrip fund. 5,914 50

Making total support for each year. \$ 31,633 78

For improvement, etc., 1900 and 1901. 5,300 00

For Textile School 40,000 00

Making a grand total for the years 1900 and 1901, including Textile School. \$108,565 56

The bill before us carries an appropriation for the years 1902 and 1903, including the interest on land sales and land scrip fund, \$210,045.24, and if we add to this the deficit in the textile department for which an appropriation will be asked, said deficit being in round numbers \$26,000, the total appropriation to this institution proper will amount to the sum of \$236,045.24 from the State treasury.

We feel that to so enlarge the facilities and equipment of this institution as fixes upon the State a largely increased permanent obligation for support, is not in accord with the spirit of conservatism which we feel should control legislative action when disbursing the funds drawn largely from the resources of hardly pressed taxpayers.

It will be seen that to meet the appropriation which this bill carries directly out of the State treasury will require the total State taxes on realty and personalty collected from twenty-five counties in the State, to-wit: Benton, Calhoun, Choctaw, Covington, Franklin, Greene, Issaquena, Itawamba, Jasper, Leake, Neshoba, Oktibbeha, Pearl River, Pontotoc, Prentiss, Quitman, Scott, Sharkey, Simpson, Smith, Tippah, Tishomingo, Wayne, Webster, and Winston, and the said appropriation amounts to about 5 per cent of the ordinary revenues of the State.

And in conclusion we submit herewith for the consideration of the House a substitute carrying an appropriation for the two years of one hundred and forty-three thousand and seven hundred and sixty-eight dollars and forty-two cents, which we feel will be ample to meet the reasonable requirements of said institution.

D. C. LANGSTON,
 G. R. HIGHTOWER,
 R. M. FRAZIER,
 JOHN J. ELLIS.

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

House Bill No. 67, To be entitled An Act to encourage the religious and educational interest in the State and to exempt all property belonging to or used by religious and educational bodies from taxation.

Title sufficient, and bill do pass as amended.

House Bill No. 73, To be entitled An Act authorizing the Board of Supervisors of any county in this State to order an extra assessment of the lands therein.

Title sufficient, and bill do pass.

House Bill No. 90, To be entitled An Act to tax mortgage deeds of trust and other liens.

Title sufficient, and bill do pass.

House Bill No. 71, To be entitled An Act to amend Section 3772 of the Annotated Code of Mississippi of 1892, so as to apportion the payment of taxes between the borrower and the lender of money secured by lien on land.

Title sufficient, and bill do not pass.

House Bill No. 33, To be entitled An Act to amend Section 3771 of the Annotated Code of 1892, so as to have the lands assessed every two years instead of every four years.

Title sufficient, and bill do not pass.

House Bill No. 34, To be entitled An Act to require a new assessment of the lands in 1902, and every four years thereafter.

Title sufficient, and bill do not pass.

House Bill No. 52, To be entitled An Act to amend Section 3771 of the Annotated Code of 1892, so as to provide for the assessment of the lands in the year 1902, and every four years thereafter.

Title sufficient, and bill do not pass.

House Bill No. 54, To be entitled An Act to raise revenue to carry on the State Government in Mississippi for the fiscal years of 1902 and 1903, and to reduce the tax levy to 5½ mills.

Title sufficient, and bill do not pass.

E. N. THOMAS, *Chairman.*

REPORT OF COMMITTEE ON FISHERIES, COMMERCE AND SHIPPING.

MR. SPEAKER: The Committee on Fisheries, Commerce and Shipping has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 60, To be entitled An Act to regulate the fishing and canning of oysters in the State of Mississippi, improving and enlarging oyster beds in the Mississippi waters, and to repeal

Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898.

Title sufficient, and the bill do pass.

ELMER, *Chairman*.

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

House Bill No. 89, To require members of Board of Control and the Warden of the penitentiary to pay into the general fund of the State treasury immediately upon the receipt thereof any money they receive from labor of convicts or from the sale of agricultural products produced on farms worked by the State, or from the sale of any penitentiary property, and to provide for disbursements for penitentiary purposes from the State treasury on the Auditor's warrant, and provide for the making of an appropriation to meet such disbursements.

Title sufficient; the bill do pass.

E. N. THOMAS, *Chairman*.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 23, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House Memorial to the Senators and Representatives in Congress requesting them to urge the passage of a bill by Congress refunding to the ten States from which was collected the tax collected on cotton immediately after the war.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

MR. SPEAKER: The Committee on Contingent Expenses has examined the following accounts and recommend that they be allowed, to-wit:

H. D. Gaston, repairing filter.....	\$ 4 50
Jackson Hardware Co., merchandise.....	15 45
E. Watkins Hardware Co., merchandise.....	9 20
Isydore Strawss & Son, 75 chairs.....	61 25
A. G. Lewis, 24 chairs.....	20 00
J. F. Hunter, merchandise.....	4 75
W. S. Lemly, merchandise.....	2 75
W. T. Stevens & Son, merchandise.....	2 57
R. D. Pricket, work.....	75
B. F. Ward, Jr., 4 days' service.....	16 00
Tom Stroder, 4 days' work.....	8 00

Wm. Gregory, 12 days' work.....	24 00
Carl J. V. Senter, repairing clock.....	2 00
James Gilliam, 1 day's work.....	2 00
Clarion Ledger Co., printing.....	1 50
Frank Walker, 11 days' work.....	20 00
W. A. Courtney, pipes and fitting of.....	9 00
Joe Brown, glazing lights, hanging windows and lettering blackboard	26 05

\$229 77

J. D. Doss, *Chairman*.

Mr. Doss moved that the report of the Committee on Contingent expenses be adopted, and that the Clerk be instructed to issue certificate on the Auditor for the amounts designated in the report, which motion prevailed.

Mr. Cox, of Prentiss, moved that on Tuesday next, January 28th, the House would resolve itself into the committee of the whole House for the consideration of the financial condition of the State, which motion prevailed.

Mr. Johnston, of Clark, offered the following:

Resolved, That the Clerk be instructed to not issue any pay warrants to members and employees of the House for attendance while on the trip to Gulfport.

Mr. Senter moved to table the motion to adopt the resolution, which prevailed.

A letter from Mr. Foster stating that he had been seriously injured by a horse falling on him some weeks ago, and which prevented his attendance at the sessions of the House, was granted leave of absence from day to day.

Senate Bill No. 12, To be entitled An Act to provide for a collateral inheritance and succession tax, was read twice and referred to Committee on Judiciary.

House Bill No. 68, To be entitled An Act to amend Section 4387 of the Code of 1892, in relation to the salary of the porter for the Supreme Court, so as to increase same, was, on motion of Mr. Brittain, recommitted to Committee on Fees and Salaries.

INTRODUCTION OF BILLS.

By Mr. Neill—

House Bill No. 92, To be entitled An Act to provide for the assessment and taxation for county purposes only all revenue bearing real and personal property belonging to the State and actually used or employed for profit.

Read twice and referred to Committee on Ways and Means.

By Mr. McManus—

House Bill No. 93, To be entitled An Act for the relief of B. L. Lowry on account of money paid into the treasury of the town of Ellisville on erroneous assessment.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. McManus, by request—

House Bill No. 94, To be entitled An Act to provide for a co-operative system between the State of Mississippi and the several counties therein for the permanent improvement of the public highways in this State and for the proper maintenance thereof.

Read twice and referred to Committee on Roads, Bridges and Ferries.

On motion of Mr. Thomas 250 copies of House Bill No. 90, To be entitled An Act to tax mortgages, deeds of trust and other liens, were ordered printed for the use of members.

Mr. Stubbs offered the following:

Resolved, That a committee of two be appointed by the Speaker to inquire by whom an expert bookkeeper was appointed to examine the books and accounts of the penitentiary in 1898 or 1899, and the name of such bookkeeper, how long he was employed and at what salary and out of what fund he was paid, and what report, if any, he made.

On motion the resolution was referred to Committee on Penitentiary.

Mr. Taylor offered the following:

Resolved by the House, the Senate concurring, That a joint committee, to be composed of three members of the House, to be appointed by the Speaker, and ——— members of the Senate, be, and the same is hereby created for the purpose of inquiring into the causes attending the resignation of J. R. Stowers, Treasurer, and said committee is hereby instructed to ascertain the names of all persons who were connected with obtaining money from the State treasury or out of the State treasury otherwise than as directed by law, and that said committee have full power to send for persons and papers, and to administer oaths and employ a stenographer or clerk, and that said committee make report to this session of the Legislature the result of its investigation, and that all expenses of said committee be paid out of the contingent funds of the House and Senate.

On motion of Mr. Taylor the resolution was ordered to lie on the table subject to call.

On motion of Mr. Taylor House Bill No. 61, To be entitled an Act to make appropriation to defray the expenses of the Institution for the Deaf and Dumb, be recommitted to Committee on Appropriations.

House Bill No. 45, To be entitled An Act to amend Section 1991 of the Annotated Code of 1892, so as to graduate the salaries of Clerks of the Chancery Courts for *ex officio* services rendered, was considered.

On motion of Mr. Crum the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the pro-

visions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson of Tippah, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Cock, Coody, Cooner, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hubbard, Irby, Johnston of Yazoo, Kyle, Langston, Long, Longest, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Millsaps, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thompson, Turner, Underwood, Vollar, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 96.

Nays—Messrs. Granberry, Johnston of Clarke, Jones, Stennis of Kemper, Wall—Total 5.

Absent and those not voting—Messrs. Arnold, Boddie, Broadus, Burrus, Castleman, Causey, Coleman, Cox of Prentiss, Crumpton, Dodds, Elmer, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Galloway, Goff, Ham, Hill, King, Lamb, Magee, McAfee, McDaniel, Miller, Mitchell, Pace, Permenter, Quin of Pike, Sharpe of Leake and Winston, Shelby, Thomas and Tucker—Total 32.

At 12.10 P. M., Mr. Jones moved to adjourn until to-morrow morning at 10 o'clock.

The motion was lost.

House Bill No. 49, To be entitled An Act for the support and maintenance of the State Normal School at Holly Springs, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Eddins, Ellis, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Hathorn, Hemphill, Hightower, Hill, Hubbard, Irby, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Rouse, Sharkey, Sharp of Lowndes, Shelby,

Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 101.

Nays—Messrs. Johnston of Yazoo, McCuiston—Total 2.

Absent and those not voting—Messrs. Allen, Brittain, Broadus, Castleman, Causey, Cock, Coleman, Cooner, Crumpton, Dudley, Elmer, Evans, Foster of Claiborne, Foster of Warren, Galloway, Ham, Heath, Hewes, Johnston of Clarke, Long, Magee, McDaniel, Pace, Permenter, Reynolds, Senter, Sharpe of Leake and Winston, Taylor, Thompson and Vollar—Total 30.

On motion of Mr. Thomas two hundred copies of each of the following bills were ordered printed and placed on the desk of the members:

House Bill No. 48, To be entitled An Act making an appropriation for the support, repairs, additional buildings, improvements and equipments of the Mississippi Agricultural and Mechanical College, together with the committee amendments proposed, and the substitute with the same number and title offered by the minority of the committee.

Also House Bill No. 55, To be entitled An Act to provide for the incorporation of stock mutual insurance companies, and the operation of the same.

Also Senate Bill No. 5, To be entitled An Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, to provide for elevators, and for the erection of an industrial hall and laundry, and for the enlarging of the chapel building, and for the repairs and equipment of the buildings of said institution during the years 1902 and 1903, and provide for payment of same, with amendments.

Also House Bill No. 30, To be entitled An Act to make appropriation for the support of the University of Mississippi for the years 1902 and 1903, and for the buildings and equipments needed.

At 12.30 P. M., on motion of Mr. Gambrell, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,

Clerk of House of Representatives.

SIXTEENTH DAY.

FRIDAY, January 24, 1902.

The House met pursuant to adjournment, Speaker *pro tem.* Sharp in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wren—Total 115.

Those absent — Mr. Speaker and Messrs. Boddie, Broadus, Castleman, Causey, Cock, Crumpton, Denson, Foster of Claiborne, Galloway, McCuiston, McDaniel, Norton, Robbins, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, and Wilkins—Total 18.

Leave of absence was granted to Messrs. Smith of Greene, Heath, Wilkins, Broadus, Birmingham, Cock, McCuiston, Denson, Robbins and Mr. Speaker.

On motion of Mr. George the reading of the journal of yesterday was dispensed with and the same stood approved.

Mr. Alcorn moved that the bills reported by the Committee on Local and Private Legislation be taken up for consideration.

The motion was lost.

At 10.45 A. M. Mr. Arnold moved to adjourn until Monday morning at 10 o'clock.

Motion lost.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 38, To be entitled An Act to provide for the statistical statement of crimes committed in this State, showing name, age, sex, color, nativity and offense charged.

Title sufficient, and bill do not pass.

S. B. No. 3, To be entitled An Act to prevent unintended defeat of criminal prosecution and of enforcement of penalties by statutory changes of criminal laws.

Title sufficient, and bill do pass.

BOWERS, *Chairman.*

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 24, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted S. C. Res. No. 7, a concurrent resolution proposing an amendment to the Constitution requiring that all changes, alterations or amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, alteration or amendment.

And has passed S. B. No. 27, An Act to repeal Section 1575 of the Annotated Code of 1892, relating to granting of licenses to retail vinous, malt, alcoholic, intoxicating or spirituous liquors by Board of Supervisors, and to amend Section 1576 of the Annotated Code of 1892, relating to the granting of licenses to retail liquors by Boards of Mayor and Aldermen of cities, towns or villages.

JOHN Y. MURRY, JR., *Secretary.*

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

JACKSON, MISS., January 23, 1902.

MR. SPEAKER: The Governor directs me to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 25, An Act to appropriate money for the support of the common schools of the State of Mississippi for the years 1902 and 1903.

Respectfully,

J. J. COMAN, *Private Secretary.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 24, 1902.

To the Legislature of the State of Mississippi.

GENTLEMEN: By a joint resolution of the two Houses of the Legislature, passed at the session thereof in 1900, a committee was appointed, consisting of five from each House, to investigate the management and control of the State penitentiary and farms worked by the State, the books, contracts and accounts of the Board of Control for the past four years, *i. e.*, for the years 1896, 1897, 1898 and 1899. Said resolution required said committee at as early date as possible to report the result of their investigation to the Governor and make report also to this session of the Legislature. On the 7th day of January, 1902, at the opening of this session of the Legislature, I was furnished with a copy of said report. I have the honor to state also that though the said resolution limited said committee in its investigation to the four years preceding the induction into office of the present Board of Control, I made personal request of said committee, through its chairman, to extend its investigation through the period from 1900 to the present, which it accordingly did, offering to said committee all the co-operation and assistance in my power toward the full, free and fair accomplishment of its work.

It will be seen from said report that the committee's investigation extended not only to the four years named in the resolution aforesaid, but covered a period including the years 1895, 1900 and 1901, or the entire management of the Board of Control under the administration of Gov. A. J. McLaurin and a portion of the administration of Gov. John M. Stone and the present one. The report contains certain charges and criticisms in the management of the affairs of the prison and farm operations.

In view of the fact that the investigation, as appears from the report, extended into three administrations, it is to me a matter of regret that the committee saw proper to employ in its said charges and criticisms the general terms of "Board of Control" and "Warden," without differentiation or specification, though the transactions of three Boards and four Wardens were investigated. Under said charges the public, as well as the said officials, are left to conjecture as to whom the charges apply.

I desire to add that I concur most heartily in your purpose to continue the investigations through your joint committee. The people of Mississippi and all concerned have the right to the ascertainment of the truth, the whole truth and nothing but the truth, and not half thereof, which is often more damaging than a lie. Let the investigation be full and the reports specific, shielding no one who is guilty nor implicating any one who is innocent—Without concealment of substantial facts or giving undue magnitude to trivial things—in order that the blame, if any exists, may be put where it properly belongs.

Business methods, strict and stringent, should be applied to the management of the State's business, and if this has not been done in the management of the penitentiary affairs the evil can not be too soon corrected. I desire, therefore, to call your attention to the recommendations made by your committee touching the future interest of the State in the premises, and looking to the better safeguard of the affairs of the penitentiary and its prisoners. I submit said recommendations for such enactments thereon as your wisdom may devise, admonishing you, however, to look carefully into the present system and management of the said affairs before passing any new or radical measures to interfere with this enormous and very difficult business enterprise of the State.

Respectfully,

A. H. LONGINO, *Governor.*

House Bill No. 89, To be entitled An Act to require the members of the Board of Control and the Warden of the penitentiary to pay into the general fund of the State treasury, immediately upon the request thereof, any money they receive from the labor of convicts, or from the sale of agricultural products produced on farms worked by the State, or from the sale of any penitentiary property, and to provide for the disbursements for penitentiary purposes from the State treasury on the Auditor's warrant, and to provide for the making of any appropriation to meet such disbursements, was considered.

On motion of Mr. Thomas the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson of Tippah, Arnold, Bennett, Bowers, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denton of Lauderdale, Doss, Dudley, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McCafferty, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Ray, Reynolds, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren—
Total 95.

Absent and those not voting—Messrs. Birmingham, Boddie, Broadus, Castleman, Causey, Cock, Coleman, Crumpton, Denson, Denton of Quitman, Dodds, Eddins, Elmer, Foster of Claiborne, Galloway, Gilfoy, Heath, Hewes, Hightower, King, McAllister,

McCuston, McDaniel, Norton, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Thompson, Underwood, Wilkins, and Mr. Speaker—Total 38.

H. B. No. 73, To be entitled An Act authorizing the Board of Supervisors of any county in the State to order an extra assessment of the lands therein, was, under the suspension of the rules, on motion of Mr. Stamps, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bills passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson of Tippah, Bennett, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Granberry, Groves, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Moore, Moss, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Senter, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren—Total 91.

Nays—Mr. McAfee—Total 1.

Absent and those not voting—Messrs. Arnold, Birmingham, Boddie, Bowers, Broadus, Castleman, Causey, Cock, Crumpton, Denson, Eddins, Evans, Foster of Claiborne, Galloway, Gibson, Gilfoy, Goff, Haley, Ham, Heath, King, Lamb, Langston, McCuston, McDaniel, Mitchell, Murphree, Norton, Quin of Pike, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stubbs, Taylor, Thompson, Underwood, Wilkins and Mr. Speaker—Total 41.

H. B. No. 84, To be entitled An Act to authorize the city of Columbus to issue certain bonds to refund and pay off outstanding bonds heretofore issued to the Columbus, Fayette & Decatur Railroad, or bearer, was, on motion of Mr. Senter, considered.

Whereupon, on motion of Mr. Senter, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Bennett, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denton of Lauderdale, Denton of Quitman,

Dodds, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Gibson, Goff, Granberry, Groves, Harper, Hathorn, Hightower, Hill, Hubbard, Irby, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Moss, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Tucker, Turner, Vollor, Wall, Walker, Webster, White, Wren—Total 84.

Absent and those not voting—Messrs. Arnold, Birmingham, Boddie, Bowers, Bradshaw, Broadus, Byrd, Castleman, Causey, Cock, Cooner, Crumpton, Denson, Doss, Dudley, Eddins, Evans, Foster of Claiborne, Galloway, Gambrell, Gilfooy, Haley, Ham, Heath, Hemphill, Hewes, Johnston of Clarke, King, Long, McCuiston, McDaniel, Millsaps, Mitchell, Moore, Murphree, Norton, Quin of Pike, Robbins, Rouse, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Thompson, Underwood, Wilkins, and Mr. Speaker—Total 49.

At 11.20 Mr. McAfee moved to adjourn until Monday afternoon at 3 o'clock.

Lost.

H. B. No. 85, To be entitled An Act to authorize the city of Columbus to issue and sell bonds to build a new city hall, complete the sewerage plant, and erect a new school building, was, under the suspension of the rules, on motion of Mr. Senter, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Bennett, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denton of Lauderdale, Denton of Quitman, Dodds, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Gibson, Goff, Granberry, Groves, Harper, Hathorn, Hightower, Hill, Hubbard, Irby, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Moss, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Tucker, Turner, Vollor, Wall, Walker, Webster, White, Wren—Total 84.

Absent and those not voting—Messrs. Arnold, Birmingham, Boddie, Bowers, Bradshaw, Broadus, Byrd, Castleman, Causey, Cock, Cooner, Crumpton, Denson, Doss, Dudley, Eddins, Evans, Foster of Claiborne, Galloway, Gambrell, Gilfooy, Ham, Heath, Hemphill, Hewes, Johnston of Clarke, King, Long, McCuiston,

McDaniel, Millsaps, Mitchell, Moore, Murphree, Norton, Quin of Pike, Robbins, Rouse, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Thompson, Underwood, Wilkins, and Mr. Speaker—Total 49.

Mr. Smith, of Holmes, moved the adoption of the following:

Resolved, That the Sergeant-at-Arms is hereby authorized to appoint one deputy at a salary of three dollars per day, same to be paid out of the contingent fund of the House, to assist him in the discharge of his duties until the joint committee appointed to investigate the affairs of the penitentiary shall have concluded its labors.

The resolution was adopted.

Mr. W. G. Stevens was named as Deputy Sergeant-at-Arms, as provided by the resolution just adopted.

Mr. Brown of Adams moved the adoption of the following:

Resolved, That the Committee on Appropriations report to the House on or before next Tuesday the amount of the appropriations asked for in the bills reported favorably by it, and also the amounts asked for in the bills still pending before it.

Motion to adopt prevailed.

At 11.50 A. M., on motion of Mr. Alsworth, the House adjourned until 3 o'clock Monday afternoon.

L. PINK SMITH,
Clerk of House of Representatives.

SEVENTEENTH DAY.

SATURDAY, January 25, 1902.

The House stood adjourned.

L. PINK SMITH,
Clerk of House of Representatives.

EIGHTEENTH DAY.

MONDAY, January 27, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Haley, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Mitchell, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharp of Lowndes, Shelby, Smylie, Stamps, Stennis of Lauderdale, Swinney, Taylor, Thomas, Thompson, Turner, Wall, Walker, Webster, Wren—Total 101.

Those absent — Messrs. Birmingham, Bradshaw, Brown of Adams, Castleman, Crum, Crumpton, Denton of Quitman, Foster of Claiborne, Goff, Groves, Ham, Heath, Johnston of Clarke, Johnston of Yazoo, Jones, King, Magee, McCuiston, McDaniel, Moore, Rouse, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Stennis of Kemper, Stubbs, Taylor, Tucker, Underwood, Vollor, White and Wilkins—Total 29.

Leave of absence was granted to Messrs. Underwood, Johnston of Clarke, Crum, Goff, Causey, Magee, Moore, Vollor and McCuiston.

On motion of Mr. Bowers the reading of the journal of Friday was dispensed with, and the same stood approved.

Senate Bill No. 27, To be entitled An Act to repeal Section 1575 of the Annotated Code of 1892, relating to granting of licenses to retail vinous, malt, alcoholic, intoxicating or spirituous liquors by Boards of Supervisors, and to amend Section 1576 of the Annotated Code of 1892, relating to the granting of license to retail liquors by Boards of Mayor and Aldermen of cities, towns or villages, was read twice and referred to Committee on Liquor Traffic.

Senate Concurrent Resolution No. 7, A concurrent resolution proposing an amendment to the Constitution requiring that all changes, alterations or amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, alteration or amendment, was read and referred to Committee on Constitution.

Mr. Shelby offered the following:

Resolved by the House, the Senate concurring, That the Speaker appoint three members from the House and the President of the Senate appoint ——— members from the Senate to act with the present Penitentiary Investigating Committee.

On motion of Mr. Thomas the resolution was tabled.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

MR. SPEAKER: Your Committee on Contingent Expenses has examined the following account and recommend that it be allowed, to-wit:

To the Harmon Publishing Company for publishing one thousand copies of penitentiary report and one thousand copies with evidence, one hundred and thirty-six pages at \$1.60 per page, total \$217.60.

J. D. Doss, *Chairman.*

On motion of Mr. Doss the report was adopted and the Clerk was instructed to issue a certificate on the Auditor for the amount.

At 3.40 P. M., on motion of Mr. Haley, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

 NINETEENTH DAY.

TUESDAY, January 28, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Ferguson.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Millsaps, Moore, Moss, Murphree, Neill, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson,

Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren—
Total 111.

Those absent—Messrs. Alsworth, Castleman, Causey, Crum, Crumpton, Denton of Quitman, Foster of Claiborne, Haley, Heath, Johnston of Clarke, King, Long, McCuiston, McDaniel, Miller, Mitchell, Norment, Rouse, Smith of Greene, Stennis of Kemper, Underwood and Wilkins—Total 22.

Privileges of the House were extended to Hon. F. A. Montgomery and J. L. Savage, of Tunica County.

On motion of Mr. Harper the reading of the journal of yesterday was dispensed with and the same stood approved.

By unanimous consent Mr. Broadus presented the following as a minority report from the Committee on Fisheries, Shipping and Commerce.

I, the undersigned, member of the Fisheries, Shipping and Commerce Committee, beg to herewith file my dissenting opinion to that of the committee on House Bill No. 60, relative to taking and canning of oysters in the State of Mississippi, for the following reasons:

1st. The bill is unjust in principle in that it is calculated to work a hardship upon the masses and to benefit the classes.

2d. Because it is calculated to defeat the ends of justice inasmuch as it virtually clears many parties of charges of violating the present law, where cases are now pending by repealing this law.

J. A. BROADUS.

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES.

MR. SPEAKER: The Committee on Universities and Colleges has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 30, An Act to make appropriations for the support of the University of Mississippi for the years 1902 and 1903, and for buildings and equipments needed.

Title sufficient and the committee recommends that the bill do pass, with the further recommendation that it be referred to Committee on Appropriations.

GEORGE, *Chairman.*

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 27, 1902.

To the House of Representatives.

GENTLEMEN: Acting upon the resolutions passed by the citizens of Tallahatchie County in mass meeting assembled at the court house, in the town of Charleston, requesting the Governor to submit at the present session of the Legislature a bill authorizing

the division of said county into two districts, a copy of which is herewith transmitted, I have the honor to submit for your consideration and such action as you may deem proper the following subject, to-wit:

An Act to divide the county of Tallahatchie into two Circuit and Chancery Court Districts, and to fix the jurisdiction of the courts, and to provide for holding same in each district, and to provide for the location of a county site in the Second District thereof, and to provide for the building of a court house and jail therein, and for transcribing of all muniments of title to lands lying within the Second District of said county, and to provide for the payment of all expenses incurred in carrying out the provisions of this Act.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 27, 1902.

To the House of Representatives.

GENTLEMEN: At a representative meeting of the members of the Boards of Supervisors of the several counties of the State, held in the city of Jackson, resolutions were passed requesting the Governor to submit for the consideration of the Legislature at this special session the following subjects looking to the passage of general laws thereon, to-wit:

"1st. Change the present system of drawing the grand juries and have Supervisors to select same according to the Code of 1871. Chapter 8, Article 9, Sections 725, 726 and 727.

"2d. To require male inhabitants between the ages of 18 and 55 years to work on public roads.

"3d. Change the law in Acts of 1900, Chapter 120, Section 4, allowing Supervisors in counties of 15,000 inhabitants, eight days; 20,000 to 25,000 inhabitants, twelve days, when sitting for the correction and equalization of assessments.

"4th. Define some punishment for unruly State and county convicts.

5th. An Act to secure within the State the proper listing and assessment of solvent credits, money on hand, on deposit or due the party assessed."

In response to the said request of the Supervisors I have the honor to submit the above subjects to you, for such action as your wisdom may approve. Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 27, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to be entitled An Act to authorize the Board of Mayor and Aldermen of the city of Natchez to issue bonds for the purpose of purchasing the waterworks and sewerage system owned and operated in said city by the Natchez Water Supply and Sewerage Company.

An Act to authorize the city of West Point to issue bonds to erect sewerage system.

An Act to authorize the town of Rosedale to issue bonds to erect waterworks and sewerage system.

Respectfully,

A. H. LONGINO, *Governor*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 27, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subject, to-wit:

An Act to cure technical defects in the issuance of certain town bonds, as per bill herewith transmitted.

Respectfully,

A. H. LONGINO, *Governor*.

On motion of Mr. Cox the House resolved itself into the committee of the whole House, with Mr. Smith of Holmes in the chair, to consider the financial condition of the State.

After some time spent in the committee of the whole the committee arose, and through its chairman reported to the House that it was the sense of the committee that there should be no increase in the State tax levy, and that if the receipts from the present levy should prove insufficient to meet the appropriations made by this Legislature, that bonds be issued to cover any deficit that might occur.

Mr. Castleman tendered to the Speaker his resignation as a member of the Committee on Liquor Traffic, which was accepted, and Mr. Neill was named as a member of the committee in the place made vacant by the resignation of Mr. Castleman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, January 27, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 30, An Act to provide for a reformatory prison for juvenile convicts.

Also H. B. No. 29, An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed the following entitled bill, which is herewith transmitted, to-wit:

S. B. No. 36, An Act to amend Chapter 215 of the Acts of 1896 authorizing the Mobile, Jackson & Kansas City Railroad Company to locate its railroad within the State of Mississippi.

JOHN Y. MURRY, JR., *Secretary*.

INTRODUCTION OF BILLS.

By Mr. Dudley—

H. B. No. 95, To be entitled An Act to divide the County of Tallahatchie into two Circuit and Chancery Court Districts, and to fix the jurisdiction of the courts, and to provide for holding same in each district, and to provide for the location of a county site in the Second District thereof, and to provide for the building of a court house and jail therein, and for transcribing of all muni-ments of title to lands lying within the Second District of said county, and to provide for the payment of all expenses incurred in carrying out the provisions of this Act.

Read twice and referred to Committee on Local and Private Legislation.

H. B. No. 86, To be entitled An Act to make an appropriation to pay A. W. Jones, of Prentiss County, balance on pension due him for the year 1899, was on motion of Mr. Burge, recalled from the Committee on Appropriations and recommitted to the Committee on Local and Private Legislation.

S. B. No. 30, To be entitled An Act to provide for a reformatory prison for juvenile convicts, was read twice and referred to Committee on Penitentiary.

S. B. No. 36, To be entitled An Act to amend Chapter 215 of the Acts of 1896, authorizing the Mobile, Jackson & Kansas City Railroad Company to locate its railroad within the State of Mississippi, was read twice and referred to Committee on Railroads.

Mr. Bennett offered the following:

Resolved by the House of Representatives, That the most cordial thanks of this body are hereby tendered to the Representatives and Senators of Hancock, Harrison and Jackson Counties for their invitation to the members of the House to visit the coast counties, under their auspices. The House tenders its most cordial thanks and acknowledgments for the kindness and thoughtfulness shown by them in the management of the excursion to the coast. The thanks of the House are also most cordially tendered to Capt. J. T. Jones for the many courtesies extended by him to the members of the House on the excursion and during the stay on the coast. It is distinctly recognized and with full appreciation that to his judgment and thoughtfulness for the comfort and safety of the members is due the success of the excursion.

The thanks of the House are also most heartily extended to the ladies and gentlemen of Gulfport and Biloxi for the many courtesies and generous hospitality extended to the members of the House on their visit to those charming and beautiful towns.

It gives the members of the House great pleasure to testify to the enjoyment and satisfaction which attended the excursion throughout.

On motion of Mr. Bennett the resolution was adopted.

H. B. No. 62, To be entitled An Act making an appropriation for the maintenance and support of the Alcorn Agricultural and Mechanical College and for the erection of additional buildings for the use of the students of said college, was considered.

The Committee on Appropriations offered the following amendment:

Strike out "\$15,000" for shops, machinery, etc., and insert in lieu thereof "\$10,000."

On motion of Mr. Kyle the amendment was adopted.

Mr. Coleman moved the adoption of the following:

Amend the bill by adding "provided, that no part of said appropriation shall be paid until the Trustees of said college shall abolish the rule providing for the admission of girls to said college, and that the Auditor be required to ascertain if said rule has been abolished before paying any warrants drawn against the appropriation herein provided for."

Mr. Kyle moved to table the motion to adopt the amendment, which prevailed.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Arnold, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brown of Adams, Burge, Byrd, Campbell, Clayton, Cock, Coody, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Dodds, Dudley, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gilfoy, Goff, Granberry, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Yazoo, Kyle, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Moss, Neill, Norton, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Senter, Sharkey, Sharp of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 85.

Nays—Messrs. Anderson of Tippah, Brown of Itawamba, Galloway, Gibson, Murphree, Owen, Ray, Taylor—Total 8.

Absent and those not voting — Messrs. Alsworth, Boddie, Broadus, Brooks, Burrus, Castleman, Causey, Coleman, Cooner, Crum, Crumpton, Denton of Quitman, Doss, Elmer, Evans, Foster of Claiborne, Groves, Haley, Heath, Irby, Johnston of Clarke, Jones, King, Lamb, Langston, Long, McCuiston, McDaniel, Miller, Millsaps, Mitchell, Moore, Norment, Pace, Rouse, Smith of Greene, Stennis of Kemper, Thompson, Underwood and Wilkins — Total 40.

On motion of Mr. Broadus two hundred copies of House Bill No. 60, To be entitled An Act to regulate the fishing and canning of oysters in the State of Mississippi, and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898, were ordered printed.

At 1 o'clock P. M., on motion of Mr. Gambrell, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

TWENTIETH DAY.

WEDNESDAY, January 29, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. B. C. Trigg.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike,

Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren—Total 119.

Those absent—Messrs. Alsworth, Castleman, Causey, Crum, Crumpton, Denton of Quitman, Foster of Claiborne, Johnston of Clarke, McDaniel, Mitchell, Smith of Greene, Stennis of Kemper, Underwood and Wilkins—Total 14.

Leave of absence was granted to Messrs. Denton of Quitman, Alsworth and Wilkins.

On motion of Mr. Thomas the reading of the journal of yesterday was dispensed with and the same stood approved.

The privileges of the House were extended to Hon. J. F. McCool and Dr. Crawley, of Attala County.

REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER: The Committee on Education has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 16, To be entitled An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of the educable children of the State every two years instead of every four years.

Title sufficient, and the committee substitute do pass.

HILL, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 10, To be entitled An Act to appropriate and set apart a portion of the Capitol grounds as a Confederate Memorial Park and to create a commission to have charge of same and to appropriate one thousand dollars for same.

Title sufficient; returned without recommendation.

H. B. No. 14, To be entitled An Act to appropriate \$2,500 in the year 1892, and the same in the year 1893, for the Confederate Hospital Annex at Vicksburg, Miss., and to provide for the distribution of the same.

Title sufficient; do pass as amended.

H. B. No. 46, To be entitled An Act making an appropriation for the equipment and support of the Branch Agricultural Experiment Station at McNeill, Miss.

Title sufficient; do pass as amended.

S. B. No. 14, To be entitled An Act to provide for the payment of interest due the University on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901.

Title sufficient; bill do not pass.

H. B. No. 32, To be entitled An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903, and for other purposes.

Title sufficient; substitute do pass.

H. B. No. 82, To be entitled An Act to provide for the protection of the property of the State at the Capitol from danger or destruction by fire, and the appropriation on one thousand dollars for the year 1902, and one thousand dollars for the year 1903.

Title sufficient; do pass.

H. B. No. 70, To be entitled An Act to appropriate from the pension fund returned to the treasury money to pay pensions to those whose applications were received after the distribution had been made to the counties by the Auditor.

Title sufficient; do pass.

A. S. KYLE, *Chairman.*

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 29, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the concurrent resolution touching the discontinuance of afternoon sessions of the two Houses pending the taking of testimony in the matter of investigation of the affairs of the State Board of Control.

JOHN Y. MURRY, JR., *Secretary.*

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

JACKSON, MISS., January 28, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as your wisdom may deem proper the following subject, to-wit:

An Act to transfer from the Auditor's office and Land Commissioner's office to the offices of the Clerks of the Chancery Court of the proper counties all deeds made by the tax collectors to the Board of Commissioners to liquidate outstanding liabilities incurred for levee purposes prior to the first day of January, 1862, and its successors.

Respectfully,

A. H. LONGINO, *Governor.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 28, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to repeal Chapter 39 of the Acts of 1898, and Chapter 121 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channeling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands.

An Act to amend the charter of the town of Rosedale, in the County of Bolivar so as to authorize the Board of Mayor and Council to issue bonds not to exceed in amount, including all outstanding bonds, seven per centum of the assessed value of the taxable property of said town as shown by the assessment thereof, for the purpose of raising money for the erection of school buildings, and the purchase of lands therefor, for the erection or purchase of waterworks, the sinking of artesian wells, the establishment of a sewerage system, protection from fires, improving streets and sidewalks, and for the liquidation of existing debts of said town.

Respectfully,

A. H. LONGINO, *Governor.*

INTRODUCTION OF BILLS.

By Mr. Smylie—

H. B. No. 96, To be entitled An Act to control and regulate admission to the preparatory department of the A. and M. College at Starkville, Mississippi.

Was read twice and referred to Committee on Universities and Colleges.

By Mr. Neill—

H. B. No. 97, To be entitled An Act to transfer from the Auditor's office and Land Commissioner's office to the offices of the Clerks of the Chancery Court of the proper counties all deeds made by the tax collectors to the Board of Commissioners to liquidate outstanding liabilities incurred for levee purposes prior to first day of January, 1862, and its successors.

Was read twice and referred to Committee on Judiciary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill and find that it is correctly enrolled, and herewith present it to the Speaker for his signature, to-wit:

H. B. No. 29, To be entitled An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901.

LOPER, *Chairman.*

Whereupon all business of the House was suspended by announcement of the Speaker, while he signed the bill just reported, calling the attention of the House thereto.

Mr. Frazier offered the following:

WHEREAS, Section 2309 of the Annotated Code of 1892 fully sets forth the duty of the Trustees of the Industrial Institute and College in language as follows: "The Board of Trustees shall cause a report to be made to the Legislature biennially showing how the money appropriated to the college has been expended during the two preceding sessions, beginning at and ending with a commencement, exhibiting the salaries paid to professors, officers and employees, and generally each and every item of receipt and expenditure;" and,

WHEREAS, The biennial report of the Industrial Institute and College made to the Legislature of 1902 fails to conform to the requirements of Section 2309 of the Annotated Code, therefore, be it

Resolved by the House of Representatives, That Senate Bill No. 5, making an appropriation to said Institute and College, lay on the table pending an itemized statement of expenditures, setting forth salary paid to the President, to each professor, and to each officer of said Institute and College.

Mr. Frazier moved the adoption of the resolution.

Mr. George moved to table the motion to adopt, and the call for the yeas and nays on the motion to table being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Bennett, Birmingham, Boddie, Bowers, Brooks, Brown of Adams, Burrus, Byrd, Campbell, Cock, Coleman, Cox of Prentiss, Denson, Denton of Lauderdale, Dudley, Eddins, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, George, Gilfoy, Ham, Harper, Hemphill, Hewes, Hill, Hubbard, Irby, Jones, King, Lamb, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Millsaps, Moore, Moss, Neill, Norment, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharp of Lowndes, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Vollar, Wall, Walker, Webster, Mr. Speaker—Total 69.

Nays—Messrs. Allen, Anderson of Tippah, Arnold, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Clayton, Coody, Cooner, Cox of Panola, Dodds, Doss, Ellis, Ferguson, Frazier, Galloway, Gibson, Goff, Granberry, Hathorn, Hightower, Johnston of Yazoo, Kyle, Langston, Long, Longest, Murphree, Norton, Owen, Pace, Posey, Pyle, Ray, Reynolds, Sharkey, Sharpe of Leake and Winston, Shelby, Stubbs, Turner, White, Wren—Total 43.

Absent and those not voting—Messrs. Alsworth, Castleman, Causey, Crum, Crumpton, Denton of Quitman, Foster of Claiborne, Groves, Haley, Heath, Johnston of Clarke, Loper, McCuis-

ton, McDaniel, Miller, Mitchell, Smith of Greene, Stennis of Kemper, Taylor, Underwood and Wilkins—Total 21.

Mr. Bowers offered the following:

Resolved, That the Trustees of the Industrial Institute and College be, and they are hereby required to furnish a fuller and further itemization of their disbursements for the years 1900 and 1901.

On motion of Mr. Bowers the resolution was adopted.

Senate Concurrent Resolution No. 12, a concurrent resolution to dispense with afternoon sessions of the two Houses pending taking of testimony of the penitentiary investigation, was, on motion of Mr. Thomas, adopted.

Mr. Gambrell offered the following:

WHEREAS, The Senate has appointed nine members of the joint committee appointed to investigate the hospitals at Natchez and Vicksburg, and the House has only five members of said committee; therefore, be it

Resolved, That the Speaker be requested to appoint four additional members of said committee on the part of the House.

On motion of Mr. Gambrell the resolution was adopted and the Speaker named as the additional members on the committee Messrs. Brooks, Eddins, Gambrell and Magee.

On motion of Mr. Kyle, Senate Bill No. 14, To be entitled An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901, was indefinitely postponed.

S. B. No. 5, To be entitled An Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, to provide for elevators and for the erection of an industrial hall and laundry, and for the enlarging of the chapel building and for the repairs and equipments of the buildings of said institution during the years 1902 and 1903, and to provide for payment of same, was considered.

Mr. Kyle moved the adoption of the amendment offered by the Committee on Appropriations as follows:

Amend by inserting after the word "drawn," in line five, Section 3, the following words: "Quarterly as needed."

The amendment was adopted.

Mr. Stubbs moved to amend the bill by striking out the item of appropriation of \$20,000 for an industrial hall.

Mr. Brown, of Adams, moved to table the motion to adopt the amendment offered by Mr. Stubbs, and the call for the yeas and nays on the motion to table being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Birmingham, Boddie, Bowers, Brittain, Brooks, Brown of Adams, Burge, Burrus, Byrd, Cock, Coleman, Cox of Prentiss, Denson, Denton of Lauderdale,

Dodds, Dudley, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, George, Gilfoy, Goff, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hill, Hubbard, Irby, Jones, King, Kyle, Lamb, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Moore, Moss, Neill, Norment, Norton, Permenter, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Mr. Speaker—Total 82.

Nays—Messrs. Anderson, Arnold, Bradshaw, Brown of Itawamba, Clayton, Coody, Cooner, Cox of Panola, Doss, Eddins, Ellis, Ferguson, Frazier, Galloway, Gibson, Granberry, Hightower, Johnston of Yazoo, Langston, Longest, Loper, Murphree, Owen, Posey, Pyle, Ray, Sharpe of Leake and Winston, Stubbs, Wren—Total 29.

Absent and those not voting—Messrs. Alsworth, Broadus, Campbell, Castleman, Causey, Crum, Crumpton, Denton of Quitman, Foster of Claiborne, Groves, Heath, Johnston of Clarke, Long, McCuiston, McDaniel, Mitchell, Pace, Smith of Greene, Stennis of Kemper, Taylor, Underwood and Wilkins—Total 22.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Clayton, Cock, Coleman, Cox of Prentiss, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Gambrell, Garraway, George, Gilfoy, Goff, Haley, Ham, Hathorn, Hemphill, Hewes, Hill, Hubbard, Irby, Jones, King, Kyle, Lamb, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Moore, Moss, Neill, Norment, Norton, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 96.

Nays—Messrs. Arnold, Coody, Cooner, Cox of Panola, Ellis, Frazier, Granberry, Harper, Hightower, Johnston of Yazoo, Langston, Murphree, Owen, Sharpe of Leake and Winston—Total 14.

Absent and those not voting—Messrs. Alsworth, Anderson of Tippah, Campbell, Castleman, Causey, Crum, Crumpton, Denton

of Quitman, Ferguson, Foster of Claiborne, Gibson, Groves, Heath, Johnston of Clarke, McCuiston, McDaniel, Mitchell, Pace, Smith of Greene, Stennis of Kemper, Taylor, Underwood and Wilkins—Total 23.

Mr. Campbell was paired with Mr. Taylor; Mr. Campbell would have voted "yea," and Mr. Taylor would have voted "nay."

Mr. Broadus offered the following:

Be it resolved by the House of Representatives of the State of Mississippi, the Senate concurring, That the United States Fish Commission be requested to investigate the oyster reefs of the State of Mississippi and report before the next session of the Legislature the oyster spawning season in the State and also if dredges are injurious to the oyster reefs, and any further information that the commission can furnish to assist the people of the State to properly legislate upon this subject.

Referred to Committee on Fisheries, Commerce and Shipping.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 29, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor, to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 29, An Act to provide for the payment of interest due the University of Mississippi on account of the 1894 land grant fund for the period from March 10, 1900, to November 1, 1901.

Respectfully,
J. J. COMAN, *Private Secretary*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 29, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to empower the Board of Supervisors of Perry County to order an election for the purpose of submitting to the qualified electors of said county the question of removal of the county site of the First District of said county.

An Act to empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county site of said county from Mississippi City to Gulfport.

Respectfully,
A. H. LONGINO, *Governor*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 29, 1902.

To the Senate and House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and for such action as you may deem proper the following matter, to-wit:

A bill to amend Section 2348 of the Code of 1892 so as to make the contract rate of interest eight per cent instead of ten.

Respectfully,

A. H. LONGINO, *Governor.*

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 5, entitled An Act for the relief of Wade Polk, Tax Assessor of Lawrence County.

The relief sought in above bill can not be obtained by a proceeding in court because there is no law covering it, and a general law will not be applicable nor advantageous. The bill is meritorious, the title is sufficient, and the committee recommends that it do pass.

Respectfully submitted,

W. A. ALCORN, JR., *Chairman.*

INTRODUCTION OF BILLS.

By Mr. Millsaps—

H. B. No. 98, To be entitled An Act to authorize the city of West Point, Mississippi, to issue and negotiate bonds for the purpose of enlarging and equipping the public school building of said city of West Point.

Was read twice and referred to Committee on Local and Private Legislation.

By Mr. Haley—

H. B. No. 99, To be entitled An Act to repeal Chapter 39 of the Acts of 1898, and Chapter 121 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channeling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands.

Read twice and referred to Committee on Agriculture.

Mr. Sharkey here entered an objection to the introduction of House Bills Nos. 98 and 99 out of the regular order.

At 1.20 P. M., on motion of Mr. Gambrell, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

TWENTY-FIRST DAY.

THURSDAY, January 30, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Dr. J. B. Hutton.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Coleman, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfof, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren—Total 119.

Those absent—Messrs. Alsworth, Broadus, Castleman, Causey, Coody, Crum, Denton of Quitman, Foster of Claiborne, Heath, McDaniel, Smith of Greene, Stennis of Kemper, Underwood and Wilkins—Total 14.

Leave of absence was granted to Mr. Coody.

On motion of Mr. Brown, of Adams, the reading of the journal of yesterday was dispensed with and the same stood approved.

On motion of Mr. Arnold the privileges of the House were extended to Mr. John P. Wallace, of Panola.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 30, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 50, An Act to cure defects in the issuance of certain town bonds of Oxford.

S. B. No. 13, An Act to provide a home to be supported by the State for indigent and dependent soldiers and sailors of the Confederacy.

S. B. No. 18, An Act to make an appropriation for the payment of the amount of money expended by the Trustees of the Agricultural and Mechanical College in excess of the appropriation made for the building and equipment of the Textile School at Starkville, Miss.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 65, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties and to provide for its maintenance and for the issuance of the future publications of the Mississippi Historical Society.

Title sufficient, and that the bill do pass.

BOWERS, *Chairman.*

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 30, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

S. B. No. 44, An Act to regulate the fishing and canning of oysters in the State of Mississippi and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 30, To be entitled An Act to make appropriation for the support of the University of Mississippi for the years 1902 and 1903, and for buildings and equipments needed.

Title sufficient; do pass as amended.

H. B. No. 61, To be entitled An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903.

Title sufficient; substitute do pass.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON CONSTITUTION.

MR. SPEAKER: The Committee on Constitution has had under consideration the following resolutions referred to them, and have instructed me to report them back with the following recommendations:

Senate Concurrent Resolution No. 7, a concurrent resolution proposing an amendment to the Constitution requiring that all changes, alterations or amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, alteration or amendment.

Title sufficient; do pass.

Concurrent Resolution No. 1, a concurrent resolution to amend Section 36 of the Constitution of the State of Mississippi.

Substitute offered by committee with recommendation that title is sufficient and that substitute do pass.

House Concurrent Resolution No. 2, to insert into the State Constitution Section 206 of the Constitution as amended.

Title sufficient; do not be inserted.

W. M. Cox, *Chairman.*

INTRODUCTION OF BILLS.

By Mr. Hewes—

H. B. No. 100, To be entitled An Act to empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county site of said county from Mississippi City to Gulfport.

Read twice and referred to Committee on Local and Private Legislation.

SENATE BILLS REFERRED.

S. B. No. 44, To be entitled An Act to regulate the fishing and canning of oysters in the State of Mississippi, and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898.

Read twice and referred to Committee on Fisheries, Commerce and Shipping.

S. B. No. 18, To be entitled An Act to make an appropriation for the payment of the amount of money expended by the Trustees of the Agricultural and Mechanical College in excess of the appropriation made for the building and equipment of the Textile School at Starkville, Mississippi.

Read twice and referred to Committee on Appropriations.

S. B. No. 13, To be entitled An Act to provide a home to be supported by the State for indigent and dependent soldiers and sailors of the Confederacy.

Read twice and referred to Committee on Pensions.

S. B. No. 50, To be entitled An Act to cure defects in the issuance of certain town bonds of Oxford.

Read twice and referred to Committee on Local and Private Legislation.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., January 30, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to authorize the assessment of lands within the State during the year 1902, and at such other time thereafter as the Legislature may fix.

An Act to provide an assistant for the Attorney General, and to fix salary therefor.

Respectfully,

A. H. LONGINO, *Governor.*

House Bill No. 48, To be entitled An Act making an appropriation for the support, repairs, additional buildings, improvements and equipment of the Mississippi Agricultural and Mechanical College, was, on motion of Mr. Kyle, considered.

The committee offered the following amendment:

Strike out for farmers' institutes for 1902 and 1903 the "sum of six thousand dollars" and insert in lieu thereof "three thousand dollars."

On motion of Mr. Kyle the amendment was adopted.

The committee also offered to amend by adding at the end of Section 1 the following: Provided, that the salary of no officer or professor of said college shall be increased during the years 1902 and 1903.

Said amounts to be paid by the State Treasurer out of any money in the State treasury not otherwise appropriated, as the necessities of said institution may require, upon a written statement of the needs of said institution made by the President or Executive Committee of said college, approved by the Governor.

The money herein appropriated for additional buildings shall be expended under the direction or with the approval of the Board of Trustees of said college, and a report of all such expenditures shall be made to the Legislature, and all sums hereby appropriated and not used shall be covered back into the State treasury.

In case any of the foregoing estimates shall exceed the actual needs of the purpose for which made, and any other estimates herein shall prove inadequate for the needs of the purpose for which made, the Trustees may, if they so elect, apply the whole

or any part of any surplus arising in any such estimate thereto, and such change, if made, to be reported by the Trustees in their next biennial report.

On motion of Mr. Kyle the amendments were adopted.

Mr. Hightower moved the adoption of the substitute for the bill, with the same number and title, offered by the minority of the Committee on Appropriations.

Mr. Smith, of Holmes, moved to table the motion to adopt the substitute, and the call for the yeas and nays on the motion to table being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Bennett, Boddie, Bowers, Bradshaw, Broadus, Brown of Adams, Burrus, Byrd, Campbell, Cock, Coleman, Cox of Prentiss, Crumpton, Denson, Denton of Lauderdale, Dodds, Dudley, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Garraway, George, Gilfoy, Goff, Groves, Haley, Ham, Harper, Hathorn, Hewes, Hill, Hubbard, Irby, Johnston of Clarke, Jones, King, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thompson, Tucker, Wall, Webster, Mr. Speaker—Total 72.

Nays—Messrs. Anderson of Tippah, Arnold, Birmingham, Brittain, Brooks, Brown of Itawamba, Burge, Clayton, Cooner, Cox of Panola, Doss, Eddins, Ellis, Ferguson, Frazier, Galloway, Gambrell, Gibson, Granberry, Hemphill, Hightower, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, McCafferty, McCuiston, Murphree, Norton, Owen, Pace, Permenter, Posey, Pyle, Ray, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Turner, Walker, White, Wren—Total 45.

Absent and those not voting—Messrs. Allen, Alsworth, Castleman, Causey, Coody, Crum, Denton of Quitman, Foster of Claiborne, Heath, Long, McDaniel, Smith of Greene, Stennis of Kemper, Underwood, Vollar and Wilkins—Total 16.

Mr. Thomas moved to strike out "forty thousand dollars for horticulture building," and insert in lieu thereof "thirty thousand dollars."

Mr. Bennett moved to table the motion to adopt the amendment, which was lost.

Whereupon the motion to adopt the amendment prevailed.

Mr. Owen offered the following:

Amend line 6 of the bill so that it may read "support fund 1902, thirty-five thousand dollars."

On motion of Mr. Boddie the motion to adopt the amendment was tabled.

Mr. Owen offered to amend the bill by striking out line 21, which reads, "enlarging capacity mechanical building, five thousand dollars."

Mr. Boddie moved to table the motion to adopt the amendment, which prevailed.

Mr. Owen then moved the adoption of the following:

Amend by striking out line 25 of itemized expenditures, which reads, "House for Director of Textile School, \$1,500."

On motion of Mr. Boddie the motion to adopt the amendment was tabled.

Whereupon, on motion of Mr. Smith, of Holmes, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Burge, Burrus, Byrd, Campbell, Cock, Coleman, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Garraway, George, Gilfooy, Goff, Groves, Haley, Ham, Harper, Hathorn, Hewes, Hill, Hubbard, Irby, Johnston of Clarke, Jones, King, Kyle, Lamb, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Norment, Norton, Permenter, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Thompson, Tucker, Vollar, Wall, Webster, White, Wren, Mr. Speaker—Total 90.

Nays—Messrs. Anderson of Tippah, Arnold, Brown of Itawamba, Clayton, Cooner, Ellis, Ferguson, Frazier, Galloway, Gambrell, Gibson, Granberry, Hemphill, Hightower, Johnston of Yazoo, Langston, McCafferty, McCuiston, Murphree, Owen, Pace, Posey, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs, Taylor, Turner, Walker—Total 28.

Absent and those not voting—Messrs. Allen, Alsworth, Castleman, Causey, Coody, Crum, Denton of Quitman, Eddins, Foster of Claiborne, Heath, Long, McDaniel, Moore, Smith of Greene, Stennis of Kemper, Underwood and Wilkins—Total 15.

At 1.20 P. M., on motion of Mr. Senter, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of House of Representatives.

TWENTY-SECOND DAY.

FRIDAY, January 31, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Long.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cock, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Gilfooy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 110.

Those absent—Messrs. Alsworth, Brooks, Brown of Adams, Castleman, Causey, Coleman, Coody, Crum, Denton of Quitman, Dodds, Eddins, Foster of Claiborne, Gambrell, Heath, Hemphill, Loper, Magee, Magruder, McDaniel, Miller, Mitchell, Senter and Underwood—Total 23.

Leave of absence was granted to Messrs. Senter, Miller, Dodds, Moore, Loper, Gambrell, Magee and Eddins, the members of the committee to investigate the Vicksburg and Natchez Charity Hospitals.

On motion of Mr. Harper the reading of the journal of yesterday was dispensed with and the same stood approved.

On motion the privileges of the House were extended to D. F. Howard, of Indiana, Judge B. T. Kimbrough and Capt. M. P. Bishop of Lafayette County, and Dr. Wiley Butler and Hon. J. S. Sexton of Copiah County.

A communication from the Biloxi Commercial Club favoring the passage of the Bowers oyster bill, addressed to the Speaker, was read for the information of the House; also a communication

from General Alex. P. Stewart, and from Gen. H. V. Boynton, favoring the passage of the Chickamauga monument bill. Also a letter from Mr. E. P. Hitt, of Pelahatchie, opposing the proposed soldiers' home bill.

REPORT OF COMMITTEE ON LIQUOR TRAFFIC.

MR. SPEAKER: The Committee on Liquor Traffic has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 59, To be entitled An Act to amend Section 1574 Code of 1892, and to repeal Sections 1575, 1576 and 1610 to 1620 inclusive, of said Code, thereby prohibiting the sale or giving away to induce trade of intoxicants.

Title sufficient, and bill do not pass.

S. B. No. 27, To be entitled An Act to repeal Section 1575 of the Annotated Code of 1892, relating to the granting of licenses by Boards of Supervisors to retail vinous, alcoholic, malt, intoxicating and spirituous liquors, and to amend Section 1576 of the Code of 1892, relating to the granting of licenses to retail liquors by Boards of Mayor and Aldermen in cities, towns or villages.

Title sufficient, and bill do pass as amended.

H. H. RAY, *Chairman.*

MINORITY REPORT OF COMMITTEE ON LIQUOR TRAFFIC.

MR. SPEAKER: The undersigned members of Liquor Traffic Committee respectfully submit a minority report on House Bill No. 59, reported on adversely by a majority of said committee and recommend the title sufficient and that the bill do pass, for the following reasons:

1st. That as temperance men and members of said committee we can not afford to hide our lights under a bushel by quietly submitting to report of majority.

2d. That due deference to the expressed wishes of the good women of the State, through their temperance organizations, together with the solemn, deliberate and earnest appeal of Christians of the different denominations demands that the merits or demerits of the bill should be carefully considered by this House and not be summarily disposed of by a small committee.

3d. We believe the good morals of the State, the interest of its citizenship and the cause of Christianity and glory of God demands legislation of this kind.

Respectfully submitted,

H. H. RAY,
L. M. BURGE,
J. C. LONG,
H. K. ROUSE,
J. E. BYRD.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 31, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 10, An Act to provide for the establishment of a permanent Branch Agricultural Experiment Station in the Yazoo Mississippi Delta.

S. B. No. 52, An Act to appropriate money to defray the expenses incident to penitentiary affairs, as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee and of Sergeant-at-Arms for service of process issued by said committee, and compensation of stenographer employed by said committee.

H. B. No. 84, An Act to authorize the city of Columbus to issue certain bonds to refund and pay off outstanding bonds heretofore issued to the Columbus, Fayette & Decatur Railroad, or bearer.

And has adopted S. C. R. No. 1, To amend Section 36 of the Constitution of the State of Mississippi.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON ROADS, FERRIES AND BRIDGES.

MR. SPEAKER: The Committee on Roads, Ferries and Bridges has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 58, To be entitled An Act to require and regulate the working of public roads.

Title sufficient, and bill do not pass.

H. B. No. 94, To be entitled An Act to provide for a co-operative system between the State of Mississippi and the several counties therein for the permanent improvement of the public highways in this State and for the proper maintenance thereof.

Title sufficient. This bill having been drawn by the Good Roads Association is herewith returned without recommendation. Your committee further recommends that the House take it up and dispose of it.

DENTON, of Lauderdale, *Chairman.*

REPORT OF COMMITTEE ON FISHERIES, COMMERCE AND SHIPPING.

MR. SPEAKER: The Committee on Fisheries, Commerce and Shipping has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

House Resolution asking the United States Fish Commission

to investigate the oyster industry of Mississippi and report thereon.

Title sufficient, and do pass.

S. B. No. 44, To be entitled An Act to regulate the fishing and canning of oysters in the State of Mississippi, and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898.

Title sufficient, and bill do pass.

ELMER, *Chairman.*

REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER: The Committee on Railroads has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 36, To be entitled An Act to amend Chapter 215 of the Acts of 1896, authorizing the Mobile, Jackson & Kansas City Railroad Company to locate its railroad within the State of Mississippi.

Do pass; but the committee further recommends that the bill be referred to the Committee on Local and Private Legislation.

WHITE, *Chairman.*

On motion of Mr. Alcorn three hundred and fifty copies of House Bill No. 94, To be entitled An Act to provide for a co-operative system between the State of Mississippi and the several counties therein for the permanent improvement of the public highways in this State, and for the proper maintenance thereof, were ordered printed, and Thursday morning next, at 10 o'clock, was fixed for the consideration of the bill.

On motion of Mr. White Senate Bill No. 36, To be entitled An Act to amend Chapter 215 of the Acts of 1896, authorizing the Mobile, Jackson & Kansas City Railroad Company to locate its railroad within the State of Mississippi, was recommitted to Committee on Local and Private Legislation.

On motion of Mr. Bowers Senate Bill No. 44, To be entitled An Act to regulate the fishing and canning of oysters in the State of Mississippi, and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898, was made the special order for Wednesday morning next at 10 o'clock.

The special order, House Bill No. 57, To be entitled An Act to secure the better enforcement of the anti-trust laws of the State by supplementary provisions more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties and regulating the ownership and disposition and property of corporations whose charters may be adjudged forfeited, was considered.

The committee amendments were offered as follows:

Amend Section 7 by inserting in first line between words "corporations" and "may," the words, "upon demand of any person proceeding for or in the name of the State." And also amend same section by inserting after the word "Directors," in third line, the words, "or its manager, cashier or bookkeeper."

Amend Section 1 by striking out "as now provided by law," in lines thirty-four and thirty-five, and adding to the section the words, "The granting of a change of venue shall in no case work a severance. The case shall, if transferred, be transferred as a whole, to be proceeded with against all defendants thereto in county to which transfer is made."

Amend Section 6 by inserting in third line between the words "corporation" and "for," the words, "singly or against any number of corporations jointly."

Amend Section 6 so that it shall read: "The District Attorneys in their several districts may institute and prosecute proceedings in the nature of a quo warranto by injunction or any other appropriate remedy, civil or criminal, at law or in equity, for the enforcement of the anti-trust laws of this State, but nothing herein contained shall be held to abridge or impair the power of the Attorney General to enforce such laws in any manner authorized by law."

On motion of Mr. Cox the amendments were all adopted.

Pending further consideration of the bill, a committee from the Senate notified the House that Mrs. Kimbrough had been invited to address the Legislature for the purpose of submitting a proposition from Mrs. Jefferson Davis to sell Beauvoir to the State for a Soldiers' Home, and asking the use of the hall of the House of Representatives for hearing the address.

On motion of Mr. Cox the request of the Senate was granted and the hour of 12 noon was fixed for hearing the address, and that a committee of three be appointed to notify the Senate of the action of the House and that the Senate be invited to the hall.

The Speaker named as members of the committee to notify the Senate, Messrs. Smith of Holmes, Smylie and Hubbard. The committee soon returned and through its chairman stated that the duty assigned had been performed, and that the Senate would immediately enter the hall of the House, which it did.

The President of the Senate introduced to the House and Senate, Senator Cayce, who in turn introduced Mrs. Kimbrough, who delivered an interesting and beautiful address in behalf of the purchase by the State of Beauvoir, to be used as a home for the old soldiers of the "lost cause."

The President of the Senate thanked the members of the House and Senate for the attention given the address of Mrs. Kimbrough, and the Senators then repaired to their chamber.

The consideration of House Bill No. 57, To be entitled An Act to secure the better enforcement of the anti-trust laws of this State

by supplementary provisions more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties and regulating the ownership and disposition of the property of corporations whose charters may be adjudged forfeited, was resumed, and pending the consideration of the bill on motion of Mr. Crumpton, the House took a recess until 3 P. M.

AFTERNOON SESSION.

The House met at 3 o'clock P. M. pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

Leave of absence was granted to Messrs. Owen, Hemphill, Norment and Hill from day to day.

Under a suspension of the order of business Mr. Stennis of Kemper, introduced House Bill No. 101, To be entitled An Act to amend Chapter 84 of the Laws of 1896, and to re-enact Section 1664 of the revised Code of 1880, in relation to the selection of grand jurors, which was read twice and referred to Committee on Judiciary.

H. B. No. 57, To be entitled An Act to secure the better enforcement of the anti-trust laws of the State of Mississippi, by supplementary provisions more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties and regulating the ownership and disposition of the property of corporations whose charters may be adjudged forfeited, the business pending at the close of the morning session, was resumed.

Mr. Bowers moved to adopt the following amendments:

Strike out the words "in the County of Hinds or," in the thirteenth line of first page.

Mr. Boddie moved to table the motion to adopt the amendment, which prevailed.

Mr. Bowers moved to strike out all after the word "found," in nineteenth line, page 2, and also strike out lines 20, 21, 22 and 23.

Mr. Stubbs moved to table the motion to adopt the amendment, which prevailed.

Mr. Quin of Pike moved the adoption of the following:

Amend by striking out in line 36 of Section 1, "but the defendants in," and all of line 37, Section 1.

Mr. Boddie moved to table the motion to adopt the amendment, which prevailed.

Mr. Bowers moved the adoption of the following:

Amend by inserting after the word "punishment" in the 17th line of Section 2, the following: "Nor to any civil proceeding,

penalty, forfeiture or recovery against his property and effects," and insert after the word "offense," in 17th line, "or transaction," and insert after the word "information," in line 20, Section 2, page 3, the word "recovery."

Mr. Boddie moved to table the motion to adopt the amendment, which prevailed.

Mr. Bowers moved the adoption of the following:

Strike out the word "shall," in 7th line, Section 3, page 3, and insert "may in the discretion of the court."

Mr. Boddie moved to table the motion to adopt the amendment, which prevailed.

Mr. Quin of Pike moved the adoption of the following:

Amend Section 6, on page 5, by striking out beginning with line number 9 to line 16, inclusive.

Mr. Boddie moved to table the motion to adopt the amendment, which prevailed.

Mr. White moved to strike out all of Section 7 from the bill.

Mr. Stubbs moved to table the motion to strike out, which prevailed.

Mr. White moved to strike out the words, "or by forfeiture of its charter in the discretion of the court," in lines 22 and 23 of Section 8, on page 6.

Mr. Boddie moved to table the motion to adopt, which prevailed.

Mr. Quin of Pike then moved to indefinitely postpone the bill as amended, and the call for the yeas and nays on the motion to indefinitely postpone being sustained, the motion was lost by the following vote:

Yeas — Messrs. Campbell, McAllister, Moss, Quin of Pike, Robbins, Sharkey, Stennis of Kemper, Webster—Total 8.

Nays—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Clayton, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Frazier, Galloway, Garraway, George, Gibson, Goff, Granberry, Groves, Ham, Hathorn, Hewes, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, McAfee, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Murphree, Neill, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Walker, White, Wilkins, Wren—Total 80.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Brooks, Brown of Adams, Burrus, Castleman, Causey, Cock, Coleman, Coody, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Gambrell, Gilfoxy, Haley, Harper, Heath, Hemp-

hill, Hill, Hubbard, Loper, Magee, Magruder, Mahon, McDaniel, Miller, Norment, Norton, Owen, Pace, Senter, Sharpe of Leake and Winston, Thompson, Underwood, Vollar, Wall and Mr. Speaker—Total 45.

Whereupon, on motion of Mr. Stennis of Lauderdale, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Clayton, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Evans, Ferguson, Ford, Frazier, Galloway, Garraway, Gibson, Goff, Granberry, Groves, Ham, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, McCafferty, McCuiston, Millsaps, Mitchell, Moore, Murphree, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Walker, Wilkins, Wren—Total 70.

Nays—Messrs. Broadus, Byrd, Campbell, Foster of Warren, George, Hathorn, Hewes, McAfee, McManus, Moss, Neill, Quin of Pike, Robbins, Sharkey, Stennis of Kemper, Webster, White—Total 17.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Brooks, Brown of Adams, Burrus, Castleman, Causey, Cock, Coleman, Coody, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Gambrell, Gilfoy, Haley, Harper, Heath, Hemphill, Hill, Hubbard, Loper, Magee, Magruder, Mahon, McAllister, McDaniel, Miller, Norment, Norton, Owen, Pace, Rouse, Senter, Sharpe of Leake and Winston, Thompson, Underwood, Vollar, Wall and Mr. Speaker—Total 46.

Mr. Quin of Wilkinson moved to reconsider the vote by which the bill was passed.

On motion of Mr. Kyle House Bill No. 28, To be entitled An Act to make an appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903, was, under the suspension of the rules, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Ellis, Evans, Ferguson, Ford, Foster of Warren, Frazier, Galloway, Garraway, George, Gibson, Goff, Granberry, Groves, Ham, Hat-

horn, Hewes, Hightower, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, McAfee, McCafferty, McCuiston, McManus, Mitchell, Moore, Moss, Murphree, Neill, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Robbins, Rouse, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 83.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Brooks, Burrus, Brown of Adams, Castleman, Causey, Cock, Coleman, Coody, Crum, Denton of Quitman, Dodds, Dudley, Edkins, Elmer, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Gambrell, Gilfof, Haley, Harper, Heath, Hemphill, Ham, Hubbard, Irby, Loper, Magee, Magruder, Mahon, McAllister, McDaniel, Miller, Millsaps, Norment, Norton, Owen, Pace, Quin of Pike, Reynolds, Senter, Sharpe of Leake and Winston, Thompson, Underwood, Vollor, and Wall—Total 50.

On motion of Mr. Thomas the House, at 5.30 P. M., adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

TWENTY-THIRD DAY.

SATURDAY, February 1, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. W. F. Yarbrough.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Gilfof, Granberry, Groves, Haley, Ham, Hathorn, Hewes, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss,

Murphree, Neill, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren—Total 94.

Those absent—Messrs. Allen, Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Edkins, Elmer, Foster of Claiborne, Gambrell, Goff, Harper, Heath, Hemphill, Hill, Hubbard, Long, Loper, Magee, Magruder, Mahon, McDaniel, Miller, Norment, Norton, Owen, Robbins, Senter, Underwood and Vollor—Total 39.

Leave of absence granted to Messrs. Long, Owen, Hubbard, Vollor, Robbins, Cock, Goff, Cox of Prentiss, Allen and Bowers.

On motion of Mr. Stubbs the reading of the journal of yesterday was dispensed with and the same stood approved.

The privileges of the House were extended to Hon. Geo. S. Dodds, of Louisiana.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 98, To authorize the city of West Point, Mississippi, to issue and negotiate bonds for the purpose of enlarging and equipping the public school building of said city of West Point.

S. B. No. 50, To cure defects in the issuance of certain town bonds of Oxford, Mississippi.

H. B. No. 100, To empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county site of said county from Mississippi City to Gulfport.

H. B. No. 95, To divide the County of Tallahatchie into two Circuit and Chancery Court Districts and to fix the jurisdiction of the courts, and to provide for holding same in each district, and to provide for the location of a county site in the Second District, and to provide for the building of a court house and jail therein, and for transcribing all muniments of title to lands lying within the Second District, and to provide for the payment of all expenses incurred in carrying out the provisions of this Act.

H. B. No. 86, To make an appropriation to pay A. W. Jones of Prentiss County balance on pension due him for the year 1899.

H. B. No. 83, for the relief of W. F. Gwin, ex-tax assessor of Webster County, so as to compensate him for assessing the

taxes for the year 1899, for which he received no compensation from the State.

The relief sought in each of the above bills can not be given in any court in this State, because no general law covers the difficulties mentioned, nor could a general law be applicable or advantageous, because the relief sought is curative, special and local in its nature. The title to each of the said bills is sufficient, the relief sought meritorious, and the committee recommends that each do pass.

Respectfully submitted,
W. A. ALCORN, JR., *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATION.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 18, To be entitled An Act to make an appropriation for the payment of the amount of money expended by the Trustees of the Agricultural and Mechanical College in excess of the appropriation made for the building and equipment of the Textile School at Starkville, Miss.

Title sufficient; bill do pass.

A. S. KYLE, *Chairman.*

INTRODUCTION OF BILLS.

By Mr. Garraway—

H. B. No. 102, To be entitled An Act to empower the Board of Supervisors of Perry County to order an election for the purpose of submitting to the qualified electors of said county the removal of the seat of justice of the First District of said county.

Read twice and referred to the Committee on Local and Private Legislation.

By Mr. Brown of Itawamba—

H. B. No. 103, To be entitled An Act to amend chapter 84 of the Acts of 1896, entitled An Act to amend Sections 2358, 2365, 2371 of the Annotated Code of 1892, so as to secure the selection of jurors from all parts of the county, and to repeal Section 2361 of said Code; also Section 2359 of the Annotated Code of 1892, and to provide for the appointment of grand jurors by the Board of Supervisors.

Read twice and referred to Committee on Judiciary.

SENATE BILLS REFERRED.

S. B. No. 10, To be entitled An Act to provide for the establishment of a permanent Branch Agricultural Experiment Station in Yazoo-Mississippi Delta, was read twice and referred to Committee on Agriculture.

S. B. No. 52, To be entitled An Act to appropriate money to defray the expenses incident to penitentiary affairs as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee, and of Sergeant-at-Arms for service of process issued by said committee, and compensation of stenographer employed by said committee, was read twice and referred to Committee on Appropriations.

S. C. R. No. 1, A concurrent resolution to amend Section 36 of the Constitution of the State of Mississippi, was read and referred to Committee on Constitution.

Mr. Smith of Greene moved the adoption of the following:

Resolved by the House, That the Sergeants-at-Arms be requested to enforce House Rule No. 16.

Adopted.

Mr. Mitchell offered a resolution expressing the thanks of the House of Representatives to the manufacturers and others who so liberally contributed to the machinery and equipment of the textile department of the Agricultural and Mechanical College.

The resolution was unanimously adopted.

Mr. Taylor called up House Concurrent Resolution as follows:

Resolved by the House, the Senate concurring, That a joint committee to be composed of three members of the House, to be appointed by the Speaker, and ——— members of the Senate, be and the same is hereby created for the purpose of inquiring into the causes attending the resignation of J. R. Stowers, Treasurer, and said committee is hereby instructed to ascertain the names of all persons who were connected with obtaining money from the State Treasurer, or out of the State treasury, otherwise than as directed by law, and that said committee shall have full power to send for persons and papers, and to administer oaths and employ a stenographer or clerk, and that said committee make report to this session of the Legislature the result of their investigation, and that all expenses of said committee be paid out of the contingent funds of the House and Senate.

Mr. Taylor moved the adoption of the resolution.

Mr. Dudley moved to recommit the resolution to the table subject to call.

Lost.

Recurring to the motion of Mr. Taylor to adopt the resolution, and the call for the yeas and nays being sustained, the resolution was adopted by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Clayton, Cooner, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Garraway, Gibson, Gilfoy, Granberry, Groves, Ham, Hewes, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, McCafferty.

McCuiston, McManus, Mitchell, Moore, Moss, Murphree, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Sharkey, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Walker, Wilkins, Wren—Total 67.

Nays—Messrs. Cox of Panola, Ferguson, George, Hathorn, Hightower, McAfee, Millsaps, Neill, Rouse, Sharpe of Leake and Winston, Shelby, Stennis of Kemper, Swinney, Turner, Wall, Webster, White—Total 17.

Absent and those not voting—Messrs. Allen, Alsworth, Bow-ers, Broadus, Brooks, Brown of Adams, Byrd, Campbell, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Goff, Haley, Harper, Heath, Hemphill, Hill, Hubbard, Long, Loper, Magee, Magruder, Mahon, McAllister, McDaniel, Miller, Norment, Norton, Owen, Pace, Quin of Pike, Robbins, Senter, Tucker, Underwood, Vol-lor and Mr. Speaker—Total 49.

Mr. Quin of Wilkinson, by unanimous consent, withdrew motion entered on yesterday to reconsider the vote by which House Bill No. 57, To be entitled An Act to secure the better enforcement of the anti-trust laws of this State by supplementary provisions more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties, and regulating the ownership and disposition of the property of corporations whose charters may be adjudged forfeited, was passed.

H. B. No. 61, To be entitled An Act to make an appropriation to defray the expenses of the Institute for the Deaf and Dumb, was considered.

Mr. Kyle moved the adoption of the substitute offered by the committee, which motion prevailed.

Whereupon, on motion of Mr. Kyle, the bill as amended by the adoption of the substitute was, under the suspension of the rules, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Hathorn, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene,

Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 86.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Byrd, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Goff, Haley, Ham, Harper, Heath, Hemphill, Hewes, Hill, Hubbard, Long, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McDaniel, Miller, Norment, Norton, Owen, Robbins, Senter, Underwood and Vollar—Total 47.

H. B. No. 82, To be entitled An Act to provide for the protection of the property of the State at the Capitol from damage or destruction by fire, and the appropriation of one thousand dollars for the year 1902 and one thousand dollars for the year 1903 for same, was considered.

On motion of Mr. Kyle, the substitute offered by the committee, the same number and title as the bill, was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended by the adoption of the substitute was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill as amended by the adoption of the substitute was passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Gilfoy, Granberry Groves, Hathorn, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 82.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Byrd, Castleman, Causey, Coody, Cock, Coleman, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Ferguson, Foster of Claiborne, Franklin of Lowndes, Gambrell, Goff, Haley, Ham, Harper, Heath, Hemphill, Hewes, Hill, Hubbard, Long, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McDaniel, Miller,

Norment, Norton, Owen, Pace, Robbins, Senter, Sharp of Lowndes, Stamps, Underwood and Vollar—Total 51.

H. B. No. 70, To be entitled An Act to appropriate from the pension funds returned to the treasury money to pay pensions to those whose applications were received after the distribution had been made to the counties by the Auditor, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gallo-way, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Hathorn, Hewes, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Thomas, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 81.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Broadus, Boddie, Brooks, Brown of Adams, Byrd, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Goff, Haley, Ham, Harper, Heath, Hemphill, Hill, Hubbard, Jones, King, Long, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McDaniel, Miller, Norment, Norton, Owen, Pace, Robbins, Senter, Stennis of Lauderdale, Swinney, Underwood and Vollar—Total 52.

H. B. No. 32, To be entitled An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903, and for other purposes, was considered.

On motion of Mr. Kyle the substitute proposed by the committee, with same title and number as that of the bill, was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended by the adoption of the substitute was considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall,

Frazier, Galloway, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Ham, Hathorn, Hewes, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, McCafferty, McCuiston, McManus, Mitchell, Moore, Moss, Murphree, Neill, Pace, Fermenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 85.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Goff, Haley, Harper, Heath, Hemphill, Hill, Hubbard, Jones, King, Long, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McDaniel, Miller, Millsaps, Norment, Norton, Owen, Robbins, Senter, Stennis of Lauderdale, Underwood and Vollor—Total 48.

H. B. No. 44, To be entitled An Act to pay for the legal services rendered the State in the suit of Warren County, et al. vs. E. H. Nall, Land Commissioner, was under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Garraway, George, Gibson, Granberry, Groves, Ham, Hathorn, Hewes, Hightower, Irby, Johnston of Yazoo, King, Kyle, Lamb, Langston, Longest, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Taylor, Thomas, Tucker, Wall, Walker, Webster, White, Wilkins, Mr. Speaker—Total 71.

Nays—Messrs. Stennis of Kemper, Stubbs, Turner—Total 3.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, Gilfoy, Goff, Haley, Harper, Heath, Hemphill, Hill, Hubbard, Johnston of Clarke, Jones, Long, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McDaniel, Miller, Norment, Norton, Owen, Pace, Robbins, Rouse, Senter, Sharpe of Leake

and Winston, Stennis of Lauderdale, Swinney, Thompson, Underwood, Vollar and Wren—Total 59.

H. B. No. 5, To be entitled An Act for the relief of Wade Pope, Tax Assessor of Lawrence County, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Groves, Ham, Hathorn, Hewes, Hightower, Johnston of Yazoo, King, Kyle, Lamb, Langston, Longest, McAfee, McCafferty, McManus, Mitchell, Moore, Moss, Murphree, Neill, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Thomas, Tucker, Turner, Walker, Webster, White, Wilkins, Mr. Speaker—Total 74.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Gilfooy, Goff, Granberry, Haley, Harper, Heath, Hemphill, Hill, Hubbard, Irby, Johnston of Clarke, Jones, Long, Loper, Magee, Magruder, Mahon, McAllister, McCuiston, McDaniel, Miller, Millsaps, Norment, Norton, Owen, Pace, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Stennis of Lauderdale, Swinney, Thompson, Underwood, Vollar, Wall and Wren—Total 59.

H. B. No. 98, To be entitled An Act to authorize the city of West Point, Mississippi, to issue and negotiate bonds for the purpose of enlarging and equipping the public school building of said city of West Point, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Groves, Ham, Hathorn, Hewes, Johnston of Yazoo, King, Kyle, Lamb, Langston, Longest, McAfee, McCafferty, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Permenter, Posey, Pyle, Quin of Pike, Quin of

Wilkinson, Ray, Reynolds, Rouse, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 77.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Gilfoy, Goff, Granberry, Haley, Harper, Heath, Hemphill, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Jones, Long, Loper, Magee, Magruder, Mahon, McAllister, McCuiston, McDaniel, Miller, Norment, Norton, Owen, Pace, Robbins, Senter, Sharpe of Leake and Winston, Stennis of Lauderdale, Thompson, Underwood, Vollar and Wall—Total 56.

H. B. No. 95, To be entitled An Act to divide the County of Tallahatchie into two Circuit and Chancery Court Districts, and to fix the jurisdiction of the courts, and to provide for holding same in each district, and to provide for the location of county site in the Second District thereof, and to provide for the building of a court house and jail therein, and for transcribing of all muniments of title to lands lying within the Second District of said county, and to provide for the payment of all expenses incurred in carrying out the provisions of this Act, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson of Tippah, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Groves, Ham, Hathorn, Hewes, Hightower, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Lamb, Langston, Longest, McAfee, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 78.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Doss, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Gilfoy, Goff, Granberry, Haley, Harper, Heath, Hemphill, Hill, Hubbard, Irby, Jones, Long, Loper,

Magee, Magruder, Mahon, McAllister, McDaniel, Miller, Norton, Norton, Owen, Pace, Quin of Pike, Reynolds, Robbins, Senter, Sharkey, Swinney, Thomas, Thompson, Underwood and Vollor—Total 56.

At 1 P. M., on motion of Mr. Longest, the House adjourned until Monday evening at 3 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

TWENTY-FOURTH DAY.

MONDAY, February 3, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Birmingham.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Anderson, Arnold, Birmingham, Boddie, Brittain, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Ellis, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoy, Granberry, Groves, Ham, Hathorn, Hemphill, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Langston, Longest, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Pace, Permenter, Posey, Pyle, Quin of Pike, Ray, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wilkins, Wren—Total 83.

Those absent — Messrs. Allen, Alsworth, Bennett, Bowers, Bradshaw, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Cock, Coleman, Coody, Cox of Prentiss, Crum, Dodds, Dudley, Eddins, Elmer, Evans, Foster of Claiborne, Foster of Warren, Gambrell, Garraway, Goff, Haley, Harper, Heath, Hewes, Hill, Hubbard, King, Lamb, Long, Loper, Magee, Magruder, Mahon, McDaniel, Miller, Murphree, Norton, Owen, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter and Swinney—Total 50.

Leave of absence granted to Messrs. Quin of Wilkinson, Murphree, Reynolds, Dudley, Lamb, King and Burrus.

On motion of Mr. George the reading of the journal of yesterday was dispensed with and the same stood approved.

By Mr. Stennis of Lauderdale—

H. B. No. 104, To be entitled **An Act to further provide for the management, maintenance and support of the penitentiary, to provide for the accounting of all receipts and disbursements thereof by the Auditor of Public Accounts, to require all moneys received on account of the penitentiary to be covered directly into the State treasury, and to provide for the support of the penitentiary by appropriations drawn from the general fund in the State treasury.**

Read twice and referred to Committee on Penitentiary.

S. B. No. 50, To be entitled **An Act to cure defects in the issuance of certain bonds of Oxford, was considered.**

Mr. Alcorn moved that the bill be placed on its final passage.

Mr. Boddie moved the previous question on the motion to place the bill on its final passage, which prevailed.

Whereupon, on motion of Mr. Alcorn, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Birmingham, Boddie, Brown of Adams, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Ellis, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gibson, Gilfoy, Granberry, Groves, Ham, Hathorn, Hemphill, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Langston, Longest, Magruder, McAfee, McCafferty, McCuiston, McManus, Millsaps, Moore, Moss, Neill, Norton, Pace, Permenter, Posey, Pyle, Quin of Pike, Ray, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stamps, Stennis of Kemper, Stubbs, Taylor, Thomas, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wilkins—Total 75.

Nays—Messrs. Brittain, George, Mitchell, Smith of Holmes, Smylie—Total 5.

Absent and those not voting—Messrs. Allen, Alsworth, Bennett, Bowers, Bradshaw, Broadus, Brooks, Burrus, Byrd, Castleman, Cock, Coleman, Coody, Cox of Prentiss, Crum, Dodds, Dudley, Eddins, Elmer, Evans, Foster of Claiborne, Foster of Warren, Gambrell, Garraway, Goff, Haley, Harper, Heath, Hewes, Hill, Hubbard, King, Lamb, Long, Loper, Magee, Mahon, McAllister, McDaniel, Miller, Murphree, Norment, Owen, Quin of Wilkinson, Reynolds, Robbins, Senter, Shelby, Stennis of Lauderdale, Swinney, Thompson, Wren and Mr. Speaker—Total 53.

H. B. No. 86, To be entitled An Act to make an appropriation to pay A. W. Jones, of Prentiss County, balance on pension due him for the year 1899, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Birmingham, Boddie, Brittain, Brown of Adams, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Ellis, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfof, Granberry, Groves, Ham, Hathorn, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, Longest, Magruder, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norton, Pace, Permenter, Posey, Pyle, Ray, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Mr. Speaker—Total 78.

Absent and those not voting—Messrs. Allen, Alsworth, Bennett, Bowers, Bradshaw, Broadus, Brooks, Burrus, Byrd, Castleman, Cock, Coleman, Coody, Cox of Prentiss, Crum, Dodds, Dudley, Eddins, Elmer, Evans, Foster of Claiborne, Foster of Warren, Gambrell, Garraway, Goff, Haley, Harper, Heath, Hewes, Hill, Hubbard, Irby, Jones, King, Lamb, Long, Loper, Magee, Mahon, McDaniel, Miller, Murphree, Norment, Owen, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Shelby, Swinney, Thomas, Thompson, and Wren—Total 55.

H. B. No. 83, To be entitled An Act for the relief of W. T. Gwin, ex-tax assessor of Webster County, so as to compensate him for assessing the taxes for the year 1899, for which he received no compensation from the State, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Birmingham, Boddie, Brittain, Brown of Adams, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cooner, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Ellis, Ferguson, Ford, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfof, Granberry, Groves, Ham, Hathorn, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, Longest, Magruder, McAfee, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moss, Neill, Norment, Norton, Pace,

Permenter, Posey, Pyle, Ray, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Mr. Speaker—Total 74.

Absent and those not voting—Messrs. Allen, Alsworth, Bennett, Bowers, Bradshaw, Broadus, Brooks, Burrus, Byrd, Castleman, Cock, Coleman, Coody, Crum, Dodds, Dudley, Eddins, Elmer, Evans, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, Goff, Haley, Harper, Heard, Hewes, Hill, Hubbard, Irby, Jones, King, Lamb, Long, Loper, Magee, Mahon, McAllister, McDaniel, Miller, Moore, Murphree, Owen, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Swinney, Thomas, Thompson and Wren—Total 59.

On motion of Mr. Sharkey H. B. No. 55, To be entitled An Act to provide for the incorporation of stock mutual insurance companies and the operation of the same, was made the special order for to-morrow morning at 11 o'clock.

INTRODUCED.

By Mr. Wall—

H. B. No. 105, To be entitled An Act creating Boards of Jury Commissioners, providing for the selection of grand and petit jurors, and for the dispersal of juries in certain cases.

Was read twice and referred to Committee on Judiciary.

On motion of Mr. George, at 5.10 P. M., the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

TWENTY-FIFTH DAY.

TUESDAY, February 4, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Brittain, Broadus, Brooks, Brown of Adams,

Brown of Itawamba, Burge, Burrus, Campbell, Causey, Clayton, Cock, Coleman, Cooner, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAlistier, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins—Total 110.

Those absent—Messrs. Alsworth, Bowers, Bradshaw, Byrd, Castleman, Coody, Cox of Prentiss, Dodds, Elmer, Foster of Claiborne, Foster of Warren, Garraway, Heath, Hewes, Hill, Hubbard, King, Long, McDaniel, Murphree, Owen, Swinney, and Wren—Total 23.

Leave of absence granted to Mr. Foster of Warren, and Mr. Wren.

On motion of Mr. Stubbs the reading of the journal of yesterday was dispensed with and the same stood approved.

On motion the privileges of the House were extended to Hon. W. S. Sheffield of Itawamba County and Hon. D. W. Heidleburg.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 36, To be entitled An Act to amend Chapter 215 of the Acts of 1896, authorizing the Mobile, Jackson & Kansas City Railroad Company to locate its railroad within the State of Mississippi.

H. B. No. 88, To be entitled An Act to appropriate from the pension funds returned to the State treasury \$475 to refund to C. L. Graham, Treasurer of Itawamba County, money paid out as pensions by mistake to persons whose applications were received after the distribution of the pension fund to the counties by the Auditor.

H. B. No. 102, To be entitled An Act to empower the Board of Supervisors of Perry County to order an election for the purpose of submitting to the qualified electors of said county the removal of the seat of justice of the First District of said county.

The relief sought in each of the above bills can not be obtained by any proceeding in court, because there is no general law covering the matters referred to, nor could a general law be applicable or advantageous. The relief sought in each is local in its nature and application. The bills are meritorious, the title to each is sufficient, and the committee recommends that each do pass.

Respectfully submitted,
W. A. ALCORN, JR., *Chairman.*

SENATE MESSAGE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 56, An Act to empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county from Mississippi City to Gulfport.

H. B. No. 85, An Act to authorize the city of Columbus to issue and sell bonds to build a new City Hall, complete sewerage plant, and erect a new school building.

JOHN Y. MURRY, JR., *Secretary.*

MINORITY REPORT.

MR. SPEAKER: I, the undersigned member of the Committee on Fisheries, Shipping and Commerce, beg to herewith file my dissenting opinion to that of the committee on Senate Bill No. 44, relative to catching and canning oysters in the State of Mississippi, for the following reasons:

1st. The bill in its present form does not meet the approval of ten per cent of the oyster men of the Gulf Coast; they favor an amendment to prohibit dredging of any kind in water of less depth than ten feet, and favor dredging of any kind in water over ten feet.

2d. While the bill provides to raise a revenue of two cents per barrel upon all oysters caught and canned within the State, it fails to provide for stamp measures to designate what shall constitute a barrel of oysters.

J. A. BROADUS.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill, and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

S. B. No. 5, An Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, for the establishment of certain

departments, to provide for elevators, and to provide for the erection of an industrial hall and a laundry, and for the remodeling of the chapel building, and for the repairs and equipment of the buildings of said institution during the years 1902 and 1903, and to provide for payment of same.

LOPER, *Chairman.*

Whereupon the Speaker declared all business of the House suspended while he signed the bill just reported by the Committee on Enrolled Bills, he calling the attention of the House thereto.

INTRODUCTION OF BILLS.

By Mr. Moore—

H. B. No. 106, To be entitled An Act to amend Section 4017 of the Annotated Code of 1892, relating to examinations of teachers.

Read twice and referred to Committee on Education.

By Mr. Stennis of Lauderdale—

H. B. No. 107, To be entitled An Act to raise revenue to suppress bucket shops and for other purposes.

Read twice and referred to Committee on Ways and Means.

S. B. No. 56, To be entitled An Act to empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county from Mississippi City to Gulfport.

Read twice and referred to Committee on Local and Private Legislation.

On motion of Mr. Ray, S. B. No. 27, To be entitled An Act to repeal Section 1575 of the Annotated Code of 1892, relating to granting of licenses to retail vinous, malt, alcoholic, intoxicating or spirituous liquors by Boards of Supervisors, and to amend Section 1576 of the Annotated Code of 1892, relating to granting of licenses to retail liquors by Boards of Mayor and Aldermen of cities, towns and villages, was made the special order for Thursday, February 13th, at 10 o'clock A. M.

The Speaker read the following telegram:

CANTON, MISS., February 2, 1902.

To Admiral W. S. Schley, Nashville, Tenn.

Reconsider if possible; select your date. People of Mississippi will gather around you as they would no other living American.

WILLIAM S. McALLISTER.

NASHVILLE, TENN., February 3, 1902.

Hon. Wm. S. McAllister, Jackson, Miss.

My engagements until end of April oblige me to defer coming to you now; later it may be possible. Will apprise you from Washington.

WM. S. SCHLEY.

H. B. No. 55, To be entitled An Act to provide for the incorporation of stock mutual insurance companies, and the operation of same, the special order for the day, was considered.

After some discussion, on motion of Mr. Crum, the bill was made the special order for Friday next, February 7th, at 10 o'clock A. M.

H. B. No. 16, To be entitled An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of the educable children of the State every two years, instead of every four years, was considered.

On motion of Mr. Stubbs, the committee amendment by way of a substitute, with same title and number, was adopted.

Whereupon, on motion of Mr. Stubbs, the rules were suspended, the bill considered engrossed, read the third time, and the yeas and nays were taken and the bill failed to pass by the following vote:

Yeas—Messrs. Allen, Arnold, Birmingham, Boddie, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Causey, Coody, Cox of Panola, Doss, Evans, Galloway, Groves, Hathorn, Hightower, Johnston of Clarke, Lamb, Langston, Longest, McCafferty, McCuiston, McManus, Mitchell, Permenter, Pyle, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Stamps, Stubbs, Thompson, Tucker, Walker, Webster, White, Wilkins—Total 44.

Nays—Messrs. Anderson, Bennett, Brittain, Campbell, Clayton, Coleman, Cooner, Crum, Crumpton, Denson, Denton of Lauderdale, Dudley, Eddins, Ellis, Ferguson, Ford, Franklin of Marshall, Frazier, Gambrell, George, Gibson, Gilfoy, Granberry, Ham, Harper, Hemphill, Johnston of Yazoo, Jones, Kyle, Loper, Magruder, Mahon, McAfee, Moore, Moss, Neill, Norment, Norton, Pace, Posey, Ray, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smylie, Stennis of Kemper, Stennis of Lauderdale, Taylor, Turner, Underwood, Wall—Total 53.

Absent and those not voting—Messrs. Alcorn, Alsworth, Bowers, Bradshaw, Byrd, Castleman, Cox of Prentiss, Denton of Quitman, Dodds, Elmer, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Garraway, Goff, Haley, Heath, Hewes, Hill, Hubbard, Irby, King, Long, Magee, McAllister, McDaniel, Miller, Millsaps, Murphree, Owen, Reynolds, Swinney, Thomas, Vollar, Wren and Mr. Speaker—Total 36.

Mr. Johnston of Yazoo moved to reconsider the vote by which the bill had failed to pass.

H. B. No. 14, To be entitled An Act to appropriate \$2,500 for the year 1902, and the same in the year 1903, for the Confederate Hospital Annex at Vicksburg, Mississippi, and to provide for the distribution of the same, was considered.

The committee moved to strike out of the bill "\$2,500 for the year 1903," and insert in lieu thereof "\$1,500," and strike out of

the title the words "and the same in," and insert in lieu thereof "\$1,500 for."

On motion of Mr. Kyle the amendments offered by the committee were adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended and the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Ellis, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Granberry, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Johnston of Yazoo, Jones, Kyle, Lamb, Longest, Loper, Maggee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Mr. Speaker—Total 98.

Absent and those not voting—Messrs. Alsworth, Bowers, Bradshaw, Byrd, Castleman, Cox of Prentiss, Dodds, Dudley, Elmer, Foster of Claiborne, Foster of Warren, Garraway, Gilfoxy, Goff, Haley, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, King, Langston, Long, McDaniel, Miller, Murphree, Owen, Reynolds, Rouse, Stennis of Kemper, Swinney, Thompson, Vollor and Wren—Total 35.

H. B. No. 46, To be entitled An Act making an appropriation for the equipment and support of a branch agricultural experiment station at McNeill, Mississippi, was considered.

The Committee on Appropriations offered the following:

Amend the bill by striking out "\$15,000 for the year 1902," and by inserting in lieu thereof "\$8,500," and strike out "\$10,000 for the year 1903," and insert in lieu thereof "\$5,000."

On motion of Mr. Kyle the amendments offered by the committee were adopted.

Mr. Hightower then moved the adoption of the following:

Add to Section 1 the words "The scope of the station shall be confined to experiments in agriculture, trucking and horticulture, and shall never be a station for experiments in live stock or expanded into a farm."

Mr. Stennis of Lauderdale moved to table the motion to adopt the amendment, which prevailed.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended considered engrossed, read the third time, and the yeas and nays being taken, the bill failed to pass for lack of the constitutional majority necessary to pass an appropriation bill by the following vote:

Yeas—Messrs. Alcorn, Allen, Brittain, Broadus, Brown of Adams, Burge, Campbell, Causey, Coody, Crumpton, Denson, Denton of Lauderdale, Doss, Evans, Frazier, George, Ham, Hathorn, Hightower, Johnston of Clarke, Jones, Kyle, Magee, Magruder, McManus, Millsaps, Mitchell, Moss, Norton, Quin of Wilkinson, Ray, Robbins, Rouse, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Thomas, Tucker, Underwood, Walker, Webster, White, Wilkins, Mr. Speaker—Total 49.

Nays—Messrs. Anderson, Arnold, Bennett, Birmingham, Brooks, Brown of Itawamba, Burrus, Clayton, Cock, Coleman, Cooner, Cox of Panola, Crum, Denton of Quitman, Dudley, Edkins, Ellis, Ferguson, Ford, Franklin of Marshall, Galloway, Gambrell, Gibson, Gilfoy, Granberry, Hemphill, Johnston of Yazoo, Lamb, Langston, Longest, Mahon, McAfee, McCafferty, McCuiston, Owen, Permenter, Posey, Pyle, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Kemper, Taylor, Turner, Wall—Total 45.

Absent and those not voting—Messrs. Alsworth, Boddie, Bowers, Bradshaw, Byrd, Castleman, Cox of Prentiss, Dodds, Elmer, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Garraway, Goff, Groves, Haley, Harper, Heath, Hewes, Hill, Hubbard, Irby, King, Long, Loper, McAllister, McDaniel, Miller, Moore, Murphree, Neill, Norment, Pace, Quin of Pike, Reynolds, Swinney, Thompson, Vollar and Wren—Total 39.

Mr. Senter moved to reconsider the vote by which the bill failed to pass.

On motion of Mr. Hemphill the House, at 1 P. M., adjourned until to-morrow morning at 11 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

TWENTY-SIXTH DAY.

WEDNESDAY, February 5, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. W. F. Yarbrough.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfof, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 119.

Those absent—Messrs. Alsworth, Castleman, Cox of Prentiss, Dodds, Foster of Claiborne, Goff, Heath, Hubbard, King, Long, McDaniel, Murphree, Shelby and Thompson—Total 14.

Leave of absence was granted to Mr. Shelby.

On motion of Mr. Stubbs the reading of the journal of yesterday was dispensed with and the same stood approved.

On motion of Mr. Alcorn the privileges of the House were extended to General T. C. Catchings of Vicksburg.

On motion of Mr. Cooner the privileges of the House were extended to Hon. A. J. Creedmore of Calhoun County.

On motion of Mr. Cock the privileges of the House were extended to Dr. N. M. Wood of Water Valley.

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have

instructed me to report it back with the following recommendations:

H. B. No. 107, Entitled An Act to raise revenue to suppress bucket shops and for other purposes.

Bill do pass as amended by committee; title sufficient.

E. N. THOMAS, *Chairman*.

REPORT OF COMMITTEE ON AGRICULTURE.

MR. SPEAKER: The Committee on Agriculture has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 99, To repeal Chapter 39 of the Acts of 1898, and Chapter 121 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channeling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands.

Title sufficient, and the bill do pass.

UNDERWOOD, *Chairman*.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States.

Title sufficient; do pass as amended.

H. B. No. 41, To be entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State Government, and to pay interest on the State debt.

Title sufficient; do pass as amended.

A. S. KYLE, *Chairman*.

REPORT OF COMMITTEE ON FEES AND SALARIES.

MR. SPEAKER: The Committee on Fees and Salaries has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 60, To be entitled An Act to amend Section 4387 of the Code of 1892 in relation to the salary of the porter for the Supreme Court so as to increase the same.

Title sufficient, and we recommend that the bill do pass.

HEWES, *Chairman*.

REPORT OF COMMITTEE ON PENSIONS.

MR. SPEAKER: The Committee on Pensions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 13, To be entitled An Act to provide a home to be supported by the State for indigent and dependent soldiers and sailors of the Confederacy.

Title sufficient, and bill do not pass.

SMITH of Greene, *Chairman*.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 56, To be entitled An Act to empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county from Mississippi City to Gulfport.

The relief sought in above bill can not be obtained by any proceeding in court because there is no general law covering it, nor would a general law be applicable or advantageous; the relief sought is local in its character; the bill is meritorious, the title is sufficient and the committee recommends that it do pass.

Respectfully submitted,

W. A. ALCORN, JR., *Chairman*.

SENATE MESSAGE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed the following entitled bill, which is herewith transmitted, to-wit:

S. B. No. 15, An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, for buildings and equipment needed.

And has concurred in House amendment to S. B. No. 5, An Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, to provide for elevators and for the erection of an industrial hall and laundry, and for the enlarging of the chapel building and for the repairs and equipment of the buildings of said institution during the years 1902 and 1903, etc.

JOHN Y. MURRY, JR., *Clerk*.

PROCLAMATION BY THE GOVERNOR.

WHEREAS, Section 36 of the Constitution of the State of Mississippi provides that the special sessions of the Legislature shall

not continue longer than thirty days unless the Governor, deeming the public interest to require it, shall extend the sitting, by proclamation in writing, to be sent to and entered upon the journals of each House, for a specific number of days, and then it may continue in session to the expiration of that time; and,

WHEREAS, It is manifest that the important business of the Legislature can not be completed within the time fixed by the Constitution, and deeming the public interest to require it, I do hereby issue this my

PROCLAMATION,

and transmit it to each House of the Legislature to be entered upon the journals thereof, and do hereby extend the sitting of the Legislature for a period of fifteen days, or until and including the 20th day of February, 1902.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Mississippi to be affixed.

Done at the Capitol, in the city of Jackson, this the 5th day of February, in the year of our Lord, 1902.

[SEAL]

A. H. LONGINO, *Governor.*

By the Governor:

JOSEPH W. POWER,
Secretary of State.

Mr. Taylor offered the following concurrent resolution:

WHEREAS, The grounds now occupied by the Institution for the education of the Deaf and Dumb of the State of Mississippi, are cramped and not well located for such a school; and,

WHEREAS, The buildings are inadequate, uncomfortable, without design or plan, and in every way unsuited for the purposes intended; therefore, be it

Resolved by the House, the Senate concurring, That the Board of Trustees and the Superintendent of said Institution are hereby directed to secure bids for the property, as a whole or divided into lots, now occupied by said Institution, to select a desirable site in the suburbs of the city of Jackson, with the lowest price at which such site can be purchased, and to submit plans for buildings that would be suitable and safe for a school for deaf children.

Resolved, further, That the said Board of Trustees and Superintendent are directed to make a full report as indicated above, with such recommendations as they deem proper, to the next Legislature.

Adopted.

INTRODUCTION OF BILLS.

By Mr. Millsaps—

H. B. No. 108, To be entitled An Act to authorize the issuance of State bonds for the purpose of completing the new State House and furnishing the same.

Read twice and referred to Committee on Ways and Means.

By Mr. Millsaps—

H. B. No. 109, To be entitled An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years 1902 and 1903.

Read twice and referred to Committee on Ways and Means.

By Mr. Kyle—

House Bill No. 110, To be entitled An Act to amend Section 921 of the Code of 1892 with reference to special judges and to require judges and Chancellors to sit anywhere in the State.

Read twice and referred to Committee on Judiciary.

By Mr. Brittain—

H. B. No. 111, To be entitled An Act to tax solvent securities and equalize taxation and increase the revenue of the State.

Read twice and referred to Committee on Ways and Means.

By Mr. Robbins—

H. B. No. 112, To be entitled An Act to appropriate money for the purpose of resupplying the wards of the State Charity Hospital at Vicksburg with beds and bed clothing.

Read twice and referred to Committee on Appropriations.

By Mr. Brown of Adams—

H. B. No. 113, To be entitled An Act to provide for the support and maintenance of the Natchez Hospital by appropriation.

Read twice and referred to Committee on Appropriations.

By Mr. Coleman—

H. B. No. 114, To be entitled An Act to authorize the Board of Supervisors of Leflore County to pay back to the Sixteenth Section fund money arising therefrom and used in the common school fund.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Thomas—

H. B. No. 115, To be entitled An Act to amend Sections 3885 and 3886 of the Code of 1892, and constituting the Railroad Commissioners assessors of telephone property in this State.

Read twice and referred to Committee on Ways and Means.

By Mr. Thomas—

H. B. No. 116, To be entitled An Act to amend Section 81 of Chapter 5, of the sheet Acts of 1898, and also to repeal the subsection in Section 1 of Chapter 42 of the sheet Acts of 1900, which provides for privilege taxation on telephone exchanges and long distance telephone.

Read twice and referred to Committee on Ways and Means.

By Mr. Crum—

H. B. No. 117, To be entitled An Act to apportion and redistrict the State of Mississippi into eight Congressional Districts and to provide for the election of a Congressman from each district.

Read twice and referred to Committee on Congressional Apportionment.

SENATE BILLS REFERRED.

S. B. No. 15, To be entitled An Act to make an appropriation for the University of Mississippi for the years 1902 and 1903, for buildings and equipment needed.

Read twice and referred to Committee on Appropriations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills, and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 84, An Act to authorize the city of Columbus to issue certain bonds to refund and pay off outstanding bonds heretofore issued to the Columbus, Fayette & Decatur Railroad, or bearer.

H. B. No. 85, An Act to authorize the city of Columbus to issue and sell bonds to build a new City Hall, complete sewerage plant and erect a new school building.

LOPER, *Chairman.*

Whereupon the Speaker declared all business of the House suspended while he signed the bills just reported by the Committee on Enrolled Bills, he calling the attention of the House thereto.

H. B. No. 99, To be entitled An Act to repeal Chapter 39 of the Acts of 1898, and Chapter 121 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channeling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands, was, on motion of Mr. Underwood, made the special order for Monday, February 10th, at 10 o'clock A. M.

The special order of the day, S. B. No. 44, To be entitled An Act to regulate the fishing and canning of oysters in the State of Mississippi and the improving and enlarging of oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898, was considered.

Mr. Broadus moved the adoption of the following:

Amend Section 28 by inserting in lieu thereof, that no vessel shall be permitted to dredge for oysters in water of less than ten feet in depth, and that all vessels be permitted to dredge for oysters in water ten feet in depth, and that the Board of Oyster Commissioners shall immediately upon taking charge of their offices have a survey made of all the oyster reefs in the waters of Mississippi, and designate all shallow reefs by placing buoys upon the reefs.

Mr. Elmer moved to table the motion to adopt the amendment, and the call for the yeas and nays being sustained, the motion was tabled by the following vote:

Yeas—Messrs. Alcorn, Anderson, Bennett, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Garraway, George, Gilfoy, Granberry, Groves, Haley, Hathorn, Hemphill, Hewes, Jones, Lamb, Langston, Long, Longest, Magee, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Millsaps, Moss, Neill, Norment, Pyle, Ray, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Holmes, Smylie, Stamps, Stubbs, Thomas, Turner, Underwood, Vollor, Wall, Webster, White, Mr. Speaker—Total 73.

Nays—Messrs. Arnold, Birmingham, Bradshaw, Broadus, Brooks, Coody, Cooner, Cox of Panola, Ellis, Ferguson, Frazier, Gibson, Ham, Johnston of Clarke, Johnston of Yazoo, Kyle, Loper, Mitchell, Moore, Norton, Owen, Pace, Permenter, Posey, Smith of Greene, Swinney, Walker, Wilkins—Total 28.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Burrus, Castleman, Cox of Prentiss, Crum, Crumpton, Dodds, Foster of Claiborne, Gambrell, Goff, Harper, Heath, Hightower, Hill, Hubbard, Irby, King, McAllister, McDaniel, Murphree, Quin of Pike, Quin of Wilkinson, Reynolds, Shelby, Stennis of Kemper, Stennis of Lauderdale, Taylor, Thompson, Tucker and Wren—Total 32.

Whereupon, on motion of Mr. Bowers, the rules were suspended, the bill read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Bennett, Birmingham, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Pace, Posey, Pyle, Ray, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 94.

Nays—Messrs. Broadus, Brooks, Ellis, Johnston of Yazoo, Permenter—Total 5.

Absent and those not voting—Messrs. Alsworth, Arnold, Boddie, Bradshaw, Burrus, Castleman, Cooner, Cox of Prentiss, Cox

of Panola, Crumpton, Dodds, Evans, Foster, of Claiborne, Frazier, Goff, Heath, Hubbard, Irby, Johnston of Clarke, King, Long, McAllister, McDaniel, Murphree, Owen, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Shelby, Smith of Greene, Stennis of Kemper, Taylor and Thompson—Total 34.

On motion of Mr. Stubbs the House, at 1.20 P. M., adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,

• Clerk of the House of Representatives.

TWENTY-SEVENTH DAY.

THURSDAY, February 6, 1902.

The House met pursuant to adjournment, Speaker *pro tem.* Sharp in the chair.

Prayer by Rev. F. L. McClure.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Coleman, Coody, Cooner, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wilkins, Wren—Total 120.

Those absent—Messrs. Alsworth, Boddie, Burrus, Castleman, Cox of Prentiss, Dodds, Foster of Claiborne, Goff, Heath, Long, McDaniel, Murphree and Taylor—Total 13.

Leave of absence granted to Messrs. Burrus and Boddie.

On motion of Mr. Frazier the reading of the journal of yesterday was dispensed with and the same stood approved.

H. B. No. 94, To be entitled An Act to provide for a co-operative system between the State of Mississippi and the several counties therein for a permanent improvement of the public highways in this State and for the proper maintenance thereof, the special order of the day, was considered.

On motion of Mr. Crum the consideration of the bill was postponed, and fixed as the special order for Saturday morning, February 8th, at 10 o'clock.

Mr. Stubbs called up the motion previously made to reconsider the vote by which H. B. No. 15, To be entitled An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of the educable children of the State every two years instead of every four years, had failed to pass.

The call for the yeas and nays on the motion to reconsider being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Bradshaw, Brown of Adams, Brown of Itawamba, Burge, Byrd, Clayton, Coody, Cox of Panola, Denson, Doss, Dudley, Elmer, Evans, Ferguson, Ford, Foster of Warren, Gambrell, Garraway, George, Groves, Haley, Harper, Hathorn, Hewes, Hightower, Hill, Johnston of Clarke, Jones, Kyle, Lamb, Loper, Magee, Magruder, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Norment, Permenter, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Stamps, Stubbs, Thompson, Tucker, Underwood, Walker, Webster, White, Wilkins—Total 67.

Nays—Messrs. Anderson, Arnold, Birmingham, Brittain, Brooks, Campbell, Cock, Coleman, Cooner, Crum, Crumpton, Denton of Lauderdale, Denton of Quitman, Eddins, Ellis, Franklin of Marshall, Frazier, Galloway, Gibson, Granberry, Johnston of Yazoo, Langston, Longest, Mahon, McAfee, Moore, Norton, Owen, Pace, Posey, Sharkey, Sharpe of Leake and Winston, Smylie, Stennis of Kemper, Stennis of Lauderdale, Swinney, Turner, Wren—Total 38.

Absent and those not voting—Messrs. Alsworth, Boddie, Bowers, Broadus, Burrus, Castleman, Causey, Cox of Prentiss, Dodds, Foster of Claiborne, Franklin of Lowndes, Gilfoxy, Goff, Ham, Heath, Hemphill, Hubbard, Irby, King, Long, McDaniel, Murphree, Robbins, Taylor, Thomas, Vollar, Wall and Mr. Speaker—Total 28.

Mr. George then moved that the motion by which the rules had been suspended and the bill placed on its final passage had been adopted be reconsidered, which motion prevailed.

Mr. George then moved to amend the bill by striking out the word "two," in line 4 of Section 1, and by inserting in lieu thereof

the word "four," and in last line of Section 2 strike out the word "two" and insert the word "four" in lieu thereof, and amend the title by striking out the words "every two years instead of every four years," and insert in lieu thereof "in 1902, and every four years thereafter."

The motion to adopt prevailed.

Mr. Coleman moved to strike out "1902" where the same occurs and insert in lieu thereof "1903."

On motion of Mr. George the motion to adopt the amendment made by Mr. Coleman was tabled.

Whereupon, on motion of Mr. Stubbs, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Birmingham, Bradshaw, Brown of Adams, Burge, Byrd, Campbell, Causey, Clayton, Coleman, Coody, Cox of Panola, Crum, Denson, Doss, Dudley, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, George, Gilfoy, Groves, Haley, Harper, Hathorn, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Loper, Magee, Magruder, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Pace, Permenter, Pyle, Quin of Pike, Ray, Reynolds, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Stamps, Stubbs, Thompson, Tucker, Underwood, Walker, Webster, White, Wilkins, Wren—Total 76.

Nays—Messrs. Anderson, Arnold, Brittain, Cock, Cooner, Crumpton, Denton of Lauderdale, Eddins, Ellis, Franklin of Marshall, Frazier, Galloway, Gibson, Granberry, Langston, Longest, Mahon, McAfee, Moore, Norton, Owen, Posey, Smylie, Stennis of Kemper, Stennis of Lauderdale, Swinney, Turner, Wall—Total 28.

Absent and those not voting—Messrs. Alsworth, Boddie, Bowers, Broadus, Brooks, Brown of Itawamba, Burrus, Castleman, Cox of Prentiss, Denton of Quitman, Dodds, Foster of Claiborne, Goff, Ham, Hemphill, Hubbard, Irby, King, Long, McDaniel, Murphree, Normont, Quin of Wilkinson, Robbins, Taylor, Thomas, Vollor and Mr. Speaker—Total 29.

Mr. Underwood in the chair.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 37, An Act to make appropriation to defray the expenses of the Institute for the Blind and for other purposes, with accompanying Senate amendment thereto.

S. B. No. 21, An Act to amend Section 3771 of the Annotated Code providing for the assessment of lands every four years for the purpose of raising revenue.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 108, To be entitled An Act to authorize the issuance of State bonds for the purpose of completing the new State House and furnishing the same.

Title sufficient, and the bill do pass.

H. B. No. 109, To be entitled An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years 1902 and 1903.

Title sufficient, and the bill do pass as amended.

E. N. THOMAS, *Chairman.*

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 97, To be entitled An Act to transfer from the Auditor's office and Land Commissioner's office to the office of the Clerks of the Chancery Court of the proper counties all deeds made by the tax collectors to the Board of Commissioners to liquidate outstanding liabilities incurred for levee purposes prior to the first day of January, 1862, and its successors.

Title sufficient and that the bill do pass.

H. B. No. 101, To be entitled An Act to amend Chapter 84 of the Laws of 1896, and to re-enact Section 1664 of the revised Code of 1880 in relation to the selection of grand juries.

Title sufficient and the bill do not pass.

H. B. No. 103, To be entitled An Act to amend Chapter 84 of the Acts of 1896, entitled An Act to amend Sections 2358, 2365, 2371 of the Annotated Code of 1892, so as to secure the selection from all parts of the county and to repeal Section 2361 of said Code, also Section 235 of the Annotated Code of 1892, and to provide for the appointment of grand jurors by the Board of Supervisors.

Title sufficient and the bill do not pass.

H. B. No. 105, To be entitled An Act creating Boards of Jury Commissioners, providing for the selection of grand and petit jurors and for the dispersal of juries in certain cases.

Title sufficient and the bill do not pass.

BOWERS, *Chairman.*

REPORT OF COMMITTEE ON CONGRESSIONAL APPORTIONMENT.

MR. SPEAKER: The Committee on Congressional Apportionment has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 117, To apportion and redistrict the State of Mississippi into eight Congressional Districts, and to provide for the election of a Congressman from each District.

Title sufficient; bill do pass.

H. B. No. 7, Same. Title sufficient; do not pass.

H. B. No. 13, Same. Title sufficient; do not pass.

H. B. No. 18, Same. Title sufficient; do not pass.

H. B. No. 21, Same. Title sufficient; do not pass.

H. B. No. 22, Same. Title sufficient; do not pass.

H. B. No. 39, Same. Title sufficient; do not pass.

H. B. No. 72, Same. Title sufficient; do not pass.

H. B. No. 81, Same. Title sufficient; do not pass.

MILLSAPS, *Chairman.*

REPORT OF COMMITTEE ON PENITENTIARY.

MR. SPEAKER: The Committee on Penitentiary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 30, An Act to provide for a reformatory prison for juvenile convicts, and recommend the title sufficient and the bill do pass.

FRANKLIN, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 52, To be entitled An Act to appropriate money to defray the expenses incident to penitentiary affairs as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee and of Sergeant-at-Arms for service of process issued by said committee, and compensation of stenographer employed by said committee.

Title sufficient; do pass as amended.

S. B. No. 15, To be entitled An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, for buildings and equipment needed.

Title sufficient; do pass as amended.

H. B. No. 112, To be entitled An Act to appropriate money for the purpose of supplying the wards of the State Charity Hospital at Vicksburg with beds and bed clothing.

Title sufficient; do pass.

A. S. KYLE, *Chairman.*

INTRODUCTION OF BILLS.

By Mr. Hill—

H. B. No. 118, To be entitled An Act to secure the proper assessment of money on hand, on deposit, or otherwise due the party assessed.

Read twice and referred to Committee on Ways and Means.

By Mr. Wren—

H. B. No. 119, To be entitled An Act to confer on Board of Mayor and Aldermen and Mayor and Councilmen of the several cities, towns and villages of this State power to pass ordinances providing for the punishment of all Acts which are offenses against the laws of this State and punishment thereunder when convicted within the corporate limits of such cities, towns and villages.

Read twice and referred to Committee on Judiciary.

By Mr. Coleman—

H. B. No. 120, To be entitled An Act to amend Section 613 of the Annotated Code, and also to amend Chapter 86 of the Laws of 1900 for the purpose of extending the time for holding terms of the Circuit Court in the Fourth Circuit Court District, and to provide for terms of the Circuit Court in the Second Circuit Court District of Tallahatchie County.

Read twice and referred to Committee on Judiciary.

By Mr. Coleman—

H. B. No. 121, To be entitled An Act to create the Eleventh Circuit Court District of Mississippi, and fix the time for holding courts therein.

Read twice and referred to Committee on Judiciary.

By Mr. Stennis of Lauderdale—

H. B. No. 122, To be entitled An Act to raise revenue by imposing a privilege tax on every person, firm or corporation who as a broker receives and transmits for the purchase or the sale for future delivery of any commodity or other things.

Read twice and referred to Committee on Ways and Means.

By Mr. Foster of Warren—

H. B. No. 123, To be entitled An Act to amend Section 313 of Chapter 17 of the Annotated Code of 1892, so as to authorize the Board of Supervisors to borrow from its County Treasurer, and to authorize said Treasurer to lend said Board out of any fund or funds in the treasury thereof not otherwise appropriated for the expenses of the current year, an amount of money not to exceed one hundred thousand dollars in one year.

Read twice and referred to Committee on Judiciary.

By Mr. Owen—

H. B. No. 124, To be entitled An Act to authorize and empower the Board of Supervisors of Tippah County to loan the Sixteenth Section or Chickasaw school fund, at an annual rate per cent interest to be fixed by said Board.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Broadus—

H. B. No. 125, To be entitled An Act to amend Section 2912 of the Code of 1892, relative to the limits and boundaries of municipalities.

Read twice and referred to Committee on Judiciary.

Mr. Brown of Adams moved the adoption of the following:

Resolved, That the Clerk of the House issue to the Hon. J. T. Senter, Chairman of the House Committee, a certificate for \$152.60, payable out of the contingent fund of the House in reimbursement of the amount expended by the House members of the Joint Legislative Committee to inspect and report upon the Natchez Hospital and State Charity Hospital at Vicksburg.

The motion to adopt prevailed.

Speaker *pro tem.* Sharp in the chair.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill, and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

S. B. No. 50, An Act to cure defects in the issuance of certain bonds of the town of Oxford.

FLOYD LOPER *Chairman.*

Whereupon, Speaker *pro tem.* Sharp declared all business of the House suspended while he signed the bill just reported by the Committee on Enrolled Bills, he calling the attention of the House thereto.

Mr. Underwood in the chair.

H. B. No. 37, To be entitled An Act to make appropriation to defray the expenses of the Institute for the Blind and for other purposes, as amended by the Senate, was considered.

Senate amendment reads as follows:

Amend by adding after the word "1903," in the eleventh line, second page, the words, "but they shall have their board and lodging at the Institution."

On motion of Mr. Kyle the amendment was concurred in by the following vote:

Yeas — Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Panola, Crum, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston,

Longest, Loper, Magee, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 101.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Bowers, Broadus, Brocks, Burrus, Castleman, Cox of Prentiss, Crumpton, Denton of Quitman, Dodds, Evans, Foster of Claiborne, Franklin of Lowndes, Goff, Heath, Hemphill, Hubbard, Irby, King, Long, McAllister, McDaniel, Miller, Moore, Murphree, Rouse, Taylor, Thomas, Thompson and Mr. Speaker—Total 32.

House Bill No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States, was considered.

The Committee on Appropriations offered the following amendment:

Add at the end of Section 1 of the bill the words, "And he is hereby directed to prorate the increase of five thousand dollars per year over the appropriation of 1900 among all pensioners per capita, including first, second and third classes."

Mr. Kyle moved the adoption of the amendment.

Mr. Crum moved to table the motion to adopt, which prevailed.

Whereupon, on motion of Mr. Smith of Greene, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Panola, Crum, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Harper, Hathorn, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Tucker,

Turner, Underwood, Wall, Walker, White, Wilkins, Wren—Total 97.

Absent and those not voting—Messrs. Alsworth, Boddie, Bowers, Brown of Adams, Burrus, Byrd, Castleman, Coleman, Cox of Prentiss, Crumpton, Denton of Quitman, Dodds, Dudley, Foster of Claiborne, Goff, Haley, Ham, Heath, Hemphill, Hubbard, Irby, Long, Mahon, McDaniel, Murphree, Quin of Pike, Senter, Sharp of Leake and Winston, Shelby, Stennis of Kemper, Taylor, Thomas, Thompson, Vollor, Webster and Mr. Speaker—Total 36.

At 1 P. M., on motion of Mr. Stennis of Lauderdale, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

TWENTY-EIGHTH DAY.

FRIDAY, February 7, 1902.

The House met pursuant to adjournment, Speaker *pro tem.* Sharpe in the chair.

Prayer by Representative Ferguson.

The roll being called the following members answered to their names:

Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garrawoy, George, Gibson, Gilfoxy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Vollor, Wall, Walker, White, Wilkins, Wren—Total 115.

Those absent—Messrs. Mr. Speaker, Alsworth, Boddie, Bowers, Broadus, Burrus, Castleman, Foster of Claiborne, Goff, Hemphill, Hubbard, Irby, McDaniel, Murphree, Thompson, and Webster—Total 16.

Leave of absence granted to Messrs. Webster and Burrus.

On motion of Mr. Crum the reading of the journal of yesterday was dispensed with and the same stood approved.

H. B. No. 97, To be entitled An Act to transfer from the Auditor's office and Land Commissioner's office to the offices of Clerks of the Chancery Courts of the proper counties all deeds made by the tax collectors to the Board of Commissioners to liquidate outstanding liabilities incurred for levee purposes prior to first day of January, 1862, and its successors, was considered.

On motion of Mr. Neill the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, McAfee, McCafferty, McCuiston, McManus, Miller, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, White, Wilkins, Wren—Total 101.

Absent and those not voting—Messrs. Alcorn, Alsworth, Bowers, Broadus, Brown of Adams, Burrus, Castleman, Clayton, Coody, Denton of Quitman, Dudley, Eddins, Foster of Claiborne, Franklin of Lowndes, Goff, Haley, Hubbard, Irby, Long, Mahon, McAllister, McDaniel, Millsaps, Murphree, Quin of Pike, Rouse, Shelby, Smith of Holmes, Thompson, Vollar, Webster, and Mr. Speaker—Total 32.

By unanimous consent of the House the Clerk carried the bill just passed to the Senate at once.

H. B. No. 112, To be entitled An Act to appropriate money for the purpose of resupplying the wards of the State, Charity Hospital at Vicksburg with beds and bed clothing, was, under the suspension of the rules, on motion of Mr. Robbins, considered engrossed, read the third time, and agreeably to the provi-

sions of the Constitution, the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Arnold, Bennett, Bradshaw, Brittain, Burge, Byrd, Campbell, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Denton of Lauderdale, Eddins, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Granberry, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hill, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McAfee, McManus, Miller, Millsaps, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Sharkey, Shelby, Smylie, Stamps, Stennis of Lauderdale, Thomas, Tucker, Turner, Underwood, Vollar, Wall, White, Wren—Total 77.

Nays—Messrs. Brooks, Brown of Itawamba, Causey, Clayton, Crumpton, Dodds, Doss, Ellis, Ford, Gilfooy, Magee, McCafferty, Mitchell, Permenter, Posey, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stubbs, Swinney, Walker, Wilkins—Total 22.

Absent and those not voting—Messrs. Alcorn, Allen, Alsworth, Anderson, Birmingham, Boddie, Bowers, Broadus, Brown of Adams, Burrus, Castleman, Denson, Denton of Quitman, Dudley, Foster of Claiborne, Gibson, Goff, Haley, Hightower, Hubbard, Irby, Johnston of Clarke, Long, McAllister, McCuiston, McDaniel, Murphree, Ray, Sharp of Lowndes, Smith of Holmes, Taylor, Thompson, Webster and Mr. Speaker—Total 34.

Mr. Bennett in the chair.

H. B. No. 55, To be entitled An Act to provide for the incorporation of stock mutual insurance companies and the operation of the same, the special order of the day, was taken up for consideration, and on motion of Mr. Coleman the bill was indefinitely postponed.

On motion of Mr. Senter H. B. No. 53, To be entitled An Act to aid, assist, and encourage the organization of the Mississippi National Guard, and for their efficient support and maintenance, as contemplated in Section 221 of the Constitution of the State of Mississippi, was made the special order for Wednesday next at 10 o'clock A. M.

SENATE BILLS REFERRED.

S. B. No. 21, To be entitled An Act to amend Section 3771 of the Annotated Code, providing for the assessment of lands every four years for the purpose of raising revenue, was read twice and referred to Committee on Ways and Means.

Mr. Allen in the chair.

H. B. No. 41, To be entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government and to pay interest on the State debt, was considered.

Committee on Appropriations offered the following amendment:

Strike out item in lines 31 and 32, page 4, and insert the following: "For summer Normal, 1902, \$5,000; for summer Normal, 1903, \$5,000, provided no money is received from Peabody fund, but if Peabody fund is received as heretofore, then \$2,500 for the year 1902, and \$2,500 for the year 1903."

Adopted.

Mr. Hightower offered the following:

Amend by striking out the following paragraphs: "A. and M. College land interest for 1902 and 1903, \$16,841.42."

"Interest on seminary fund, 1902, \$40,723.76, and same amount for 1903."

"Alcorn College, land interest for 1902 and 1903, \$11,555.54."

"Interest on agricultural land script fund, 1902, \$12,729, and same for 1903."

"Industrial Institute and College land interest for 1902 and 1903, \$18,778.64."

On motion of Mr. Kyle the amendments were adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Johnston of Clarke, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Tucker, Turner, Underwood, Vollar, Wall, Walker, White, Wilkins, Wren—Total 104.

Absent and those not voting—Messrs. Alsworth, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Dudley, Eddins, Foster of Claiborne, Franklin of Lowndes, Ham, Hubbard, Irby, Johnston of Yazoo, Jones, King, McAllister, McDaniel, Miller, Murphree, Shelby, Taylor, Thompson, Webster and Mr. Speaker—Total 29.

Speaker *pro tem.* Sharp in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 7, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the following resolution, viz.:

S. C. R. No. —, Extending an invitation to Mrs. Jefferson Davis to visit the Legislature, and providing a joint committee for her reception, and has named as said committee on the part of the Senate Messrs. Noel, Moore, Cayce, Bailey and Falkner.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON PENITENTIARY.

MR. SPEAKER: The Committee on Penitentiary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 104, A bill to be entitled An Act to further provide for the management, maintenance and support of the penitentiary, to provide for the accounting of all receipts and disbursements thereof by the Auditor of Public Accounts, to require all moneys received on account of the penitentiary to be covered directly in the State treasury, and to provide for the support of the penitentiary by appropriation from the general fund in the State treasury.

Title sufficient, and the bill do pass.

FRANKLIN, *Chairman.*

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 36, To be entitled An Act to require the several State officials hereinafter named to make guarantee or surety bonds, and to fix the penalty of the same, and to provide for the payment of the premiums of such bonds out of the State treasury, and to repeal all laws in conflict herewith.

Title sufficient, and the bill do pass as amended.

S. B. No. 12, To be entitled An Act to provide for a collateral inheritance and succession tax.

Title sufficient, and the bill do not pass.

H. B. No. 123, To be entitled An Act to amend Section 213 of Chapter 17, of the Annotated Code of 1892, so as to authorize the Board of Supervisors to borrow from its county Treasurer, and to authorize said Treasurer to lend said Board out of any fund or funds in the treasury thereof, not otherwise appropriated for the expenses of the current year, an amount of money not to exceed one hundred thousand dollars in any one year.

Title sufficient and the bill do pass.

BOWERS, *Chairman.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 92, To be entitled An Act to provide for the assessment and taxation for county purposes only of all revenue-bearing real and personal property belonging to the State, and actually used or employed for profit.

Title sufficient and the bill do pass as amended.

H. B. No. 122, To be entitled An Act to raise revenue by imposing a privilege tax on every person, firm or corporation who as a broker receives and transmits orders for the purchase or the sale for future delivery of any commodity or other things.

Title sufficient, and the bill do pass.

THOMAS, *Chairman*.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 3, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that H. B. No. 255, An Act to amend Section 1 of an Act approved February 10, 1894, entitled "An Act to quiet titles to lands in the Yazoo Delta held under conveyances from the Liquidating Levee Commissioners," so as to extend the time for obtaining the deed therein mentioned, has become a law by the operation of Section 72 of the State Constitution.

Respectfully,

J. J. COMAN, *Private Secretary*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 6, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor, to inform the House of Representatives that he has this day approved the following entitled bills, to-wit:

H. B. No. 84, An Act to authorize the city of Columbus to issue certain bonds to refund and pay off outstanding bonds heretofore issued to the Columbus, Fayette & Decatur Railroad, or bearer.

H. B. No. 85, An Act to authorize the city of Columbus to issue and sell bonds to build a new City Hall, complete sewerage plant, and erect a new school building.

Very respectfully,

J. J. COMAN, *Private Secretary*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 5, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as your wisdom may approve the following subjects, to-wit:

An Act to amend Section 2912 of the Annotated Code of 1892, relative to the limits and boundaries of municipalities.

An Act to confer on the Board of Mayor and Aldermen and Mayor and Councilmen of the several cities, towns and villages of this State power to pass ordinances providing for the punishment of all acts which are offenses against the laws of this State and punishment thereunder, when convicted within the corporate limits of such cities, towns and villages.

An Act to authorize Boards of Supervisors to hire laborers to work on county farms being worked by convicts in certain cases of necessity.

An Act to authorize the Board of Supervisors of Yazoo County to transfer from the special road fund of said county to the general fund of said county the sum of \$6,461.39.

An Act to authorize the Board of Supervisors of Simpson County to invest its court house and jail fund.

An Act to authorize the Board of Supervisors of Leflore County to pay back to the Sixteenth Section funds money arising therefrom and used in the common school fund.

An Act to validate contracts void for non-payment of the required privilege tax on certain states of cases.

An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties, and to abandon a part of the line so acquired, and also a portion of its own line in Leflore County.

An Act to amend Section 4043 of the Code of 1892 so as to permit County School Boards to open winter schools earlier than the first Monday in November, and summer schools earlier than the first Monday in May.

An Act to authorize and empower the Board of Supervisors of Tippah County to loan the Sixteenth Section or Chickasaw school fund to the common school fund, to the common county fund at an annual rate per cent interest to be fixed by said Board.

An Act to amend Section 1300 of the Annotated Code of 1892 in regard to injury to telegraph lines so as to make the provisions of said section apply to telephone lines.

Respectfully,

A. H. LONGINO, *Governor.*

On motion of Mr. George the House concurred in the adoption of Senate Concurrent Resolution No. 13, extending an invitation to Mrs. Jefferson Davis to visit the Legislature, and pro-

vided a joint committee for her reception, and placed the number of the committee on part of the House at five, and the Speaker named as members of said committee Messrs. Brooks, Owen, Neill, Cock and Moore.

H. B. No. 80, To be entitled An Act making an appropriation for the payment of fees due Critz & Beckett for legal services rendered the State in injunction suits against the Railroad Commission, was considered.

Mr. Frazier moved to strike out "\$1,000" where same occurs in the bill and insert in lieu thereof "\$250."

Mr. Thomas moved to table the motion to adopt the amendment, and the call for the yeas and nays on the motion to table being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Bennett, Birmingham, Brittain, Brown of Adams, Brown of Itawamba, Byrd, Clayton, Cock, Coody, Cox of Prentiss, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Ferguson, Ford, Foster of Warren, Gambrell, Garraway, George, Gilfoy, Haley, Harper, Hemphill, Hewes, Hill, King, Lamb, Magee, Magruder, Mahon, McAfee, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Norment, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Smith of Holmes, Stamps, Stennis of Lauderdale, Swinney, Thomas, Tucker, Vollar, Wall, White—Total 57.

Nays—Messrs. Anderson, Arnold, Bradshaw, Burge, Campbell, Causey, Cooner, Cox of Panola, Eddins, Ellis, Elmer, Franklin of Marshall, Frazier, Galloway, Gibson, Granberry, Hathorn, Heath, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, Long, Longest, Loper, McCafferty, McCuiston, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Ray, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stennis of Kemper, Stubbs, Turner, Underwood, Walker, Wilkins, Wren—Total 48.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Bowers, Broadus, Brooks, Burrus, Castleman, Coleman, Dudley, Evans, Foster of Claiborne, Franklin of Lowndes, Goff, Groves, Ham, Hubbard, Irby, Jones, McAllister, McDaniel, Moore, Murphree, Shelby, Taylor, Thompson, Webster and Mr. Speaker—Total 28.

Mr. Gambrell then moved to strike out "one thousand dollars" where same occurred in the bill and insert in lieu thereof "five hundred dollars," and on motion of Mr. Gambrell, the amendment was adopted.

Whereupon, on motion of Mr. Millsaps, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Brown of Adams, Brown of Ita-

wamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Tucker, Turner, Underwood, Vollar, Wall, Walker, White, Wren—Total 100.

Nays—Messrs. Johnston of Clarke, Johnston of Yazoo, Stennis of Kemper, Stubbs, Wilkins—Total 5.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Bowers, Broadus, Brooks, Burrows, Castleman, Coleman, Dudley, Evans, Foster of Claiborne, Goff, Groves, Ham, Hubbard, Irby, Jones, McAllister, McDaniel, Murphree, Sharkey, Shelby, Stennis of Lauderdale, Taylor, Thompson, Webster and Mr. Speaker—Total 28.

Mr. Arnold in the chair.

H. B. No. 102, To be entitled An Act to empower the Board of Supervisors of Perry County to order an election for the purpose of submitting to the qualified electors of said county the removal of the seat of justice of the First District of said county, was under the suspension of the rules, on motion of Mr. Garraway, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Johnston of Yazoo, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McCafferty, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Tucker, Turner, Underwood, Vollar, Wall, Walker, White, Wilkins, Wren—Total 93.

Absent and those not voting—Messrs. Allen, Alsworth, Bod-

die, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Dudley, Evans, Foster of Claiborne, Franklin of Lowndes, Goff, Groves, Haley, Ham, Harper, Hubbard, Irby, Johnston of Clarke, Jones, Magee, McAllister, McCuiston, McDaniel, Miller, Murphree, Norment, Quin of Pike, Senter, Sharkey, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Taylor, Thompson, Webster and Mr. Speaker—Total 40.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 7, 1902.

To the Legislature of Mississippi.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to appropriate money to aid the city of Jackson in paving Capitol and State Streets in front of the State Capitol and the Governor's Mansion.

An Act to authorize the Board of Supervisors of Oktibbeha County to lend surplus funds in treasury of said county upon such securities as the Legislature may require.

An Act to better provide for the disposition of escheated estates.

An Act making an appropriation for a geological survey of the State under the direction and supervision of the State University and the Agricultural and Mechanical College in such manner as the Legislature in its wisdom may see proper to provide.

Respectfully,

A. H. LONGINO, *Governor.*

Senate Bill No. 56, To be entitled An Act to empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county from Mississippi City to Gulfport, was considered.

On motion of Mr. Alcorn the rules were suspended, the bill read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Johnston of Yazoo, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McCafferty, McManus, Millsaps,

Mitchell, Moore, Moss, Neill, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Tucker, Turner, Underwood, Vollar, Wall, Walker, White, Wilkins, Wren—Total 93.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Dudley, Evans, Foster of Claiborne, Franklin of Lowndes, Goff, Groves, Haley, Ham, Harper, Hubbard, Irby, Johnston of Clarke, Jones, Magee, McAllister, McCuiston, McDaniel, Miller, Murphree, Norment, Quin of Pike, Senter, Sharkey, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Taylor, Thompson, Webster and Mr. Speaker—Total 40.

INTRODUCTION OF BILLS.

By Mr. Reynolds—

H. B. No. 126, To be entitled an Act to amend section 4043 of chapter 87 of the Annotated Code of 1892, so that the County School Board of Education may open the winter term as early as the first Monday in October, and the summer term as early as the first Monday in April.

Read twice and referred to the Committee on Education.

By Mr. George—

H. B. No. 127, To be entitled An Act to authorize the Board of Supervisors of Yazoo County to transfer from the special road fund of said County the sum of \$6,461.39.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Coody—

H. B. No. 128, To be entitled An Act to amend Section 1300 of the Annotated Code of 1892, in regard to injury to telegraph lines, so as to make the provisions of said section apply to telephone lines.

Read twice and referred to Committee on Judiciary.

By Mr. Smith of Greene—

H. B. No. 129, To be entitled an Act to make an appropriation to reclaim public lands fraudulently purchased in this State and to provide for its disbursement.

Read twice and referred to Committee on Appropriations.

By Mr. Doss—

H. B. No. 130, To be entitled An Act to authorize and require the Board of Control of the State penitentiary to supply convict labor and teams for the purpose of grading the new Capitol grounds.

Read twice and referred to the Committee on Penitentiary.

By Mr. Doss—

H. B. No. 131, To be entitled An Act to increase the revenues of the State by recovering lands unlawfully purchased from the

State, and to provide an appropriation for that purpose and to direct its disbursement.

Read twice and referred to Committee on Ways and Means.

By Mr. Robbins—

H. B. No. 132, To be entitled An Act to amend Section 3757 of the Annotated Code of Mississippi, so as to exempt from taxation money loaned and other securities bearing a rate of interest not exceeding six per cent per annum, and to provide for assessment of solvent credits.

Read twice and referred to Committee on Judiciary.

By Mr. Sharkey—

H. B. No. 133, To be entitled An Act appropriating money to aid the city of Jackson in paving Capitol and State Streets in front of the Capitol and the Governor's Mansion.

Read twice and referred to Committee on Appropriations.

By Mr. Crum—

H. B. No. 134, To be entitled An Act to amend Section 3264, Annotated Code of 1892, so as to prohibit any person voting in a party primary election or participating in a party convention except legally qualified voters, and to regulate the time of holding such elections and conventions.

Read twice and referred to Committee on Judiciary.

On motion of Mr. Millsaps H. B. No. 117, To be entitled An Act to apportion and redistrict the State of Mississippi into eight Congressional Districts, and provide for the election of a Congressman from each District, was fixed as special order for Monday next.

Mr. George moved that three hundred copies of the bill be printed for the use of members, which motion was lost.

On motion of Mr. Cox the resolutions reported by the Committee on Constitution were made the special order for Saturday.

Mr. Sharp of Lowndes in the chair.

A resolution offered by Mr. McAllister, in favor of a unity of interest of the Northern and Southern Democrats, was on motion of Mr. McAllister, ordered to lie on the table subject to call. Mr. Sharkey called up resolution in regard to afternoon sessions of the House, offered yesterday, as follows:

WHEREAS, Only thirteen days are left for the work of the session as extended by the Governor, and many bills favorably reported by the various committees of the House, and several bills that have passed the Senate and should be considered by the House at an early date; therefore, be it

Resolved, That the sessions of the House will continue into evening sessions after this day until all bills on the calendar are brought before the House, and that the sessions begin at ten o'clock A. M.

On motion of Mr. Underwood the motion to adopt the resolution was tabled.

Mr. Foster of Warren offered the following:

Resolved, That all members of the House of Representatives who are not present and voting upon the final passage of any bill, who have not been granted leave of absence on account of sickness shall not receive their per diem for that day.

On motion of Mr. Thomas the motion to adopt the resolution was tabled.

At 1 o'clock P. M. the House, on motion of Mr. Thomas, adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

TWENTY-NINTH DAY.

SATURDAY, February 8, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. W. C. Whitaker.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Anderson, Arnold, Bennett, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denton, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Thompson, Tucker, Turner, Wall, Walker, Wilkins, Wren—Total 109.

Those absent—Messrs. Allen, Alsworth, Birmingham, Boddie, Bowers, Burrus, Castleman, Foster of Claiborne, Goff, Hubbard, Irby, McDaniel, Murphree, Neill, Norton, Robbins, Senter, Shel-

by, Stennis of Lauderdale, Taylor, Underwood, Vollar, Webster, and White—Total 24.

Leave of absence granted to Messrs. Birmingham, White, Shelby, Allen and Stennis of Lauderdale.

On motion of Mr. Stubbs the reading of the journal of yesterday was dispensed with and the same stood approved.

H. B. No. 94, To be entitled An Act to provide for a co-operative system between the State of Mississippi and the several counties therein for the permanent improvement of the public highways in this State, and for the proper maintenance thereof, the special order of the day, was called up for consideration.

On motion of Mr. Alcorn the bill was recommitted to the Committee on Roads, Ferries and Bridges.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 113, To be entitled An Act to provide for the support and maintenance of the Natchez Hospital by appropriation. Title sufficient; do pass as amended.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER: The Committee on Education has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 77, To be entitled An Act to amend Section 4043 of the Annotated Code of 1892, so that County School Boards of Education may open the winter term as early as the first Monday in October, and the summer term as early as the first Monday in April.

Title sufficient, and bill do not pass.

H. B. No. 78, To be entitled An Act to amend Section 4043 of the Annotated Code of 1892, so as to change the time for the opening of the winter and summer schools.

Title sufficient, and bill do pass.

H. B. No. 126, To be entitled An Act to amend Section 4043 of Chapter 87 of Annotated Code of 1892, so that the County School Board of Education may open the winter term as early as the first Monday in October, and the summer term as early as the first Monday in April.

Title sufficient, and bill do not pass.

HILL, *Chairman.*

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 119, To be entitled An Act to confer on the Board of Mayor and Aldermen and Mayor and Councilmen of the several cities, towns and villages of this State power to pass ordinances providing for the punishment of all acts which are offenses against the laws of this State and punishment thereunder when convicted within the corporate limits of such cities, towns and villages.

Title sufficient, and the bill do not pass.

H. B. No. 128, To be entitled An Act to amend Section 1300 of the Annotated Code of 1892, in regard to injury to telegraph lines, so as to make the provisions of said section apply to telephone lines.

Title sufficient, and the bill do pass.

BOWERS, *Chairman.*

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 114, To be entitled An Act to authorize the Board of Supervisors of Leflore County to pay back to the Sixteenth Section fund money arising therefrom and used in the common school fund.

H. B. No. 124, To be entitled An Act to authorize and empower the Board of Supervisors of Tippah County to loan the Sixteenth Section or Chickasaw school fund to the common county fund at an annual rate per cent interest to be fixed by said Board.

H. B. No. 127, To be entitled An Act to authorize the Board of Supervisors of Yazoo County to transfer from the special road fund of said county the sum of \$6,461.39 to the general fund of said county.

The relief sought in each of the above bills can not be obtained by a proceeding in court, because there is no law covering the matters referred to, nor would a general law be applicable or advantageous. The relief sought in each is local in its nature and application, the title to each bill is sufficient, the bills are meritorious and the committee recommends that each do pass.

Respectfully submitted,

W. A. ALCORN, JR., *Chairman.*

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 8, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 28, An Act to make an appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903.

S. B. No. 58, An Act to provide for the appointment of an Assistant Attorney General and to prescribe his qualifications, duties and compensation.

S. B. No. 59, An Act to amend Section 3952 of the Annotated Code of 1892 relative to salaries, and also an Act to amend said Section of said Code so far as same relates to the salary of Governor's Private Secretary, etc., being Chapter 38 of the sheet Acts of 1900, approved March 10, 1900, so as to increase the salary of the Governor from thirty-five hundred to five thousand dollars, and the salary of each of the Supreme Judges from thirty-five hundred to five thousand dollars.

And has adopted S. J. R. No. 3, Memorializing the Congress of the United States to appropriate money to deepen and complete the Ship Island Harbor.

H. B. No. 95, An Act to divide the County of Tallahatchie into two Circuit and Chancery Court Districts and to fix the jurisdiction of the courts, and to provide for holding same in each District, and to provide for the location of a county site in the Second District thereof, and to provide for the building of a court house and jail therein, and for transcribing of all muniments of title to lands lying within the Second District of said county, and to provide for the payment of all expenses incurred in carrying out the provisions of this Act.

JOHN Y. MURRY, JR., *Secretary.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 8, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subjects, to-wit:

An Act to empower the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the question of the removal of the seat of justice.

An Act to authorize and empower the Mayor and Board of Aldermen of the city of Holly Springs, Mississippi, to loan annually on good and sufficient security the sinking fund provided by them for the payment of certain bonds issued to establish an electric light plant and waterworks system, until the maturity thereof, or until they have the option of paying said bonds.

An Act to appropriate money for the completion and furnishing of the new State House, and for beautifying the grounds thereof, and for the removal of the State's officials, archives and property to the said new State House.

Respectfully,

A. H. LONGINO, *Governor.*

INTRODUCTION OF BILLS.

By Mr. Denton of Lauderdale—

H. B. No. 135, To be entitled An Act to provide for the construction of macadamized roads.

Read twice and referred to Committee on Roads, Ferries and Bridges.

By Mr. Evans—

H. B. No. 136, To be entitled An Act to provide for the payment of the premiums on the bonds of the several State officials.

Read twice and referred to Committee on Appropriations.

By Mr. Magruder—

H. B. No. 137, To be entitled An Act to amend Section 2013 of the Annotated Code of 1892, in reference to surveyor's fees, and to increase their pay.

Read twice and referred to Committee on Fees and Salaries.

By Mr. Norment—

H. B. No. 138, To be entitled An Act making an appropriation for a geological survey of the State under the direction and supervision of the State University and the Mississippi Agricultural and Mechanical College.

Read twice and referred to the Committee on Appropriations.

By Mr. Miller—

H. B. No. 139, To be entitled An Act for the relief of J. W. Duke.

Read twice and referred to the Committee on Local and Private Legislation.

By Mr. Mahon—

H. B. No. 140, To be entitled An Act to authorize and empower the Mayor and Board of Aldermen of the city of Holly Springs, Mississippi, to loan annually on good and sufficient security the sinking fund provided by them for the payment of certain bonds issued to establish an electric light plant and water-works system until the maturity thereof, or until they have the option of paying said bonds.

Read twice and referred to the Committee on Local and Private Legislation.

To the Senate and House of Representatives of Mississippi.

We, your joint committee appointed to visit the Hospital at Natchez for the purpose of investigating the condition and needs of that institution, beg leave to report that we found said hospital well kept and in splendid condition. We desire to speak in most

commendable terms of Dr. Brown for his excellent management of the affairs of said institution. The hospital is conducted on strict lines of economy and at the same time the patients are given careful and proper attention.

In the opinion of your committee additional wards should be provided for the consumptives in said institution. These wards can be provided by fitting up the garret in the hospital for the use of these patients, so we are informed by the surgeon in charge, Dr. Brown.

Respectfully submitted,

A. T. DENT,
Chairman Senate Committee.

G. L. JONES,
Secretary Senate Committee.

CHAS. CHRISMAN,
A. M. DODDS, *M. D.*

H. H. BROOKS,

ROBT. GAMBRELL,
T. K. MAGEE, *M. D.*

JOHN M. EDDINS,
A. MILLER, *M. D.*,

J. T. SENTER,
Chairman.

Mr. Langston moved the adoption of the following:

WHEREAS, A resolution passed the House on Wednesday, January 29, requiring the Board of Trustees of the I. I. & C. to furnish said House forthwith with an itemized statement of disbursements for the years 1900 and 1901; and,

WHEREAS, Said report has not yet been received; be it therefore,

Resolved, That a committee of three be appointed by the Speaker to immediately wait upon the chairman of the Board of Trustees and to respectfully ask of him if said report has been made to him, that it may be immediately furnished the House through said committee.

The motion to adopt prevailed, and the Speaker named as members of the committee Messrs. Owen, Hightower and Langston.

SENATE BILLS REFERRED.

S. B. No. 58, To be entitled An Act to provide for the appointment of an Assistant Attorney General, and to prescribe his qualifications, duties and compensation, was read twice and referred to Committee on Judiciary.

S. B. No. 59, To be entitled An Act to amend Section 3952 of the Annotated Code of 1892, relative to salaries, and also an Act to amend said Section of said Code so far as same relates to the salary of Governor, Private Secretary, etc., being Chapter 38

of the sheet Acts of 1900, approved March 10, 1900, so as to increase the salary of the Governor from \$3,500 to \$5,000, and the salary of each of the Supreme Judges from \$3,500 to \$5,000, was read twice and referred to Committee on Fees and Salaries.

Senate Joint Resolution No. 3, Memorializing the Congress of the United States to appropriate money to deepen and complete the Ship Island Harbor, was read and referred to Committee on Federal Relations.

Mr. McAllister, by request, offered the following:

Resolved by the House, the Senate concurring, That when Legislature adjourns to-day it be until next Wednesday at 3 P. M., so as to afford those members who wish to attend the carnival in New Orleans an opportunity to do so, and those members who wish to look after their farming interests an opportunity likewise to do so.

On motion of Mr. Langston the motion to adopt was tabled.

S. B. No 15, To be entitled an Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, for buildings and equipment needed; was considered.

The Committee on Appropriations offered the following amendment:

For building for general uses, strike out \$40,000 and insert in lieu thereof \$30,000.

Also strike out the following:

"For building for teachers' training department \$20,000; also for support of training school 1902 and 1903, \$20,000; also strike out for the support during the years 1902 and 1903 of the school of geology, mines and mining, and to aid in investigating the underground resources of the State, and for a geological survey and map of the State, the sum of \$10,000."

On motion of Mr. Kyle the amendments were adopted.

Mr. Coleman moved the adoption of the following:

Add at the end of Section 1 the words, Provided, that no part of said funds shall be used until the rule of co-education is abolished, but this restriction shall not apply to any girls now in attendance at said college.

Mr. Smith of Holmes then moved to amend the amendment by adding the words "Or who shall attend any summer term thereof."

The amendment to the amendment was adopted.

The call for the yeas and nays on the motion to adopt the amendment offered by Mr. Coleman, as amended being sustained, the clerk called the roll, and the amendment was adopted by the following vote:

Yeas—Messrs. Bennett, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Campbell, Causey, Clayton, Coleman, Coody, Cooner, Cox of Prentiss, Crumpton, Denson, Dodds, Dudley, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gilfoy, Granber-

ry, Groves, Haley, Harper, Heath, Hemphill, Hewes, Johnston of Clarke, Jones, Langston, Longest, Magee, McAllister, McCuiston, Millsaps, Mitchell, Moore, Moss, Pace, Permenter, Posey, Quin of Pike, Ray, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Thompson, Underwood, Wall, Walker, Wilkins, Wren—Total 64.

Nays—Messrs. Alcorn, Anderson, Arnold, Burge, Byrd, Cox of Panola, Crum, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Elmer, Garraway, Gibson, Ham, Hathorn, Hightower, Hill, Johnston of Yazoo, King, Kyle, Lamb, Magruder, Mahon, McAfee, McCafferty, McManus, Norment, Owen, Pyle, Quin of Wilkinson, Reynolds, Rouse, Stubbs, Tucker, Turner—Total 36.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Boddie, Bowers, Broadus, Brooks, Burrus, Castleman, Cock, Foster of Claiborne, Franklin of Lowndes, Goff, Hubbard, Irby, Long, Loper, McDaniel, Miller, Murphree, Neill, Norton, Robbins, Senter, Sharkey, Shelby, Stennis of Lauderdale, Taylor, Thomas, Vollar, White, Webster and Mr. Speaker—Total 33.

Mr. Johnston of Clarke offered the following:

Add at the close of Section 1, "Provided that no part of this appropriation be available until the Trustees provide for the stamping out of societies, so-called Greek Fraternities.

On motion of Mr. Kyle the motion to adopt the amendment was tabled.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Bradshaw, Brittain, Brown of Adams, Burge, Campbell, Causey, Clayton, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, King, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Swinney, Thompson, Tucker, Underwood, Walker, Wilkins, Mr. Speaker—Total 87.

Nays—Messrs. Evans, Johnston of Clarke, Johnston of Yazoo, Stennis of Kemper, Stubbs, Turner—Total 6.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Boddie, Bowers, Broadus, Brooks, Brown of Itawamba,

Burrus, Byrd, Castleman, Cock, Foster of Claiborne, Franklin of Lowndes, Goff, Hill, Hubbard, Irby, Jones, Long, Loper, Magee, McAllister, McDaniel, Miller, Murphree, Neill, Norton, Robbins, Senter, Sharkey, Shelby, Stennis of Lauderdale, Taylor, Thomas, Vollar, Wall, Webster, White and Wren—Total 40.

S. B. No. 52, To be entitled An Act to appropriate money to defray the expenses incident to penitentiary affairs, as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee and of Sergeant-at-Arms for service of process issued by said committee, and compensation of stenographer employed by said committee, was considered.

The Committee on Appropriations offered the following amendment:

Amend Section 3 by striking out "\$15" and inserting in lieu thereof "10 for stenographer."

On motion of Mr. Kyle the amendment was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Brittain, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoyl, Granberry, Groves, Harper, Hathorn, Hemphill, Hewes, Hill, Kyle, Lamb, Longest, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Norment, Pace, Permenter, Pyle, Quin of Pike, Ray, Reynolds, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Tucker, Turner, Walker, Wilkins—Total 76.

Nays—Mr. Posey—Total 1.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Boddie, Bowers, Bradshaw, Broadus, Brooks, Burrus, Castleman, Causey, Cock, Coleman, Cooner, Ferguson, Foster of Claiborne, Goff, Haley, Ham, Heath, Hightower, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Langston, Long, Loper, McDaniel, Murphree, Neill, Norton, Owen, Quin of Wilkinson, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Underwood, Vollar, Wall, Webster, White, Wren and Mr. Speaker—Total 56.

H. B. No. 113, To be entitled An Act to provide for the support and maintenance of the Natchez Hospital by appropriation, was considered.

The Committee on Appropriations offered the following amendment:

In the eighth and ninth lines of the bill strike out "three thousand three hundred and thirty-three and a third one-hundredths dollars," and insert in lieu thereof "thirty-five hundred dollars."

On motion of Mr. Kyle the amendment was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoxy, Granberry, Groves, Haley, Harper, Hathorn, Hemphill, Hewes, Hill, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Longest, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Norment, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Tucker, Turner, Underwood, Walker, Wilkins, Mr. Speaker—Total 91.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Boddie, Bowers, Broadus, Brooks, Burrus, Castleman, Cock, Cooner, Foster of Claiborne, Goff, Ham, Heath, Hightower, Hubbard, Irby, Jones, Lamb, Langston, Long, Loper, McDaniel, Murphree, Neill, Norton, Owen, Robbins, Senter, Sharkey, Shelby, Stennis of Lauderdale, Swinney, Taylor, Thomas, Thompson, Vollar, Wall, Webster, White and Wren—Total 42.

Mr. Arnold offered the following:

Resolved by the House of Representatives of the State of Mississippi, That any member of said House who shall hereafter be absent without leave shall not be entitled to draw his per diem during such absence.

Mr. Arnold moved the adoption of the resolution.

Mr. Bennett moved to table the motion to adopt, which motion prevailed.

The special committee appointed to request from the President of the Board of Trustees of the I. I. & C. an itemized statement of the expenditures of the college reported as follows:

MR. SPEAKER: Your committee appointed to request the President of the Board of Trustees of the I. I. & C. for an itemized statement of the expenditures of said college during the last two years, beg to report that in accordance with your instructions we

have waited on the President of said Board and return herewith as a part of our report said itemized statement, and we recommend that three hundred copies be printed for the use of the members.

S. JOE OWEN,
- G. R. HIGHTOWER,
D. C. LANGSTON.

Accompanying report was the following from the Governor, who is *ex-officio* President of the Board of Trustees of the Industrial Institute and College:

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 8, 1902.

To the House of Representatives.

GENTLEMEN: I have the honor to acknowledge a receipt of your request, made through a committee of the House for a report of the itemized expenditures of the money appropriated at your session in 1900, for the support and maintenance of the Industrial Institute and College for the years 1900 and 1901, and beg to say in reply that at the last meeting of the Board of Trustees the President of said institution presented during the sitting of said Board what purported to be and which I assume in fact to be a complete itemized statement of such expenditures, and which I herewith deliver in response to your request. The Board of Trustees, at its meeting in December, 1901, appointed a committee of its members to make and transmit to the Legislature the biennial report of the Board, which the said committee accordingly did, and I trust that the document here handed you will, in connection with the biennial report, furnish such information as you desire. I have the honor to be

Respectfully,

A. H. LONGINO, *Governor.*

Senate Concurrent Resolution No. 7, A concurrent resolution proposing an amendment to the Constitution requiring that all changes, alterations or amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, alteration or amendment, was, on motion of Mr. Cox, considered, and pending the consideration of the resolution, the House, at 1.30 P. M., on motion of Mr. Dudley, adjourned until Monday morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTIETH DAY.

MONDAY, February 10, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Long.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Anderson, Arnold, Bennett, Boddie, Bradshaw, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Posey, Pyle, Quin of Pike, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Turner, Underwood, Vollar, Wall, Webster, Wilkins, Wren—Total present 98.

Those absent—Messrs. Allen, Alsworth, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Coleman, Dodds, Elmer, Foster of Claiborne, Goff, Heath, Hewes, Hill, Irby, Magee, McDaniel, Norton, Pace, Permenter, Quin of Wilkinson, Senter, Shelby, Stennis of Lauderdale, Taylor, Thompson, Tucker, Walker, and White—Total 35.

Leave of absence was granted to Messrs. Elmer, Coleman, Irby, Dodds, Walker, Magee, Brittain, Thompson, Brooks, Hill, Permenter and Byrd.

On motion of Mr. Crum the reading of the journal of yesterday was dispensed with and the same stood approved.

The privileges of the House were extended to Col. A. S. Payne, of Lowndes County.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 54, An Act to amend the charter of the town of Rose-dale, so as to authorize the Mayor and Town Council of said town

to issue, upon certain conditions, the bonds or other obligations of said town, not to exceed in amount, including all outstanding bonds, seven percentum of the assessed value of the taxable property of said town, as shown by the assessment rolls thereof, for the purpose of raising money for the purchase of lands and erection of school buildings thereon, for the erection, providing or purchase of waterworks, the sinking of artesian wells, the establishment of a sewerage system, securing protection from fires, improving the streets and sidewalks or for the liquidation of outstanding debts of said town.

S. B. No. 55, An Act to make an appropriation for the payment of salaries of special judges and Chancellors.

H. B. No. 5, An Act for the relief of Wade Polk, tax assessor of Lawrence County.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON PENITENTIARY.

MR. SPEAKER: The Committee on Penitentiary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 130, To be entitled An Act to authorize and require the Board of Control of the State penitentiary to supply convict labor and teams for the purpose of grading the new Capitol grounds.

Title sufficient and the bill do pass.

FRANKLIN of Lowndes, *Chairman.*

INTRODUCTION OF BILLS.

By Mr. Norment—

H. B. No. 141, To be entitled An Act authorizing and empowering the Board of Supervisors of Oktibbeha County, Mississippi, to loan any and all money of any fund, in certain security until said county shall have the option of paying off or redeeming certain bonds issued for the purpose of building a new court house in said county.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Garraway.

H. B. No. 142, To be entitled An Act to authorize the Board of Supervisors of Perry County and the Mayor and Board of Aldermen of the city of Hattiesburg to invest the sinking funds now on hand and being raised with which to pay off certain bonds.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Coody—

H. B. No. 143, To be entitled An Act to amend an Act of 1902. being an Act to appropriate money for the support of the Indus-

trial Institute and College at Columbus, for the addition of certain departments thereto, and for the establishment of certain departments, to provide for elevators and to provide for the erection of an industrial hall and laundry, and for the remodeling of the chapel building, and for the repairs of the buildings of said institution during the years 1902 and 1903, and to provide for payment of same.

Read twice and referred to Committee on Appropriations.

SENATE BILLS REFERRED.

S. B. No. 54, To be entitled An Act to amend the charter of the town of Rosedale, so as to authorize the Mayor and Town Council of said town to issue upon certain conditions the bonds or other obligations of said town, not to exceed in amount, including all outstanding bonds, seven per centum of the assessed value of the taxable property of said town, as shown by the assessment rolls thereof, for the purpose of raising money for the purchase of land and erection of school buildings thereon, for the erection, providing or purchase of waterworks, the sinking of artesian wells, the establishment of a sewerage system, securing protection from fires, improving the streets and sidewalks, or for the liquidation of outstanding debts of said town.

Read twice and referred to Committee on Local and Private Legislation.

S. B. No. 55, To be entitled An Act to make an appropriation for the payment of salaries of special judges and Chancellors.

Read twice and referred to Committee on Judiciary.

Senate Concurrent Resolution No. 7, A concurrent resolution proposing an amendment to the Constitution requiring that all changes, alterations, or amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, alteration or amendment; the business pending at the close of the session Saturday was again taken up for consideration.

On motion of Mr. Cox of Prentiss the rules were suspended. The resolution was read and passed its first day by the following vote:

Yeas—Messrs. Anderson, Bennett, Boddie, Bradshaw, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfoy, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps,

Mitchell, Moore, Moss, Murphree, Norment, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Stubbs, Thomas, Underwood, Vollar, Webster, Wilkins, Wren—Total 84.

Nays—Messrs. Arnold, Granberry, Neill, Smith of Holmes, Mr. Speaker—Total 5.

Absent and those not voting—Messrs. Alcorn, Allen, Alsworth, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Coleman, Denton of Quitman, Dodds, Elmer, Foster of Claiborne, George, Goff, Heath, Hewes, Hill, Irby, Loper, Magee, McAfee, McDaniel, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Shelby, Stennis of Lauderdale, Swinney, Taylor, Thompson, Tucker, Turner, Wall, Walker and White—Total 44.

On motion of Mr. Cox of Prentiss, House Concurrent Resolution No. 1, To amend Section 36 of the Constitution of the State of Mississippi, was considered.

The Committee on Constitution offered a substitute, with same number and title, and on motion of Mr. Cox the substitute was adopted.

Whereupon, on motion of Mr. Cox, the resolution as amended by the adoption of the substitute was read and passed first day as required by the Constitution by the following vote:

Yeas—Messrs. Alcorn, Anderson, Bennett, Boddie, Bradshaw, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Langston, Long, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Posey, Pyle, Quin of Pike, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stubbs, Thomas, Underwood, Vollar, Webster, Wilkins, Wren, Mr. Speaker—Total 88.

Nays—Messrs. Arnold, Lamb, Smith of Holmes, Stennis of Kemper, Turner—Total 5.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Coleman, Dodds, Elmer, Foster of Claiborne, Goff, Heath, Hewes, Hill, Hubbard, Irby, Loper, Magee, McAfee, McDaniel, Norment, Pace, Permenter, Quin of Wilkin-

son, Robbins, Senter, Shelby, Stennis of Lauderdale, Swinney, Taylor, Thompson, Tucker, Wall, Walker and White—Total 40.

Special order, being House Bill No. 99, To be entitled An Act to repeal Chapter 39 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channeling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands, was considered.

Mr. Norment moved to strike out Section 2 of the bill and insert in lieu thereof the following:

"Sec. 2. That the Board of Supervisors may cause a survey of overflowed lands in their county on any creek or river, to ascertain the metes and bounds and the number of acres thereof, provided a majority in number of said resident land owners which majority shall own at least one-third of said land, shall petition the said Board to have such survey made."

On motion of Mr. Norment the amendment was adopted.

Mr. Norment then offered the following: "In twelfth line of Section 7 strike out 'two-thirds' and insert 'three-fourths,' and in tenth line of Section 17 strike out 'one-half' and insert 'one-third.'"

On motion of Mr. Norment the amendment was adopted.

Whereupon, on motion of Mr. Haley, the rules were suspended the bill as amended was considered engrossed, read the third time and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Boddie, Bradshaw, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Magruder, Mahon, McAllister, McCafferty, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Posey, Pyle, Quin of Pike, Ray, Reynolds, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Thomas, Turner, Underwood, Vollar, Webster, Wilkins, Wren, Mr. Speaker—Total 91.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Coleman, Denton of Quitman, Dodds, Elmer, Foster of Claiborne, Goff, Heath, Hewes, King, Irby, Loper, Magee, McAfee, McCuiston, McDaniel, Norton, Pace, Per-

menter, Quin of Wilkinson, Robbins, Senter, Sharkey, Shelby, Stennis of Lauderdale, Swinney, Taylor, Thompson, Tucker, Wall, Walker and White—Total 42.

The next special order, House Bill No. 104, To be entitled An Act to further provide for the management, maintenance and support of the penitentiary, to provide for the accounting of all receipts and disbursements thereof by the Auditor of Public Accounts, to require all moneys received on account of the penitentiary to be covered directly into the State treasury, and to provide for the support of the penitentiary by appropriations drawn from the general fund in the State treasury, was called up for consideration.

Mr. Crum moved to displace the special order and substitute for same House Bill No. 117, which motion was lost.

Mr. Thomas moved that the bill be put on its passage.

Mr. Underwood moved to strike out the word "two" in second line of Section 2, and insert the word "one," the motion to adopt prevailed.

Mr. Crum moved the adoption of the following: Add to Section 2 the words "and the members shall alternate in their visits to said farms."

Mr. Coody moved to table the motion to adopt the amendment, which motion prevailed.

Pending further consideration of the bill the House at 1.20 P. M., on motion of Mr. Thomas, took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House met at 3 P. M. pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

The business pending at the close of the morning session, to-wit: House Bill No. 104, To be entitled An Act to further provide for the management, maintenance and support of the penitentiary, to provide for the accounting of all receipts and disbursements thereof by the Auditor of Public Accounts, to require all moneys received on account of the penitentiary to be covered directly into the State treasury, and to provide for the support of the penitentiary by appropriations drawn from the general fund in the State treasury, was resumed.

Mr. Cox moved the adoption of the following: Amend by adding after Section 3 a new section to read: "The Board of Control

shall not permit or suffer the employment of any convicts upon any railroad, nor in cleaning land for any person, nor in doing any work not specifically authorized by Sections 3201 and 3202 of the Annotated Code of 1892."

The amendment was adopted.

Whereupon, on motion of Mr. Thomas, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, McAfee, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stubbs, Thomas, Turner, Underwood, Webster, Wilkins, Wren—Total 95.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Castleman, Coleman, Dodds, Elmer, Foster of Claiborne, Foster of Warren, Goff, Heath, Hill, Irby, Magee, Mahon, McAllister, McDaniel, Norton, Posey, Senter, Shelby, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Thompson, Tucker, Vollar, Wall, Walker, White and Mr. Speaker—Total 38.

On motion of Mr. Owen three hundred copies of the itemized statement of the Secretary of the Board of Trustees of the Industrial Institute and College, transmitted to the House on Saturday by the special committee appointed to secure the same, were ordered printed, and on motion of Mr. Thomas Major Waddell, the Secretary of the Board of Trustees of the I. I. & C., was requested to read the proof.

The Clerk of the House transmitted to the Secretary of State the copy of the statement for the printer.

House Bill No. 117, To be entitled An Act to apportion and redistrict the State of Mississippi into eight Congressional Districts and to provide for the election of a Congressman from each district, was considered.

Mr. Dudley moved the adoption of the following amendment: "Amend the bill by striking from the Second Congressional Dis-

trict the County of Tallahatchie and placing the same in the Third; by striking the County of Holmes from the Third Congressional District and placing the same in the Eighth; by striking Rankin County from the Eighth Congressional District and placing same in the Fifth Congressional District.

Mr. Crum moved to table the motion to adopt the amendment, which prevailed.

Mr. George moved the adoption of the following: Amend the bill by putting Jasper County in the Sixth District, Rankin County in the Fifth District, and Holmes County in the Eighth District.

* Mr. Millsaps moved to table the motion to adopt the amendment, which prevailed.

Mr. Dudley then moved the adoption of the following: Amend the bill by striking out the County of Tallahatchie in the Second Congressional District, and by placing the same in the Third District; strike Holmes County from the Third and place the same in the Eighth District.

Mr. Millsaps moved to table the motion to adopt the amendment, which prevailed.

Whereupon, on motion of Mr. Millsaps, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Causey, Clayton, Cock, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Jones, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbbs, Swinney, Taylor, Thomas, Turner, Underwood, Webster, Wilkins, Wren, Mr. Speaker—Total 99.

Nays—Messrs. Coody, Dudley, George, Johnston of Yazoo, King—Total 5.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Castleman, Coleman, Dodds, Foster of Claiborne, Foster of Warren, Goff, Heath, Irby, Magee, McDaniel, Norton, Senter, Shelby, Stennis of Lauderdale, Thompson, Tucker, Vollar, Wall, Walker and White—Total 29.

House Bill No. 127, To be entitled An Act to authorize the Board of Supervisors of Yazoo County to transfer from the special road fund of said county to the general fund of said county the sum of \$6,461.39, was, under the suspension of the rules, on motion of Mr. George, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Boddie, Bradshaw, Brown of Itawamba, Burge, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Ferguson, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Lamb, Langston, Longest, Loper, Magruder, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Turner, Underwood, Webster, Wilkins—Total 93.

Absent and those not voting—Messrs. Alsworth, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Campbell, Castleman, Coleman, Dodds, Evans, Ford, Foster of Claiborne, Foster of Warren, Goff, Heath, Hightower, Irby, Jones, Long, Magee, Mahon, McDaniel, Norton, Quin of Pike, Senter, Shelby, Stennis of Lauderdale, Taylor, Thompson, Tucker, Vollar, Wall, Walker, White, Wren and Mr. Speaker—Total 40.

House Bill No. 124, To be entitled An Act to authorize and empower the Board of Supervisors of Tippah County to loan the Sixteenth or Chickasaw school fund to the common county fund at an annual rate per cent interest to be fixed by said Board, was on motion of Mr. Owen, under the suspension of the rules, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Causey, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Eddins, Ellis, Elmer, Evans, Ferguson, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hightower, Hill, Hubbard, Johnston of Yazoo, King, Kyle, Lamb, Langston, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston,

McManus, Miller, Millsaps, Mitchell, Moore, Murphree, Neill, Owen, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Turner, Underwood, Webster, Wilkins, Wren—Total 86.

Absent and those not voting—Messrs. Allen, Alsworth, Birmingham, Boddie, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Castleman, Clayton, Coleman, Dodds, Doss, Dudley, Ford, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Goff, Haley, Heath, Hewes, Irby, Johnston of Clarke, Jones, Long, Longest, Magee, McDaniel, Moss, Norment, Norton, Pace, Quin of Pike, Senter, Sharpe of Leake and Winston, Shelby, Stennis of Lauderdale, Thompson, Tucker, Vollar, Wall, Walker, White and Mr. Speaker—Total 47.

Unanimous consent was given to the clerk to carry to the Senate at once House Bills Nos. 99, 117, 124, and 127.

The following report of special committee to investigate the needs of the Charity Hospital at Vicksburg was presented and ordered spread on the journal:

To the Senate and House of Representatives of Mississippi.

We, your joint committee appointed to visit the Charity Hospital at Vicksburg, Mississippi, for the purpose of investigating the condition and needs of the same, most respectfully report as follows:

We arrived at Vicksburg on the night of January 31, 1902, and on the following day visited said hospital and inspected the same thoroughly. We heard rumors as to the mismanagement of the institution and deemed it advisable to investigate said rumors, and employed a stenographer and proceeded to examine all witnesses whom we were informed could throw any light on said charges rumored in the city, and after two days' sitting were unable to secure any facts upon which we feel justified in preferring any charges ourselves. The hospital wards were neat, the bedding clean, and the inmates report that they are kindly treated and well cared for. The surgeon in charge appears to be efficient, energetic and attentive to the needs of the institution. In the opinion of your committee, the consumptive patients should be separated from patients with other diseases. Your committee would recommend that no person be allowed the benefits of the outdoor clinics unless such persons shall bring to the surgeon in charge a certificate from some reputable person stating the fact that the party seeking such benefits is unable to pay for the same. But this shall not apply to transients or persons living outside of Vicksburg.

The Confederate Veteran Annex is very comfortable and neatly furnished. The only complaint which came to the knowledge

of your committee being that their meals were often cold when brought to them, which is accounted for by the fact that the cooking is all done in the hospital kitchen, which is some distance from the annex.

Respectfully submitted,

A. T. DENT,
Chairman of Senate Committee.

A. MILLER, M. D.

J. M. EDDINS.

T. K. MAGEE, M. D.

A. M. DODDS, M. D.

At 5.30 P. M., on motion of Mr. Lamb, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTY-FIRST DAY.

TUESDAY, February 11, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Dr. R. B. Fulton.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Boddie Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garroway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren—Total 116.

Those absent—Messrs. Alsworth, Birmingham, Bowers, Broadus, Brown of Adams, Burrus, Castleman, Coleman, Foster, of Claiborne, Heath, Irby, McDaniel, Norton, Shelby, Stennis of Lauderdale, Thompson and Vollor—Total 17.

On motion of Mr. Anderson the reading of the journal of yesterday was dispensed with and the same stood approved.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 120, To be entitled An Act to amend Section 613 of the Annotated Code and also to amend Chapter 86 of the Laws of 1900, for the purpose of extending the time for holding terms of the Circuit Court in the Fourth Circuit Court District, and provide for terms of the Circuit Court in the Second Circuit District of Tallahatchie County.

Title sufficient, and the substitute do pass.

H. B. No. 121, To be entitled An Act to create the Eleventh Circuit Court District of Mississippi, and fix the time for holding courts therein.

Title sufficient, and the substitute do pass.

BOWERS, *Chairman.*

REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER: The Committee on Education has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 106, To be entitled An Act to amend Section 4017 of the Annotated Code of 1892, relating to the examinations of teachers.

Title sufficient, and the bill do pass.

HILL, *Chairman.*

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 139, To be entitled An Act for the relief of J. W. Duke.

H. B. No. 140, To be entitled An Act to authorize and empower the Mayor and Board of Aldermen of the city of Holly Springs, Mississippi, to loan annually on good and sufficient security the sinking fund provided by said city for the payment of certain bonds issued to establish an electric light plant and water-

works system, until the maturity thereof, or until said city has the option of paying said bonds.

S. B. No. 54, To be entitled An Act to amend the charter of the town of Rosedale so as to authorize the Mayor and Town Council to issue upon certain conditions the bonds or other obligations of the town, not to exceed in amount, including all outstanding bonds certain per centum of the assessed value of the taxable property of said town as shown by the assessment rolls thereof, for the purpose of raising money for the purchase of land and erection of school buildings thereon, for the erection, providing or purchase of waterworks, the sinking of artesian wells, the establishment of a sewerage system, securing protection from fires, improving the streets and sidewalks, or for the liquidation of outstanding debts of said town.

H. B. No. 141, To be entitled An Act authorizing and empowering the Board of Supervisors of Oktibbeha County, Mississippi, to loan any and all money of any funds on certain security until said county has the option of paying off or redeeming certain bonds issued for the purpose of building a new court house in said county.

The relief sought in all of above bills can not be obtained in any court in this State, because there is no general law covering the matters referred to, nor would a general law be applicable or advantageous. The relief sought is local in its nature and application. The bills are meritorious, the titles to each except H. B. No. 141 are sufficient, and committee recommends that each with the exception of H. B. No. 141 does pass. In reference to H. B. No. 141, the committee recommends a substitute, title being sufficient, and that said substitute does pass.

Respectfully submitted,

W. A. ALCORN, JR., *Chairman.*

REPORT OF COMMITTEE ON FEES AND SALARIES.

MR. SPEAKER: The Committee on Fees and Salaries has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 137, To be entitled An Act to amend Section 2013 of the Code of 1892 in reference to surveyor's fees and to increase their pay.

Title sufficient, and we recommend that the bill do not pass.

S. B. No. 59, To be entitled An Act to amend Section 3952 of the Annotated Code of 1892 relative to salaries, and also an Act to amend said section of said Code so far as same relates to the salary of Governor's Private Secretary, etc., being Chapter 38 of the sheet Acts of 1900, approved March 10, 1900, so as to increase

the salary of the Governor from \$3,500 to \$5,000, and the salaries of each of the Supreme Judges from \$3,500 to \$5,000.

Title sufficient and the bill do pass.

HEWES, *Chairman.*

REPORT OF COMMITTEE ON ROADS, FERRIES AND BRIDGES.

MR. SPEAKER: The Committee on Roads, Ferries and Bridges has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 94, A bill to be entitled An Act to provide for a cooperative system between the State of Mississippi and the several counties therein for the permanent improvements of the public highways in this State and for the proper maintenance thereof.

Title sufficient and the bill do not pass.

H. B. No. 135, To be entitled An Act to provide for the construction of macadamized roads by Board of Supervisors in certain counties.

Title sufficient and the bill do pass.

DENTON, of Lauderdale, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 31, To be entitled An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg.

Title sufficient; substitute do pass.

H. B. No. 17, To be entitled An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg.

Title sufficient; do not pass.

A. S. KYLE, *Chairman.*

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 42, An Act to raise revenues by making valid and of binding effect all contracts made previous to the passage of this Act, and subsequent to March 1, 1900, which are or were null and void or voidable under previous or existing laws because of non-payment of privilege taxes due when such contracts were made, upon terms of full payment of all such privilege taxes so in default, with two hundred per centum damages thereon within sixty days after the passage of this Act, with accompanying amendments.

H. B. No. 83, An Act for the relief of W. T. Gwin, ex-tax assessor of Webster County, so as to compensate him for assessing the taxes for the year 1899, for which he received no compensation from the State.

H. B. No. 97, An Act to transfer from the Auditor's office and Land Commissioner's office to the offices of the Clerks of the Chancery Court of the proper counties all deeds made by the tax collectors to the Board of Commissioners to liquidate outstanding liabilities incurred for levy purposes prior to first day of January, 1862, and its successors.

And has adopted S. C. R. No. 10, To amend Section 183 of the Constitution of the State of Mississippi, so that counties, Circuit Court Districts of counties, cities or towns may elect to take stock in or vote aid to railroads.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

H: B. No. 64, An Act making an appropriation to carry out the provisions of Chapter 76 of the Laws of the State of Mississippi of 1900, being an Act entitled An Act to enable the Auditor of Public Accounts and Land Commissioner of the State of Mississippi to properly conduct their respective offices and to correct mistakes in land descriptions and land sales, and provide relief in repayment of moneys erroneously paid in privileges and State taxes and land purchases, and to save the State cost in passing bills for relief by local and private legislation in certain cases, with an amendment thereto adopted by the Senate providing that no portion of said amount shall be paid on account of any land obtained, or claim for money paid, under any patent or certificate heretofore issued by any Secretary of State of Mississippi.

JOHN Y. MURRY, JR., *Secretary*.

INTRODUCTION OF BILLS.

By Mr. Boddie—

H. B. No. 144, To be entitled An Act to authorize the Treasurer of the State of Mississippi to pay to the State Encampment Committee of Greenville, Mississippi, nine hundred and seventy-four dollars and seven cents.

Read twice and referred to the Committee on Appropriations.

By Mr. Boddie—

H. B. No. 145, To be entitled An Act to authorize the City Council of the city of Greenville to issue and float bonds for the purpose of paving streets and sidewalks.

Read twice and referred to the Committee on Local and Private Legislation.

By Mr. Anderson—

H. B. No. 146, To be entitled An Act to amend Section 3635 of the Annotated Code of 1892, with reference to the meeting of County Election Commissioners.

Read twice and referred to the Committee on Registration and Elections.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

House Bill No. 28, An Act to make an appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903.

House Bill No. 37, An Act to make an appropriation to defray the expenses of the Institute for the Blind and for other purposes.

LOPER, *Chairman.*

Whereupon the Speaker declared all business of the House suspended while he signed the bills just reported and titles of which were read, he calling the attention of the House thereto.

On motion of Mr. Cox of Prentiss, Senate Concurrent Resolution No. 7, A Concurrent Resolution proposing an amendment to the Constitution requiring that all changes, alterations and amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, was read for the second time for its second day's passage, and was adopted, as required by the Constitution, on its second day, by the following vote:

Yeas—Messrs. Allen, Anderson, Bennett, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfoy, Goff, Groves, Ham, Harper, Hathorn, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Langston, Long, Longest, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Mitchell, Moore, Moss, Murphy, Norment, Owen, Pace, Permenter, Posty, Pyle, Ray, Reynolds, Rouse, Senter, Sharkey, Sharpe of Leake and Winston. Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Tucker, Underwood, Walker, Webster, Wilkins, Wren—Total 90.

Nays—Messrs. Arnold, Denton of Quitman, George, Granberry, Hewes, Hill, King, Lamb, Magee, Neill, Quin of Wilkinson, Smith of Holmes, Stubbs, Thomas, Turner, Wall, White, Mr. Speaker—Total 18.

Absent and those not voting—Messrs. Alcorn, Alsworth, Birmingham, Bowers, Broadus, Brown of Adams, Burrus, Castleman,

Coleman, Dodds, Foster of Claiborne, Haley, Heath, Irby, McAfee, McDaniel, Miller, Millsaps, Norton, Quin of Pike, Robbins, Shelby, Stennis of Lauderdale, Thompson and Vollar—Total 25.

On motion of Mr. Cox of Prentiss, House Concurrent Resolution No. 1, to amend Section 36 of the Constitution of the State of Mississippi, was read for the second time for its passage for the second day, and was adopted as required by the Constitution on its second day by the following vote:

Yeas -- Messrs. Alcorn, Allen, Anderson, Bennett, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Causey, Clayton, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoxy, Goff, Granberry, Groves, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Owen, Pace, Permenter, Posey, Pyle, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Swinney, Thomas, Tucker, Underwood, Walker, Webster, White, Wilkins, Wren—Total 97.

Nays—Messrs. Arnold, Loper, Magee, Smith of Holmes, Stennis of Kemper, Stubbs, Taylor, Turner, Wall, Mr. Speaker—Total 10.

Absent and those not voting—Messrs. Alsworth, Birmingham, Bowers, Broadus, Brown of Adams, Burrus, Campbell, Castleman, Coleman, Dodds, Foster of Claiborne, Haley, Hathorn, Heath, Irby, McDaniel, Miller, Norment, Norton, Quin of Pike, Quin of Wilkinson, Rouse, Shelby, Stennis of Lauderdale, Thompson and Vollar—Total 26.

House Bill No. 92, To be entitled An Act to provide for the assessment and taxation for county purposes only of the revenues bearing real and personal property belonging to the State and actually used or employed for profit, was considered.

Mr. Crum moved to strike from the bill "personal property," which motion was adopted.

Mr. Stubbs then moved to indefinitely postpone the bill as amended, which motion prevailed.

House Bill No. 109, To be entitled An Act to raise revenue to carry on the State government in Mississippi for the fiscal years 1902 and 1903, was, on motion of Mr. Thomas, considered.

Mr. Hemphill moved to strike "five" from the bill where it occurs and insert in lieu thereof "six."

Mr. Langston moved to table the motion to adopt the amendment, which prevailed.

Whereupon, on motion of Mr. Thomas, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Boddie, Bradshaw, Brooks, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Goff, Granberry, Groves, Haley, Ham, Harper, Hemp-hill, Hewes, Hill, Hubbard, Jones, Kyle, Lamb, Langston, Long Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharkey, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Stennis of Kemper, Stubbs, Swinney, Thomas, Tucker, Underwood, Wall Walker, Webster, White, Wilkins, Mr. Speaker—Total 91.

Nays—Messrs. Brittain, Brown of Itawamba, Coody, Cooner, Crumpton, Ferguson, Gibson, Hathorn, Hightower, Johnston of Clarke, Johnston of Yazoo, Longest, McCuiston, Owen, Sharpe of Leake and Winston, Smylie, Taylor, Turner, Wren—Total 19.

Absent and those not voting—Messrs. Alsworth, Birmingham, Bowers, Broadus, Brown of Adams, Burrus, Castleman, Dodds, Foster of Claiborne, George, Gilfoy, Heath, Irby, King, McDaniel, Norton, Pace, Robbins, Shelby, Stamps, Stennis of Lauderdale, Thompson, and Vollar—Total 23.

House Bill No. 108, To be entitled An Act to authorize issuance of State bonds for the purpose of completing the new State House and furnishing the same, was, under the suspension of the rules, on motion of Mr. Thomas, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Bennett, Boddie, Bradshaw, Brittain, Brooks, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gilfoy, Goff, Groves, Haley, Ham, Harper, Hathorn, Hewes, Hightower, Hill, Jones, Kyle, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAllister, McCafferty, McManus, Miller, Millsaps, Moore, Moss, Murphree, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of

Greene, Smith of Holmes, Smylie, Stennis of Kemper, Swinney, Thomas, Tucker, Underwood, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 92.

Nays—Messrs. Brown of Itawamba, Cooner, Crumpton, Gibson, Granberry, Hemphill, Johnston of Clarke, Johnston of Yazoo, Owen, Stubbs, Taylor, Turner, Wall—Total 13.

Absent and those not voting—Messrs. Alcorn, Alsworth, Birmingham, Bowers, Broadus, Brown of Adams, Burrus, Castleman, Doss, Foster of Claiborne, Heath, Hubbard, Irby, King, Lamb, McAfee, McCuiston, McDaniel, Mitchell, Neill, Norment, Norton, Reynolds, Shelby, Stamps, Stennis of Lauderdale, Thompson and Vollar—Total 28.

Mr. Kyle withdrew motion, with consent of the House, previously entered to reconsider the vote by which House Bill No. 66, To be entitled An Act to appropriate money to pay the per diem and mileage of the Presidential Electors for two meetings in December, 1900, and January, 1901, as directed by Section 3703 of the Annotated Code of 1892, had passed.

Senate Bill No. 18, To be entitled An Act to make an appropriation for the payment of the amount of money expended by the Trustees of the Agricultural and Mechanical College in excess of the appropriation made for the building and equipment of the Textile School at Starkville, Mississippi, was, on motion of Mr. Kyle, considered.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill read the third time, the yeas and nays were taken and the bill failed to pass by the following vote:

Yeas—Messrs. Allen, Boddie, Byrd, Cock, Coleman, Cox of Prentiss, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Evans, Foster of Warren, Franklin of Lowndes, Garraway, George, Goff, Haley, Ham, Hathorn, Hill, Jones, King, Kyle, Magee, Mahon, McAfee, McManus, Millsaps, Mitchell, Moss, Norment, Quin of Wilkinson, Reynolds, Rouse, Senter, Smith of Holmes, Smylie, Stamps, Tucker, Wall, Webster, Mr. Speaker—Total 44.

Nays—Messrs. Anderson, Arnold, Bennett, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Causey, Clayton, Coody, Cooner, Cox of Panola, Doss, Eddins, Ellis, Elmer, Ferguson, Ford, Franklin of Marshall, Frazier, Galloway, Gambrell, Gibson, Gilfoy, Granberry, Groves, Hemphill, Hewes, Hightower, Johnston of Clarke, Johnston of Yazoo, Lamb, Langston, Long, Longest, Loper, Magruder, McCafferty, McCuiston, Moore, Murphree, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Ray, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stubbs, Swinney, Taylor, Turner, Walker, White, Wilkins, Wren—Total 61.

Absent and those not voting—Messrs. Alcorn, Alsworth, Birmingham, Bowers, Broadus, Brown of Adams, Burrus, Campbell,

Castleman, Dodds, Foster of Claiborne, Harper, Heath, Hubbard, Irby, McAllister, McDaniel, Miller, Neill, Norton, Robbins, Sharkey, Shelby, Stennis of Lauderdale, Thomas, Thompson, Underwood and Vollar—Total 28.

Mr. Bennett moved to reconsider the vote by which the bill had failed to pass.

Under the suspension of the rules Mr. Denton of Quitman introduced House Bill No. 147, To be entitled An Act to authorize the payment of fees due to Williams & Williams for legal services rendered the State in the Circuit Court of Quitman, was read twice and referred to Committee on Local and Private Legislation.

At 1.20 P. M., on motion of Mr. Loper, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTY-SECOND DAY.

WEDNESDAY, February 12, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Dr. R. W. Jones.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemp-hill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps,

Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren—Total 118.

Those absent—Messrs. Alsworth, Broadus, Brown of Adams, Burrus, Castleman, Foster of Claiborne, Gilfoy, Heath, Irby, McDaniel, Norton, Shelby, Stennis of Lauderdale, Thompson and Voller—Total 15.

On motion of Mr. Bowers the reading of the journal of yesterday was dispensed with and the same stood approved.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 58, To be entitled An Act to provide for the appointment of an Assistant Attorney General and to prescribe his qualifications, duties and compensation.

Title sufficient and the bill do pass as amended.

H. B. No. 110, To be entitled An Act to amend Section 921 of the Code of 1892, with reference to special judges and to require judges and Chancellors to sit anywhere in the State.

Title sufficient, and the bill do pass as amended.

H. B. No. 132, To be entitled An Act to amend Section 3757 of the Annotated Code of Mississippi, so as to except from taxation money loaned and other securities bearing a rate of interest not exceeding six per cent per annum, and to provide for the assessment of solvent credits.

Title sufficient, and recommend that the bill be referred to Committee on Ways and Means.

BOWERS, *Chairman.*

REPORT OF COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

MR. SPEAKER: The Committee on Public Health and Quarantine has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 26, An Act making an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903.

Title sufficient, and recommended to be referred to Appropriation Committee.

House Resolution to investigate the State Board of Health.

Do not pass.

MILLER, *Chairman.*

REPORT OF COMMITTEE ON AGRICULTURE.

MR. SPEAKER: The Committee on Agriculture has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 10, An Act to provide for the establishment of a permanent Branch Agricultural Experiment Station in the Yazoo-Mississippi Delta.

The committee recommend that the title is sufficient and that the bill do pass.

FORD, *Acting Chairman.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 115, To be entitled An Act to amend Section 3885 and 3886 of the Code of 1892, and constituting the Railroad Commissioners assessors of telephone property in this State.

Title sufficient, and that the bill do pass.

H. B. No. 131, To be entitled An Act to increase the revenues of the State by recovering lands unlawfully purchased from the State, and to provide an appropriation for that purpose, and to direct its disbursement.

Title sufficient, and that the bill do pass.

S. B. No. 21, To be entitled An Act to amend Section 3771 of Annotated Code, providing for the assessment of lands every four years for the purpose of raising revenue.

Title sufficient; bill do not pass.

THOMAS, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATION.

MR. SPEAKER: The Committee on Appropriation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 129, To be entitled An Act to make an appropriation to reclaim public lands fraudulently purchased in this State and to provide for its disbursement.

Title sufficient; do pass.

H. B. No. 133, To be entitled An Act appropriating money to aid the city of Jackson in paving Capitol and State Streets in front of the Capitol and the Governor's Mansion.

Title sufficient; substitute do pass as amended.

H. B. No. 138, To be entitled An Act making an appropriation for a geological survey of the State under the direction and super-

vision of the State University and the Mississippi Agricultural and Mechanical College.

Title sufficient; do pass.

H. B. No. 143, To be entitled An Act to amend An Act of 1902, being an Act to appropriate money for the support of the Industrial Institute and College at Columbus, for the addition of certain departments thereto, and for establishment of certain departments, to provide for the erection of an industrial hall and laundry, and for the remodeling of the chapel building, and for the repairs of the building of said institution during the years 1902 and 1903.

Title sufficient; do not pass.

A. S. KYLE, *Chairman.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 10, 1902.

To the Legislature of the State of Mississippi.

GENTLEMEN: Upon request made by the Board of Levee Commissioners for the Yazoo-Mississippi Delta, I have the honor to submit for your consideration the following subjects, deemed by said Levee Board to be of vital importance to the interest of that large section protected by the levees of the Mississippi River, and which, in the opinion of the said Board, were required to be published before submission, and which publication has just been completed, as follows, to-wit:

1st. An Act to authorize the Board of Levee Commissioners of the Yazoo-Mississippi Delta to issue bonds to an amount not exceeding two hundred and fifty thousand dollars for the purpose of raising funds for high water emergencies, and for other purposes.

2d. An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within the said Levee District.

3d. An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

4th. An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law, and to issue its debentures therefor.

5th. An Act to repeal so much of Section 2 of an Act entitled "An Act to relieve the Bank of Greenwood, Miss., from double taxation, and to refund to it certain taxes overpaid," approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank \$492.05.

6th. An Act to repeal so much of Section 2 of an Act entitled "An Act to relieve the Delta Bank, of Greenwood, Miss., from

double taxation, and to return to it certain taxes overpaid," approved March 9, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to the said bank the sum of \$643.04.

I beg to say that as to items 5 and 6 above submitted, I am advised that suits are now pending in court, as to the merits of which I am not fully informed, involving the subject-matter therein named, and I suggest that the facts be carefully inquired into by the Legislature before passing bills thereon.

And for consideration also the following subjects, to-wit:

7th. An Act to authorize the Board of Supervisors of Attala County to loan \$15,000 of the general fund to the school fund.

8th. An Act to authorize the Board of Supervisors of Perry County and the Mayor and Board of Aldermen of the city of Hattiesburg to invest the sinking funds now on hand and being raised with which to pay off certain bonds.

9th. An Act to validate and confirm the proceedings of the Nashville & Mississippi Delta Railroad Company and to authorize the Directors of said Company to proceed under the provisions of its charter to construct a railroad in Mississippi.

Respectfully,

A. H. LONGINO, *Governor.*

INTRODUCTION OF BILLS.

By Mr. Kyle—

H. B. No. 148, To be entitled An Act to amend Section 3702 of the Code of 1892 in respect to the day fixed for the meeting of Presidential Electors.

Read twice and referred to Committee on Judiciary.

By Mr. Ham—

H. B. No. 149, To be entitled An Act to repeal so much of Section 2 of an Act to relieve the Delta Bank of Greenwood from double taxation, and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners of the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04.

Read twice and referred to Committee on Levees.

By Mr. Ham—

H. B. No. 150, To be entitled An Act to repeal so much of Section 2 of an Act to relieve the Bank of Greenwood, Mississippi, from double taxation, and to refund to it taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners of the Yazoo-Mississippi Delta to pay to said Board the sum of \$492.05.

Read twice and referred to Committee on Levees.

By Mr. Ham—

H. B. No. 151, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue

bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

Read twice and referred to Committee on Levees.

By Mr. Ham—

H. B. No. 152, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law, and to issue its debentures therefor.

Read twice and referred to Committee on Levees.

By Mr. Ham—

H. B. No. 153, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to an amount not exceeding two hundred and fifty thousand dollars for the purpose of raising funds for high water emergencies, and for other purposes.

Read twice and referred to Committee on Levees.

By Mr. Ham—

H. B. No. 154, To be entitled An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said levee district.

Read twice and referred to Committee on Levees.

By Mr. Byrd—

H. B. No. 155, To be entitled An Act authorizing the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county.

Read twice and referred to Committee on Local and Private Legislation.

By Mr. Cock—

H. B. No. 156, To be entitled An Act to repay to W. Q. Cole the amount of premiums paid on his official bond for the years 1900 and 1901.

Read twice and referred to Committee on Appropriations.

By Mr. Dudley—

H. B. No. 157, To be entitled An Act to amend Section 455 of the Code of 1892, as amended by Chapter 84 of the laws of 1900, in relation to terms of Chancery Court in the Seventh Chancery Court District, so as to change and fix the time for holding Chancery Courts in the County of Tallahatchie.

Read twice and referred to Committee on Judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 12, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 1, An Act to repeal all of Chapter 105 relating to primary meetings and elections except Sections 3274 and 3275,

and to provide for all nominations for State, district, county district and county officers to be made by primary elections.

S. B. No. 26, An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and to provide for its maintenance, and for the issuance of future publications of the Mississippi Historical Society.

S. B. No. 63, An Act to authorize Board of Supervisors to hire laborers to work on county farms being worked by convicts, in certain cases of necessity.

S. B. No. 64, An Act to appropriate money to pay interest accrued and to accrue to November 1, 1903, upon the fund deposited in the State treasury as proceeds of lands sold, such lands having been donated by the United States Government to the Industrial Institute and College at Columbus, and to prescribe purposes for which such interest may be used by the Trustees of said Institute and College.

H. B. No. 16, An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of the educable children of the State in the year 1902, and every four years thereafter.

H. B. No. 98, An Act to authorize the city of West Point, Mississippi, to issue and negotiate bonds for the purpose of enlarging and equipping the public school building of said city of West Point.

H. B. No. 117, An Act to apportion and redistrict the State of Mississippi into eight Congressional Districts, and to provide for the election of a Congressman from each district.

JOHN Y. MURRY, JR., *Secretary.*

SENATE BILLS REFERRED.

S. B. No. 1, To be entitled An Act to repeal all of Chapter 105 relating to primary elections and meetings except Section 3274 and 3275, and to provide for all nominations for State, district, court district and county officers to be made by primary election.

Read twice and referred to Committee on Registrations and Elections.

S. B. No. 63, To be entitled An Act to authorize Boards of Supervisors to hire laborers to work on county farms being worked by convicts in certain cases of necessity.

Read twice and referred to Committee on County Affairs.

S. B. No. 64, To be entitled An Act to appropriate money to pay interest accrued and to accrue to November 1, 1903, upon the fund deposited in the State treasury as proceeds of land sold, such lands having been donated by the United States Government to the Industrial Institute and College at Columbus, and to prescribe purposes for which such interest may be used by the Trustees of said Institute and College.

Read twice and referred to Committee on Appropriations.

S. B. No. 126, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and to provide for its maintenance, and for the issuance of future publications of the Mississippi Historical Society.

Read twice and referred to Committee on Appropriations.

Senate Concurrent Resolution No. 10, A Concurrent Resolution to amend Section 183 of the Constitution of the State of Mississippi so that counties, circuit districts of counties, cities or towns may elect to take stock in or vote aid to railroads.

Was read and referred to Committee on Constitution.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 12, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has refused to concur in House amendments to S. B. No. 15, An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903 for buildings and equipment needed, and requests a conference committee on the disagreement of the two Houses, and has named as conferees on the part of the Senate Messrs. Falkner, Looney and Moore.

JOHN Y. MURRY, JR., *Secretary*.

On motion of Mr. Hightower the House agreed to the request of the Senate for a conference committee on the disagreement of the two Houses on Senate Bill No. 15, To be entitled An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, for buildings and equipment needed, and the Speaker named as conferees on the part of the House Messrs. Crum, Alcorn and Longest.

House Bill No. 31, To be entitled An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg, was considered.

The committee offered as an amendment to the bill a substitute with same number and title.

On motion of Mr. Kyle the substitute was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended and the bill as amended by the adoption of the substitute was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry,

Groves, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Loper, Magee, Magruder, Mahon, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 104.

Nays—Mr. Galloway—Total 1.

Absent and those not voting—Messrs. Alcorn, Alsworth, Boddie, Bradshaw, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Denton of Quitman, Dodds, Dudley, Foster of Claiborne, Haley, Ham, Heath, Irby, Johnston of Clarke, Longest, McAfee, McAllister, McDaniel, Shelby, Stennis of Lauderdale, Taylor, Thompson and Vollar—Total 28.

Mr. Kyle called up the motion entered on yesterday by Mr. Bennett to reconsider the vote by which Senate Bill No. 18, To be entitled An Act to make an appropriation for the payment of the amount of money expended by the Trustees of the Agricultural and Mechanical College in excess of the appropriation made for the building and equipment of the Textile School of Starkville, Mississippi, failed to pass.

Mr. Lamb moved the previous question on the motion to reconsider, which prevailed.

The call for the yeas and nays on the motion to reconsider being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Birmingham, Boddie, Bowers, Brown of Itawamba, Burge, Byrd, Campbell, Cock, Coleman, Coody, Cox of Prentiss, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Evans, Ford, Foster of Warren, Franklin of Lawndes, Garraway, George, Goff, Haley, Ham, Harper, Hathorn, Hewes, Hill, Jones, King, Kyle, Langston, Longest, Loper, Magee, Mahon, McAfee, McAllister, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Smith of Holmes, Smylie, Stamps, Thomas, Tucker, Underwood, Wall, Webster, White, Mr. Speaker—Total 67.

Nays—Messrs. Anderson, Arnold, Brittain, Brooks, Burrus, Causey, Clayton, Cooner, Cox of Panola, Doss, Eddins, Ellis, Elmer, Ferguson, Franklin of Marshall, Frazier, Galloway, Gambrell, Gibson, Granberry, Groves, Hemphill, Hightower, Hubbard, Johnston of Yazoo, Lamb, Long, Magruder, McCafferty, McCuiston, Murphree, Norton, Owen, Permenter, Posey, Pyle, Ray, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Stennis

of Kemper, Stubbs, Swinney, Taylor, Turner, Walker, Wilkins, Wren—Total 48.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Broadus, Brown of Adams, Castleman, Dodds, Foster of Claiborne, Gilfoy, Heath, Irby, Johnston of Clarke, McDaniel, Pace, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Thompson and Vollar—Total 18.

Mr. Sharp of Lowndes was paired with Mr. Alsworth. Had Mr. Alsworth been present he would have voted yea, and Mr. Sharp would have voted nay.

The special order of the day being House Bill No. 53, To be entitled An Act to aid, assist and encourage the organization of the Mississippi National Guard, and for their efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi, was, on motion of Mr. Senter, considered.

The Committee on Military Affairs offered the following amendment: Strike out \$16,325 for the year 1902 and insert \$12,000, and strike out \$16,325 for the year 1903 and insert in lieu thereof \$12,000.

Mr. Senter moved the adoption of the amendment offered by the committee.

Mr. McCafferty moved to amend the amendment offered by the committee by striking out \$12,000 where same occurs and insert in lieu thereof \$6,000.

Mr. Senter moved to table the motion to adopt the amendment to the amendment, which motion was lost, and then the amendment to the amendment was adopted, and the amendment as amended was adopted.

Whereupon, on motion of Mr. Senter, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Bennett, Birmingham, Bowers, Brittain, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Clayton, Cock, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Garraway, Gibson, Goff, Granberry, Groves, Haley, Ham, Hathorn, Hemphill, Hewes, Hill, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, McAfee, McCafferty, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stubbs, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren—Total 89.

Nays—Messrs. Brooks, Cooner, Doss, Ellis, Hubbard, Johnston of Clarke, Johnston of Yazoo, Senter—Total 8.

Absent and those not voting—Messrs. Alsworth, Boddie, Arnold, Bradshaw, Broadus, Brown of Adams, Byrd, Castleman, Coleman, Crum, Dodds, Foster of Claiborne, Gambrell, George, Gilfoy, Harper, Heath, Hightower, Irby, Jones, Mahon, McAllister, McCuiston, McDaniel, Murphree, Pace, Quin of Pike, Sharkey, Shelby, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Thompson, Vollar and Mr. Speaker—Total 36.

Mr. Senter moved to reconsider the vote by which the bill had passed.

On motion of Mr. Cox House Concurrent Resolution No. 1, to amend Section 36 of the Constitution of the State of Mississippi, was read for the third time, on the third day, for its final adoption, and agreeably to the provisions of the Constitution the yeas and nays were taken and the resolution was adopted by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Brown of Itawamba, Burge, Burrus, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Goff, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hewes, Hill, Hubbard, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Thomas, Tucker, Underwood, Walker, Webster, White, Wilkins—Total 89.

Nays—Messrs. Loper, Quin of Wilkinson, Smith of Holmes, Stubbs, Taylor, Turner, Wall, Mr. Speaker—Total 8.

Absent and those not voting—Messrs. Alsworth, Boddie, Bradshaw, Broadus, Brooks, Brown of Adams, Byrd, Campbell, Castleman, Crum, Crumpton, Dodds, Dudley, Evans, Foster of Claiborne, George, Gilfoy, Haley, Heath, Hightower, Irby, Johnston, of Clarke, Long, McDaniel, Murphree, Pace, Quin of Pike, Rouse, Shelby, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Thompson, Vollar and Wren—Total 36.

On motion of Mr. Sharp of Lowndes the privileges of the House were extended to little Miss Lucile Huntley Quin.

House Bill No. 26, To be entitled An Act making an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903, was, on motion of Mr. Hewes, recommitted to the Committee on Appropriations.

On motion of Mr. Hewes Senate Bill No. 59, To be entitled An Act to amend Section 3952 of the Annotated Code of 1892,

relative to salaries, and also an Act to amend said section of said Code as far as same relates to the salary of Governor's Private Secretary, being Chapter 38 of the sheet Acts of 1900, approved March 10, 1900, so as to increase the salary of the Governor from \$3,500 to \$5,000, and the salary of each of the Supreme Judges from \$3,500 to \$5,000, was made the special order for Thursday morning at 10 o'clock.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 83, An Act for the relief of W. T. Gwin, ex-tax assessor of Webster County, so as to compensate him for services rendered in assessing taxes for the year 1899, for which he did not receive any compensation from the State.

H. B. No. 5, An Act for the relief of Wade Polk, tax assessor of Lawrence County.

H. B. No. 95, An Act to divide the County of Tallahatchie into two Circuit and Chancery Court Districts, and to fix the jurisdiction of the courts, and to provide for holding same in each district, and to provide for the location of a county site in the Second District thereof, and to provide for the building of a court house and jail therein, and for transcribing of all muniments of title to lands lying within the Second District of said County, and to provide for the payment of all expenses incurred in carrying out the provisions of this Act.

H. B. No. 97, An Act to transfer from the Auditor's office and Land Commissioner's office to the offices of the Clerks of the Chancery Court of the proper counties all deeds made by the tax collectors to the Board of Commissioners to liquidate outstanding liabilities incurred for levee purposes prior to first day of January, 1862, and its successors.

S. B. No. 56, An Act to empower the Board of Supervisors of Harrison County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county from Mississippi City to Gulfport.

S. B. No. 44, An Act to regulate the fishing and canning of oysters in the State of Mississippi, and improving and enlarging oyster beds in the Mississippi waters, and to repeal Chapter 96 of the Annotated Code, Chapter 129 of the Laws of 1896, and Chapter 90 of the Laws of 1898.

LOPER, *Chairman.*

Whereupon the Speaker declared all business of the House suspended while he signed the bills just reported by the Commit-

tee on Enrolled Bills, titles of which were read, he calling the attention of the House thereto.

At 1.20 P. M., on motion of Mr. Owen, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTY-THIRD DAY.

THURSDAY, February 13, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. F. L. McCue.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren—Total 123.

Those absent—Messrs. Alsworth, Bradshaw, Castleman, Dodds, Foster of Claiborne, Heath, Irby, McDaniel, Pace, and Vollor—Total 10.

Leave of absence was granted to Mr. Bradshaw on account of sickness.

On motion of Mr. Denson the reading of the journal of yesterday was dispensed with and the same stood approved.

Mr. Denson was given unanimous consent to withdraw House Bill No. 59, To be entitled An Act to amend Section 1574, Code of 1892, and to repeal Section 1575 and 1576, and 1610 to 1620, inclusive, of said Code, thereby prohibiting the sale or giving away to induce trade intoxicants.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 26, To be entitled An Act making an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903.

Title sufficient; do pass.

H. B. No. 136, To be entitled An Act to provide for the payment of the premiums on the bonds of the several State officials when made by guarantee or surety companies.

Title sufficient; do pass as amended.

H. B. No. 156, To be entitled An Act to pay to W. Q. Cole the amount of premiums paid on his official bond for the years 1900 and 1901.

Title sufficient; do not pass.

S. B. No. 64, To be entitled An Act to appropriate money to pay interest accrued to November 1, 1903, upon the fund deposited in the State treasury as proceeds of land sold, such lands having been donated by the United States Government to the Industrial Institute and College at Columbus, and to prescribe purposes for which such interest may be used by the Trustees of said Institute and College.

Title sufficient; do pass.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON LEVEES.

MR. SPEAKER: The Committee on Levees has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 149, To be entitled An Act to repeal so much of Section 2 of an Act to relieve the Delta Bank of Greenwood, from double taxation and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners of the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04.

Title sufficient, and the bill do pass.

H. B. No. 150, To be entitled An Act to repeal so much of Section 2 of an Act to relieve the Bank of Greenwood, Miss., from

double taxation and to refund to it taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners of the Yazoo-Mississippi Delta to pay to said bank the sum of \$492.05.

Title sufficient and the bill do pass.

H. B. No. 151, To be entitled An Act to authorize the Board of Levee Commissioners of the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

Title sufficient and the bill do pass.

H. B. No. 152, To be entitled An Act to authorize the Board of Levee Commissioners of the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law, and to issue its debentures therefor.

Title sufficient and the bill do pass.

H. B. No. 153, To be entitled An Act to authorize Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to amount not exceeding two hundred and fifty thousand dollars for the purpose of raising funds for high water emergencies and for other purposes.

Title sufficient, and the bill do pass.

H. B. No. 154, To be entitled An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said levee district.

Title sufficient and that the bill do pass.

J. S. HAM, *Chairman.*

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 13, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 51, An Act to authorize the Board of Mayor and Aldermen of the city of Natchez to issue bonds for the purpose of purchasing the waterworks and sewerage system owned and operated in said city by the Natchez Water Supply and Sewer Co., or for the purpose of building, constructing or otherwise securing for said city a system of sewerage and waterworks.

H. B. No. 49, An Act for the support and maintenance of the State Normal School at Holly Springs.

JOHN Y. MURRY, JR., *Secretary.*

SENATE CHAMBER, February 13, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House Amendment to S. B. No. 52, An Act to appropriate money to defray the expenses incident to penitentiary affairs, as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee and of Sergeant-at-Arms for service of process issued by said

committee, and compensation of stenographer employed by said committee.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendation:

H. B. No. 118, To be entitled An Act to secure the proper assessment of money on hand on deposit or otherwise due the party assessed.

Title sufficient; bill do not pass.

THOMAS, *Chairman.*

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 13, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor, to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 5, An Act for the relief of Wade Polk, tax collector of Lawrence County.

H. B. No. 16, An Act to amend Chapter 32 of the Acts of 1898 so as to provide for the enumeration of educable children of the State in the year 1902, and every four years thereafter.

H. B. No. 98, An Act to authorize the city of West Point, Mississippi, to issue and negotiate bonds for the purpose of enlarging and equipping the public school buildings of said city of West Point.

H. B. No. 83, An Act for the relief of W. T. Gwin, ex-tax collector of Webster County, so as to compensate him for services rendered in assessing taxes for the year 1899, for which he did not receive any compensation from the State.

H. B. No. 97, An Act to transfer from the Auditor's office and Land Commissioner's office to the offices of the clerks of the Chancery Court of the proper counties, all deeds made by the tax collectors to the Board of Commissioners to liquidate outstanding liabilities incurred for levee purposes prior to first day of January, 1862, and its successors.

Respectfully,

J. J. COMAN,
Private Secretary.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 13, 1902.

To the Legislature of Mississippi.

GENTLEMEN: Upon request of the chairman of the Appropriation Committee I have the honor to submit for your consideration

and such action as you may deem proper the following subjects, to-wit:

An Act to amend Section 3702 of the Code of 1892, in reference to the day fixed for the meeting of Presidential Electors.

An Act to better provide for appointment of special judges and Chancellors in the State of Mississippi.

In view of the recent action taken by the Legislature in reference to canvassing and ascertaining the result of special State elections, I have the honor to submit for your consideration and such action as your wisdom may approve the matter of harmonizing Chapter 79 of the Acts of 1900, with Section 3685 of the Code of 1892, and Section 140 of the State Constitution as to vacancies in State offices that may occur between this time and the next sitting of the Legislature.

Respectfully,

A. H. LONGINO, *Governor*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 12, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 28, An Act to make appropriation to defray the expenses of the State Insane Hospital for the years 1902 and 1903.

H. B. No. 37, An Act to make an appropriation to defray the expenses of the Institute for the blind, and for other purposes.

Respectfully,

J. J. COMAN,
Private Secretary.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 157, To be entitled An Act to amend Section 455 of the Code of 1892, as amended by Chapter 84 of the Laws of 1900, in relation to terms of Chancery Court in the Seventh Chancery Court District, so as to change and fix the time for holding Chancery Court in the County of Tallahatchie.

Title sufficient and the bill do pass.

BOWERS, *Chairman*.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 13, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted S. C. R. No. 15, authorizing joint committee to investigate penitentiary affairs to secure rooms in which to hold

its sessions, granting permission to hold meetings during sessions of the two Houses, and authorizing employment of all necessary clerical and other assistance in order to properly complete its labors.

JOHN Y. MURRY, JR., *Secretary.*

SENATE CHAMBER, February 13, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

S. B. No. 73, An Act to provide for the payment of interest, due on the original seminary fund and the 1894 land grant fund for the support of the University of Mississippi for the years 1902 and 1903.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF JOINT COMMITTEE ON CONFERENCE APPOINTED ON THE
DISAGREEMENT BETWEEN THE SENATE AND HOUSE
ON SENATE BILL NO. 15.

MR. SPEAKER: The Joint Committee on Conference appointed on the disagreement between the Senate and House has had under consideration S. B. No. 15, Entitled An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, and for buildings and equipment needed, and has instructed me to report it back with the following recommendations:

That the House recede from its amendment striking out \$20,000 for the building of training school, and \$10,000 for the expenses of the same for the year 1902, and \$10,000 for the year 1903, also that the House recede from its amendment prohibiting coeducation at the University of Mississippi. That the Senate concur in the House amendment reducing the item of \$40,000 for building and general use to \$30,000.

C. LEE CRUM,
Chairman on part of House.

J. W. T. FALKNER,
Chairman on part of Senate.

Mr. Hill introduced House Bill No. 158, To be entitled An Act for the relief of sureties on the bonds of State, county and county district officers at the expiration of their terms of office.

Was read twice and referred to Committee on Judiciary.

S. B. No. 26, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and to provide for its maintenance, and for the issuance of future publications of the Mississippi Historical Society, was, on motion of Mr. Kyle, recalled from the Committee on Appropriations and re-committed to the Committee on Judiciary.

On motion of Mr. Bowers the members of the special committee to investigate the affairs of the penitentiary were excused

from attending the sessions of the House in order to attend the meetings of said committee, and were given the privilege of voting on questions coming before the House, and the pages were instructed to notify the members of the committee when a vote was about to be taken.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 16, An Act to amend Chapter 32 of the Acts of 1898, so as to provide for the enumeration of educable children of the State in the year 1902, and every four years thereafter.

H. B. No. 98, An Act to authorize the city of West Point, Mississippi, to issue and negotiate bonds for purpose of enlarging and equipping the public school building of said city of West Point.

H. B. No. 117, An Act to apportion and redistrict the State of Mississippi into eight Congressional Districts, and to provide for the election of a Congressman from each district.

LOPER, *Chairman.*

Whereupon the Speaker declared all business of the House suspended while he signed the bills just reported, reading the titles to same, and calling the attention of the House thereto.

On motion of Mr. Ham the bills reported from the Committee on Levees were made the special order for Friday morning at 10 o'clock.

The special order of the day, Senate Bill No. 27, To be entitled An Act to repeal Section 1575 of the Annotated Code of 1892, relating to granting of licenses to retail vinous, malt, alcoholic, intoxicating or spirituous liquors by Boards of Supervisors, and to amend Section 1576 of the Annotated Code of 1892, relating to the granting of licenses to retail liquors by Boards of Mayor and Aldermen of cities, towns or villages, was considered.

The Committee on Liquor Traffic offered the following amendment: Amend by striking out in third line of Section 2 the word "five" and insert in lieu thereof "three."

Mr. Ray moved the adoption of the amendment.

Mr. Crum moved to table the motion to adopt, which prevailed.

Whereupon, on motion of Mr. Ray, the rules were suspended, the bill read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of

Lauderdale, Doss, Eddins, Ellis, Ferguson, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Loper, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Underwood, Wall, Walker, Webster, White, Wilkins—Total 92.

Nays—Messrs. Boddie, Broadus, Brown of Adams, Denton of Quitman, Elmer, Ford, Foster of Warren, Hemphill, Hewes, Lamb, Magee, Magruder, Neill, Robbins, Stubbs, Thompson, Tucker, Turner—Total 18.

Absent and those not voting—Messrs. Alcorn Alsworth, Bradshaw, Brooks, Burrus, Castleman, Dodds, Dudley, Evans, Foster of Claiborne, Ham, Hathorn, Heath, Irby, Jones, McDaniel, Miller, Pace, Stennis of Lauderdale, Thomas, Vollar, Wren and Mr. Speaker—Total 23.

Senate Bill No. 59, To be entitled An Act to amend Section 3952 of the Annotated Code of 1892, relative to salaries, and also an Act to amend said section of said Code so far as same relates to the salary of Governor's Private Secretary, etc., being Chapter 38 of sheet Acts of 1900, approved March 10, 1900, so as to increase the salary of the Governor from \$3,500 to \$5,000, and the salary of each of the Supreme Judges from \$3,500 to \$5,000.

Mr. Bowers moved to amend the title by striking out five thousand where same occurs, and by inserting forty-five hundred in lieu thereof, which amendment was adopted.

Mr. Stubbs then moved to strike out \$4,500 and insert in lieu thereof \$3,500.

Mr. Boddie moved to table the motion to adopt the amendment, which motion prevailed.

Mr. Owen then moved to strike out \$4,500 for the Governor's salary and insert in lieu thereof \$4,000.

Mr. Crum moved to table the motion to adopt the amendment, and the call for the yeas and nays on the motion to table being sustained, the motion to table prevailed by the following vote:

Yeas—Messrs. Alcorn, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brown of Adams, Campbell, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Ellis, Elmer, Ford, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, George, Gilfoy, Goff, Groves, Haley, Ham, Harper, Hewes, Hill, Lamb, Magee, Magruder, Mahon, McAllister, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Quin of Pike, Robbins, Senter, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Swin-

ney, Thompson, Tucker, Underwood, Wall, Webster, White, Mr. Speaker—Total 63.

Nays—Messrs. Allen, Anderson, Arnold, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Causey, Clayton, Cox of Panola, Crumpton, Doss, Eddins, Ferguson, Franklin of Marshall, Frazier, Galloway, Gibson, Granberry, Hathorn, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Loper, McCafferty, McCuiston, Murphree, Norton, Owen, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stubbs, Taylor, Turner, Walker, Wilkins—Total 51.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Castleman, Cooner, Dodds, Evans, Foster of Claiborne, Heath, Hemphill, Irby, Jones, McAfee, McDaniel, Pace, Rouse, Stennis of Lauderdale, Thomas, Vollar and Wren—Total 19.

Whereupon, on motion of Mr. Hewes, the rules were suspended, the bill read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Boddie, Bowers, Broadus, Brown of Adams, Campbell, Cock, Coleman, Cox of Prentiss, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Garraway, George, Goff, Haley, Ham, Harper, Hewes, Hill, Jones, Lamb, Magee, Magruder, Mahon, McAfee, McAllister, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Norment, Pyle, Quin of Pike, Ray, Robbins, Rouse, Senter, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Thomas, Thompson, Tucker, Underwood, Wall, Webster, White, Mr. Speaker—Total 62.

Nays—Messrs. Anderson, Arnold, Birmingham, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Causey, Clayton, Coody, Cox of Panola, Crumpton, Doss, Eddins, Ellis, Ferguson, Franklin of Marshall, Frazier, Galloway, Gambrell, Gibson, Gilfoy, Granberry, Groves, Hathorn, Hemphill Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Loper, McCafferty, McCuiston, Murphree, Norton, Owen, Posey, Quin of Wilkinson, Reynolds, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stubbs, Swinney, Taylor, Turner, Walker, Wilkins—Total 56.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Castleman, Cooner, Dodds, Foster of Claiborne, Heath, Irby, McDaniel, Moore, Pace, Permenter, Stennis of Lauderdale, Vollar and Wren—Total 15.

Mr. Permenter was paired with Mr. Moore; had Mr. Moore been present he would have voted yea, while Mr. Permenter would have voted nay.

Mr. Stennis of Lauderdale was paired with Mr. Wren; had Mr. Wren been present he would have voted nay, while Mr. Stennis would have voted yea.

On motion of Mr. Lamb the bills reported by the Judiciary Committee were made the special order for the session this afternoon.

On motion of Mr. Rouse the motion to reconsider the vote by which House Bill No. 46, To be entitled An Act making an appropriation for the equipment and support of the Branch Agricultural Experiment Station of McNeil, Mississippi, had failed to pass was made the special order for this afternoon.

At 1.30 P. M., on motion of Mr. Underwood, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment at 3 o'clock P. M., Speaker Russell in the chair.

A quorum present.

The Speaker read an invitation extended to the members and officers of the Legislature with their families, from the Daughters of the Confederacy to attend a reception at the Governor's Mansion Friday evening, February 14th, tendered in honor of Mrs. Jefferson Davis.

On motion of Mr. Brown of Adams the invitation was accepted.

House Bill No. 42, To be entitled An Act to raise revenue by making valid and of binding effect all contracts made previous to the passage of this Act and subsequent to March 1, 1900, which are or were null and void or voidable under previous or existing laws because of non-payment of privilege taxes due when such contracts were made, upon terms of full payment of all such privilege taxes so in default, with two hundred per centum damages thereon, within sixty days after the passage of this Act, was considered as amended by the Senate.

The Senate amendments are as follows:

No. 1. Insert after last word of first section, viz.: "Thereon," If the State receives and held as privilege taxes for one year a larger sum than was required by law, and in order to offset the same, the sheriff in good faith and upon his own suggestion deducted such excess from the privilege paid by the same individual or corporation the next succeeding year, and received and accounted for the remaining privilege tax, thus paying to the State for the

two years the full amount due for such time, then contracts made during such two years shall come within the protection of this Act without payment of any other sum.

No. 2. Amend by striking out the words "sixty days," and insert in lieu thereof the words "ninety days."

No. 3. Amend by striking out the words and figures "Subsequent to March 1, 1900," wherever same appears in the bill.

No. 4. Amend Section 1 as amended by adding at the end of same the following: "Provided, that in cases where such invalidity of contracts has been pleaded as a defense in any pending suit the opposite party shall pay all costs accrued before such contracts were invalidated by virtue of this Act."

No. 5. Amend title of bill by striking out the words "Subsequent to March 1, 1900."

No. 6. Amend title further by striking out the word "sixty," and insert in lieu thereof the word "ninety."

Mr. Coleman moved that the House do not concur in the Senate amendments. Lost.

Mr. Sharkey then moved that the House concur in the Senate amendment, and the yeas and nays being taken on the motion to concur, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Byrd, Causey, Clayton, Cock, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Gambrell, Garraway, George, Goff, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Mahon, McAfee, McAllister, McCafferty, McManus, Millsaps, Mitchell, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Rouse, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Smylie, Stamps, Swinney, Tucker, Turner, Walker, Webster, White, Mr. Speaker—Total 88.

Nays—Messrs. Coleman, Crum, Dudley, Frazier, Gibson, Granberry, Johnston of Clarke, Stennis of Kemper, Stubbs, Wall, Wilkins—Total 11.

Absent and those not voting—Messrs. Alsworth, Anderson, Bradshaw, Brooks, Burrus, Campbell, Castleman, Cooner, Dodds, Foster of Claiborne, Gilfoy, Haley, Irby, Jones, King, Magruder, McCuiston, McDaniel, Miller, Moore, Moss, Pace, Robbins, Senter, Sharkey, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Taylor, Thomas, Thompson, Underwood, Vollar and Wren—Total 34.

House Bill No. 64, To be entitled An Act making an appropriation to carry out the provisions of Chapter 76 of the Laws of the State of Mississippi, 1900, being an Act entitled An Act to enable

the Auditor of Public Accounts and Land Commissioner of the State of Mississippi to properly conduct the affairs of their respective offices, and to correct mistakes in land descriptions and land sales, and provide relief in repayment of moneys erroneously paid in privileges and State taxes and land purchases, and to save the State cost in passing bills for relief by local and private legislation in certain cases, as amended by the Senate, was considered.

The Senate adopted the following amendment: Amend the proviso to Section 1 so as to make it read as follows: "Provided no portion of said amount shall be paid on account of any land obtained or claim for money paid under any patent or certificate heretofore issued by any Secretary of State of Mississippi."

Mr. Foster of Warren moved that the House concur in the Senate amendment, and the yeas and nays being taken the motion to concur prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Byrd, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Goff, Groves, Ham, Harper, Hathorn, Heath, Hewes, Hill, Hubbard, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Loper, Magee, Mahon, McCafferty, McCuiston, McManus, Mitchell, Murphree, Neill, Norment, Norton, Permenter, Posey, Pyle, Ray, Reynolds, Robbins, Rouse, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Tucker, Turner, Walker, Webster, White, Wilkins, Mr. Speaker—Total 90.

Absent and those not voting—Messrs. Alsworth, Anderson, Bradshaw, Brooks, Burrus, Campbell, Castleman, Cooner, Dodds, Foster of Claiborne, George, Gilfoy, Granberry, Haley, Hemphill, Hightower, Irby, Johnston of Clarke, Jones, King, Long, Magruder, McAfee, McAllister, McDaniel, Miller, Millsaps, Moore, Moss, Owen, Pace, Quin of Pike, Quin of Wilkinson, Senter, Sharkey, Sharp of Lowndes, Stennis of Lauderdale, Thomas, Thompson, Underwood, Vollar, Wall and Wren—Total 43.

Mr. Rouse called up for consideration the motion previously entered to reconsider the vote by which House Bill No. 46, To be entitled An Act making an appropriation for the equipment and support of the Branch Agricultural Experiment Station at McNeill, Mississippi, had failed to pass.

On motion of Mr. Rouse the motion to reconsider prevailed.

Mr. Kyle moved to strike out of the bill eight thousand five hundred dollars and insert in lieu thereof six thousand five hundred dollars, which motion prevailed.

Mr. Hightower moved the adoption of the following amendment: Add after Section 1 the following: "The above appropriation is made on the condition that the scope of said Experiment Station shall be confined to experiments in agriculture, horticulture, and trucking, and that the State shall never engage in farming for profit or undertake experiments in live stock or the feeding of same.

Mr. Senter moved to table the motion to adopt the amendment, which prevailed.

Whereupon, on motion of Mr. Kyle, the rules were suspended, and the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Boddie, Bowers, Brittain, Broadus, Brown of Adams, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Galloway, Garraway, George, Gilfooy, Goff, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hill, Johnston of Clarke, Jones, King, Kyle, Langston, Longest, Magee, Magruder, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Neill, Norment, Norton, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stubbs, Swinney, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Mr. Speaker—Total 86.

Nays — Messrs. Anderson, Arnold, Birmingham, Brooks, Brown of Itawamba, Burrus, Cox of Panola, Ferguson, Franklin of Marshall, Frazier, Gibson, Granberry, Hubbard, Johnston of Yazoo, Lamb, Mahon, McAfee, Owen, Permenter, Posey, Sharp of Lowndes, Stennis of Kemper—Total 22.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Castleman, Clayton, Cooner, Crum, Dodds, Foster of Claiborne, Gambrell, Ham, Hightower, Irby, Long, Loper, McDaniel, Moore, Moss, Murphree, Pace, Stennis of Lauderdale, Taylor, Thomas, Thompson, Vollar and Wren—Total 25.

Senate Bill No. 3, To be entitled An Act to prevent unintended defeat of criminal prosecutions and of enforcement of penalties by statutory changes of criminal laws, was, under the suspension of the rules, on motion of Mr. Bowers, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock,

Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denton, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hubbard, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Mahon, McCuiston, McManus, Miller, Millsaps, Mitchell, Neill, Norment, Norton, Owen, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Tucker, Turner, Underwood, Walker, Webster, Mr. Speaker—Total 88.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Brooks, Brown of Adams, Castleman, Cooner, Crum, Dodds, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Gilfof, Goff, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, King, Long, Magruder, McAfee, McAllister, McCafferty, McDaniel, Moore, Moss, Murphree, Pace, Permenter, Reynolds, Rouse, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Taylor, Thomas, Thompson, Vollar, Wall, White, Wilkins and Wren—Total 45.

House Bill No. 120, To be entitled An Act to amend Section 613 of the Annotated Code, and also to amend Chapter 86 of the Laws of 1900, for the purpose of extending the time for holding terms of the Circuit Court in the Fourth Circuit Court District and to provide for terms of the Circuit Court in the Second Court District of Tallahatchie County, was considered.

The Committee on Judiciary offered by way of an amendment a substitute with same number and title.

On motion of Mr. Bowers the substitute was adopted.

Whereupon, on motion of Mr. Bowers, the rules were suspended, the bill as amended by the adoption of the substitute was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Arnold, Birmingham, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Gilfof, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hewes, Hubbard, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McCafferty, McCuiston, Millsaps, Mitchell, Neill, Norton, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smylie, Stamps,

Stubbs, Tucker, Underwood, Wall, Walker, Webster, Mr. Speaker—Total 86.

Absent and those not voting—Messrs. Alsworth, Anderson, Bennett, Bradshaw, Burrus, Castleman, Cooner, Crumpton, Dodds, Doss, Foster of Claiborne, Gambrell, Hemphill, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Long, Magee, McAfee, McAllister, McDaniel, McManus, Miller, Moore, Moss, Murphree, Norment, Owen, Pace, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Smith of Holmes, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Thomas, Thompson, Turner, Vollar, White, Wilkins and Wren—Total 47.

House Bill No. 121, To be entitled An Act to create the Eleventh Circuit Court District of Mississippi and fix the time for holding courts therein, was considered.

The Committee on Judiciary offered a substitute with same number and title for the bill, which was, on motion of Mr. Bowers, adopted.

Whereupon, on motion of Mr. Bowers, the rules were suspended, and the bill as amended by the adoption of the substitute, was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Arnold, Birmingham, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hewes, Hubbard, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McCafferty, McCuiston, Millsaps, Mitchell, Neill, Norton, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smylie, Stamps, Stubbs, Tucker, Underwood, Wall, Walker, Webster, Mr. Speaker—Total 86.

Absent and those not voting—Messrs. Alsworth, Anderson, Bennett, Bradshaw, Burrus, Castleman, Cooner, Crumpton, Dodds, Doss, Foster of Claiborne, Gambrell, Hemphill, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Long, Magee, McAfee, McAllister, McDaniel, McManus, Miller, Moore, Moss, Murphree, Norment, Owen, Pace, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Smith of Holmes, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Thomas, Thompson, Turner, Vollar, White, Wilkins and Wren—Total 47.

House Bill No. 110, To be entitled An Act to amend Section 921 of the Code of 1892, with reference to special judges, and to require judges and Chancellors to sit anywhere in the State, was.

under the suspension of the rules, on motion of Mr. Bowers, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfooy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hubbard, King, Kyle, Lamb, Langston, Longest, Loper, Magruder, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Reynolds, Sharkey, Sharp of Lowndes, Shelby, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Tucker, Turner, Underwood, Wall, Walker, Webster, Mr. Speaker—Total 87.

Absent and those not voting—Messrs. Alsworth, Bennett, Boddie, Bradshaw, Burrus, Castleman, Cock, Cooner, Crumpton, Dodds, Dudley, Foster of Claiborne, Franklin of Lowndes, George, Haley, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Long, Magee, Mahon, McAfee, McAllister, McDaniel, Miller, Moore, Moss, Pace, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Stennis of Lauderdale, Thomas, Thompson, Vollar, White, Wilkins and Wren—Total 46.

House Bill No. 157, To be entitled An Act to amend Section 455 of the Code of 1892, as amended by Chapter 84 of the Laws of 1900, in relation to terms of Chancery Court in the Seventh Chancery Court District, so as to change and fix the time for holding Chancery Courts in the County of Tallahatchie, was, under the suspension of the rules, on motion of Mr. Bowers, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfooy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hubbard, King, Kyle, Lamb, Langston, Longest, Loper, Magruder, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Reynolds, Sharkey, Sharp of Lowndes, Shel-

by, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Tucker, Turner, Underwood, Wall, Walker, Webster, Mr. Speaker—Total 87.

Absent and those not voting—Messrs. Alsworth, Bennett, Boddie, Bradshaw, Burrus, Castleman, Cock, Cooner, Crumpton, Dodds, Dudley, Foster of Claiborne, Franklin of Lowndes, George, Haley, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Long, Magee, Mahon, McAfee, McAllister, McDaniel, Miller, Moore, Moss, Pace, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Stennis of Lauderdale, Thomas, Thompson, Vollar, White, Wilkins, and Wren—Total 46.

House Bill No. 128, To be entitled An Act to amend Section 1300 of the Annotated Code of 1892, in regard to injury to telegraph lines, so as to make the provisions of said section apply to telephone lines, was, under the suspension of the rules, on motion of Mr. Coody, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs Allen, Anderson, Arnold, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Campbell, Causey, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfoy, Goff, Groves, Harper, Hathorn, Heath, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Lamb, Longest, Loper, Magee, Magruder, Mahon, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Wilkinson, Reynolds, Robbins, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thompson, Tucker, Turner, Underwood, Walker, Webster, Wilkins, Mr. Speaker—Total 90.

Absent and those not voting—Messrs. Alcorn, Alsworth, Bennett, Boddie, Bradshaw, Burrus, Byrd, Castleman, Cock, Cooner, Crumpton, Dodds, Foster of Claiborne, Franklin of Lowndes, George, Granberry, Haley, Ham, Hemphill, Hubbard, Irby, Jones, Langston, Long, McAfee, McAllister, Miller, McDaniel, Moore, Moss, Pace, Quin of Pike, Ray, Rouse, Senter, Sharpe of Leake and Winston, Smith of Holmes, Stennis of Lauderdale, Thomas, Vollar, Wall, White and Wren—Total 43.

House Bill No. 36, To be entitled An Act to require the several State officials hereinafter named to make guarantee or surety bonds, and to fix the penalty of the same, and to provide for the payment of the premiums for such bonds out of the State treasury, and to repeal all laws in conflict with same, was considered.

The committee offered a substitute, with the same number and title as the bill.

Mr. Bowers moved the adoption of the substitute, which motion prevailed.

Mr. Owen moved the adoption of the following amendment:

Amend Section 1 so that it may read "one-half of the premiums to be paid by the State."

Mr. Millsaps moved to table the motion to adopt the amendment, which prevailed.

Mr. Owen then moved the adoption of the following:

Amend by striking out every reference to all State officials, except that of State Treasurer. Lost.

Whereupon, on motion of Mr. Evans, the bill as amended by the adoption of the substitute was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Bennett, Birmingham, Boddie, Bowers, Broadus, Brown of Adams, Burge, Byrd, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Dudley, Ellis, Elmer, Evans, Foster of Warren, Galloway, Gambrell, Garraway, Goff, Ham, Harper, Hathorn, Heath, Hewes, Hill, Johnston of Clarke, Kyle, Lamb, Langston, Longest, Magee, Magruder, McCuiston, McManus, Millsaps, Mitchell, Norton, Quin of Wilkinson, Ray, Sharkey, Shelby, Smylie, Stamps, Stennis of Kemper, Taylor, Thomas, Underwood, Wall, Walker, Webster, Wilkins, Mr. Speaker—Total 62.

Nays—Messrs. Anderson, Arnold, Brittain, Brooks, Brown of Itawamba, Campbell, Crumpton, Doss, Eddins, Ferguson, Franklin of Marshall, Frazier, Gibson, Hubbard, Johnston of Yazoo, Loper, Mahon, McCafferty, Owen, Permenter, Posey, Pyle, Reynolds, Smith of Greene, Stubbs, Swinney, Tucker, Turner—Total 28.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Burrus, Castleman, Cooner, Denton of Quitman, Dadds, Ford, Foster of Claiborne, Franklin of Lowndes, George, Gilfoy, Granberry, Groves, Haley, Hemphill, Hightower, Irby, Jones, King, Long, McAfee, McAllister, McDaniel, Miller, Moore, Moss, Murphree, Neill, Norment, Pace, Quin of Pike, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Holmes, Stennis of Lauderdale, Thompson, Vollar, White, and Wren—Total 43.

Mr. Johnston of Clarke moved to reconsider the vote by which the bill had passed.

On motion of Mr. Kyle House Bill No. 136, To be entitled An Act to provide for the payment of premiums on the bonds of the several State officials when made by guarantee or surety companies, was recommitted to Committee on Appropriations.

On motion of Mr. Bowers all bills passed at the afternoon session except H. B. No. 36, were ordered transmitted to the Senate at once.

On motion of Mr. Crum the report of the conference committee on Senate Bill No. 15, To be entitled An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903 for buildings and equipments needed, was made the special order for to-morrow morning at 10 o'clock.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill, and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

S. B. No. 52, An Act to appropriate money to defray the expenses incident to investigation of penitentiary affairs, as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee, and of Sergeant-at-Arms for service of process issued by said committee, compensation for stenographer employed by said committee, and payment of incidental expenses incurred and to be incurred by said committee.

LOPER, *Chairman.*

Whereupon all business of the House was suspended while the Speaker signed the bill just reported, he calling the attention of the House thereto.

At 6.20 P. M., on motion of Mr. Gambrell, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,

Clerk of the House of Representatives.

THIRTY-FOURTH DAY.

FRIDAY, February 14, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Birmingham.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of

Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Castleman, Causey, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wren—Total 120.

Those absent — Messrs. Alsworth, Bradshaw, Cock, Cooner, Dodds, Foster of Claiborne, Irby, McDaniel, Moore, Pace, Underwood, Vollar and Wilkins—Total 13.

Leave of absence was granted from day to day to Mr. Cooner on account of a death in his family.

To Mr. Underwood and Mr. Pace on account of sickness.

To Mr. Hathorn until Tuesday, and Mr. Wilkins from day to day on account of sickness.

At 10.20 A. M. Mr. Brooks moved to take a recess until 12 o'clock. Lost.

On motion of Mr. Senter the reading of the journal of yesterday was dispensed with and the same stood approved.

At 10.30 A. M. Mr. Bennett moved to take a recess until 3 o'clock P. M., the call for the yeas and nays on the motion being sustained, the Clerk called the roll and the motion was lost by the following vote:

Yeas—Messrs. Bennett, Bowers, Clayton, Foster of Warren, Franklin of Lowndes, George, Haley, Harper, Hewes, Jones, King, Magruder, Norton, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Sharkey, Wall—Total 19.

Nays — Messrs. Alcorn, Allen, Anderson, Arnold, Birmingham, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Ellis, Elmer, Ferguson, Ford, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Groves, Ham, Hathorn, Heath, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Long, Longest, Loper, Magee, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moss, Murphree, Norment, Permenter,

Posey, Pyle, Ray, Senter, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Turner, Walker, Webster—Total 76.

Absent and those not voting — Messrs. Alsworth, Boddie, Bradshaw, Brooks, Byrd, Castleman, Causey, Cock, Coleman, Cooner, Denton of Quitman, Dodds, Dudley, Eddins, Evans, Foster of Claiborne, Goff, Hill, Irby, Langston, McAfee, McDaniel, Moore, Neill, Owen, Pace, Rouse, Sharp of Lowndes, Stubbs, Thomas, Thompson, Tucker, Underwood, Vollar, White, Wilkins, Wren and Mr. Speaker—Total 38.

Mr. White in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 14, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 14, An Act to appropriate \$2,500 in the year 1902, and \$1,500 for the year 1903 for the Confederate Hospital Annex at Vicksburg, Miss., and to provide for the distribution of the same, with accompanying amendments.

H. B. No. 23, An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States, with accompanying amendment.

H. B. No. 32, An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903, and for other purposes, with accompanying amendment.

H. B. No. 44, An Act to pay for legal services rendered the State in the suit of Warren County et al. vs. E. H. Nall, Land Commissioner.

H. B. No. 48, An Act making an appropriation for the support, repairs, additional buildings and equipment of the Mississippi Agricultural and Mechanical College, with accompanying amendments.

H. B. No. 86, An Act to make an appropriation to pay A. W. Jones, of Prentiss County, balance on pension due him for the year 1899.

H. B. No. 99, An Act to repeal Chapter 39 of the Acts of 1898, and Chapter 121 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channeling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands.

S. B. No. 32, An Act to provide public depositories and to secure public funds in their custody.

S. B. No. 43, An Act making an appropriation to pay Mrs. D. W. Hurst, widow of D. W. Hurst, for services rendered by

D. W. Hurst as Judge of High Court of Errors and Appeals of this State from the 1st day of April, 1865, to the 13th day of July, 1865, inclusive.

S. B. No. 45, An Act to amend Section 3952 of the Annotated Code of Mississippi, 1892, so as to fix the salary of the Secretary of the Railroad Commission at the sum of twelve hundred dollars.

S. B. No. 71, An Act to provide for a State Geologist and for a geological survey of the State.

S. B. No. 81, An Act to validate and confirm the proceedings of the Nashville & Mississippi Delta Railroad Company, and to authorize the Directors of said Company to proceed under the provisions of its charter to construct a railroad in Mississippi.

And has adopted S. C. R. No. 12, A Concurrent Resolution of the Legislature of the State of Mississippi proposing to amend the Constitution of the State by abrogating therefrom Sections 118 and 166, so as to relieve the Legislature from the restrictions thereby imposed in regard to the salaries of the Governor, judges and Chancellors.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 116, To be entitled An Act to amend Section No. 81 of Chapter 5, of the sheet Acts of 1898, and also to repeal the subsection in Section 1 of Chapter 42 of the sheet Acts of 1900, which provides for privilege taxation on telephone exchanges and long distance telephones.

Title sufficient and the committee substitute do pass.

THOMAS, *Chairman.*

REPORT OF COMMITTEE ON REGISTRATION AND ELECTIONS.

MR. SPEAKER: The Committee on Registrations and Elections has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 146, To amend Section 3635 of the Annotated Code of 1892 with reference to the meeting of Primary Election Commissioners.

Title sufficient and the bill do pass.

H. B. No. 47, To repeal Section 3264 of the Annotated Code of 1892, to restrict participation in conventions and primary meetings and elections to qualified voters, and to require uniformity of time in holding said conventions, primary meetings and elections.

Title sufficient and the bill do pass.

S. B. No. 1, To repeal all of Chapter 105 relating to primary meetings and elections except Section 3274 and 3275, and to provide for all nominations for State, district, county district and county officials be made by primary elections.

Title sufficient, bill do not pass, as House Bill No. 47 is recommended favorably.

CAMPBELL, *Chairman.*

MR. CHAIRMAN: We, the undersigned members of the Committee on Registration and Elections, who have had under consideration, among other bills, Senate Bill No. 1 and House Bill No. 47, respectfully report that we dissent from the action of the majority of our committee and recommend that Senate Bill No. 1 be passed as a substitute for House Bill No. 47, for the following reasons:

1. The Senate bill provides legal rules for ascertaining at the polls the personal choice of each voter, and of carrying it into effect, with every security and penalty against fraud afforded in general elections. All power in this bill is left with the party's qualified electors, executive committees being mere functionaries for receiving, tabulating and declaring the result, their rights and duties being absolutely fixed. Under the House Bill the time and method of nominations are not regulated by law, but are left practically to the unbridled whims and caprices of executive committees, which usually exercise every available means at their command, fair or foul, for the advancement of the political fortunes of their individual favorites. Committees, thus untrammelled, are often more potent than the people, contriving, through conventions, to nominate men who dared not openly enter the canvas, or else there prove to be the very weakest. The only really limitations imposed by the House Bill are that State primary meetings shall be held on the same date, which may be in any month, and are to be confined to qualified electors, but provides no means for determining who are such electors.

2. Primary elections conducted under such safeguards as to deter swindlers are helpful to the voters and to the officers chosen. It shows to the voters that they are the sovereigns, and encourages them to fully qualify themselves by study of men and measures, to exercise their sovereignty in a manner most conducive to public welfare. It proves to public officers that their conduct must be such as to give satisfaction, not to political wire-pullers, who may be omnipotent in a convention, but to the aggregate, virtue and intelligence of these, the masses, who can only speak through the ballot, and are actuated by no sinister designs.

Conventions are relics of the monarchical doctrine, that the people are unfit for self-government and need men of superior grace and wisdom to select those who shall wield authority. Its aged forefathers, our useless electoral colleges, are a monument to the popular distrust entertained by our ancestors, who were reared as subjects of a king. Presidential electors have become

divested of all discretion, and merely reiterate the decision voiced through the ballot box. So it should be with all party machinery, which solely should enable its individual members to speak through the ballot. Conventions, on the other hand, more frequently *deflect* than *reflect* the choice of the party majority. For these reasons conventions are idolized by those who for success rely more on wire-pulling than on getting votes. Such men speak of depriving the voters of conventions as if they were depriving them of something worth having and something intended for their good instead of their injury. It is no deprivation to a man to prevent his doing himself a hurt, though it be at the instigation of some wily adviser.

3. The salvation of our State depends on the unity of our white people. This vote can only be secured by ascertaining and effectuating the choice of majority, to the exclusion of negroes. Negroes are barred from regular primaries, but are emancipated in all conventions and electoral primaries which are based on population, including negroes. By such agencies in counties where negroes are in a majority of five to one, one white vote is five times as influential as in a county where there are no negroes. County lines should not work such vast inequalities in State politics between men of the same race.

4. To illustrate the devious workings of electoral primaries or conventions, under the House Bill, both using the same basis of representation, apply either system to the Eighth Congressional District. This district has 28 convention votes, Hinds and Yazoo 7 each, exactly one-half. In a convention, under the unit rule, without their help there can be no nomination. Likewise it is under electoral primaries. The politicians in control of these two counties can take their time in figuring with each other, and then, when they have reached a conclusion, need but get a hundredth part of a vote from elsewhere to make their joint action successful. These two counties also have a majority of the convention vote of the judicial district and have a floater representative. Warren and Rankin are indifferent districts with nothing to trade. Madison is in a district with Hinds and Yazoo, and if they fail to agree can turn the scale to either. With such basis for trading, under the convention system, Warren and Rankin would be utterly without influence, and the Congressman would float back and forth between Hinds and Yazoo. If electoral primaries are held no different result would be reached, and no one could win without one of these two counties. Such a system of nomination would not be the rule of the majority, but the rule of chance, or of political work. A candidate might receive every vote in Madison, Warren and Rankin and his nomination be defeated by a majority or plurality of one vote each in Hinds and Yazoo against him. According to the report, 1899, of the Secretary of the State, pp. 168-9, Yazoo and Hinds then had together 4,003 white registered voters, and the other three counties 5,318. A candidate might

receive the whole of these 5,318 votes and near 2,000 of the other 4,003 and yet fail to obtain a nomination under the House Bill offered as a substitute. This bill, in its practical operations, might and often will result in the defeat of the majority and the victory of the minority, even in a primary. If, instead of a primary, a convention is held, the minority and majority might both be defeated by a candidate who was wholly unwilling to go before the people. This may account for some of the opposition of local politicians to primary elections. It would be impossible for this thing to happen under the Senate Bill, which we think should be passed, and which guarantees success to any man who obtains the support of a majority of the white qualified electors. The two bills present squarely the issue, as to whether it is best to have the people rule themselves by a direct expression of their choice of candidates, or be ruled by skillful politicians, through the workings of a convention.

Without, in any way, intending to reflect on the action of the majority of our committee, to us it seems the Senate Bill and the House substitute make a clear cut issue of primary elections against conventions and of the people against the politicians. In scriptural terms, "Choose ye this day whom ye will follow." Experience admonishes us that convention methods are as unsuited to the selection, as to the election, of candidates. No wrong is done by shutting the door against temptations and opportunities of wrongdoing.

O. S. ROBBINS,
ARTHUR REYNOLDS,
D. J. HUBBARD,
J. W. SWINNEY,
W. G. GIBSON.

At 10.40 A. M., on motion of Mr. Cox, the House took a recess until 12 o'clock for the members to meet Mrs. Jefferson Davis.

The House reconvened at 12 o'clock pursuant to adjournment, Speaker *pro tem.* Sharp in the chair.

A call of the roll showing that there was not a quorum of members present, the House, on motion of Mr. Bowers, took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

House met at 3 P. M. pursuant to adjournment, with Speaker Russell in the chair.

A quorum present.

On motion of Mr. Thomas the revenue bills reported favorably by the Committee on Ways and Means were made the special order for Saturday morning.

On motion of Mr. Sharkey House Bill No. 14, To be entitled An Act to appropriate \$2,500 for the year 1902, and \$1,500 for the year 1903, for the Confederate Hospital Annex at Vicksburg, Mississippi, and to provide for the distribution of the same, as amended by the Senate, was considered.

The Senate amendments follow :

Amend the enacting clause by making the last word of said clause to read "Mississippi" instead of "Miss.," and amend title by striking out the word "Miss." and inserting the word "Mississippi," after the word "Vicksburg."

Mr. Sharkey moved that the House concur in the Senate amendment, which prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoxy, Goff, Granberry, Groves, Haley, Heath, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moss, Murphree, Neill, Norment, Owen, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thompson, Turner, Walker, Webster, White—Total 96.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Brittain, Broadus, Castleman, Cooner, Cox of Prentiss, Dodds, Foster of Claiborne, Foster of Warren, Ham, Harper, Hathorn, Hemphill, Hewes, Long, Mahon, McDaniel, Miller, Norton, Pace, Quin of Pike, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Thomas, Underwood, Vollor, Wall, Wilkins, Wren and Mr. Speaker—Total 37.

On motion of Mr. Campbell the bills reported from the Committee on Registrations and Elections was made the special order for to-morrow morning.

On motion of Mr. Denton of Lauderdale Senate Concurrent Resolution No. 15, authorizing the joint committee to investigate penitentiary affairs to secure room in which to hold meetings during sessions of the two Houses, and authorizing employment of all necessary clerical and other assistance in order to properly complete its labors, was adopted.

Under the suspension of the rules Mr. Smith of Holmes introduced House Bill No. 159, To be entitled An Act to make an appropriation to pay the salary of the Assistant Attorney General for the years 1902 and 1903, which was read twice and referred to Committee on Appropriations.

Mr. Doss introduced House Bill No. 160, To be entitled An Act to increase the revenue of the State by recovering State lands fraudulently purchased, which was read twice and referred to Committee on Ways and Means.

Mr. Bowers moved to table the motion previously entered by Mr. Johnston of Clarke, to reconsider the vote by which House Bill No. 36, To be entitled An Act to require the several State officials hereinafter named to make guaranty or surety bonds, and to fix the penalty of the same, and to provide for the payment of the premiums of such bonds out of the State treasury, and to repeal all laws in conflict herewith, had passed, which prevailed.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 65, An Act to authorize the Yazoo and Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties, and to abandon a part of the line so acquired, and also a part of its own line in Leflore County.

S. B. No. 72, An Act to provide for the maintenance of the Department of Archives and History and for the issuing of future publications by the Mississippi Historical Society.

JOHN Y. MURRY, JR., *Secretary.*

SENATE BILLS REFERRED.

S. B. No. 73, To be entitled An Act to provide for the payment of interest due on the original seminary fund and the 1894 land grant fund for the support of the University of Mississippi for the years 1902 and 1903, was read twice and referred to Committee on Appropriations.

S. B. No. 51, To be entitled An Act to authorize the Board of Mayor and Aldermen of the city of Natchez to issue bonds for the purpose of purchasing the waterworks and sewerage system owned and operated in said city by the Natchez water supply and Sewer Company, or for the purpose of building, constructing or otherwise securing for said city a system of sewerage and waterworks, was read twice and referred to Committee on Local and Private Legislation.

S. B. No. 81, To be entitled An Act to validate and confirm the proceedings of the Nashville & Mississippi Delta Railroad Company, and to authorize the Directors of said Company to proceed under the provisions of its charter to construct a railroad in Mississippi, was read twice and referred to Committee on Railroads.

S. B. No. 32, To be entitled An Act to provide public depositors and to protect and secure public funds in their custody, was read twice and referred to Committee on Judiciary.

S. B. No. 43, To be entitled An Act making an appropriation to pay Mrs. D. W. Hurst, widow of D. W. Hurst, for services rendered the State by D. W. Hurst as Judge of High Court of Errors and Appeals of this State from the 1st day of April, 1865, to the 13th day of July, 1865, inclusive, was read twice and referred to Committee on Local and Private Legislation.

S. B. No. 45, To be entitled An Act to amend Section 3952 of the Annotated Code of Mississippi, 1892, so as to fix the salary of the Secretary of the Railroad Commission at the sum of twelve hundred dollars, was read twice and referred to Committee on Appropriations.

S. B. No. 71, To be entitled An Act to provide for a State geological survey of the State, was read twice and referred to the Committee on Agriculture.

Senate Concurrent Resolution No. 12. A Concurrent Resolution of the Legislature of the State of Mississippi proposing to amend the Constitution of the State by abrogating therefrom Sections 118 and 166, so as to relieve the Legislature from the restrictions thereby imposed in regard to the salaries of the Governor, Judges and Chancellors, was read twice and referred to Committee on Constitution.

S. B. No. 65, To be entitled An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railroad lying within Leflore and Tallahatchie Counties, and to abandon a part of the line so acquired and also a part of its own line in Leflore County, was read twice and referred to Committee on Railroads.

S. B. No. 72, To be entitled An Act to provide for the maintenance of the Department of Archives and History and for issuing of future publications by the Mississippi Historical Society, was read twice and referred to the Committee on Appropriations.

Senate Bill No. 58, To be entitled An Act to provide for the appointment of an Assistant Attorney General and to prescribe his qualifications, duties and compensations, was considered.

The Committee on Judiciary recommended the adoption of the following amendment: Amend by striking out Section 3 of the bill.

Mr. Bowers moved the adoption of the amendment, which motion prevailed.

Whereupon, on motion of Mr. Bowers, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burrus, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of

Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moss, Murphree, Neill, Owen, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Mr. Speaker—Total 100.

Nays—Messrs. Posey, Stennis of Kemper, Stubbs—Total 3.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Brittain, Byrd, Castleman, Cooner, Crumpton, Denton of Quitman, Dodds, Foster of Claiborne, Goff, Hathorn, Irby, Johnston of Clarke, Jones, King, McAllister, McDaniel, Moore, Norment, Norton, Pace, Quin of Pike, Rouse, Sharpe of Leake and Winston, Smith of Greene, Stennis of Lauderdale, Underwood, Wilkins and Wren—Total 30.

On motion of Mr. Brooks, the privileges of the House were extended to Hon. D. F. Smith, of Louisville, Kentucky.

House Bill No. 123, To be entitled An Act to amend Section 313 of Chapter 17 of the Annotated Code of 1892, so as to authorize the Board of Supervisors to borrow from its County Treasurer and to authorize said Treasurer to lend said Board out of any fund or funds in the treasury thereof not otherwise appropriated for the expenses of the current year, an amount of money not to exceed one hundred thousand dollars in one year, was considered.

On motion of Mr. Bowers the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Bennett, Birmingham, Boddie, Bowers, Broadus, Brown of Adams, Brown of Itawamba, Burrus, Byrd, Campbell, Castleman, Causey, Cock, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper, Heath, Hewes, Hightower, Hill, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAllister, McCafferty, McManus, Millsaps, Mitchell, Moss, Murphree, Neill, Owen, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stennis of Lauderdale, Swinney, Taylor, Thompson, Tucker, Turner, Vollar, Walker, Webster, White, Wren, Mr. Speaker—Total 93.

Nays—Messrs. Arnold, Clayton, Posey—Total 3.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Brittain, Brooks, Byrd, Coleman, Cooner, Denton of Quitman, Dodds, Dudley, Foster of Claiborne, Franklin of Lowndes, Ham, Hathorn, Hemphill, Hubbard, Irby, Johnston of Clarke, McAfee, McCuiston, McDaniel, Miller, Moore, Norment, Norton, Pace, Permenter, Quin of Pike, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Kemper, Stubbs, Thomas, Underwood, Wall and Wilkins—Total 37.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 14, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee touching the disagreement of the two Houses on S. B. No. 15, viz.:

An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, and for buildings and equipment needed.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

S. B. No. 27, An Act to repeal Section 1575 of the Annotated Code of 1892, relating to the granting of licenses by Boards of Supervisors to retail vinous, alcoholic, malt, intoxicating and spirituous liquors, and to amend Section 1576 of the Code of 1892, relating to granting of licenses to retail liquors by Boards of Mayor and Aldermen in cities, towns or villages.

S. B. No. 3, An Act to prevent the unintended defeat of criminal prosecutions and of enforcement of penalties by statutory changes of criminal law.

LOPER, *Chairman*.

Whereupon, the Speaker declared all business of the House suspended while he signed the bills just reported, reading the titles and calling the attention of the House thereto.

On motion of Mr. Crum the report of the Conference Committee made yesterday on the disagreement of the two Houses on Senate Bill No. 15, To be entitled An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, for buildings and equipment needed, was called up for consideration.

Mr. Crum moved that Hon. G. D. Shands, Professor of Law of the University of Mississippi, be requested to address the House on the question of coeducation of the sexes at the University, which motion prevailed, and Mr. Shands delivered an eloquent address on the subject named.

Pending consideration of the report of the Conference Committee the House, at 6 o'clock P. M., on motion of Mr. Cox of Prentiss, adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTY-FIFTH DAY.

SATURDAY, February 15, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Castleman, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moss, Murphree, Neill, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Underwood, Vollar, Walker, Webster, White, Wren—Total 118.

Those absent—Messrs. Alsworth, Bradshaw, Brittain, Cooner, Dudley, Foster of Claiborne, Irby, McDaniel, Moore, Norment, Norton, Pace, Turner, Wall, and Wilkins—Total 15.

Leave of absence was granted to Messrs. Wall, Norment, Turner, and Brittain.

On motion of Mr. George the reading of the journal of yesterday was dispensed with and the same stood approved.

On motion of Mr. Stubbs the privileges of the House were extended to Judge E. J. McGarr, of Mendenhall, Mississippi.

On motion of Mr. White Senate Bill No. 26, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties and to provide for its maintenance and for the issuance of future publications of the Mississippi Historical Society, was made a special order for Monday morning next.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 15, 1902.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 69, An Act to authorize the Board of Supervisors of Simpson County to invest its court house and jail fund.

S. B. No. 70, An Act authorizing the Board of Supervisors of Attala County to loan fifteen hundred dollars from the general county fund to the school fund.

S. B. No. 76, An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said district.

S. B. No. 77, An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to amount not exceeding \$250,000 for the purpose of raising funds for high water emergencies and for other purposes.

S. B. No. 78, An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law and to issue its debentures therefor.

S. B. No. 79, An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

S. B. No. 82, An Act to amend Section 2 of Chapter 79 of Acts 1900.

S. B. No. 74, An Act to repeal so much of an Act entitled An Act to relieve the Delta Bank of Greenwood, Miss., from double taxation, and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04.

S. B. No. 75, An Act to repeal so much of Section 2 of an Act entitled An Act to relieve the Bank of Greenwood, of Greenwood, Miss., from double taxation, and to refund to it certain taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank the sum of \$492.05.

H. B. No. 62, An Act making an appropriation for the maintenance and support of the Alcorn Agricultural and Mechanical College and for the erection of additional buildings for the use of the students of said college, with accompanying amendment.

H. B. No. 102, An Act to empower the Board of Supervisors of Perry County to order an election for the purpose of submitting to the qualified electors of said county the removal of the seat of justice of the First District of said county.

H. B. No. 112, An Act to appropriate money for the purpose of resupplying the wards of the State Charity Hospital at Vicksburg with beds and bed clothing.

H. B. No. 124, An Act to be entitled An Act to authorize and empower the Board of Supervisors of Tippah County to loan the Sixteenth Section or Chickasaw School fund to the common county fund at an annual rate per cent interest to be fixed by said Board.

H. B. No. 127, An Act to authorize the Board of Supervisors of Yazoo County to transfer from the special road fund of said county to the general fund of said county the sum of \$6,461.39.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 148, To be entitled An Act to amend Section 3702 of the Code of 1892 in respect to the day fixed for the meeting of Presidential Electors.

Title sufficient and that the bill do pass.

H. B. No. 125, To be entitled An Act to amend Sections 2912, 2913 and 2914 of the Code of 1892, relating to the limits and boundaries of municipalities.

Title sufficient and the bill do pass.

BOWERS, *Chairman*.

REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER: The Committee on Railroads has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 65, To be entitled An Act to authorize the Yazoo and Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties, and to abandon a part of the line so acquired, and also a part of its own line in Leflore County.

S. B. No. 81, To be entitled An Act to validate and confirm the proceedings of the Nashville & Mississippi Delta Railroad Com-

pany and to authorize the Directors of said Company to proceed under the provisions of its charter to construct a railroad in Mississippi.

Titles sufficient and that the bills do pass.

WHITE, *Chairman.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 15, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

An Act to apportion and redistrict the State of Mississippi into eight Congressional Districts and to provide for the election of a Congressman from each district.

An Act to divide the County of Tallahatchie into two Circuit and Chancery Court Districts, and to fix the jurisdiction of the courts, and to provide for holding same in each district, and to provide for the location of a county site in the Second District thereof, and to provide for the building of a court house and jail therein, and for transcribing of all muniments of title to lands lying within the Second District of said county, and to provide for the payment of all expenses incurred in carrying out the provisions of this Act.

Respectfully,

J. J. COMAN, *Private Secretary.*

At 11.30 o'clock the members of the Senate entered the hall of the House of Representatives to participate with the House in an informal reception in honor of Mrs. Jefferson Davis. Lieutenant-Governor Harrison presided and introduced Senator Cayce, who delivered an eloquent and impressive address of welcome to the distinguished lady, to which she responded in a few words feelingly expressed. The Senators then returned to their chamber.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 15, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to submit to the Legislature his report of the Executive Contingent fund for the years 1900 and 1901.

Respectfully,

J. J. COMAN, *Private Secretary.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS.REPORT OF EXPENDITURES FROM THE EXECUTIVE CONTINGENT
FUND FOR THE YEARS 1900 AND 1901.

To the Senate and House of Representatives.

GENTLEMEN: I have the honor to submit my report of the disposition of the executive contingent fund for the years 1900 and 1901.

1900.

March	13.	Paid W. H. Butler, Assistant Private Secretary, for services during sitting of the Legislature in 1900, wherein the appropriation for such service was insufficient to cover the full time of service	\$ 24 00
April	22.	Paid Cumberland Telephone Company for necessary official messages.....	10 40
June	11.	Paid W. S. Hill, attorney, for legal services rendered in Circuit Court of Pike County in prosecution of murder cases while District Attorney Ratcliffe for said county was necessarily engaged in the committing trial of murder cases prosecuted by him in Amite County	50 00
June	14.	Paid Western Union Telegraph Company for official messages up to that date	13 38
June	27.	Paid Edgar Gwin for extra clerical assistance to the Governor	100 00
June	30.	Paid Asa H. Moore, reward for capture of J. O. Stanton.....	150 00
July	16.	Paid Cumberland Telephone Company for official messages	5 20
Sept.	5.	Paid necessary expenses of Attorney General to Biloxi and return to aid the District Attorney in the investigation and prosecution of parties charged with lynching.....	30 00
Sept.	5.	Paid for taking depositions for use of the State in the case of the State v. S. E. Tariff Association.....	28 90
Sept.	6.	Paid Cumberland Telephone Company for official messages	3 65
Nov.	5.	Paid cost in case of State v. Z. M. Stephens, <i>in quo warranto</i> proceedings in Circuit Court, Montgomery Co..	82 90

Nov.	10.	Paid for extra night watchman to guard the treasury, October 16th to November 1	18 65
Nov.	10.	Paid Bentley M. Burnett reward for the capture of D. H. Hollis, a fugitive from justice	100 00
Nov.	12.	Paid S. D. Jones reward for arrest of John T. Shivers, a fugitive from justice	50 00
Nov.	14.	Paid Postal Telegraph Co. for official messages	1 48
Nov.	21.	Paid Cumberland Telephone Co. for official messages	1 85
Dec.	1.	Paid L. S. Hendricks, extra night watchman for treasury, November 1 to December 1	40 00
Total paid in 1900.....\$			710 41

1901.

Jan.	20.	Paid H. S. Carpenter, Assessor for Perry County, amount due him for making assessment for the year 1900, wherein the appropriation made by the Legislature to pay assessors was insufficient and exhausted without payment of amount due him.....\$	1,000 00
Jan.	20.	Paid E. S. Jeffries, Assessor for Claiborne County, under like circumstances as above.....	834 64
Jan.	20.	Paid L. S. Hendricks, extra night watchman for treasury, for the month of December	40 00
Feb.	2.	Paid L. S. Hendricks, extra night watchman for treasury, for the month of January	40 00
Feb.	2.	Paid Western Union Telegraph Co., official messages	23 77
Feb.	2.	Paid Western Union Telegraph Co., official messages	3 01
Feb.	28.	Paid Miss Shingleur, stenographer, one month services clerical assistance to the Governor	40 00
March	1.	Paid Dr. Martin reward for the arrest of John Sasser, charged with murder..	150 00
Feb.	1.	Paid Postal Telegraph Co., official messages	2 15
Feb.	26.	Paid Cumberland Telephone Co., official messages	2 30

March	2.	Paid W. J. McGraw, extra night watchman for treasury, 23 nights in February, at \$40 per month.....	32 85
March	4.	Paid Frank Williams reward for the arrest of Fletcher Grady, a fugitive...	100 00
March	20.	Paid T. S. Broylans, detective, for work in murder cases in Jackson County, in attempt to procure evidence.....	23 30
March	21.	Paid Cumberland Telephone Co., official messages	1 15
March	25.	Paid James Ewing, special agent in the procurement of testimony in Gibson case	10 00
March	25.	Paid J. W. Cain for services in returning fugitive Gibson for trial.....	50 00
March	25.	Paid Attorney General's expenses to Scranton to aid the District Attorney in sundry State cases on account of the lynching of John Knox.....	75 00
April	1.	Paid Miss Shingleur, stenographer, for necessary clerical assistance to Governor	40 00
April	1.	Paid W. J. McGraw, extra night watchman for treasury for month of March	40 00
April	3.	Paid Western Union Telegraph Co., official messages	5 37
April	3.	Paid Cumberland Telephone Co., official messages	75
May	1.	Paid Percy Clifton, stenographer, in lynching at Scranton, under approval of the court.....	20 00
May	1.	Paid W. J. McGraw, extra night watchman for treasury, for the month of April	40 00
May	1.	Paid R. L. Hoyle, detective, to procure evidence in locating guilty parties in important matters to the State.....	115 00
May	16.	Paid Cumberland Telephone Co., official messages	2 20
May	27.	Paid W. J. McGraw, extra night watchman for treasury for month of May.	40 00
June	21.	Paid Cumberland Telephone Co., official messages	1 00
July	1.	Paid W. J. McGraw, extra night watchman for treasury for the month of June	40 00
July	5.	Paid Western Union Telegraph Co., official messages	4 92

HOUSE JOURNAL

307

July	12.	Paid Cumberland Telephone Co., official messages	2 25
August	3.	Paid expenses of assistants in counting money in State treasury.....	7 00
August	9.	Paid J. H. Pannell expenses in procurement of testimony incident to mysterious killing of two young men (Pannell and Pierce) in Covich County	58 25
August	21.	Paid Miss Shingleur, stenographer, for clerical assistance to the Governor..	10 00
Sept.	3.	Paid expenses of assistants in counting money in State treasury.....	5 25
Sept.	3.	Paid C. N. Vaughn and J. R. Prince reward for arrest of Walter Crawford, a fugitive from justice.....	100 00
Sept.	21.	Paid Lieut.-Gov. J. T. Harrison for services as acting Governor during my absence from the State.....	97 00
Oct.	1.	Paid John Harris, extra night watchman for treasury, for 20 nights in September	26 65
Nov.	1.	Paid John Harris, same, for the month of October	40 00
Dec.	2.	Paid Miss Shingleur, stenographer, clerical assistance to the Governor....	10 00
Dec.	3.	Paid John Harris, extra night watchman for treasury for November.....	40 00
Dec.	4.	Paid Jas. Ewing, detective, for services in connection with treasury investigation	52 00
Dec.	9.	Paid J. L. Brown reward for arrest of Wm. Lanier, escaped murderer....	200 00
Dec.	20.	Paid J. R. McDowell, stenographer, for special clerical assistance to the Governor	50 00
Dec.	24.	Paid F. M. Lee reward for the arrest of John Bell, fugitive.....	150 00
Dec.	24.	Paid John Harris, extra night watchman for treasury for December.....	40 00
Dec.	24.	Paid A. H. Longino, two trips to New Orleans to confer with District Attorney as to prosecution of certain flagrant violations of law on the coast, viz.: Railroad fare, 4 ways, at \$5.50; hotel bills, 2 days at \$3...	28 00

Dec.	24.	Paid A. H. Longino, one trip to Magnolia to confer with Judge and District Attorney about certain prosecutions vitally concerning the State's interest in Pike and Amite Counties—Railroad fare 2 ways at \$2.25; hotel bill, 50 cents	5 00
Dec.	24.	Paid A. H. Longino, one trip to Carrollton, in matters of lynching—Railroad fare, 2 ways at \$2.65; hotel bill and hack hire, \$1.....	6 30
1902.	Jan.	6. Paid J. R. McDowell for special clerical assistance, December 18 to Jan. 6...	33 33
		To total paid in 1901.....	\$ 3,783 44
		To total paid in 1900.....	710 41
		To balance on hand in treasury..	5,506 15
		By amount of appropriation for 1900....	\$ 5,000 00
		By amount of appropriation for 1901....	5,000 00

\$10,000 00—\$10,000 00

Respectfully,

A. H. LONGINO, *Governor.*

S. B. No. 69, To be entitled An Act to authorize the Board of Supervisors of Simpson County to invest its court house and jail fund, was read twice and referred to the Committee on Local and Private Legislation.

The business pending at the close of the session yesterday, to-wit, the conference report on the disagreement of the two Houses on Senate Bill No. 15, To be entitled An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, for building and equipment needed, was resumed.

Mr. Crum moved that the report of the Conference Committee be adopted, and the yeas and nays being taken, the report failed to be adopted, as it carried an appropriation, for lack of the necessary majority required by the Constitution, the vote resulting as follows:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Boddie, Bowers, Broadus, Burge, Burrus, Byrd, Clayton, Cox of Panola, Crum, Denson, Denton of Lauderdale, Eddins, Elmer, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Gibson, Ham, Harper, Hightower, Hill, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAllister, McManus, Miller, Mitchell, Pyle, Quin of Wilkinson, Reynolds, Senter, Sharkey, Shelby, Smith of Holmes, Stennis of Lauderdale, Stubbs, Swinney, Tucker, Webster, Mr. Speaker—Total 53.

Nays—Messrs. Birmingham, Brooks, Brown of Itawamba, Campbell, Coleman, Coody, Cox of Prentiss, Crumpton, Dodds, Doss, Ellis, Evans, Ferguson, Galloway, Gambrell, Gilfoy, Granberry, Groves, Heath, Hemphill, Hewes, Hubbard, Johnston of Clarke, Loper, Magee, McCafferty, Millsaps, Murphree, Owen, Permenter, Posey, Ray, Sharpe of Leake and Winston, Smith of Greene, Stamps, Stennis of Kemper, Taylor, Walker, White, Wren—Total 40.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Brittain, Brown of Adams, Castleman, Causey, Cock, Cooner, Denton of Quitman, Dudley, Ford, Foster of Claiborne, Goff, Hally, Hathorn, Irby, Jones, King, Long, McAfee, McCuiston, McDaniel, Moore, Moss, Neill, Norment, Norton, Pace, Quin of Pike, Robbins, Rouse, Sharp of Lowndes, Smylie, Thomas, Thompson, Turner, Underwood, Vollar, Wall, and Wilkins—Total 40.

Mr. Brittain was paired with Mr. Smylie; had Mr. Brittain been present he would have voted yea, and Mr. Smylie would have voted nay.

On motion of Mr. Kyle the House declined to concur in Senate amendments to House Bill No. 32, To be entitled An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903 and for other purposes, and asked a conference on the disagreement of the two Houses, the Speaker naming as conferees on the part of the House Messrs. Quin of Wilkinson, Taylor and Denton of Lauderdale.

SENATE BILLS REFERRED.

Senate Bill No. 74, To be entitled An Act to repeal so much of an Act entitled An Act to relieve the Delta Bank of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners of the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04.

Was read twice and referred to the Committee on Levees.

S. B. No. 75, To be entitled An Act to repeal so much of Section 2 of an Act entitled An Act to relieve the Bank of Greenwood, of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank \$492.05.

Was read twice and referred to Committee on Levees.

S. B. No. 76, To be entitled An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said district.

Was read twice and referred to the Committee on Levees.

S. B. No. 77, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue

bonds to amount not exceeding \$250,000 for the purpose of raising funds for high water emergencies and for other purposes.

Was read twice and referred to Committee on Levees.

S. B. No. 78, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law, and to issue its debentures therefor.

Read twice and referred to Committee on Levees.

S. B. No. 79, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

Was read twice and referred to Committee on Levees.

S. B. No. 70, To be entitled An Act authorizing the Board of Supervisors of Attala County to loan \$1,500 from the general county fund to the school fund.

Read twice and referred to the Committee on Local and Private Legislation.

S. B. No. 82, To be entitled An Act to amend Section 2 of Chapter 79, Acts 1900.

Read twice and referred to Committee on Judiciary.

On motion of Mr. George Senate Bill No. 65, To be entitled An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties, and to abandon a part of the line so acquired, and also a part of its own line in Leflore County, was recommitted to Committee on Local and Private Legislation.

Also on motion of Mr. George, Senate Bill No. 81, To be entitled An Act to validate and confirm the proceedings of the Nashville & Mississippi Delta Railroad Company, and to authorize the Directors of said Company to proceed under the provisions of its charter to construct a railroad in Mississippi, was recommitted to the Committee on Local and Private Legislation.

At 1.30 P. M., on motion of Mr. Sharkey, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

House met at 3 o'clock P. M. pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

House Bill No. 116, To be entitled An Act to amend Section 81 of Chapter 5 of sheet Acts of 1898, and also to repeal the subsection in Section 1 of Chapter 42 of the sheet Acts of 1900, which

provides for privilege taxation on telephone exchanges and long distance telephones, was considered.

Mr. Stennis of Lauderdale moved that the committee substitute with the same number and the following title, be adopted :

An Act to amend Chapter 56 of the Acts of 1896, and Section 81 of Chapter 5 of the sheet Acts of 1898, and Section 1 of Chapter 42 of the sheet Acts of 1900, creating privilege taxes on certain industries in the State of Mississippi, thereby reducing the privilege taxes on telephone companies.

The motion to adopt the substitute prevailed. Whereupon, on motion of Mr. Millsaps, the rules were suspended and the bill as amended by the adoption of the substitute was considered engrossed, was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote :

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Castleman, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Granberry, Haley, Ham, Harper, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Murphree, Neill, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Senter, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Taylor, Walker, Webster, White, Mr. Speaker—Total 81.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Causey, Cooner, Denton of Quitman, Dodds, Elmer, Evans, Foster of Claiborne, Gambrell, Garraway, Gilfoxy, Goff, Groves, Hathorn, Heath, Hewes, Hill, Irby, Jones, King, Magee, McDaniel, Mitchell, Moore, Moss, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Sharpe of Leake and Winston, Sharp of Lowndes, Stubbs, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Vofflor, Wall, Wilkins and Wren—Total 52.

House Bill No. 122, To be entitled An Act to raise revenue by imposing a privilege tax on every person, firm or corporation who as a broker receives and transmits for the purchase or the sale for future delivery of any commodity or other things, was, under the suspension of the rules, on motion of Mr. Millsaps, considered engrossed, was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed by the following vote :

Yeas — Messrs. Allen, Arnold, Bennett, Boddie, Broadus, Brown of Itawamba, Burge, Campbell, Castleman, Coody, Cox of

Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gibson, Granberry, Haley, Harper, Hemphill, Hubbard, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Mitchell, Murphree, Posey, Pyle, Reynolds, Rouse, Senter, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Walker, Webster, White, Mr. Speaker—Total 68.

Nays—Messrs. Coleman and Owen—Total 2.

Absent and those not voting—Messrs. Alcorn, Alsworth, Anderson, Birmingham, Bowers, Bradshaw, Brooks, Brown of Adams, Burrus, Byrd, Causey, Clayton, Cock, Cooner, Denton of Quitman, Dodds, Dudley, Elmer, Foster of Claiborne, Gambrell, Garraway, George, Gilfoy, Goff, Groves, Ham, Hathorn, Heath, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Jones, King, Magee, McCuiston, McDaniel, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 62.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 136, To be entitled An Act to provide for the payment of the premiums on the bonds of the several State officials when made in a guarantee or surety company.

Title sufficient; do pass.

H. B. No. 159, To be entitled An Act to make an appropriation to pay the salary of the Assistant Attorney General for the years 1902 and 1903.

Title sufficient; do pass.

S. B. No. 45, To be entitled An Act to amend Section 3952 of the Annotated Code of Mississippi, 1892, so as to fix the salary of the Secretary of the Railroad Commission at the sum of twelve hundred dollars.

Title sufficient; do pass.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON CONSTITUTION.

MR. SPEAKER: The Committee on Constitution has had under consideration the following resolution referred to them, and have instructed me to report it back with the following recommendations:

A concurrent resolution to amend Section 183 of the Constitution of the State of Mississippi so that counties, Circuit Court Districts of counties, cities or towns may elect to take stock in or vote aid to railroads, cotton or woolen factories.

Title sufficient and that the House concur.

W. M. COX, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 72, To be entitled An Act to provide for the maintenance of the Department of Archives and History and for the issuing of future publications by the Mississippi Historical Society.

Title sufficient; do pass as amended.

S. B. No. 73, To be entitled An Act to provide for the payment of interest due on original seminary fund and the 1890 land grant fund for the support of the University of Mississippi for the years 1902 and 1903.

Title sufficient; do pass.

A. S. KYLE, *Chairman.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 160, To be entitled An Act to increase the revenue of the State by recovering State lands fraudulently purchased.

Title sufficient; do pass.

THOMAS, *Chairman.*

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has agreed to the appointment of another Conference Committee asked for by the House on the disagreement of the two Houses on S. B. No. 15, An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903 for buildings and equipment needed, and has named as conferees on the part of the Senate Messrs. Falkner, Looney and Jones.

JOHN Y. MURRY, JR., *Secretary.*

House Bill No. 114, To be entitled An Act to authorize the Board of Supervisors of Leflore County to pay back the Sixteenth Section fund, money arising therefrom and used in the common

school fund, was, under the suspension of the rules, on motion of Mr. Coleman, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Murphree, Posey, Pyle, Ray, Reynolds, Rouse, Sharkey, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Taylor, Walker, Webster, White, Mr. Speaker—Total 71.

Absent and those not voting—Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Crum, Denton of Quitman, Dodds, Dudley, Elmer, Foster of Claiborne, Gambrell, Garraway, Goff, Hathorn, Heath, Hewes, Hightower, Hill, Irby, Jones, King, Longest, Magee, McAfee, McDaniel, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 62.

House Bill No. 148, To be entitled An Act to amend Section 3702 of the Code of 1892 in respect to the day fixed for the meeting of Presidential Electors, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Murphree, Posey, Pyle, Ray, Reynolds, Rouse, Sharkey, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Taylor, Walker, Webster, White, Mr. Speaker—Total 71.

Absent and those not voting — Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Crum, Denton of Quitman, Dodds, Dudley, Elmer, Foster of Claiborne, Gambrell, Garraway, Goff, Hathorn, Heath, Hewes, Hightower, Hill, Irby, Jones, King, Longest, Magee, McAfee, McDaniel, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Thompson, Turner, Underwood, Vollor, Wall, Williams and Wren—Total 62.

H. B. No. 141, To be entitled An Act authorizing and empowering the Board of Supervisors of Oktibbeha County, Mississippi, to loan any and all money of any fund in certain security until said county have the option of paying off or redeeming certain bonds issued for the purpose of building a new court house in said county, was considered.

The Committee on Local and Private Legislation offered as an amendment by way of substitute a bill with the same number and the following title:

An Act authorizing and empowering the Board of Supervisors of Oktibbeha County, Mississippi, to loan any or all surplus money of any fund on certain security, and to buy bank or other stock, or town, city, county, State or United States bonds, and to use as much as \$2,500 for the purpose of paying any balance due on account of court house or for further equipment or furnishing of said court house.

Mr. Alcorn moved the adoption of the substitute, which motion prevailed.

Whereupon, on motion of Mr. Alcorn, the rules were suspended, the bill as amended by the adoption of the substitute was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Edkins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoxy, Granberry, Groves, Harper, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McCafferty, McCuiston, McManus, Miller, Mitchell, Murphree, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Tucker, Walker, Webster, White, Mr. Speaker—Total 73.

Absent and those not voting — Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey,

Clayton, Cock, Cooner, Denton of Quitman, Dodds, Doss, Dudley, Elmer, Foster of Claiborne, Franklin of Lowndes, Gambrell, Garraway, Goff, Haley, Ham, Hathorn, Heath, Hewes, Hill, Irby, Jones, King, Magee, McAfee, McAllister, McDaniel, Millsaps, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Swinney, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 60.

House Bill No. 139, To be entitled An Act for the relief of J. W. Duke, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoy, Granberry, Groves, Harper, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McCafferty, McCriston, McManus, Miller, Mitchell, Murphree, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Tucker, Walker, Webster, White, Mr. Speaker—Total 73.

Absent and those not voting—Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Denton of Quitman, Dodds, Doss, Dudley, Elmer, Foster of Claiborne, Franklin of Lowndes, Gambrell, Garraway, Goff, Haley, Ham, Hathorn, Heath, Hewes, Hill, Irby, Jones, King, Magee, McAfee, McAllister, McDaniel, Millsaps, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Swinney, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 60.

House Bill No. 88, To be entitled An Act to appropriate from the pension funds returned to the State treasury \$475 to refund to C. L. Graham, Treasurer of Itawamba County, money paid out as pensions by mistake to persons whose application was received after the distribution of the pension fund to the counties by the Auditor, was, under the suspension of the rules, on motion of Mr. Brown of Itawamba, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoxy, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Murphree, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Senter, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Walker, Webster, White, Mr. Speaker—Total 81.

Absent and those not voting—Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Denton of Quitman, Dodds, Elmer, Evans, Foster of Claiborne, Gambrell, Garraway, Goff, Hathorn, Heath, Hewes, Hill, Irby, Jones, King, Magee, McDaniel, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 52.

Senate Bill No. 54, To be entitled An Act to amend the charter of the town of Rosedale, so as to authorize the Mayor and Town Council of said town to issue upon certain conditions the bonds or other obligations of said town, not to exceed in amount, including all outstanding bonds, seven per cent of the assessed value of the taxable property of said town, as shown by the assessment rolls thereof, for the purpose of raising money for the purchase of land and erection of school buildings thereon, for the erection, providing or purchase of waterworks, the sinking of artesian wells, the establishment of a sewerage system, securing the protection from fires, improving the streets and sidewalks, or for the liquidation of outstanding debts of said town, was considered.

On motion of Mr. Shelby the rules were suspended, the bill was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, the title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoxy, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder,

Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Murphree, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Senter, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Taylor, Walker, Webster, White, Mr. Speaker—Total 81.

Absent and those not voting — Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Denton of Quitman, Dodds, Elmer, Evans, Foster of Claiborne, Gambrell, Garraway, Goff, Hathorn, Heath, Hewes, Hill, Irby, Jones, King, Magee, McDaniel, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 52.

House Bill No. 140, To be entitled An Act to authorize and empower the Mayor and Board of Aldermen of the city of Holly Springs, Mississippi, to loan annually on good and sufficient security the sinking fund provided by them for the payment of certain bonds issued to establish an electric light plant and water-works system, until the maturity thereof, or until they have the option of paying said bonds, was, under the suspension of the rules, on motion of Mr. Mahon, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, the title standing as stated, by the following vote :

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Harper, Hemphill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Loper, Magruder, Mahon, McAfee, McCafferty, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Murphree, Owen, Posey, Pyle, Ray, Reynolds, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Taylor, Tucker, Walker, Webster, White, Mr. Speaker—Total 76.

Nay—Mr. Stubbs—Total 1.

Absent and those not voting — Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Denton of Quitman, Dodds, Elmer, Evans, Foster of Claiborne, Gambrell, Garraway, Goff, Ham, Hathorn, Heath, Hewes, Hightower, Hill, Irby, Jones, King, Longest, Magee, McAllister, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis

of Lauderdale, Swinney, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 56.

Senate Bill No. 36, To be entitled An Act to amend Chapter 215 of the Acts of 1896, authorizing the Mobile, Jackson and Kansas Railroad Company to locate its railroad within the State of Mississippi, was, under the suspension of the rules, on motion of Mr. White, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken and the bill passed, the title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfof, Granberry, Groves, Haley, Harper, Hemphill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Loper, Magruder, Mahon, McAfee, McCafferty, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Murphree, Owen, Posey, Pyle, Ray, Reynolds, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Taylor, Tucker, Walker, Webster, White, Mr. Speaker—Total 76.

Nays—Mr. Stubbs—Total 1.

Absent and those not voting—Messrs. Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Denton of Quitman, Dodds, Elmer, Evans, Foster of Claiborne, Gambrell, Garraway, Goff, Ham, Hathorn, Heath, Hewes, Hightower, Hill, Irby, Jones, King, Longest, Magee, McAllister, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Swinney, Thomas, Thompson, Turner, Underwood, Vollar, Wall, Wilkins and Wren—Total 56.

House Bill No. 78, To be entitled An Act to amend Section 4043 of the Annotated Code of 1892 so as to change the times for the opening of the winter and summer schools, was, under the suspension of the rules, on motion of Mr. Langston, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, the title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Boddie, Broadus, Brown of Adams, Brown of Itawamba, Burge, Campbell, Coleman, Coody, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gibson, Gilfof, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps,

Mitchell, Murphree, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Senter, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Taylor, Walker, White, Mr. Speaker—Total 70.

Nays—Mr. Stubbs—Total 1.

Absent and those not voting—Messrs. Allen, Alsworth, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Cooner, Crum, Crumpton, Denton of Quitman, Dodds, Dudley, Elmer, Foster of Claiborne, Franklin of Lowndes, Gambrell, Garraway, George, Goff, Hathorn, Heath, Hewes, Hightower, Hill, Irby, Jones, King, Longest, Magee, McAfee, McDaniel, Moore, Moss, Neill, Norment, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Webster, Wilkins and Wren—Total 62.

Mr. Broadus called up House Resolution asking the United States Fish Commission to investigate the oyster industries of Mississippi and report thereon, and on motion of Mr. Broadus the resolution was adopted.

Mr. McAllister offered the following:

Resolved by the House, the Senate concurring, That the sum of \$400 be and is hereby appropriated out of any funds in the State treasury to purchase a suitable slab upon which to be engraved a roster of the present State officials and Legislature, including its officials and pages, also the Capitol Commission and Architect, the same to be stationed in an appropriate place in the new Capitol building now being erected, and that the Capitol Commission are instructed to carry out the purposes of this resolution.

The resolution was referred to the Committee on Appropriations.

Under suspension of the rules bills were introduced as follows:
By Mr. Eddins—

H. B. No. 161, To be entitled An Act to amend Section 1996 of the Annotated Code of 1892 in regard to clerks' fees in criminal cases where the State fails, and in certain felonies.

Was read twice and referred to the Committee on Fees and Salaries.

By Mr. Bennett—

H. B. No. 162, To be entitled An Act making an appropriation to place within the main entrance of the new Capitol building a marble tablet containing the names of the members of the Legislature and of the Capitol Commissioners.

Was read twice and referred to the Committee on Appropriations.

At 5.10 P. M., on motion of Mr. Sharkey, the House adjourned until Monday morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTY-SIXTH DAY.

MONDAY, February 17, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Dr. T. J. Bailey.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Campbell, Clayton, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Heath, Hemphill, Hightower, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Posey, Pyle, Quin of Pike, Ray, Reynolds, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren—Total 107.

Those absent—Messrs. Alsworth, Bradshaw, Broadus, Burrus, Byrd, Castleman, Causey, Cock, Coleman, Cooner, Crum, Dodds, Foster of Claiborne, Garraway, Hathorn, Hewes, Hill, Magee, McDaniel, Norton, Pace, Permenter, Quin of Wilkinson, Robbins, Swinney and Wilkins—Total 26.

Leave of absence was granted to Messrs. Crum, Burrus, Causey, Magee, Dodds, Garraway and Robbins.

On motion of Mr. Kyle the reading of the journal of yesterday was dispensed with and the same stood approved.

The Committee on Conference made the following report:

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 15.

MR. SPEAKER: The Committee on Conference appointed by the Senate and House has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 15, Entitled An Act to make an appropriation for the support of the University of Mississippi to pay current expenses

for equipment and for the erection of buildings needed. That the Senate concur in the House amendment to said bill striking out \$20,000 for a Training School and \$20,000 for the support of the same for the years 1902 and 1903. That the House recede from its amendment prohibiting coeducation at the University.

CRUM,

Chairman on part of House.

FALKNER,

Chairman on part of Senate.

Mr. Alcorn moved that the report of the Conference Committee be adopted, and the yeas and nays being taken on the motion to adopt as required by the Constitution, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burge, Clayton, Coody, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, George, Gibson, Gilfooy, Goff, Ham, Harper, Hightower, Hubbard, Irby, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McAllister, McCafferty, McManus, Miller, Mitchell, Moore, Moss, Neill, Norment, Owen, Posey, Pyle, Ray, Reynolds, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Stennis of Lauderdale, Stubbs, Thomas, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, Mr. Speaker—Total 74.

Nays—Messrs. Brown of Itawamba, Campbell, Cox of Prentiss, Ellis, Evans, Galloway, Gambrell, Granberry, Groves, Haley, Heath, Hemphill, Johnston of Clarke, Long, Millsaps, Murphree, Sharpe of Leake and Winston, Smylie, Stamps, Stennis of Kemper, Taylor, White, Wren—Total 23.

Absent and those not voting—Messrs. Alsworth, Bradshaw, Burrus, Byrd, Castleman, Causey, Cock, Coleman, Cooner, Crum, Denton of Quitman, Dodds, Dudley, Elmer, Ford, Foster of Claiborne, Franklin of Lowndes, Garraway, Hathorn, Hewes, Hill, Jones, King, Magee, McAfee, McCuiston, McDaniel, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Swinney, Thompson and Wilkins—Total 36.

House Bill No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States, as amended by the Senate, was considered.

The Senate amendment reads as follows: Amend by adding before the enforcing clause the words: In case a pensioner has died, or hereafter dies, after being allowed a pension, the pension for the year of his death may be paid to his widow if he leaves one, if not, to the Chancery Clerk of the county of his residence for the benefit of his family, and no administration shall be necessary.

Mr. Kyle moved that the House concur in the Senate amendment, and the yeas and nays being taken on the motion to concur, the same failed by the following vote:

Yeas—Messrs. Campbell, Goff, Groves, McCuiston, Moore, Smith of Greene, Stubbs, Taylor, Wren—Total 9.

Nays—Messrs. Anderson, Bennett, Birmingham, Bowers, Brittain, Brooks, Brown of Adams, Burge, Clayton, Coody, Cox of Panola, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gilfoy, Granberry, Ham, Harper, Heath, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Mahon, McManus, Mitchell, Moss, Murphree, Neill, Norment, Posey, Pyle, Ray, Reynolds, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Tucker, Turner, Underwood, Vollor, Walker, Webster, White—Total 65.

Absent and those not voting—Messrs. Alcorn, Allen, Alsworth, Arnold, Boddie, Bradshaw, Broadus, Brown of Itawamba, Burrus, Byrd, Castleman, Causey, Cock, Coleman, Cooner, Cox of Prentiss, Crum, Crumpton, Denton of Quitman, Dodds, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Garraway, Gibson, Haley, Hathorn, Hewes, Hill, Hubbard, Irby, Jones, King, Magee, Magruder, McAfee, McAllister, McCafferty, McDaniel, Miller, Millsaps, Norton, Owen, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharp of Lowndes, Stennis of Lauderdale, Swinney, Thomas, Thompson, Wall, Wilkins and Mr. Speaker—Total 59.

Mr. Sharkey moved that a conference be asked on the disagreement of the two Houses on the bill, and the Speaker named as conferees on the part of the House Messrs. Cox of Prentiss, Sharkey and Gambrell.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 24, An Act to establish a separate and distinct department of insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in the State, and to provide for the investigation of incendiary fires.

S. B. No. 66, An Act to amend Section 1714 of the Annotated Code of 1892 relative to costs in proceedings to establish escheats, so as to provide for the allowance and payment of commission and attorneys' fees in such proceedings and for the payment of costs in cases in which the personal estate is insufficient.

S. C. R. No. 5, A Concurrent Resolution submitting to the qualified electors of the State for ratification or rejection an

amendment to the Constitution increasing the number of Supreme Court Judges.

S. C. R. No. 14, To amend Section 85 of the State Constitution so that uniformity in the method of working the public roads of the State may be enforced.

S. C. R. No. 16, A Concurrent Resolution providing for the payment of unpaid expenses of special penitentiary investigating committee out of legislative contingent fund of two Houses.

H. B. No. 31, An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg.

H. B. No. 43, An Act to further carry into effect the contracts made under Chapter 385, Acts 1888, being an Act to better secure safety and health in the State institutions, etc., approved March 10, 1888, and to defray the expenses thereof.

H. B. No. 45, An Act to amend Section 1991 of the Annotated Code of 1892, so as to graduate the salaries of clerks in the Chancery Courts for *ex-officio* services rendered, with accompanying Senate amendment.

H. B. No. 61, An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903, with accompanying Senate amendment.

H. B. No. 82, An Act to provide for the protection of the property of the State at the Capitol from damage or destruction by fire and the appropriation of one thousand dollars for the year 1902, and one thousand dollars for the year 1903 for same.

H. B. No. 113, An Act to provide for the support and maintenance of the Natchez Hospital by appropriation.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee touching the disagreement of the two Houses on S. B. No. 15, entitled An Act to make an appropriation for the support of the University of Mississippi to pay current expenses for equipment and for the erection of buildings needed, viz.: That the Senate concur in the House amendment to said bill striking out \$20,000 for a Training School and \$20,000 for the support of the same for the years 1902 and 1903; that the House recede from its amendment prohibiting coeducation at the University.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 31, An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg.

H. B. No. 124, An Act to authorize and empower the Board of Supervisors of Tippah County to loan the Sixteenth Section or

Chickasaw school fund to the common county fund at an annual rate per cent interest to be fixed by said Board.

H. B. No. 42, An Act to raise revenues by making valid and of binding effect all contracts made previous to the passage of this Act, and which are or were null and void or voidable under previous or existing laws because of non-payment of privilege taxes due when such contracts were made upon terms of full payment of all such privilege taxes so in default with 200 per centum damages thereon within ninety days after the passage of this Act.

H. B. No. 99, An Act to repeal Chapter 39 of the Acts of 1898, and Chapter 121 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channelling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands.

H. B. No. 86, An Act to make an appropriation to pay A. W. Jones, of Prentiss County, balance on pensions due him for the year 1899.

H. B. No. 102, An Act to empower the Board of Supervisors of Perry County to order an election for the purpose of submitting to the qualified electors of said county the removal of the seat of justice of the First District of said county.

H. B. No. 44, An Act to pay for legal services rendered the State in the suit of Warren County et al. vs. E. H. Nall, Land Commissioner.

H. B. No. 49, An Act for the support and maintenance of the State Normal School at Holly Springs.

H. B. No. 112, An Act to appropriate money for the purpose of resupplying the wards of the State Charity Hospital at Vicksburg with beds and bedclothing.

H. B. No. 64, An Act making an appropriation to carry out the provisions of Chapter 76 of the Laws of the State of Mississippi of 1900, being an Act entitled An Act to enable the Auditor of Public Accounts and Land Commissioner of the State of Mississippi to properly conduct the affairs of their respective offices and to correct mistakes in land descriptions and land sales and provide relief in repayment of moneys erroneously paid in privileges and State taxes and land purchases, and to save the State cost in passing bills for the relief by local and private legislation in certain cases.

H. B. No. 127, An Act to authorize the Board of Supervisors of Yazoo County to transfer from the special road fund of said county to the general fund of said county the sum of \$6,461.39.

H. B. No. 14, An Act to appropriate \$2,500 in the year 1902, and \$1,500 for the year 1903 for the maintenance of the Confederate Hospital Annex at Vicksburg, Mississippi, and to provide for the distribution of same.

H. B. No. 82, An Act to provide for the protection of the property of the State of Mississippi at the Capitol from damage

and destruction by fire, and the appropriation of \$1,000 for the year 1902 and \$1,000 for the year 1903 for same.

H. B. No. 113, An Act to provide for the support and maintenance of the Natchez Hospital by appropriation.

H. B. No. 43, An Act to further carry into effect the contract made under Chapter 385, Acts of 1888, being an Act to better secure safety and health in the State institutions, etc., approved March 10, 1888, and defray expenses thereof.

LOPER, Chairman.

Whereupon, all business of the House was suspended while the Speaker signed the bills just reported by the Committee on Enrolled Bills, reading the same by title and calling the attention of the House thereto.

H. B. No. 48, To be entitled An Act making an appropriation for the support, repairs, additional buildings, improvements, and equipment of the Mississippi Agricultural and Mechanical College, was considered as amended by the Senate. The Senate amendments follow:

No. 1. Amend item No. 8 to read, Farmers' Institutes for 1902 and 1903, \$10,000.

No. 2. Amend item No. 9 to read, Scientific Library, museum, agricultural and horticultural hall, \$40,000.

No. 3. Amend item No. 16 to read, Provided that the salary of no professor of said college shall be increased during the years 1902 and 1903, and provided the salary of the President shall not be increased to exceed the amount now being paid the Chancellor of the University of Mississippi or the President of the Industrial Institute and College at Columbus, Mississippi.

No. 4. Amend by adding after the word "Governor" in sixth line of page 2, these words, "And as the law directs with reference to the interest."

Mr. Kyle moved that the House refuse to concur in Senate amendments Nos. 1, 2 and 3, which prevailed.

Mr. Kyle then moved that the House concur in Senate amendment No. 4, and the yeas and nays being taken as required by the Constitution, the motion to concur prevailed by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Brooks, Brown of Itawamba, Burge, Campbell, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfooy, Granberry, Groves, Haley, Ham, Harper, Heath, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, Mahon, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moss, Murphree, Neill, Norment, Owen, Posey, Pyle, Ray, Reynolds, Rouse, Sharkey, Sharpe of Leake and Winston, Smith of Holmes, Smylie, Stamps, Stennis

of Kemper, Stubbs, Taylor, Thomas, Thompson, Tucker, Underwood, Wall, Walker, Webster, White, Wren, Mr. Speaker—
Total 82.

Absent and those not voting—Messrs. Alsworth, Boddie, Bradshaw, Broadus, Brown of Adams, Burrus, Byrd, Castleman, Causey, Clayton, Cock, Coleman, Cooner, Crum, Denton of Quitman, Dodds, Dudley, Elmer, Foster of Claiborne, Garraway, Goff, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Jones, King, Magee, McAfee, McAllister, McDaniel, Miller, Moore, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharp of Lowndes, Shelby, Smith of Greene, Stennis of Lauderdale, Swinney, Turner, Vollor and Wilkins—
Total 51.

Mr. Kyle then moved that a conference be asked on the disagreement of the two Houses on the bill, which prevailed, and the Speaker named as conferees on the part of the House Messrs. Coody, Norment and Frazier.

House Bill No. 61, To be entitled An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903, as amended by the Senate, was considered.

The Senate amendments read as follows: Amend by striking out all after the words "insurance three years \$400," in Section 1, and by inserting in lieu thereof the words: "All accounts paid out of the above appropriation shall be audited by the Board of Trustees and approved by the Governor, for which the Auditor of Public Accounts shall issue his warrant upon the State Treasurer, and no part of said sum shall be used by the officers or employees of said institution or their families, for their private or individual support; and no part of this appropriation made for the payment of specific item or items shall be used for the payment of any other item or items."

On motion of Mr. Kyle the House refused to concur in the Senate amendments and asked a conference on the disagreement of the two Houses, the Speaker naming as conferees on the part of the House Messrs. Cox of Prentiss, Taylor and Hubbard.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has agreed to the appointment of a Conference Committee asked for by the House touching the disagreement of the two Houses on the Senate amendment to H. B. No. 32, An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903, and for other purposes, and has named as conferees on the part of the Senate Messrs. Sheppard, Hinton and Dunn.

And has also agreed to the Conference Committee asked for on the disagreement of the two Houses touching Senate amendment

to H. B. No. 23, An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States, and has named as conferees on the part of the Senate Messrs. Adams, Cayce and Farley.

JOHN Y. MURRY, JR., *Secretary.*

House Bill No. 62, To be entitled An Act making an appropriation for the maintenance and support of Alcorn Agricultural and Mechanical College and for the erection of additional buildings for the use of the students of said college, was considered as amended by the Senate.

The Senate amendment reads as follows: Amend Section 1 by adding at the end of said section the following: "Provided the amounts herein appropriated for the payment of interest on agricultural land script fund and on funds from sale of college lands, shall be paid only as said interest shall fall due as provided by Section 212 of the Constitution, viz.: on the first day of May and November in the year 1902, and on the first day of May and November, 1903, and the same shall be used by the Trustees of said college in the support and maintenance of said college."

Mr. Kyle moved the adoption of the amendment, and the yeas and nays being called as required by the Constitution, the motion to adopt the amendment prevailed by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Brown of Itawamba, Burge, Campbell, Clayton, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Goff, Groves, Haley, Ham, Harper, Heath, Hightower, Hubbard, Irby, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Magruder, Mahon, McAllister, McCafferty, McManus, Millsaps, Mitchell, Moss, Murphree, Neill, Norment, Owen, Posey, Pyle, Ray, Reynolds, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Thompson, Tucker, Underwood, Walker, Webster, White, Wren, Mr. Speaker—Total 80.

Absent and those not voting—Messrs. Alcorn, Alsworth, Bradshaw, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Causey, Cock, Coleman, Cooner, Crum, Denton of Quitman, Dodds, Dudley, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Garraway, Granberry, Hathorn, Hemphill, Hewes, Hill, Johnston of Clarke, Jones, King, Loper, Magee, McAfee, McCuiston, McDaniel, Miller, Moore, Norton, Pace, Permenter, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Smith of Greene, Swinney, Taylor, Thomas, Turner, Vollar, Wall and Wilkins—Total 53.

House Bill No. 136. To be entitled An Act to provide for the payment of premiums on the bonds of the several State officials

where made by guarantee or surety companies, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, the title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Bennett, Birmingham, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burge, Campbell, Clayton, Coody, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gilfoy, Goff, Haley, Ham, Harper, Heath, Hightower, Irby, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magruder, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moss, Murphree, Neill, Quin of Pike, Ray, Reynolds, Rouse, Senter, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Taylor, Thomas, Tucker, Underwood, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 74.

Nays—Messrs. Crumpton, Gibson, Granberry, Johnston of Yazoo, Owen, Posey, Pyle, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Turner—Total 13.

Absent and those not voting—Messrs. Allen, Alsworth, Anderson, Arnold, Boddie, Bradshaw, Broadus, Brooks, Burrus, Byrd, Castleman, Causey, Cock, Coleman, Cooner, Crum, Denton of Quitman, Dodds, Dudley, Elmer, Evans, Foster of Claiborne, Garraway, Groves, Hathorn, Hemphill, Hewes, Hill, Hubbard, Jones, Magee, Mahon, McAfee, McDaniel, Miller, Moore, Norment, Norton, Pace, Permenter, Quin of Wilkinson, Robbins, Sharp of Lowndes, Swinney, Vollar and Wilkins—Total 46.

Senate Bill No. 64, To be entitled An Act to appropriate money to pay interest accrued and to accrue to November 1, 1903, upon the fund deposited in the State treasury as proceeds of lands sold, such lands having been donated by the United States Government to the Industrial Institute and College at Columbus, and to prescribe purposes for which such interest may be used by the Trustees of said Institute and College, was considered.

Mr. Kyle moved that the rules be suspended, the bill read the third time and the bill placed on its final passage, which motion prevailed.

Whereupon the yeas and nays were taken and the bill failed to pass, receiving less than the majority required by the Constitution, the vote being as follows:

Yeas—Messrs. Bennett, Birmingham, Boddie, Bowers, Brooks, Brown of Adams, Burge, Campbell, Coleman, Cox of Prentiss, Crumpton, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Evans, Ford, Foster of Warren, Franklin of Lowndes, Gambrell, George, Gilfoy, Haley, Ham, Harper, Heath, Johnston of Clarke, Jones, King, Kyle, Long, Magruder, Mahon, McAllister, McCafferty, McManus, Millsaps, Mitchell, Moore, Moss, Neill,

Norment, Posey, Pyle, Quin of Pike, Ray, Reynolds, Rouse, Senter, Sharpe of Leake and Winston, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Thomas, Thompson, Tucker, Underwood, Wall, Walker, Webster, White, Mr. Speaker—Total 63.

Nays—Messrs. Arnold, Brittain, Brown of Itawamba, Clayton, Coody, Cox of Panola, Eddins, Ellis, Franklin of Marshall, Frazier, Galloway, Gibson, Goff, Granberry, Hemphill, Hightower, Hubbard, Johnston of Yazoo, Lamb, Longest, Loper, McCuiston, Murphree, Owen, Sharp of Lowndes, Shelby, Smith of Greene, Stennis of Kemper, Stubbs, Taylor, Turner, Wren—Total 32.

Absent and those not voting—Messrs. Alcorn, Allen, Alsworth, Anderson, Bradshaw, Broadus, Burrus, Byrd, Castleman, Causey, Cock, Cooner, Crum, Denson, Dodds, Elmer, Ferguson, Foster of Claiborne, Garraway, Groves, Hathorn, Hewes, Hill, Irby, Langston, Magee, McAfee, McDaniel, Miller, Norton, Pace, Permenter, Quin of Wilkinson, Robbins, Sharkey, Swinney, Volter and Wilkins—Total 38.

Mr. Sharp of Lowndes moved to reconsider the vote by which the bill failed to pass.

Senate Bill No. 24, To be entitled An Act to establish a separate and distinct department of insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in this State and to provide for the investigation of incendiary fires, was read twice and referred to the Committee on Insurance.

Senate Concurrent Resolution No. 5, A concurrent resolution submitting to the qualified electors of the State for ratification or rejection an amendment to the Constitution increasing the number of Supreme Court Judges, was read and referred to Committee on Constitution.

Senate Concurrent Resolution No. 14, To amend Section 85 of the State Constitution, so that uniformity in the method of working the public roads of the State may be enforced, was read and referred to the Committee on Constitution.

Mr. Coody offered the following:

Resolved by the House of Representatives, That after to-day, February 17, no bills be set for special consideration, and that all matters before the House be considered in their regular order.

Ordered to lie on table subject to call.

At 1.30 P. M., on motion of Mr. Gambrell, the House took a recess until 3 o'clock.

AFTERNOON SESSION.

The House reconvened at 3 o'clock P. M., pursuant to adjournment, with Speaker Russell in the chair.

A quorum present.

Senate Bill No. 66, To be entitled An Act to amend Section 1744 of the Annotated Code of 1892 relative to costs in proceedings to establish escheats, so as to provide for the allowance and payment of commissioners and attorneys' fees in such proceedings, and for the payment of costs in cases in which the personal estate is insufficient, was read twice and referred to Committee on Judiciary.

REPORT OF COMMITTEE ON LEVEES.

MR. SPEAKER: The Committee on Levees has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 74, To be entitled An Act to repeal so much of an Act to relieve the Delta Bank of Greenwood, Mississippi, from double taxation and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04.

Title sufficient, and that the bill do pass.

S. B. No. 75, To be entitled An Act to repeal so much of Section 2 of an Act entitled An Act to relieve the Bank of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank the sum of \$492.05.

Title sufficient, and that the bill do pass.

S. B. No. 76, To be entitled An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said district.

Title sufficient, and that the bill do pass.

S. B. No. 77, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to amount not exceeding \$250,000 for the purpose of raising funds for high water emergencies and for other purposes.

Title sufficient, and that the bill do pass.

S. B. No. 78, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law, and to issue debentures therefor.

Title sufficient, and that the bill do pass.

S. B. No. 79, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

Title sufficient, and that the bill do pass.

J. S. HAM, *Chairman.*

REPORT OF COMMITTEE ON CONFERENCE.

MR. SPEAKER: Your Committee on Conference which has had under consideration the disagreement of the two Houses on H. B. No. 32, To be entitled An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903, have reached the following agreement, to-wit: That the Senate recede from its amendment to said bill.

Mr. Taylor moved the adoption of the conference report, and the yeas and nays being taken the motion to adopt prevailed by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Clayton, Coleman, Coody, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Ferguson, Ford, Foster of Warren, Frazier, Galloway, George, Gibson, Gilfoy, Goff, Granberry, Harper, Hathorn, Hemphill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, Long, Longest, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Moore, Moss, Neill, Norment, Norton, Owen, Permenter, Pyle, Quin of Pike, Ray, Reynolds, Senter, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Taylor, Thomas, Turner, Wall, Walker, Webster, White, Mr. Speaker—Total 76.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Castleman, Causey, Cock, Cooner, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, Groves, Haley, Ham, Heath, Hewes, Hightower, Hill, Jones, King, Lamb, Loper, Magee, McAllister, McDaniel, Millsaps, Mitchell, Murphree, Pace, Posey, Quin of Wilkinson, Robbins, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Stubbs, Swinney, Thompson, Tucker, Underwood, Vollar, Wilkins and Wren—Total 57.

Senate Bill No. 30, To be entitled An Act to provide for a reformatory prison for juvenile convicts, was considered.

On motion of Mr. Coleman the bill was recommitted to the Committee on Penitentiary.

On motion of Mr. Coleman the following bills were recommitted from the report on levees to the Committee on Local and Private Legislation:

S. B. No. 74, To be entitled An Act to repeal so much of an Act entitled An Act to relieve the Delta Bank of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04.

S. B. No. 75, To be entitled An Act to repeal so much of

Section 2 of an Act entitled An Act to relieve the Bank of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay the said bank \$492.05.

S. B. No. 76, To be entitled An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said district.

S. B. No. 77, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to amount not exceeding \$250,000 for the purpose of raising funds for high water emergencies and for other purposes.

S. B. No. 78, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law and to issue its debentures therefor.

S. B. No. 79, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has agreed to the appointment of a Conference Committee on the disagreement of the two Houses touching Senate amendments Nos. 1, 2, and 3 to H. B. No. 48, An Act making an appropriation for the support, repairs, additional buildings, improvement and equipment of the Mississippi Agricultural and Mechanical College, and has named as conferees on the part of the Senate Messrs. Bailey, Cayce and Seawright.

JOHN Y. MURRY, JR., *Secretary.*

Senate Bill No. 73, To be entitled An Act to provide for the payment of interest due on the original seminary fund and the 1894 land grant fund for the support of the University of Mississippi for the years 1902 and 1903, was, under the suspension of the rules, on motion of Mr. Kyle, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Coody, Cox of Pannola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Frazier, Gallo-way, George, Gibson, Goff, Granberry, Groves, Harper, Hathorn, Hemphill, Hubbard, Irby, Johnston of Clarke, Kyle, Langston,

Long, Longest, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Tucker, Turner, Wall, Walker, Webster, White, Mr. Speaker—Total 81.

Absent and those not voting — Messrs. Alsworth, Broadus, Brown of Adams, Burrus, Castleman, Causey, Cock, Coleman, Cooner, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Evans, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, Gilfoy, Haley, Ham, Heath, Hewes, Hightower, Hill, Johnston of Yazoo, Jones, King, Lamb, Loper, Magee, McAllister, McDaniel, Millsaps, Mitchell, Pace, Posey, Robbins, Rouse, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Underwood, Vollor, Wilkins and Wren—Total 52.

House Bill No. 159, To be entitled An Act to make an appropriation to pay the salary of the Assistant Attorney General for the years 1902 and 1903, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Clayton, Coleman, Coody, Cox of Panola, Denson, Denton of Lauderdale, Doss, Ellis, Ferguson, Ford, Foster of Warren, Frazier, Galloway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hubbard, Irby, Kyle, Langston, Long, Longest, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Miller, Moss, Neill, Norment, Norton, Owen, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Senter, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Turner, Wall, Walker, Webster, White, Mr. Speaker—Total 72.

Nays—Messrs. Johnston of Yazoo and Stennis of Kemper—Total 2.

Absent and those not voting — Messrs. Alcorn, Alsworth, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Causey, Cock, Cooner, Cox of Prentiss, Crum, Crumpton, Denton of Quitman, Dodds, Dudley, Eddins, Elmer, Evans, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, Haley, Heath, Hewes, Hightower, Hill, Johnston of Clarke, Jones, King, Lamb, Loper, Magee, McAllister, McDaniel, Millsaps, Mitchell, Moore, Murphree, Pace, Quin of Pike, Robbins, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Underwood, Vollor, Wilkins and Wren—Total 59.

House Bill No. 69, To be entitled An Act to amend Section 4387 of the Code of 1892 in relation to the salary of the porter for the Supreme Court, so as to increase same, was, under the suspension of the rules, on motion of Mr. Hewes, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Arnold, Bennett, Bradshaw, Brittain, Brown of Itawamba, Byrd, Campbell, Causey, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Ellis, Elmer, Ford, Foster of Warren, Franklin of Marshall, Gambrell, George, Goff, Ham, Hathorn, Heath, Hewes, King, Kyle, Loper, Magee, Magruder, McAllister, McCafferty, Miller, Mitchell, Moore, Moss, Neill, Norment, Norton, Quin of Pike, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Underwood, Vollar, Wall, Walker, Webster, White, Mr. Speaker—Total 58.

Nays—Messrs. Anderson, Birmingham, Burge, Eddins, Ferguson, Galloway, Gibson, Granberry, Groves, Harper, Hightower, Johnston of Clarke, Johnston of Yazoo, Langston, Long, Longest, McManus, Owen, Permenter, Posey, Pyle, Ray, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Tucker, Turner—Total 27.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Cock, Cooner, Crum, Denton of Quitman, Dudley, Evans, Foster of Claiborne, Franklin of Lowndes, Frazier, Garraway, Gilfoyl, Haley, Hemphill, Hill, Hubbard, Irby, Jones, Lamb, Mahon, McAfee, McAllister, McDaniel, Millsaps, Murphree, Pace, Quin of Wikinson, Reynolds, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Wilkins and Wren—Total 48.

House Bill No. 133, To be entitled An Act appropriating money to aid the city of Jackson in paving Capitol and State Streets in front of the Capitol and the Governor's Mansion, was considered.

The committee offered a substitute for the bill with same title and number, and on motion of Mr. Kyle the substitute was adopted.

Mr. Kyle then moved to amend the substitute by the adoption of the following: "Provided the State pay no greater rate or pro rata rate therefor than do individual property owners owning abutting property to said streets that are to be paved."

The amendment was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, and the bill as amended was considered engrossed, read the third time, and the yeas and nays were taken and the bill failed to pass by the following vote:

Yeas—Messrs. Boddie, Bowers, Bradshaw, Brittain, Brown of

Itawamba, Campbell, Causey, Coody, Denton of Lauderdale, Dudley, Ellis, Elmer, Foster of Warren, Frazier, Galloway, Gambrell, George, Granberry, Ham, Harper, Hathorn, Hewes, Irby, King, Kyle, Langston, Longest, Magruder, McAfee, McManus, Miller, Mitchell, Moore, Moss, Murphree, Neill, Quin of Pike, Quin of Wilkinson, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Thomas, Tucker, Wall, Walker, Mr. Speaker—Total 49.

Nays—Messrs. Allen, Anderson, Arnold, Bennett, Birmingham, Broadus, Burge, Clayton, Coleman, Cox of Panola, Crumpton, Denson, Doss, Ferguson, Ford, Gibson, Gilfooy, Goff, Heath, Hemphill, Johnston of Clarke, Johnston of Yazoo, Long, Magee, Mahon, McCafferty, McCuiston, Norton, Owen, Permenter, Posey, Pyle, Ray, Reynolds, Smith of Greene, Stennis of Kemper, Taylor, Turner, Underwood, Webster, White—Total 42.

Absent and those not voting—Messrs. Alcorn, Alsworth, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Cock, Cooner, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Eddins, Evans, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Garraway, Haley, Hightower, Hill, Hubbard, Jones, Lamb, Loper, McAllister, McDaniel, Millsaps, Norment, Pace, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs; Swinney, Thompson, Vollor, Wilkins and Wren—Total 42.

Mr. Bennett moved to reconsider the vote by which the bill failed to pass.

House Bill No. 135, To be entitled An Act to provide for the construction of macadamized roads, was considered.

Mr. Denton moved that the bill be considered by sections, which prevailed.

Mr. Hathorn moved to strike out of the first section the words: "In which the assessed value of property is not less than seven and a half million dollars."

On motion of Mr. Hathorn the motion was adopted.

All the other sections of the bill were then adopted in regular order.

Whereupon, on motion of Mr. Denton of Lauderdale, the rules were suspended and the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Burge, Byrd, Campbell, Causey, Coody, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dudley, Eddins, Ellis, Elmer, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, Galloway, George, Gibson, Groves, Ham, Harper, Hathorn, Hemphill, Hewes, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, Long, Longest, Loper, Magee, Magruder, McAllister, McCafferty, McCuiston, McManus,

Miller, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Pyle, Quin of Pike, Ray, Reynolds, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Taylor, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Mr. Speaker—Total 79.

Nays—Messrs. Brown of Itawamba, Coleman, Ford, Gilfoy, Goff, Granberry, Irby, Posey—Total 8.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Cock, Cooner, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Doss, Evans, Foster of Claiborne, Franklin of Lowndes, Gambrell, Garraway, Haley, Heath, Hightower, Hill, Jones, King, Lamb, Mahon, McAfee, McDaniel, Millsaps, Pace, Quin of Wilkinson, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Thompson, Wilkins and Wren—Total 46.

House Bill No. 67, To be entitled An Act to encourage the religious and educational interests of the State and to exempt all property belonging to or used by religious and educational bodies from taxation, was considered.

Mr. Magruder moved to strike out of the bill the following words: "or which may have been made," which prevailed.

Mr. Kyle moved to strike out the preamble from the bill, which prevailed.

Whereupon, on motion of Mr. Magruder, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Arnold, Bennett, Birmingham, Bradshaw, Britain, Brooks, Burge, Byrd, Campbell, Causey, Cox of Prentiss, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Elmer, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, George, Groves, Ham, Harper, Heath, Johnston of Clarke, King, Longest, Magruder, McAllister, McManus, Millsaps, Mitchell, Moss, Norment, Norton, Pyle, Ray, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stubbs, Underwood, Wall, Walker, Webster, White, Mr. Speaker—Total 53.

Nays—Messrs. Anderson, Brown of Itawamba, Clayton, Coleman, Coody, Crumpton, Dodds, Ford, Galloway, Gibson, Goff, Granberry, Hathorn, Hubbard, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Loner, Magee, McCuiston, Murphree, Owen, Permenter, Posey, Quin of Pike, Sharkey, Smith of Greene, Stamps, Stennis of Kemper, Taylor, Tucker, Turner, Vollar, Wren—Total 36.

Absent and those not voting—Messrs. Alcorn, Allen, Alsworth, Boddie, Bowers, Broadus, Brown of Adams, Burrus, Castleman,

Cock, Cooner, Cox of Prentiss, Crum, Denton of Quitman, Dudley, Evans, Foster of Claiborne, Franklin of Lowndes, Garraway, Gilfoy, Haley, Hemphill, Hewes, Hightower, Hill, Irby, Jones, Mahon, McAfee, McCafferty, McDaniel, Miller, Moore, Neill, Pace, Quin of Wilkinson, Reynolds, Robbins, Rouse, Stennis of Lauderdale, Swinney, Thomas, Thompson, and Wilkins—
Total 44.

Mr. McAllister was given unanimous consent under the suspension of the rules, to introduce House Bill No. 163, To be entitled An Act to appropriate \$1,000 to purchase and erect a marble tablet upon which shall be engraved a roster of the present State officials, including the late J. L. Power, members of the Legislature, its officials and pages, also the Capitol Commission and architect, and to authorize the Capitol Commissioners to have same placed in a suitable place in the new Capitol building, which was read twice and referred to the Committee on Appropriations.

At 5.10 P. M., on motion of Mr. George, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTY-SEVENTH DAY.

TUESDAY, February 18, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. T. B. Holloman.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCaf-

ferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren—Total 122.

Those absent—Messrs. Bradshaw, Brown of Adams, Burrus, Castleman, Cooner, Crum, Foster of Claiborne, Garraway, Hill, McDaniel and Wilkins—Total 11.

On motion of Mr. Harper the reading of the journal of yesterday was dispensed with and the same stood approved.

The Committee on Conference on the disagreement of the House and Senate on House Bill No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States, reported as follows:

The Joint Committee of Conference on House Bill No. 23 beg leave to report that they have agreed upon the following:

First—That the Senate receive the proposed amendment.

Second—That the accompanying amendment be adopted by both Houses.

W. M. COX,

Chairman for House Committee.

B. C. ADAMS,

Chairman for Senate Committee.

The amendment to the bill reads as follows:

If a pensioner has died or shall die at any time before the pension allowed has been received, there being no widow, then the Chancery Clerk of the county where the pensioner resided shall receipt to the County Treasurer for such pension, and out of the same first pay burial expenses of deceased pensioner; and second, the expense of the last illness, and if there be any residue pay same to the minor children of the deceased pensioner, if any, and if not, to his heirs at law.

Mr. Cox moved that the report of the committee be adopted, and the yeas and nays being taken as required by the Constitution, the report was adopted by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Causey, Clayton, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denison, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, George, Gibson, Gilfof, Goff, Granberry, Groves, Ham, Harper, Hathorn, Heath, Hemphill,

Hewes, Hightower, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Long, Longest, Magee, Magruder, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 104.

Absent and those not voting—Messrs. Bradshaw, Broadus, Burrus, Campbell, Castleman, Cock, Cooner, Crum, Denton of Lauderdale, Denton of Quitman, Foster of Claiborne, Garraway, Haley, Hill, Hubbard, Irby, Johnston of Clarke, King, Loper, Mahon, McDaniel, Miller, Pace, Rouse, Senter, Stubbs, Thomas, Thompson, and Wilkins—Total 29.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 83, To be entitled An Act to amend Section 2 of Chapter 79, Acts of 1900.

Title sufficient, and that the bill do pass.

S. B. No. 32, To be entitled An Act to provide public depositories and to protect and secure public funds in their custody.

Title sufficient and do not pass.

S. B. No. 26, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and to provide for its maintenance and for the issuance of future publications of the Mississippi Historical Society.

Title sufficient, and that the bill do pass.

S. B. No. 66, To be entitled An Act to amend Section 1714 of the Annotated Code of 1892, relating to costs and establishing escheats so as to provide for the allowance and payment of commissions and attorneys' fees in such proceedings, and for the payment of costs of cases in which the personal estate is insufficient.

Title sufficient, and that the bill do pass.

H. B. No. 134, To be entitled An Act to amend Section 3264 of the Annotated Code of 1892 so as to prohibit any person from voting in a party primary election or participating in a party convention except legally qualified voters, and to regulate the time of holding such elections and conventions.

Title sufficient and that the bill do not pass.

H. B. No. 158, To be entitled An Act for the relief of sureties on the bonds of State, county and county district officers at the expiration of their terms of office.

Title sufficient, and that the bill do not pass.

BOWERS, *Chairman.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 18, 1902.

To the Legislature of the State of Mississippi.

GENTLEMEN: I have the honor to submit for your consideration and such action as you may deem proper the following subject, to-wit:

An Act to authorize the Board of Supervisors of Amite County to transfer money from the common county fund to the school fund.

Respectfully,

A. H. LONGINO, *Governor.*

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 79, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

S. B. No. 78, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law, and to issue its debentures therefor.

S. B. No. 77, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to amount not exceeding \$250,000 for the purpose of raising funds for high water emergencies and for other purposes.

S. B. No. 76, To be entitled An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said district. Act entitled An Act to relieve the Delta Bank of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay said bank the sum of \$643.04.

S. B. No. 75, To be entitled An Act to repeal so much of Section 2 of an Act entitled An Act to relieve the Bank of Greenwood,

of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank \$492.05.

H. B. No. 155, To be entitled An Act authorizing the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county.

H. B. No. 142, To be entitled An Act to authorize the Board of Supervisors of Perry County and the Mayor and Board of Aldermen of Hattiesburg to invest the sinking funds now on hand and being raised to pay off certain bonds.

S. B. No. 70, To be entitled An Act authorizing the Board of Supervisors of Attala County to loan \$1,500 from the general county fund to the school fund.

S. B. No. 81, To be entitled An Act to validate and confirm the proceedings of the National and Mississippi Delta Railroad Company and to authorize the Directors of said Company to proceed under the provisions of its charter to construct a railroad in Mississippi.

S. B. No. 69, To be entitled An Act to authorize the Board of Supervisors of Simpson County to invest the court house and jail fund.

S. B. No. 51, To be entitled An Act to authorize the Board of Mayor and Aldermen of the city of Natchez to issue bonds for the purpose of purchasing the waterworks and sewerage system owned and operated in said city by the Natchez Water Supply and Sewer Company, or for the purpose of building, constructing, or otherwise securing for said city a system of sewerage and waterworks.

S. B. No. 43, To be entitled An Act making an appropriation to Mrs. D. W. Hurst, widow of D. W. Hurst, for services rendered by D. W. Hurst as Judge of the High Court of Errors and Appeals, of the State of Mississippi from the first day of April, 1865, to the 13th day of July, 1865, inclusive.

The relief sought in each of the above bills can not be obtained by any proceedings in court, because there is no general law covering the matters referred to. The relief sought is local and curative in its nature and application. The title of each of said bills is sufficient, the bills are meritorious, and the committee recommends that each does pass.

Respectfully submitted,

W. A. ALCORN, JR., *Chairman.*

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 47, An Act to amend Section 6 of Chapter 15 of the Acts of 1897, in reference to the collection and publication of vital mortuary and sanitary statistics.

S. B. No. 57, An Act to amend Section 1, Chapter 54, Acts of 1900, in relation to issuance of State bonds for the purpose of erecting a new State House.

S. B. No. 83, An Act to fix the salary of the Governor's Private Secretary.

S. B. No. 46, An Act making an appropriation for the equipment and support of the Branch Agricultural Experiment Station at McNeill, Miss.

H. B. No. 80, An Act making an appropriation for the payment of fees due Critz & Beckett for legal services rendered the State in injunction suits against the Railroad Commission.

And has concurred in House Concurrent Resolution No. 5, To have the Trustees and President of the Deaf and Dumb Institute invite bids for the sale of the property now used as the Deaf and Dumb Institute and to report at the next session of the Legislature.

And has adopted House Joint Resolution in regard to the expenses of the special committee appointed at the session of 1900 to investigate the State penitentiary management.

House Joint Resolution asking the United States Fish Commission to investigate the oyster industries of Mississippi and report thereon.

Has adopted House Joint Resolution requesting our Senators and Representatives in Congress to vote for a bill to purchase Temple Farm and Moore House.

Has concurred in House Concurrent Resolution in regard to the resignation of ex-Treasurer J. R. Stowers, and has fixed the number of the committee provided for in said resolution on the part of the Senate at three, and has named as said committee on the part of the Senate Messrs. Jones, Cayce and Young.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House amendment to S. B. No. 59, An Act to amend Section 3952 of the Annotated Code of 1892, relative to salaries, and also an Act to amend said section of said Code so far as same relates to the salary of Governor's Private Secretary, etc., being Chapter 38 of the sheet Acts of 1900, approved March 10, 1900, so as to increase the salary of the Governor from thirty-five hundred to five thousand dollars, and the salaries of each of the Supreme Judges from thirty-five hundred to five thousand dollars.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee on the disagreement of the two Houses touching Senate amendment to H. B. No. 32, An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903.

And has agreed to the appointment of a Conference Committee on the disagreement of the two Houses touching Senate amendment to H. B. No. 61, An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903, and has named as conferees on the part of the Senate Messrs. Dent of Fourth District, Sheppard and Bailey.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill, and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

S. B. No. 59, To be entitled An Act to amend Section 3952 of the Annotated Code of 1892 relative to salaries, and also an Act to amend said section of said Code so far as same relates to the salary of the Governor's Private Secretary, being Chapter 38 of the sheet Acts of 1900, approved March 10, 1900, so as to increase the salary of the Governor from \$3,500 to \$4,500, and the salary of each of the Supreme Judges from \$3,500 to \$4,500.

LOPER, *Chairman.*

Whereupon, the Speaker declared all business of the House suspended while he signed the bill reported by the Committee on Enrolled Bills, reading the title and calling the attention of the House thereto.

SENATE BILLS REFERRED.

S. B. No. 47, To be entitled An Act to amend Section 6 of Chapter 15 of the Acts of 1897, in reference to the collection and publication of vital, mortuary and sanitary statistics.

Read twice and referred to the Committee on Public Health and Quarantine.

S. B. No. 57, To be entitled An Act to amend Section 1, Chapter 54, Acts of 1900, in relation to issuance of State bonds for the purpose of erecting a new State House.

Read twice and referred to Committee on Ways and Means.

S. B. No. 83, To be entitled An Act to fix the salary of the Governor's Private Secretary.

Read twice and referred to Committee on Fees and Salaries.

On motion of Mr. George Senate Bill No. 13, To be entitled An Act to provide a home to be supported by the State for indigent and dependent soldiers and sailors of the Confederacy, was re-committed to the Committee on Pensions.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee on the

disagreement of the two Houses on H. B. No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States.

JOHN Y. MURRY, JR., *Secretary*.

The Speaker announced as members of the Committee authorized by the adoption of House Concurrent Resolution to investigate the condition and circumstances regarding the resignation of ex-Treasurer J. R. Stowers, Messrs. Lamb, Smylie and Hubbard.

Senate Bill No. 45, To be entitled An Act to amend Section 3952 of the Annotated Code of Mississippi, 1892, so as to fix the salary of the Secretary of the Railroad Commissioners at the sum of \$1,200, was considered.

The Committee on Appropriations offered as a substitute a bill with same number and with the following title:

A Bill to be entitled An Act to amend Section 3952 of the Code of 1892, and Chapter 38, Acts of 1900, as heretofore amended so as to make the salary of the Clerk of the Railroad Commission \$1,200.

On motion of Mr. Bowers the substitute was adopted.

Whereupon, the bill as amended by the adoption of the substitute was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill failed to pass by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Bowers, Byrd, Campbell, Causey, Cock, Coody, Cox of Prentiss, Denton of Lauderdale, Dodds, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Gambrell, George, Goff, Ham, Hathorn, Hewes, Magee, Magruder, Mahon, McAfee, McAllister, McManus, Millsaps, Moore, Moss, Neill, Norment, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Stamps, Thomas, Vollar, Webster, White, Mr. Speaker—Total 48.

Nays—Messrs. Allen, Anderson, Arnold, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Cox of Panola, Crumpton, Denson, Doss, Dudley, Eddins, Ellis, Ferguson, Franklin of Marshall, Frazier, Galloway, Gibson, Granberry, Groves, Harper, Heath, Hemphill, Hightower, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Lamb, Langston, Long, Longest, Loper, McCafferty, McCuiston, Mitchell, Murphree, Norton, Owen, Posey, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Smith of Greene, Smylie, Stennis of Kemper, Stubbs, Swinney, Tucker, Turner, Underwood, Walker, Wren—Total 61.

Absent and those not voting—Messrs. Brown of Adams, Burrus, Castleman, Clayton, Coleman, Cooner, Crum, Denton of Quitman, Foster of Claiborne, Garraway, Gilfoy, Haley, Hill, Jones,

McDaniel, Miller, Pace, Permenter, Rouse, Stennis of Lauderdale, Taylor, Thompson, Wall and Wilkins—Total 24.

Mr. Boddie moved to reconsider the vote by which the bill failed to pass.

Senate Bill No. 64, To be entitled An Act to appropriate money to pay interest accrued and to accrue to November 1, 1903, upon the fund deposited in the State treasury as proceeds of land sold, such lands having been donated by the United States Government to the Industrial Institute and College at Columbus, and to prescribe purposes for which said interest may be used by the Trustees of said Institute and College, which failed to pass on yesterday, and on which a motion was entered to reconsider, was called up, and the motion to reconsider prevailed.

Whereupon, Mr. Kyle moved that the rules be suspended, the bill read the third time and placed on its passage, which motion prevailed, and the yeas and nays being taken as required by the Constitution, the bill failed to pass, not having received the vote required by the Constitution, the vote being as follows:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Boddie, Bowers, Broadus, Brooks, Burge, Byrd, Campbell, Cock, Coleman, Cox of Prentiss, Crumpton, Denton of Lauderdale, Denton of Quitman, Dudley, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Gambrell, George, Haley, Ham, Hathorn, Heath, Hemphill, Hewes, Irby, Johnston of Clarke, Jones, Kyle, Long, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharkey, Sharp of Lowndes, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Thomas, Tucker, Underwood, Vollor, Wall, Walker, Webster, White, Mr. Speaker—Total 66.

Nays—Messrs. Anderson, Arnold, Bradshaw, Brittain, Brown of Itawamba, Causey, Clayton, Coody, Cox of Panola, Denson, Dodds, Ellis, Ferguson, Frazier, Galloway, Gibson, Goff, Granberry, Harper, Hemphill, Hightower, Hubbard, Johnston of Yazoo, Lamb, Langston, Loper, McCuiston, Murphree, Norton, Owen, Posey, Ray, Sharpe of Leake and Winston, Shelby, Smith of Greene, Stennis of Kemper, Stubbs, Taylor, Turner, Wren—Total 40.

Absent and those not voting — Messrs. Allen, Birmingham, Brown of Adams, Burrus, Castleman, Cooner, Crum, Doss, Edkins, Foster of Claiborne, Garraway, Gilfoyl, Groves, Hill, King, Longest, Magee, McDaniel, Miller, Pace, Permenter, Kyle, Reynolds, Rouse, Swinney, Thompson and Wilkins—Total 27.

The special order being the bills reported from the Committee on Registrations and Elections, the same were called for consideration.

Mr. Thomas moved that the consideration of the bills be postponed until Thursday morning at 10 o'clock, and that 300 copies

of each of the following bills be ordered printed for the use of the members:

House Bill No. 47, To be entitled An Act to repeal Section 3264 of the Annotated Code of 1892, to restrict participation in conventions and in primary meetings and elections to qualified voters, and to require uniformity of time in holding said conventions, primary meetings and elections.

House Bill No. 134, To be entitled An Act to amend Section 3264, Annotated Code 1892, so as to prohibit any person from voting in a party primary election or participating in a party convention except legally qualified voters, and to regulate the time of holding such elections and conventions.

Senate Bill No. 1, To be entitled An Act to repeal all of Chapter 105 relating to primary meetings and elections except Sections 3274 and 3275, and to provide for all nominations for State, district, county district and county offices to be made by primary elections.

The call for the yeas and nays, on motion of Mr. Thomas, to have the consideration of the bills postponed, and 300 copies of each printed, being sustained, the Clerk called the roll and the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Bennett, Bowers, Bradshaw, Broadus, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Prentiss, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Elmer, Evans, Ferguson, Ford, Foster of Warren, Frazier, Galloway, Gambrell, George, Goff, Granberry, Groves, Ham, Hathorn, Heath, Hewes, Jones, King, Magee, Magruder, McAfee, McAllister, McManus, Miller, Moss, Neill, Norment, Norton, Posey, Ray, Sharpe of Leake and Winston, Stamps, Thomas, Tucker, Underwood, Wall, White, Wren, Mr. Speaker—Total 60.

Nays—Messrs. Allen, Arnold, Birmingham, Brittain, Brooks, Clayton, Cox of Panola, Crumpton, Doss, Eddins, Ellis, Franklin of Marshall, Gibson, Hemphill, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Long, Longest, Loper, Mahon, McCafferty, McCuiston, Mitchell, Moore, Owen, Permenter, Pyle, Quin of Pike, Reynolds, Robbins, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Turner, Walker, Webster—Total 46.

Absent and those not voting—Messrs. Boddie, Brown of Adams, Burrus, Castleman, Cooner, Crum, Foster of Claiborne, Franklin of Lowndes, Garraway, Gilfoy, Haley, Harper, Hill, Irby, McDaniel, Millsaps, Murphree, Pace, Quin of Wilkinson, Rouse, Senter, Sharkey, Sharp of Lowndes, Stubbs, Thompson, Vollar and Wilkins—Total 27.

At 1.20 P. M., on motion of Mr. George, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH.

Clerk of the House of Representatives.

THIRTY-EIGHTH DAY.

WEDNESDAY, February 19, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Long.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren—Total 124.

Those absent—Messrs. Brown of Adams, Campbell, Castleman, Clayton, Cooner, Crum, Foster of Claiborne, McDaniel, and Wilkins—Total 9.

On motion of Mr. McCafferty the reading of the journal of yesterday was dispensed with and the same stood approved.

Leave of absence granted to Mr. Clayton from day to day on account of sickness.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 17, An Act to make an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903.

S. B. No. 37, An Act to amend Section 3182, Code 1892, so as to require appraisers' inventory to be made on January 1st each year and clerks' books to be balanced from same.

S. B. No. 85, An Act to amend an Act entitled An Act to appropriate money to defray the expense incident to investigation of penitentiary affairs as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee, and of Sergeant-at-Arms for service of process issued by said committee, compensation of stenographer employed by said committee, and payment of incidental expenses incurred and to be incurred by said committee, approved February 13, 1902, so as to authorize and provide for all lawful expense incurred by said committee.

H. B. No. 11, An Act to create the Exposition Bureau, to provide for an exhibition at the Louisiana Purchase Exposition and to make an appropriation therefor.

H. B. No. 66, An Act to appropriate money to pay the per diem and mileage of the Presidential Electors for two meetings in December, 1900, and January, 1901, as directed by Section 3703 of the Annotated Code of 1892.

H. B. No. 89, An Act to require the members of the Board of Control and the warden of the penitentiary to pay into the general fund of the State treasury, immediately upon the request thereof, any money they receive from the labor of convicts or from the sale of agricultural products produced on farms worked by the State, or from the sale of any penitentiary property, and to provide for disbursements for penitentiary purposes from the State treasury on the Auditor's warrant, and to provide for the making of an appropriation to meet such disbursements, with accompanying amendments.

H. B. No. 120, An Act to amend Section 613 of the Annotated Code, and also to amend Chapter 86 of the Laws of 1900, for the purpose of extending the time for holding terms of the Circuit Court in the Fourth Circuit Court District and to provide for terms of the Circuit Court in the Second Circuit Court District of Tallahatchie County, with accompanying Senate amendments.

H. B. No. 139, An Act for the relief of J. W. Duke.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON FEES AND SALARIES.

MR. SPEAKER: The Committee on Fees and Salaries has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 161, An Act to amend Section 1996 of the Annotated Code of 1892 in regard to clerks' fees in criminal cases where the State fails, and in certain felonies.

Title sufficient, and we recommend that the substitute do pass.

S. B. No. 83, An Act to fix the salary of the Governor's Private Secretary.

Title sufficient, and we recommend that the bill do not pass.
HEWES, *Chairman*.

REPORT OF COMMITTEE ON COUNTY AFFAIRS.

MR. SPEAKER: The Committee on County Affairs has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 63, A Bill to authorize the Board of Supervisors to hire labor to work on county farms being worked by convicts in certain cases of necessity.

Title sufficient, and the bill do pass.

GARRAWAY, *Chairman*.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 18, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 113, An Act to provide for the support and maintenance of the Natchez Hospital by appropriation.

H. B. No. 127, An Act to authorize the Board of Supervisors of Yazoo County to transfer from the special road fund of said county to the general fund of said county the sum of \$6,461.39.

H. B. No. 124, An Act to authorize and empower the Board of Supervisors of Tippah County to loan the 16th Section or Chickasaw school fund to the common county fund at an annual rate per cent, interest to be fixed by said board.

H. B. No. 112, An Act to appropriate money for the purpose of re-supplying the wards of the State Charity Hospital at Vicksburg with beds and bed clothing.

H. B. No. 64, An Act making an appropriation to carry out the provisions of Chapter 76 of the laws of the State of Mississippi of 1900, being an Act entitled an Act to enable the Auditor of Public Accounts and Land Commissioner of the State of Mississippi to properly conduct the affairs of their respective offices, and to correct mistakes in land descriptions and land sales, and provide relief in payment of moneys erroneously paid in privileges and State taxes and land purchases, and to save the State cost in passing bills for relief by local and private legislation in certain cases.

H. B. No. 14, An Act to appropriate \$2,500 in the year 1902, and \$1,500 for the year 1903 for the maintenance of the Confederate Hospital Annex at Vicksburg, Mississippi, and to provide for the distribution of the same.

H. B. No. 82, An Act to provide for the protection of the property of the State of Mississippi at the Capitol from damage and destruction by fire, and the appropriation of one thousand dollars for the year 1902 and one thousand dollars for the year 1903 for same.

H. B. No. 49, An Act for the support and maintenance of the State Normal School at Holly Springs.

H. B. No. 102, An Act to empower the Board of Supervisors of Perry County to order an election for the purpose of submitting to the qualified electors of said county the removal of the seat of justice of the First District of said county.

H. B. No. 44, An Act to pay for legal services rendered the State in the suit of Warren County et al vs. E. H. Nall, Land Commissioner.

H. B. No. 86, An Act to make an appropriation to pay A. W. Jones of Prentiss County balance pension due him for the year 1899.

H. B. No. 31, An Act to provide for the support and maintenance of the State Charity Hospital at Vicksburg.

H. B. No. 43, An Act to further carry into effect the contract made under Chapter 385, Acts of 1888, being an Act to better secure safety and health in the State institutions, etc., approved March 10, 1888, and defray expenses thereof.

Respectfully,

J. J. COMAN, *Private Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. C. R. No. 15, Authorizing Joint Committee to investigate penitentiary affairs to secure rooms in which to hold its sessions, granting permission to hold meetings during the session of the two Houses, and authorizing employment of all necessary clerical and other assistants in order to properly complete its labors.

S. C. R. No. 8, Authorizing the Joint Committee to investigate and report upon penitentiary affairs to send for persons, papers and books, and that the Sergeant-at-Arms of the two Houses be required to execute all processes, etc.

House Joint Resolution requesting our Senators and Representatives in Congress to vote for a bill to purchase Temple Farm and Moore House.

H. B. No. 23, To be entitled An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States.

H. B. No. 46, An Act making an appropriation for the equipment and support of the Branch Agricultural Experiment Station at McNeill, Mississippi.

H. B. No. 80, An Act making an appropriation for the payment of fees due Critz & Beckett for legal services rendered the State in injunction suits against the Railroad Commission.

H. B. No. 32, An Act to make an appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903.

H. B. No. 62, An Act making an appropriation for maintenance and support of the Alcorn Agricultural and Mechanical College and for the erection of additional buildings for the use of the students of said college for the years 1902 and 1903.

House Concurrent Resolution asking the United States Fish Commission to investigate the oyster industries of Mississippi and report thereon.

House Concurrent Resolution in regard to the expenses of the special committee appointed at the session of 1900 to investigate the State penitentiary management.

House Concurrent Resolution in regard to the resignation of ex-Treasurer J. R. Stowers.

H. C. R. No. 5, To have the Trustees and President of the Deaf and Dumb Institute invite bids for the sale of the property now used as the Deaf and Dumb Institute and report at the next session of the Legislature.

LOPER, *Chairman.*

Whereupon, the Speaker declared all business of the House suspended while he signed the bills, after reading the titles and calling the attention of the House thereto.

SENATE BILLS REFERRED.

S. B. No. 85, To be entitled An Act to amend an Act entitled An Act to appropriate money to defray the expense incident to the investigation of the penitentiary affairs, as authorized by Concurrent Resolution No. 8, and to fix compensation of witnesses before said committee and of Sergeant-at-Arms for service of process issued by said committee, compensation of stenographer employed by said committee and payment of incidental expense incurred and to be incurred by said committee, approved February 13, 1902, so as to authorize and provide for all lawful expense incurred by said committee.

Was read twice and referred to Committee on Appropriations.

S. B. No. 37, To be entitled An Act to amend Section 3182, Code 1892, so as to require appraisers' inventory to be made on January 1 each year, and clerks' books to be balanced from same.

Was read twice and referred to Committee on Penitentiary.

S. B. No. 17, To be entitled An Act to make an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903.

Was read twice and referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House amendment to S. B. No. 58, An Act to provide for the appointment of an Assistant Attorney General and to prescribe his qualifications, duties and compensation, and has adopted the report of the Conference Committee on H. B. No. 61, An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit: H. B. No. 139, An Act for the relief of J. W. Duke.

LOPER, *Chairman.*

Whereupon, all business of the House was suspended while the Speaker signed the bill reported, after reading the title, calling the attention of the House thereto.

INTRODUCTION OF BILLS.

By Mr. Bennett—

H. B. No. 164, To be entitled An Act to appropriate money to pay interest accrued and to accrue to November 1, 1903, upon the fund deposited in the State treasury as proceeds of lands sold, such land having been donated by the United States Government to the Industrial Institute and College at Columbus, and to prescribe purposes for which said interest may be used by the Trustees of said Institute and College.

Was read twice and referred to the Committee on Appropriations.

By Mr. Hewes—

H. B. No. 165, To be entitled An Act to establish a Live Stock Sanitary Board in Mississippi and the office of State Veterinarian, and to provide for the control and suppression of dangerous, contagious, or infectious diseases of domestic animals and for the study of diseases of live stock of the State.

Was read twice and referred to Committee on Public Health and Quarantine.

By Mr. Denton of Lauderdale—

H. B. No. 166, To be entitled An Act authorizing the Board of Supervisors of Lauderdale County to pay certain school indebtedness of said county for the scholastic years of 1899 and 1900.

Was read twice and referred to Committee on Local and Private Legislation.

By Mr. Coody—

H. B. No. 167, To be entitled An Act to amend an Act approved February 6, 1902, being an Act to appropriate money for the support of the Industrial Institute and College at Columbus, for addition of certain departments thereto, for the establishment of certain departments, to provide for elevators, and to provide for the erection of an industrial hall and laundry, and for the remodeling of the chapel building, and for the repair and equipment of the buildings of said institution during the years of 1902 and 1903, and to provide for the payment of same.

Was read twice and referred to Committee on Appropriations.

House Bill No. 120, To be entitled An Act to amend Section 613 of the Annotated Code, and also to amend Chapter 86 of the Laws of 1900 for the purpose of extending the time for holding terms of the Circuit Court in the Fourth Circuit Court District, and to provide for terms of the Circuit Court in the Second Circuit Court District of Tallahatchie County, as amended by the Senate, was considered.

The Senate amendments read as follows:

Amend by striking out in the tenth line the words "second Monday of June," and insert in lieu thereof the words "the fourth Monday of June."

Strike out in the 14th and 15th lines the words "the first Monday of September and the first Monday of March," and insert in lieu thereof the words "the fourth Monday of September and the fourth Monday of March."

Strike out the words in the 17th line "the first Monday of April" and insert "the third Monday of April."

Strike out in the 20th line the words "the first Monday of May" and insert in lieu thereof the words "the third Monday of May," and strike out in the 22d line the words "the fourth Monday of May" and insert in lieu thereof the words "the second Monday of May."

Mr. Coleman moved that the House concur in the Senate amendments, and the yeas and nays being taken as required by the Constitution, the motion to concur prevailed by the following vote:

Yeas — Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Causey, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Harper, Hathorn, Heath, Hemphill, Hightower, Hill Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle Long, Magruder, McAllister, McCafferty, McCuiston, McManus, Mitchell, Moore, Moss, Neill, Norment, Norton, Permenter, Po-

sey, Quin of Wilkinson, Reynolds, Robbins, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Thompson, Tucker, Underwood, Walker, White, Mr. Speaker—Total 83.

Absent and those not voting—Messrs. Bennett, Brooks, Brown of Adams, Burrus, Campbell, Castleman, Clayton, Cock, Cooner, Crum, Denton of Quitman, Dodds, Doss, Dudley, Evans, Foster of Claiborne, Haley, Ham, Hewes, Jones, King, Lamb, Langston, Longest, Loper, Magee, McDaniel, Miller, Millsaps, Murphree, Owen, Pace, Pyle, Quin of Pike, Ray, Rouse, Senter, Sharkey, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Turner, Vollar, Wall, Webster, Wilkins and Wren—Total 50.

House Bill No. 89, To be entitled An Act to require the members, of the Board of Control and the Warden of the State penitentiary to pay into the general fund of the State treasury, immediately upon the receipt thereof, any money they receive from the labor of convicts or from the sale of agricultural products produced on farms worked by the State, or from the sale of any penitentiary property, and to provide for disbursements for penitentiary purposes from the State treasury on the Auditor's warrant, and to provide for the making of an appropriation to meet such disbursements, as amended by the Senate, was considered.

The Senate amendments read as follows:

Amend Section 2 by striking out the word "penitentiary" in line 2, and inserting in lieu thereof the word "State."

Amend Section 2 by adding after the word "Control," in the last line, the following words: "or a majority of the same."

Strike out all of Section 2 after the word "control" in the last line.

Mr. Thomas moved that the House concur in the Senate amendments, and the yeas and nays being taken as required by the Constitution, the motion to concur prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Langston, Long, Loper, Magee, Magruder, McAfee, McAllister, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Wilkinson, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of

Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 109.

Absent and those not voting—Messrs. Brooks, Brown of Adams, Burrus, Castleman, Clayton, Cooner, Crum, Denton of Quitman, Evans, Foster of Claiborne, Haley, King, Lamb, Longest, Mahon, McCafferty, McDaniel, Pace, Quin of Pike, Ray, Senter, Stennis of Lauderdale, Stubbs and Wilkins—Total 24.

The committee to count the funds in the State treasury, composed of Messrs. Cock, Pyle, Evans, Ray and Longest, were excused from the House while attending to the duties assigned the committee.

Senate Concurrent Resolution No. 10, A concurrent resolution to amend Section 183 of the Constitution of the State of Mississippi so that counties, Circuit Court Districts of counties, cities or towns may elect to take stock in or vote aid to railroads, was, on motion of Mr. Cox, placed on its first reading and adoption, and the yeas and nays being taken as required by the Constitution, the resolution was adopted on its first reading, and on the first day, having received the necessary Constitutional majority, the vote being as follows:

Yeas—Messrs. Allen, Anderson, Bennett, Birmingham, Boddie, Bowers, Broadus, Brooks, Burge, Campbell, Causey, Cox of Prentiss, Cox of Panola, Denton of Lauderdale, Dodds, Doss, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Frazier, Galloway, Gambrell, Gibson, Gilfoy, Goff, Groves, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hubbard, Johnston of Yazoo, King, Kyle, Lamb, Langston, Long, Magruder, Mahon, McAllister, McCafferty, McManus, Miller, Moss, Murphree, Neill, Norment, Owen, Permenter, Quin of Pike, Reynolds, Robbins, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Swinney, Thomas, Thompson, Underwood, Walker, Webster, Mr. Speaker—Total 70.

Nays—Messrs. Alsworth, Arnold, Brittain, Coleman, Crumpton, Denson, Eddins, Ellis, Franklin of Marshall, George, Grubberv, Hightower, Hill, Johnston of Clarke, Loper, Magee, Mitchell, Norton, Posey, Quin of Wilkinson, Shelby, Smith of Holmes, Taylor, Tucker, Turner, White—Total 26.

Absent and those not voting—Messrs. Alcorn, Bradshaw, Brown of Adams, Brown of Itawamba, Burrus, Byrd, Castleman, Clayton, Cock, Coody, Cooner, Crum, Denton of Quitman, Dudley, Evans, Foster of Claiborne, Garraway, Haley, Irby, Jones, Longest, McAfee, McCuiston, McDaniel, Millsaps, Moore, Pace, Pyle, Rav, Rouse, Senter, Stennis of Lauderdale, Stubbs, Vollar, Wall, Wilkins, Wren—Total 37

Senate Concurrent Resolution No. 7, A concurrent resolution proposing an amendment to the Constitution requiring that all

changes, alterations or amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, alteration or amendment, was called up for its third reading and the passage on its third day.

Mr. George offered the following amendment:

Strike out in line 17, page 2, the words, "session of the," and strike out at end of second page the following words, "and the decision of the Legislature shall be final."

Mr. Cox moved to table the motion to adopt the amendment, which prevailed.

Whereupon, on motion of Mr. Cox, the resolution was read for the third time and for its passage on the third day, and the yeas and nays being taken as required by the Constitution, and the necessary Constitutional majority being cast, the resolution was adopted on its third reading and on the third day by the following vote:

Yeas—Messrs. Allen, Alsworth, Anderson, Birmingham, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Causey, Cox of Prentiss, Cox of Panola, Crumpton, Denton of Lauderdale, Doss, Eddins, Ellis, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Garraway, Gibson, Gilfoy, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Langston, Long, Loper, Magruder, Mahon, McAllister, McCafferty, McManus, Millsaps, Moore, Moss, Murphree, Norment, Owen, Permenter, Posey, Quin of Pike, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Tucker, Underwood, Walker, Webster, Wren—Total 72.

Nays—Messrs. Alcorn, Arnold, Bennett, Bowers, Broadus, Byrd, Campbell, Coleman, Coody, Denson, Dodds, Elmer, George, Goff, Granberry, Heath, Hewes, Hightower, Hill, Magee, McAfee, Neill, Norton, Quin of Wilkinson, Shelby, Smith of Holmes, Taylor, Thomas, Thompson, Turner, Vollar, Wall, White, Mr. Speaker—Total 34.

Absent and those not voting—Messrs. Brown of Adams, Burus, Castleman, Clayton, Cock, Cooner, Crum, Denton of Quitman, Dudley, Evans, Foster of Claiborne, Gambrell, Hubbard, King, Lamb, Longest, McCuiston, McDaniel, Miller, Mitchell, Pace, Pyle, Ray, Senter, Stubbs, Swinney, and Wilkins—Total 27.

By the permission of the House Mr. Coleman had spread on the journal in regard to Concurrent Resolution No. 7 the following:

Concurrent Resolution No. 7, To amend Section 273 of the Constitution having received 72 votes, the Speaker of the House declared the same adopted. As a member of the House of Representatives I enter my protest against the ruling of the Speaker,

and ask that the same be spread upon the journal, since it takes 90 votes under the Constitution to carry an amendment.

S. R. COLEMAN,
Representative of Leflore County.

At 1.10 P. M., Mr. Franklin of Lowndes moved that the House adjourn until to-morrow morning at 10 o'clock. Lost.

At 1.15 P. M., on motion of Mr. Arnold, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 3 o'clock P. M., pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

House Bill No. 155, To be entitled An Act authorizing the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county, was, under the suspension of the rules, on motion of Mr. Byrd, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Birmingham, Bowers, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Harper, Hathorn, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Loper, McAfee, McAllister, McCafferty, McCuiston, McManus, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Thompson, Turner, Vollar, Walker, Webster, White, Wren, Mr. Speaker—Total 84.

Absent and those not voting—Messrs. Alsworth, Bennett, Boddie, Bradshaw, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Cooner, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Doss, Dudley, Foster of Claiborne, Franklin of Lowndes, Galloway, Haley, Ham, Heath, Hemphill, Hubbard, Jones, Lamb, Magee, Magruder, Mahon, McDaniel, Miller, Millsaps, Murphree, Pace, Permenter, Posey, Reynolds, Rouse, Sen-

ter, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Stubbs, Thomas, Tucker, Underwood, Wall and Wilkins—Total 49.

Senate Bill No. 70, To be entitled An Act authorizing the Board of Supervisors of Attala County to loan fifteen hundred dollars from the general county fund to the school fund, was, under the suspension of the rules, on motion of Mr. Allen, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Eddins, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, King, Langston, Long, Longest, Magee, Magruder, McAllister, McCafferty, McManus, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Robbins, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Thompson, Turner, Vollar, Walker, Webster, White, Mr. Speaker—Total 88.

Nay—Mr. Ellis—Total 1,

Absent and those not voting — Messrs. Alsworth, Boddie, Broadus, Brown of Adams, Burrus, Castleman, Clayton, Cock, Cooner, Crum, Doss, Dudley, Foster of Claiborne, Franklin of Lowndes, Galloway, Haley, Heath, Hubbard, Jones, King, Lamb, Loper, McAfee, McCuiston, McDaniel, Miller, Millsaps, Murphree, Pace, Permenter, Ray, Reynolds, Rouse, Senter, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs, Thomas, Tucker, Underwood, Wall, Wilkins and Wren—Total 44.

Mr. Magruder entered a motion to reconsider the vote by which Senate Resolution No. 7, proposing an amendment to the Constitution requiring that all changes, alterations or amendments of said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such change, alteration or amendment had been adopted on its third reading on its third several day.

REPORT OF COMMITTEE ON FEDERAL RELATIONS.

MR. SPEAKER: The Committee on Federal Relations has had under consideration the following resolution referred to them, and have instructed me to report it back with the following recommendations:

S. C. R. No. 3, Memorializing the Congress of the United States to appropriate money to deepen and complete the Ship Island Harbor.

Title sufficient, and recommend the committee substitute do pass.

COODY, *Chairman.*

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the Report of Conference Committee on H. B. No. 48, An Act making an appropriation for the support, repairs, additional buildings, improvement and equipment of the Mississippi Agricultural and Mechanical College.

JOHN Y. MURRY, JR., *Secretary.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 19, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 99, An Act to repeal Chapter 39 of the Acts of 1898, and Chapter 121 of the Acts of 1900, and to authorize the Board of Supervisors to provide for the channeling of streams and the reclamation of overflowed lands, and to provide for the issuance and sale of interest-bearing bonds to raise funds with which to reclaim such lands.

H. B. No. 42, An Act to raise revenues by making valid and of binding effect all contracts made previous to the passage of this Act and which are and were null and void or voidable under previous or existing laws because of non-payment of privilege taxes due when such contracts were made, upon terms of full payment of all such privilege taxes in default with two hundred per centum damages thereon within ninety days after the passage of this Act.

Respectfully,
J. J. COMAN, *Private Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. B. No. 73, An Act to provide for the payment of interest due on the original seminary fund and the 1894 land grant fund for the support of the University of Mississippi for the years 1902 and 1903.

S. B. No. 36, An Act to amend Chapter 215 of the Acts of 1896 authorizing the Mobile, Jackson & Kansas City Railroad Company to locate its railroad within the State of Mississippi.

S. B. No. 54, An Act to amend the charter of the town of Rosedale so as to authorize the Mayor and Town Council of said town to issue upon certain conditions the bonds or other obligations of said town not to exceed in amount, including all outstanding bonds, 7 per centum of the assessed value of the taxable property of said town as shown by the assessment rolls thereof for the purpose of raising money for the purchase of land and erection of school buildings thereon, for the erection, providing or purchase of waterworks, the sinking of artesian wells, the establishment of a sewerage system, securing protection from fires improving the streets and sidewalks, or for the liquidation of outstanding debts of said town.

S. B. No. 15, An Act to make an appropriation for the support of the University of Mississippi for the years 1902 and 1903, and for buildings and equipments needed.

LOPER, *Chairman.*

Whereupon the Speaker announced all business of the House suspended while he signed the bills just reported, titles of which he read, after which he signed the bills, calling the attention of the House thereto.

House Bill No. 106, To be entitled An Act to amend Section 4017 of the Annotated Code of 1892, relating to examinations of teachers, was, under the suspension of the rules, on motion of Mr. Moore, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Goff, Granberry, Groves, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Mitchell, Moore, Moss, Murphree, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Robbins, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Swinney, Taylor, Thompson, Turner, Vollar, Walker, White, Mr. Speaker—Total 91.

Absent and those not voting — Messrs. Alsworth, Bowers, Broadus, Brown of Adams, Burrus, Castleman, Clayton, Cooner,

Crum, Doss, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Galloway, Gilfoy, Haley, Ham, Heath, Jones, Lamb, McDaniel, Miller, Millsaps, Neill, Pace, Ray, Reynolds, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Thomas, Tucker, Underwood, Wall, Webster, Wilkins and Wren—Total 42.

REPORT OF CONFERENCE COMMITTEE.

MR. SPEAKER: The Conference Committee on the disagreement of the two Houses on House Bill No. 61, To be entitled An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903, beg leave to submit the following report:

The committee recommends that the Senate recede from its proposed amendment.

F. M. SHEPPARD,
Chairman Senate Committee.
W. M. COX,
Chairman House Committee.

Mr. Cox moved that the report be adopted, and the yeas and nays being taken, as required by the Constitution, the motion to adopt prevailed by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Byrd, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Magruder, Mahon, McAfee, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Turner, Walker, Webster, White, Mr. Speaker—Total 91.

Absent and those not voting—Messrs. Alcorn, Alsworth, Brown of Adams, Burrus, Campbell, Castleman, Clayton, Cooner, Crum, Doss, Dudley, Foster of Claiborne, Franklin of Lowndes, Galloway, Haley, Heath, Hewes, Jones, Lamb, Loper, Magee, McAllister, McDaniel, Miller, Pace, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stennis of Lauderdale, Stubbs, Thomas, Thompson, Tucker, Underwood, Vollor, Wall, Wilkins and Wren—Total 42.

Senate Bill No. 82, To be entitled An Act to amend Section 2

of Chapter 79, Acts of 1900, was, under the suspension of the rules, on motion of Mr. George, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Goff, Granberry, Groves, Harper, Hathorn, Hemphill, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Long, Longest, Loper, Magee, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Sharkey, Sharp of Lowndes, Shelby, Smylie, Stamps, Swinney, Taylor, Turner, Walker, Webster, White, Mr. Speaker—Total 87.

Absent and those not voting—Messrs. Alsworth, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Cooner, Crum, Denton of Quitman, Doss, Dudley, Foster of Claiborne, Galloway, Gilfof, Haley, Ham, Heath, Hewes, Hightower, Jones, King, Lamb, Langston, McAfee, McDaniel, Miller, Pace, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Thomas, Thompson, Tucker, Underwood, Vollor, Wall, Wilkins, and Wren—Total 46.

Senate Bill No. 81, To be entitled An Act to validate and confirm the proceedings of the Nashville & Mississippi Delta Railroad Company and to authorize the Directors of said company to proceed under the provisions of its charter to construct a railroad in Mississippi, was, under the suspension of the rules, on motion of Mr. White, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coody, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gilfof, Goff, Groves, Ham, Harper, Hathorn, Hewes, Hightower, Hubbard, Irby, King, Kyle, Langston, Long, Longest, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Moore, Moss, Murphree, Neill, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Reynolds, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of

Kemper, Swinney, Turner, Vollar, Walker, Webster, White, Mr. Speaker—Total 83.

Absent and those not voting—Messrs. Alsworth, Brown of Adams, Burrus, Castleman, Clayton, Coleman, Cooner, Cox of Prentiss, Crum, Dodds, Doss, Dudley, Foster of Claiborne, Franklin of Lowndes, Galloway, Gibson, Granberry, Haley, Heath, Hemphill, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, Lamb, Loper, McCuiston, McDaniel, Miller, Millsaps, Mitchell Norment, Pace, Quin of Wilkinson, Ray, Robbins, Rouse, Senter. Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Tucker, Underwood, Wall, Wilkins and Wren—Total 50.

PROCLAMATION BY THE GOVERNOR.

WHEREAS, It is manifest that the important business of the Legislature can not be completed within the time fixed by my proclamation of the 5th day of February, 1902, extending the sitting until and including the 20th day of February, 1902.

Now, therefore, I, A. H. Longino, Governor of the State of Mississippi, by virtue of the authority vested in me by Section 36 of the Constitution of the State of Mississippi, do issue this my proclamation in writing to be transmitted to each House to be entered upon the journals thereof, extending the sitting of the Legislature for a period of eight days, or until and including the 28th day of February, A. D. 1902.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

Done at the Capitol in the city of Jackson, this the 19th day of February, in the year of our Lord, 1902.

A. H. LONGINO.

By the Governor:

JOS. W. POWER,

Secretary of State.

Mr. Coleman offered the following joint resolution:

Be it resolved by the House, the Senate concurring, That the legality of re-extension by the Governor of the time of the present session of the Legislature be submitted to a joint meeting of the Judiciary committees of the House and Senate, with the request that said committees report not later than the morning of the 20th day of February as to whether said session can be re-extended.

Mr. Coleman moved the adoption of the resolution.

Mr. Kyle moved to table the motion to adopt the resolution, and the call for the yeas and nays on the motion to table being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Arnold, Birmingham, Bowers, Bradshaw, Broadus, Brooks, Byrd, Campbell, Causey, Coody, Crumpton, Denson, Denton of Lauderdale, Dudley, Elmer, Evans,

Ferguson, Franklin of Marshall, Frazier, Garraway, George, Gilfof, Goff, Groves, Ham, Hathorn, Hightower, Hill, Irby, Johnston of Clarke, King, Kyle, Langston, Long, Loper, Magee, Magruder, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Moore, Moss, Murphree, Neill, Norment, Owen, Permenter, Posey, Robbins, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Stamps, Stennis of Kemper, Swinney, Turner, Walker, Webster—Total 65.

Nays—Messrs. Anderson, Bennett, Boddie, Brittain, Brown of Itawamba, Burge, Cock, Coleman, Cox of Prentiss, Cox of Panola, Denton of Quitman, Doss, Eddins, Ellis, Ford, Foster of Warren, Gambrell, Gibson, Granberry, Harper, Hemphill, Hewes, Hubbard, Johnston of Yazoo, Longest, Mahon, Mitchell, Norton, Pyle, Ray, Reynolds, Smylie, Vollar, White—Total 34.

Absent and those not voting—Messrs. Alsworth, Brown of Adams, Burrus, Castleman, Clayton, Cooner, Crum, Dodds, Foster of Claiborne, Franklin of Lowndes, Galloway, Haley, Heath, Long, Lamb, McDaniel, Miller, Pace, Quin of Pike, Quin of Wilkinson, Rouse, Senter, Sharpe of Leake and Winston, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Tucker, Underwood, Wall, Wilkins, Wren and Mr. Speaker—Total 35.

House Bill No. 129, To be entitled An Act to make an appropriation to reclaim public lands fraudulently purchased in this State, and to provide for its disbursement, was considered.

Mr. Owen moved to strike out of the bill the figures \$1,000.

Mr. Allen moved to table the motion to strike out, which prevailed.

Mr. Owen then moved to strike out the preamble to the bill.

Mr. Stennis of Lauderdale moved to table the motion to strike out, which prevailed.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill was considered engrossed, read the third time, and the yeas and nays being taken as required by the Constitution, the bill failed to pass, not receiving the necessary Constitutional majority, the vote being as follows:

Yeas—Messrs. Alcorn, Allen, Bennett, Bowers, Brittain, Broadus, Burge, Byrd, Cock, Coody, Cox of Prentiss, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Elmer, Evans, Ferguson, Franklin of Lowndes, Franklin of Marshall, Gambrell, Gilfof, Goff, Groves, Ham, Hemphill, Hewes, Hightower, Hubbard, Irby, Kyle, Langston, Longest, Magee, Magruder, McCafferty, McCuiston, Moore, Neill, Norment, Norton, Permenter, Pyle, Quin of Pike, Shelby, Smith of Greene, Smith of Holmes, Stamps, Stennis of Lauderdale, Swinney, Vollar, Walker, Webster, White—Total 56.

Nays—Messrs. Anderson, Arnold, Birmingham, Bradshaw, Brooks, Brown of Itawamba, Campbell, Causey, Cox of Panola, Denton of Quitman, Eddins, Foster of Warren, Garraway, Gibson, Granberry, Harper, Long, Loper, McManus, Moss, Mur-

phree, Owen, Posey, Robbins, Sharkey, Smylie, Turner, Mr. Speaker—Total 28.

Absent and those not voting—Messrs. Alsworth, Boddie, Brown of Adams, Burrus, Castleman, Clayton, Coleman, Cooner, Crum, Dodds, Ford, Foster of Claiborne, Frazier, Galloway, George, Haley, Hathorn, Heath, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, King, Lamb, Mahon, McAfee, McAllister, McDaniel, Miller, Millsaps, Mitchell, Pace, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Kemper, Stubbs, Taylor, Thomas, Thompson, Tucker, Underwood, Wall, Wilkins and Wren—Total 49.

House Bill No. 125, To be entitled An Act to amend Sections 2912, 2913 and 2914 of the Annotated Code of 1892 relative to the limits and boundaries of municipalities, was, under the suspension of the rules, on motion of Mr. Broadus, considered engrossed, read the third time, and the yeas and nays being taken as required by the Constitution, the bill failed to pass by the following vote:

Yeas—Messrs. Alcorn, Bennett, Boddie, Bowers, Bradshaw, Brooks, Campbell, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Elmer, Ford, Foster of Warren, Gambrell, Garraway, Hemphill, Hewes, King, Mahon, McAfee, McAllister, McManus, Millsaps, Moss, Neill, Quin of Pike, Reynolds, Sharkey, Smylie, Stamps, Stennis of Kemper, Swinney, Thompson, Turner, Vollar, Webster, White—Total 38.

Nays—Messrs. Anderson, Arnold, Birmingham, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Causey, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Dodds, Doss, Ellis, Evans, Ferguson, Franklin of Marshall, Gibson, Goff, Granberry, Groves, Hightower, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, Longest, Loper, Magee, Magruder, McCafferty, McCuiston, Mitchell, Norton, Owen, Permenter, Posey, Pyle, Ray, Shelby, Smith of Greene, Smith of Holmes, Taylor, Walker—Total 49.

Absent and those not voting—Messrs. Allen, Alsworth, Brown of Adams, Burrus, Castleman, Clayton, Cock, Coleman, Cooner, Crum, Foster of Claiborne, Franklin of Lowndes, Frazier, Galloway, George, Gilfoy, Haley, Ham, Harper, Hathorn, Heath, Irby, Jones, Lamb, Long, McDaniel, Miller, Moore, Murphree, Norment, Pace, Quin of Wilkinson, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stennis of Lauderdale, Stubbs, Thomas, Tucker, Underwood, Wall, Wilkins, Wren and Mr. Speaker—Total 46.

Mr. Broadus moved to reconsider the vote by which the bill failed to pass.

Mr. Granberry entered a motion to reconsider the vote by which House Bill No. 129, To be entitled An Act making an appropriation to reclaim public lands fraudulently purchased in this State, and to provide for its disbursement, had failed to pass.

The Speaker announced the appointment of Andrew Allen as porter in the place of Jim Gilliam.

At 5.30 P. M., on motion of Mr. Kyle, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

THIRTY-NINTH DAY.

THURSDAY, February 20, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Ferguson.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfof, Goff Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemp-hill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren—Total 122.

Those absent—Messrs. Brown of Adams, Burrus, Castleman, Clayton, Cooner, Crum, Foster of Claiborne, Galloway, McDaniel, Pace and Wilkins—Total 11.

Mr. Galloway was granted leave of absence from day to day on account of sickness.

On motion of Mr. White the reading of the journal of yesterday was dispensed with and the same stood approved.

Senate Bill No. 18, To be entitled An Act to make an appropriation for the payment of the amount of money expended by the Trustees of the Agricultural and Mechanical College in excess of the appropriation made for the building and equipment of the Textile School at Starkville, Mississippi, was called up for consideration on motion of Mr. Kyle.

On motion of Mr. Norment the rules were suspended, the bill read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, the title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Bennett, Birmingham, Bowers, Bradshaw, Broadus, Brooks, Burge, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crumpton, Denton of Lauderdale, Dudley, Eddins, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Gambrell, Garraway, George, Gilfoy, Goff, Haley, Ham, Harper, Hathorn, Heath, Hewes, Hill, Irby, Jones, King, Loper, Magee, Magruder, McAfee, McAllister, McCafferty, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Norment, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Senter, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Underwood, Wall, Walker, Webster, White, Mr. Speaker—Total 76.

Nays — Messrs. Anderson, Arnold, Brittain, Brown of Itawamba, Cox of Panola, Denson, Dodds, Ellis, Ferguson, Gibson, Granberry, Groves, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, McCuiston, Murphree, Norton, Owen, Permenter, Posey, Pyle, Ray, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stubbs, Taylor, Turner, Wren—Total 36.

Absent and those not voting—Messrs. Boddie, Brown of Adams, Burrus, Castleman, Clayton, Cooner, Crum, Denton of Quitman, Doss, Foster of Claiborne, Frazier, Galloway, Hubbard, Long, Mahon, McDaniel, Moore, Pace, Rouse, Vollor and Wilkins—Total 21.

Under the suspension of the rules Mr. Kyle introduced House Bill No. 168, To be entitled An Act to provide public depositories and to protect and secure public funds in their custody, which was read twice and referred to Committee on Judiciary.

Mr. Johnston of Clarke offered a resolution endorsing Mr. Kitchen of North Carolina in his efforts to repeal the 15th amendment to the Constitution of the United States, which was read and referred to Committee on Federal Relations.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 19, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 139, An Act for the relief of J. W. Duke.

Respectfully,

J. J. COMAN, *Private Secretary.*

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 88, An Act to appropriate from the pension funds returned to the State treasury \$475 to refund to C. L. Graham, Treasurer of Itawamba County, money paid out as pensions by mistake to persons whose application was received after the distribution of the pension fund to the counties by the Auditor.

H. B. No. 121, An Act to create the Eleventh Circuit Court District of Mississippi and fix the time for holding courts therein, with accompanying amendments.

H. B. No. 128, An Act to amend Section 1300 of the Annotated Code of 1892 in regard to injury to telegraph lines, so as to make the provisions of said section apply to telephone lines.

And has indefinitely postponed H. B. No. 57, An Act to secure the better enforcement of the Anti-trust laws of this State by supplementary provisions more fully regulating the venue and procedure, establishing certain rules of evidence, imposing additional penalties and regulating the ownership and disposition of the property of corporations whose charter may be adjudged forfeited.

H. B. No. 140, An Act to authorize and empower the Mayor and Board of Aldermen of the city of Holly Springs, Mississippi, to loan annually on good and sufficient security the sinking fund provided by them for the payment of certain bonds issued to establish an electric light plant and waterworks system, until the maturity thereof, or until they have the option of paying said bonds.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 11, An Act to create the Exposition Bureau, to provide for an exhibit at the Louisiana Purchase Exposition, and to make an appropriation therefor.

H. B. No. 66, An Act to appropriate money to pay the per diem and mileage of the Presidential Electors for two meetings in December, 1900, and January, 1901, as directed by Section 3703 of the Annotated Code of 1892.

H. B. No. 120, An Act to amend Section 613 of the Annotated Code, and also to amend Chapter 86 of the Laws of 1900, for the purpose of extending the time for holding terms of the Circuit Courts in the Fourth Circuit Court District thereof.

H. B. No. 61, An Act to make an appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903.

H. B. No. 89, An Act to require the members of the Board of Control and the Warden of the State penitentiary to pay into the general fund of the State treasury immediately upon the receipt thereof any money they receive from the labor of convicts or from the sale of agricultural products produced on farms worked by the State, or from the sale of any penitentiary property, and to provide for disbursements for penitentiary purposes from the State treasury, on the Auditor's warrant, and to provide for the making of an appropriation to meet such disbursements.

LOPER, *Chairman.*

Whereupon the Speaker declared all business of the House suspended while he signed the bills just reported by the Committee on Enrolled Bills, reading the titles of same, and calling the attention of the House thereto.

Senate Concurrent Resolution No. 3, Memorializing the Congress of the United States to appropriate money to deepen and complete the Ship Island Harbor, was considered.

The Committee on Federal Relations presented a substitute with the same number and title, which, on motion of Mr. Coody, was adopted.

House Bill No. 121, To be entitled An Act to create the Eleventh Circuit Court District of Mississippi, and fix the time for holding court therein, as amended by the Senate, was considered.

On motion of Mr. Thomas the House refused to concur in the Senate amendments and asked a conference on the disagreement of the two Houses on the same.

The Speaker named as conferees on the part of the House Messrs. Millsaps, Coleman and Alcorn.

The special order of the day being the report of the Committee on Registrations and Elections, the bills reported from said committee being taken up as follows:

House Bill No. 47, To be entitled An Act to repeal Section 3264 of the Annotated Code of 1892, to restrict participation in conventions and in primary meetings and elections to qualified voters and to require uniformity of time in holding said conventions, primary meetings and elections.

Also House Bill No. 134, To be entitled An Act to amend Sec-

tion 3264, Annotated Code 1892, so as to prohibit any person from voting in a party primary election or participating in a party convention except legally qualified voters, and to regulate the time for holding such elections and conventions.

Also Senate Bill No. 1, To be entitled An Act to repeal all of Chapter 105 relating to primary meetings and elections, except Sections 3274 and 3275, and to provide for all nominations for State, district, county district and county offices to be made by primary elections.

Mr. Bowers moved that the House resolve itself into the committee of the whole House for the consideration of these bills, and that Mr. Speaker Russell be elected Chairman of the committee, which prevailed.

At 1.30 P. M., on motion of Mr. Loper, the committee of the whole took a recess until 3 o'clock P. M.

The Committee reconvened at 3 P. M., Chairman Russell in the chair, and continued the consideration of the pending business.

The committee arose, and with Mr. Hewes in the chair the Chairman of the Committee reported to the House that the committee of the whole recommended that Senate Bill No. 1, To be entitled An Act to repeal all of Chapter 105 relating to primary meetings and elections except Sections 3274 and 3275, and to provide for all nominations for State, district, county district and county officers to be made by primary elections, with amendments agreed upon in the committee be passed.

Speaker Russell in the chair.

The committee recommended amendments as follows:

Amend Section 16 by adding after the last word in said section the following: "Nothing contained in this Act shall defeat the right to place the name of any candidate on the official ballot in any election by petition as provided by Section 3652 of the Code of 1892."

On motion of Mr. Smith of Holmes the amendment was adopted.

Amend Section 1 by adding after the last word the following: "provided that any county executive committee may have the power to order a primary for county and county district offices other than for the members of the Legislature and the State Senate at a different time from the date herein fixed for the nomination of State officers, and the said members of the Legislature and Senate shall be nominated at the time fixed for the nomination of State officers as herein provided for."

On motion of Mr. Thomas the amendment was adopted.

Amend by striking out in lines 22 and 23, Section 5, the words, "according to either of the methods above given."

On motion of Mr. George the amendment was adopted.

Amend by adding after the word "primary," in line 5, in Section 5, the following: "except that the first primary election for the nomination of Congressmen shall be held not earlier than the

20th day of August, and not later than the 1st day of September, on a date to be fixed by the respective district executive committees, and the second primary shall be held three weeks after the date of the first primary."

On motion of Mr. George the amendment was adopted.

Amend by striking out in Section 5 all after the word "office" in line 11, up to and including the last word in line 20 of said section.

On motion of Mr. George the amendment was adopted.

Amend by adding a new section after Section 23, to be numbered Section 24, the following:

Provided that the foregoing sections of this Act shall as far as applicable apply to municipalities.

On motion of Mr. Cock the amendment was adopted.

Amend by adding at the end of Section 3 the following: "Each Congressional Executive Committee shall, during the month of August, 1902, choose or provide for the choosing of three State executive committeemen, and the terms of the said State executive committeemen shall commence September 1, 1902, and end with the State convention to be held in 1904."

On motion of Mr. Loper the amendment was adopted.

Amend by striking out in line 5 in Section 9, the word "three," and insert in lieu thereof the word "two."

On motion of Mr. George the amendment was adopted.

Amend by adding after the word "primary" in line 28 of Section 5, page 5, the following: "When there is a tie in the first primary as to who stands second, the three persons receiving the highest number of votes shall go into the second primary, and the person who receives the plurality vote in the second primary shall be the nominee."

On motion of Mr. Norton the amendment was adopted.

Mr. Bowers moved to strike out in Section 1 the words, "that all nominations for State, district, county and county district officers made by the different political parties of this State shall hereafter be made by primary elections."

Mr. Smith of Holmes moved to table the motion of Mr. Bowers to adopt the amendment, and the motion to table prevailed.

Whereupon, on motion of Mr. Smith of Holmes, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cock, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Harper,

Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Turner, Wall, Walker, Webster, Wren, Mr. Speaker—Total 96.

Nays—Messrs. Hathorn and Vollar—Total 2.

Absent and those not voting—Messrs. Allen, Boddie, Bradshaw, Brown of Adams, Burrus, Castleman, Clayton, Coleman, Cooner, Crum, Denton of Quitman, Dudley, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, Ham, Heath, Hubbard, Jones, Lamb, Loper, Magee, Magruder, McDaniel, Murrpree, Pace, Rouse, Senter, Sharpe of Leake and Winston, Thompson, Tucker, Underwood, White and Wren—Total 35.

Mr. Loper was paired with Mr. Denton of Quitman. Had Mr. Denton been present he would have voted nay and Mr. Loper would have voted yea.

Mr. Coleman was paired with Mr. White. Had Mr. White been present he would have voted yea and Mr. Coleman would have voted nay.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 65, A bill entitled An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railroad Company lying in Leflore and Tallahatchie Counties, and to abandon the part of the line so acquired and also a part of its own line in Leflore County.

Title sufficient, and that the bill do pass.

We hereby suggest the following reasons for our recommendation:

1. That the measure proposed to be passed is recommended by the committee, because the same is meritorious and is largely for the benefit of the State, and particularly of the people in that part of the State tributary to the said proposed new line.

2. That the end to be accomplished by this bill can not be reached by a general law, and that, especially for the reason that here is a specific measure which constitutes a contract, if passed, between the Yazoo & Mississippi Valley and the State whereby certain defined line of road is to be built and operated as a new road between certain terminals and under certain conditions, which arrangement can not be made in or expressed by any general law;

nor can the end to be accomplished be reached by any proceedings in any court.

3. The proposed Act does not suspend the operation of any general law for the benefit of any private individual or corporation, nor can a general law be made applicable in this case.

E. J. BOWERS,
R. W. MCAFEE,
J. G. MILLSAPS,
L. P. HALEY,
For the Committee.

Mr. Speaker and Members of the House.

Since we adjourned two years ago to leave this historic building and to take up the regular routine of our humbler labors, two members of this body have crossed over the silent river of death to join the innumerable hosts of the departed and to rest amid fairer scenes than our earth affords.

One left us in the pride of his young manhood, when life was new and hope had no bounds or limits; the other, bowed with the weight of fifty-four years and cares that multiply with accumulated time, the sorrow which comes with multiplied days, after having felt the agony of grief known only to the widower's heart, has laid down his burden and is at rest.

James M. Tate was born in the State of Louisiana. Endowed with more than ordinary ability, there is no method of determining the height to which his ambition, guided by a pure heart and indomitable will an honest purpose and the instincts belonging to the ideal Christian Southern gentleman, might have led him. But the same cruel war that wrought our dear State's ruin and her most glorious history (for a land without such experiences is a land without history) came when he would have otherwise been acquiring an education befitting his birth and natural endowments, but undeterred by adverse circumstances or by the want of advantages of his earlier years, by careful application to the duty which lay before him, whether in the field of his humble daily labor or in the forum of his State, James M. Tate measured up to the full statue of a man. His work well done, he left behind him a family of noble sons and daughters, a host of loyal friends, and a spotless record in all the walks of life through which he trod. Twice he was elected a member of this House, and in his death his county has lost a noble, generous, able and honest hearted representative, his State a citizen of force, honor and integrity.

Death is always a sad thing to meet face to face, whether it touches the ripened fruit of mature age or the babe which shudders out the tender bud of its infant life upon a loving mother's breast, but never is it so unutterably sad as when it tramples beneath its iron heel the existence upon this earth of one who is full of the roseate promises of youth, when like a whirlwind which rises on a clear sunlit sky it carries away to eternity a young man,

the hope of parents and the idol of friends, when his life, with all the glow of youthful enthusiasm is at its zenith.

Charles O'Connor McCarthy was born at Eureka Springs, Panola County, Miss., in 1876. From his earliest years he seemed marked for great achievements, with a vigorous, versatile mind, the warm, true impulses of his Celtic blood, endowed with the manly courage and physique befitting a descendant of the dauntless O'Connors, there is no room for doubting that with his ripening years and maturing age he would have taken his place among the leaders and benefactors of his State. God's will be done.

Both of these our colleagues of two years ago, now rest in the silence which some day must inevitably enshroud us all.

A. S. KYLE, *Chairman.*

S. T. GARRAWAY,

E. N. THOMAS,

E. J. BOWERS,

PERCY E. QUIN.

On motion of Mr. Kyle the resolutions were adopted by a unanimous vote of the House, and at 5.30 P. M., on motion of Mr. Kyle, the House, out of respect to the deceased members of the Legislature, adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,

Clerk of the House of Representatives.

FORTIETH DAY.

FRIDAY, February 21, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Gibson, Gilfoy, Goff, Gran-

berry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Yazoo, Jones, King, Kyle, Langston, Long, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren—Total 114.

Those absent — Messrs. Allen, Brown of Adams, Clayton, Cooner, Crum, Dodds, Foster of Claiborne, Galloway, Gambrell, Heath, Hubbard, Johnston of Clarke, Lamb, Magee, McDaniel, Pace, Rouse, Smith of Greene and Wilkins—Total 19.

Leave of absence granted to Messrs. Hubbard and Smith of Greene from day to day on account of sickness, and to Messrs. Johnston of Clarke, Allen, Gambrell, Magee, Dodds and Lamb.

On motion of Mr. Norment the reading of the journal of yesterday was dispensed with and the same stood approved.

The privileges of the House were extended to Hon. J. T. Mathison of Covington County, Hon. J. H. Price of Pike, Mr. E. L. Mounger of Leflore, and M. J. Bouldin of Coahoma.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State Government, and to pay interest on the State debt, with accompanying Senate amendments.

H. B. No. 109, An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years 1902 and 1903, with accompanying Senate amendments.

H. B. No. 135, An Act to provide for the construction of macadamized roads.

H. B. No. 159, An Act to make an appropriation to pay the salary of the Assistant Attorney General for the years 1902 and 1903.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted S. C. R. No. —, Requesting special joint committee to investigate penitentiary to make their report by February 26th if practicable.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has agreed to the appointment of a Conference Committee

requested by the House on the disagreement of the two Houses touching Senate amendment to H. B. No. 121, An Act to create the Eleventh Circuit Court District of Mississippi and fix the time for holding courts therein, and has named as conferees on the part of the Senate Messrs. Young, Gardner and Campbell.

JOHN Y. MURRY, JR., *Secretary*.

The report of the Committee on Local and Private Legislation was taken up for consideration.

Senate Bill No. 79, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding outstanding bonded indebtedness at a lower rate of interest, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Loper, McAfee, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Tucker, Underwood, Vollar, Walker, Webster, White, Mr. Speaker—Total 98.

Absent and those not voting—Messrs. Allen, Brooks, Brown of Adams, Burrus, Campbell, Clayton, Cooner, Crum, Denton of Quitman, Dodds, Eddins, Foster of Claiborne, Galloway, Gambrell, Haley, Heath, Hubbard, Jones, Lamb, Magee, Magruder, Mahon, McAllister, McDaniel, Murphree, Pace, Rouse, Smith of Greene, Stennis of Lauderdale, Taylor, Thompson, Turner, Wall, Wilkins and Wren—Total 35.

Senate Bill No. 74, To be entitled An Act to repeal so much of an Act entitled An Act to relieve the Delta Bank of Greenwood, Mississippi, from double taxation and to refund to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were

taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Gibson, Gilfooy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Irby, Johnston of Yazoo, King, Kyle, Langston, Long, Longest, Loper, Mahon, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Mr. Speaker—Total 100.

Absent and those not voting—Messrs. Allen, Bowers, Brooks, Brown of Adams, Burrus, Campbell, Clayton, Cooner, Crum, Dodds, Eddins, Foster of Claiborne, Galloway, Gambrell, Heath, Hill, Hubbard, Johnston of Clarke, Jones, Lamb, Magee, Magruder, McAfee, McAllister, McDaniel, Murphree, Rouse, Sharp of Lowndes, Shelby, Smith of Greene, Stennis of Lauderdale, Wilkins and Wren—Total 33.

Senate Bill No. 75, To be entitled An Act to repeal so much of Section 2 of an Act to relieve the Bank of Greenwood of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank \$492.05, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brown of Itawamba, Burge, Byrd, Causey, Cock, Coleman, Coody, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, Gilfooy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Yazoo, King, Kyle, Langston, Long, Loper, Magee, Mahon, McCafferty, McCuiston, McManus, Miller, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes,

Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 91.

Absent and those not voting—Messrs. Allen, Bowers, Brooks, Brown of Adams, Burrus, Campbell, Castleman, Clayton, Cooner, Crum, Crumpton, Dodds, Doss, Foster of Claiborne, Galloway, Gambrell, George, Gibson, Heath, Hubbard, Johnston of Clarke, Jones, Lamb, Longest, Magruder, McAfee, McAllister, McDaniel, Millsaps, Pace, Permenter, Ray, Robbins, Rouse, Senter, Sharkey, Smith of Greene, Stennis of Lauderdale, Stubbs, Thompson, Vollor and Wilkins—Total 42.

Senate Bill No. 77. To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to amount not exceeding \$250,000 for the purpose of raising funds for high water emergencies and for other purposes, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Brown of Itawamba, Burge, Byrd, Castleman, Causey, Cock, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Garraway, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Johnston of Yazoo, Langston, Loper, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thompson, Turner, Underwood, Wall, Walker, Webster, Wren, Mr. Speaker—Total 82.

Absent and those not voting—Messrs. Allen, Bradshaw, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Clayton, Coleman, Cooner, Crum, Dodds, Doss, Evans, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, George, Goff, Heath, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Jones, Kyle, Lamb, Long, Longest, Magee, Magruder, McAfee, McDaniel, Millsaps, Mitchell, Pace, Ray, Rouse, Senter, Sharkey, Smith of Greene, Stennis of Lauderdale, Thomas, Tucker, Vollor, White and Wilkins—Total 51.

Senate Bill No. 76. To be entitled An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within said district, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions

of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Burge, Byrd, Castleman, Causey, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Ellis, Elmer, Evans, Ford, Foster of Warren, Franklin of Marshall, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Harper, Hathorn, Hemphill, Hill, Irby, Johnston of Yazoo, King, Kyle, Langston, Loper, Mahon, McCafferty, McCuiston, McManus, Mitchell, Moore, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster—Total 80.

Nays—Messrs. Moss and Sharkey—Total 2.

Absent and those not voting—Messrs. Allen, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burrus, Campbell, Clayton, Cock, Cooner, Crum, Dodds, Doss, Ferguson, Foster of Claiborne, Franklin of Lowndes, Frazier, Galloway, Gambrell, Haley, Heath, Hewes, Hightower, Hubbard, Johnston of Clarke, Jones, Lamb, Long, Longest, Magee, Magruder, McAfee, McAllister, McDaniel, Miller, Millsaps, Pace, Reynolds, Robbins, Rouse, Senter, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Thompson, Vollar, White, Wilkins, Wren and Mr. Speaker—Total 51.

Senate Bill No. 78, To be entitled An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law and to issue its debentures therefor, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brown of Itawamba, Burge, Byrd, Castleman, Causey, Coleman, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Garraway, Gilfoy, Goff, Granberry, Haley, Ham, Harper, Hathorn, Hemphill, Irby, Johnston of Yazoo, King, Kyle, Langston, Longest, Loper, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Norment, Norton, Owen, Permenter, Posey, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, Wren, Mr. Speaker—Total 80.

Absent and those not voting—Messrs. Allen, Anderson, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Clayton, Cock, Cooner, Crum, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, George, Gibson, Groves, Heath, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, Jones, Lamb, Long, Magee, Magruder, McAfee, McDaniel, Murphree, Neill, Pace, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Smith of Greene, Stamps, Stennis of Lauderdale, Thompson, Vollar, White and Wilkins—Total 53.

Senate Bill No. 51, To be entitled An Act to authorize the Board of Mayor and Aldermen of the city of Natchez to issue bonds for the purpose of purchasing the waterworks and sewerage system owned and operated in said city by the Natchez Water Supply and Sewer Company, or for the purpose of building, constructing or otherwise securing for said city a system of sewerage and waterworks, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Arnold, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brown of Itawamba, Burge, Castleman, Causey, Cock, Coleman, Coody, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Garraway, George, Gilfoxy, Goff, Granberry, Haley, Ham, Harper, Hathorn, Hill, Irby, Johnston of Yazoo, Kyle, Langston, Longest, Loper, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moss, Neill, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Thomas, Tucker, Turner, Wall, Walker, Webster, Wren, Mr. Speaker—Total 78.

Absent and those not voting—Messrs. Allen, Anderson, Boddie, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Campbell, Clayton, Cooner, Cox of Prentiss, Crum, Denton of Quitman, Dodds, Doss, Dudley, Elmer, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, Gibson, Groves, Heath, Hemphill, Hewes, Hightower, Hubbard, Johnston of Clarke, Jones, King, Lamb, Long, Magee, Magruder, Mahon, McAfee, McDaniel, Moore, Murphree, Norment, Pace, Ray, Rouse, Senter, Sharp of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stennis of Lauderdale, Thompson, Underwood, Vollar, White and Wilkins—Total 55.

Report of Conference Committee on House Bill No. 48. To be entitled An Act making an appropriation for the support, repairs, additional buildings, improvements and equipment of the Mississippi Agricultural and Mechanical College, was presented as follows:

The Committee on Conference recommends that the Senate recede from amendments to item No. 8, which increases House appropriation for Farmers' Institutes from \$3,000 to \$10,000.

That Senate recede from amendment to item No. 16, which empowers the Board of Trustees to raise the salary of the President to an amount not in excess of that paid the Chancellor of the University or President of the I. I. & C.

That House concur in Senate amendment to item No. 9, which increases House appropriation for scientific, library, museum, agricultural and horticultural building from \$30,000 to \$40,000.

W. W. COODY,

Chairman of Committee on part of House.

J. B. BAILY,

Chairman of Committee on part of Senate.

Mr. Coody moved that the report of the Conference Committee be adopted, and the yeas and nays being taken, as required by the Constitution, the report was adopted by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Broadus, Brown of Itawamba, Burge, Byrd, Castleman, Causey, Cock, Coleman, Coody, Cox of Prentiss, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Giffoy, Goff, Groves, Haley, Ham, Hathorn, Hewes, Hill, Irby, Jones, King, Kyle, Langston, Longest, Mahon, McAfee, McAllister, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Norton, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Underwood, Vollar, Wall, Walker, Webster, White, Mr. Speaker—Total 81.

Nays—Messrs. Anderson, Arnold, Brittain, Cox of Panola, Doss, Ellis, Ferguson, Gibson, Granberry, Harper, Hightower, Johnston of Yazoo, Long, Loper, McCafferty, McCuiston, Murphree, Owen, Permenter, Posey, Stennis of Kemper, Stubbs, Taylor, Turner, Wren—Total 25.

Absent and those not voting—Messrs. Allen, Brooks, Brown of Adams, Burrus, Campbell, Clayton, Cooner, Crum, Dodds, Eddins, Foster of Claiborne, Galloway, Gambrell, Heath, Hemphill, Hubbard, Johnston of Clarke, Lamb, Magee, Magruder, McDaniel, Miller, Pace, Rouse, Sharpe of Leake and Winston, Smith of Greene and Wilkins—Total 27.

House Bill No. 142. To be entitled An Act to authorize the Board of Supervisors of Perry County and the Mayor and Board of Aldermen of the city of Hattiesburg to invest the sinking funds now on hand and being raised with which to pay off certain bonds, was, under the suspension of the rules, on motion of Mr. Garraway, considered engrossed, read the third time, and agreeably to

the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Brown of Itawamba, Burge, Byrd, Castleman, Cock, Coleman, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Frazier, Garraway, George, Gilfoxy, Goff, Granberry, Groves, Haley, Harper, Hathorn, Irby, Johnston of Clarke, Johnston of Yazoo, King, Kyle, Langston, Longest, Loper, McCuiston, McManus, Millsaps, Mitchell, Moss, Neill, Norton, Owen, Permenter, Posey, Pyle, Quin of Pike, Ray, Reynolds, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Taylor, Thomas, Thompson, Tucker, Underwood, Wall, Walker, Webster, Wren, Mr. Speaker—Total 78.

Absent and those not voting—Messrs. Allen, Anderson, Bradshaw, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Causey, Clayton, Coody, Cooner, Crum, Denton of Quitman, Dodds, Dudley, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, Gambrell, Gibson, Ham, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Jones, Lamb, Long, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McDaniel, Miller, Moore, Murphree, Norment, Pace, Quin of Wilkinson, Robbins, Rouse, Senter, Smith of Greene, Stennis of Lauderdale, Stubbs, Turner, Vollar, White and Wilkins—Total 55.

Senate Concurrent Resolution No. 10, To amend Section 183 of the Constitution of the State of Mississippi so that counties, Circuit Court Districts of counties, cities or towns may elect to take stock in or vote aid to railroads, was, on motion of Mr. Cox, read for the second time for its second adoption, and the yeas and nays being called as required by the Constitution, the resolution was adopted on its second reading and on the second day of its passage by the following vote:

Yeas—Messrs. Alcorn, Bennett, Boddie, Bowers, Bradshaw, Broadus, Brown of Itawamba, Burge, Byrd, Castleman, Causey, Cock, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Garraway, Goff, Groves, Haley, Ham, Hathorn, Hewes, Irby, Johnston of Yazoo, Jones, King, Kyle, Langston, Mahon, McCafferty, McManus, Miller, Millsaps, Moore, Moss, Murphree, Neill, Owen, Permenter, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smylie, Stamps, Stennis of Kemper, Swinney, Underwood, Vollar, Walker, Webster, Wren, Mr. Speaker—Total 72.

Nays—Messrs. Alsworth, Arnold, Birmingham, Brittain, Coleman, Eddins, Granberry, Hightower, Longest, Loper, McCuiston.

Norton, Posey, Ray, Smith of Holmes, Stennis of Lauderdale, Stubbs, Taylor, Turner, Wall—Total 20.

Absent and those not voting—Messrs. Allen, Anderson, Brooks, Brown of Adams, Burrus, Campbell, Clayton, Connor, Crum, Dodds, Foster of Claiborne, Franklin of Lowndes, Gallo-way, Gambrell, George, Gibson, Gilfoy, Harper, Heath, Hemphill, Hill, Hubbard, Johnston of Clarke, Lamb, Long, Magee, Magruder, McAfee, McAllister, McDaniel, Mitchell, Norment, Pace, Rouse, Senter, Smith of Greene, Thomas, Thompson, Tucker, White and Wilkins—Total 41.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 128, An Act to amend Section 1300 of the Annotated Code of 1892 in regard to injury to telegraph lines so as to make the provisions of said section apply to telephone lines.

H. B. No. 88, An Act to appropriate from the pension fund returned to the State treasury \$475 to refund to C. L. Graham, Treasurer of Itawamba County money paid out as pensions by mistake to persons whose application was received after the distribution of the pension fund to the counties by the Auditor.

House Bill No. 140, An Act to authorize and empower the Mayor and Board of Aldermen of the city of Holly Springs, Mississippi, to loan annually on good and sufficient security the sinking fund provided by them for the payment of certain bonds issued to establish an electric light plant and waterworks system until the maturity thereof, or until they have the option of paying such bonds.

Senate Bill No. 70, An Act authorizing the Board of Supervisors of Attala County to loan \$1,500 of the general fund of said county to the school fund, or so much thereof as they may deem advisable.

Senate Bill No. 58, An Act to provide for the appointment of an Assistant Attorney General and to prescribe his qualifications, duties and compensations.

Senate Bill No. 82, An Act to amend Section 2 of Chapter 79. Acts of 1900.

Senate Bill No. 81, An Act to validate and confirm the proceedings of the Nashville & Mississippi Delta Railroad Company, and to authorize the Directors of said Company to proceed under the provisions of its charter to construct a railroad in Mississippi.

LOPER, *Chairman*,

Whereupon, the Speaker announced all business of the House suspended while he signed the bills just reported by the Commit-

tee on Enrolled Bills, after reading the titles and calling the attention of the House thereto.

The motion previously entered to reconsider the vote by which Senate Concurrent Resolution No. 7, Requiring that all changes, alterations or amendments to said Constitution be inserted by the Legislature at the next succeeding session after the election requiring such changes, alterations or amendments had passed the third and last reading on the third and last day of its passage, was declared out of order by the Speaker and the clerk was authorized to transmit the resolution to the Senate at once.

Senate Bill No. 43, To be entitled An Act making an appropriation to pay Mrs. D. W. Hurst, widow of D. W. Hurst, for services rendered by D. W. Hurst as Judge of High Court of Errors and Appeals of this State from the first day of April, 1865, to the 13th day of July, 1865, inclusive, was considered.

On motion of Mr. Taylor the bill was indefinitely postponed.

On motion of Mr. Cox of Prentiss, Senate Bill No. 26, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties and to provide for its maintenance and for the issuance of future publications of the Mississippi Historical Society, was made the special order for to-morrow morning at 10 o'clock.

On motion of Mr. Foster of Warren Senate Bill No. 10, To be entitled An Act to provide for the establishment of a permanent Branch Agricultural Experiment Station in the Yazoo Mississippi Delta, was made the special order for Monday morning next at 10 o'clock.

On motion of Mr. Smith of Holmes Senate Bill No. 32, To be entitled An Act to provide public depositories and to protect and secure public funds in their custody, was recommitted to the Committee on Judiciary.

On motion of Mr. Bowers Senate Bill No. 12, To be entitled An Act to provide for a collateral inheritance and succession tax, was recommitted to Committee on Judiciary.

At 1.20 P. M., on motion of Mr. Langston, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment at 3 o'clock P. M., Speaker Russell in the chair.

A quorum present.

On motion the privileges of the House were extended to Dr. John Y. Murry, ex-member of the House from Tippah County, and to Hon. W. B. Bell, of Noxubee County.

MINORITY REPORT OF THE COMMITTEE ON LOCAL AND PRIVATE
LEGISLATION TO SENATE BILL NO. 65.

MR. SPEAKER: The undersigned members of your Committee on Local and Private Legislation beg leave to report their unqualified dissent to the report of the majority of said committee on Senate Bill No. 65, entitled "An Act to authorize the Yazoo-Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties and to abandon a part of the line so acquired and also a part of its own line in Leflore County."

We respectfully recommend the title to be changed so as to read: "An Act to suspend the general laws of this State, and to ignore the Constitution thereof, so as to aid the Yazoo & Mississippi Valley Railroad Company to provide against competition in the Yazoo-Mississippi Delta and to perfect their title to the same, and for other purposes."

In our opinion the Legislature can not consider or pass said bill without ignoring the plain provisions of Section 87 of the Constitution. This bill is legislation for the benefit of two railroad corporations, and can not be passed because the general laws of the State provide that it shall be unlawful for competing railroad companies, operating parallel lines of road within twenty miles of each other to lease or purchase, directly or indirectly, the opposing line or any part thereof or any interest therein. See Chapter 80, Laws of Mississippi 1898, pages 95 and 96.

Section 87 of the Constitution prohibits the Legislature from suspending the operation of any general law for the benefit of any individual or corporation. This section of the Constitution seems plain, clear and simple, and may be construed and applied by any man of ordinary intelligence and comprehension. Of course, the plain and simple mandate of the organic law may be nullified by subtle arguments and refined reasoning of astute and able attorneys whose great talents are often employed by individuals and corporations seeking special privileges from the Legislature.

It has been said that the Supreme Court of the United States, in the case of L. & N. R. R. Co vs. State of Kentucky, 161 U. S., 677, has held that parallel and competing short lines or branches are not to be considered as competing and parallel lines within the statute. We have carefully examined this decision and unhesitatingly assert that no such question was presented to the Court or decided by the Court in that case, and that this decision of the Supreme Court of the United States in nowise affects a solution of the question presented in this bill.

We further submit that this bill should not pass even though it be conceded that there is no Constitutional objection to same. It is unwise and vicious legislation, especially at a special session, and will enable one of the railroad companies interested to pre-empt the Western portion of the State as the other has already pre-empted the Eastern portion thereof.

It may be conceded that some of the country through which the proposed line is projected would secure transportation facilities which do not now exist, but we can not assent to a suspension or relaxation of a sound and safe policy for the temporary benefit of a limited area; besides, there is no law to prevent the Yazoo & Mississippi Valley Railroad Company from covering this territory, and it is believed by many competent to judge that that Company will do so in the near future and without first obtaining authority from the Legislature.

This bill involves a serious and, in our judgment, an unwise departure from the settled policy of this State, and will open the door for a further and more complete partition of the State between railroad companies which should be competitive and not harmonious, when harmony means monopoly and all of its consequent evils.

The bill should not pass for the reasons above given and for many other reasons which will probably suggest themselves to reflective minds.

We recommend that the bill do not pass.

Respectfully submitted,

W. A. ALCORN, JR.
W. F. TUCKER.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

JACKSON, MISS., February 21, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following entitled bills, to-wit:

H. B. No. 23, An Act to appropriate money for the relief of indigent soldiers, sailors, widows and servants of the war between the States.

H. B. No. 140, An Act to authorize and empower the Mayor and Board of Aldermen of the city of Holly Springs, Mississippi, to loan annually on good and sufficient security the sinking fund provided by them for the payment of certain bonds issued to establish an electric light plant and waterworks system until the maturity thereof, or until they have the option of paying said bonds.

H. B. No. 128, An Act to amend Section 1300 of the Annotated Code of 1892 in regard to injury to telegraph lines so as to make the provisions of said section apply to telephone lines.

Respectfully,

J. J. COMAN, *Private Secretary.*

EXECUTIVE DEPARTMENT,

JACKSON, MISS., February 20, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following entitled bills, to-wit:

H. B. No. 80, An Act making appropriation for the payment of fees due Critz & Beckett for legal services rendered the State in injunction suits against the Railroad Commission.

H. B. No. 46, An Act making appropriation for the equipment and support of the Branch Agricultural Experiment Station at McNeill, Miss.

H. B. No. 32, An Act to make appropriation to defray the expenses of the East Mississippi Insane Hospital for the years 1902 and 1903.

H. B. No. 66, An Act to appropriate money to pay the per diem and mileage of the Presidential Electors for two meetings in December, 1900, and January, 1901, as directed by Section 3703 of the Annotated Code of 1892.

H. B. No. 61, An Act to make appropriation to defray the expenses of the Institution for the Deaf and Dumb for the years 1902 and 1903.

Respectfully,

J. J. COMAN, *Private Secretary.*

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 21, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 88, An Act to appropriate from the pension fund returned to the State treasury four hundred and seventy-five dollars (\$475) to refund C. L. Graham, Treasurer of Itawamba County, money paid out as pensions by mistake to persons whose application was received after the distribution of the pension fund to the counties by the Auditor.

Respectfully,

J. J. COMAN, *Private Secretary.*

REPORT OF COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

MR. SPEAKER: The Committee on Public Health and Quarantine has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 47, An Act to amend Section 6 of Chapter 15 of the Acts of 1897, in reference to the collection and publication of vital, mortuary and sanitary statistics.

Do pass.

H. B. No. 165, An Act to establish a Live Stock Sanitary Board in Mississippi, and the office of State Veterinarian, and to provide for the control and suppression of dangerous, contagious, or infectious diseases of domestic animals, and for the study of live stock of the State.

Do pass as amended.

MILLER, *Chairman.*

REPORT OF CONFERENCE COMMITTEE.

MR. SPEAKER: Your Committee on Conference on the disagreement of the two Houses touching Senate amendment to H. B. No. 121, An Act to create the Eleventh Circuit Court District of Mississippi and fix the time for holding courts therein, beg leave to submit the following report, viz.:

Your committee recommend that the Senate recede from its amendment to the bill.

A. F. GARDNER,
Chairman Senate Committee.
J. G. MILLSAPS,
Chairman House Committee.

Under the suspension of the rules Mr. Webster introduced House Bill No. 169, To be entitled An Act to make an appropriation to pay L. Cullen, tax assessor of Lafayette County, commissions due for assessing property which had escaped taxation, which was read twice and referred to Committee on Local and Private Legislation.

Mr. Wall introduced House Bill No. 170, To be entitled An Act to amend Section 622 of the Annotated Code of 1892 in relation to the time of holding the Circuit Courts in the Third Judicial District so far as it relates to DeSoto County, which was read twice and referred to the Committee on Judiciary.

On motion of Mr. Miller, House Bill No. 165, To be entitled An Act to establish a Live Stock Sanitary Board in Mississippi, and the office of State Veterinarian, and to provide for the control and suppression of dangerous contagious or infectious diseases of domestic animals and for the study of diseases of live stock of the State, was recommitted to Committee on Appropriations.

Senate Bill No. 65, To be entitled An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties and to abandon a part of the line so acquired and also part of its own line in Leflore County, was considered.

Pending consideration of the bill the House, on motion of Mr. Evans, at 6 o'clock P. M., adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

FORTY-FIRST DAY.

SATURDAY, February 22, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Dr. John Y. Murry, of Ripley, Miss.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Castleman, Causey, Cock, Coleman, Coady, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Ellis, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, George, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Heath, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Yazoo, Jones, King, Kyle, Langston, Long, Longest, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wren—Total 110.

Those absent—Messrs. Allen, Bradshaw, Clayton, Cooner, Crum, Dodds, Eddins, Ferguson, Foster of Claiborne, Galloway, Gambrell, Gibson, Johnston of Clarke, Lamb, Loper, Magee, McDaniel, Norton, Pace, Reynolds, Rouse, Smith of Greene and Wilkins—Total 23.

Leave of absence was granted to Messrs. Gibson, Reynolds, Loper and Magee.

On motion of Mr. Denson the reading of the journal of yesterday was dispensed with and the same stood approved.

REPORT OF COMMITTEE ON AGRICULTURE.

MR. SPEAKER: The Committee on Agriculture has had under consideration the following bill referred to them and have instructed me to report it back with the following recommendations:

S. B. No. 71, To be entitled An Act to provide for a State Geologist and for a geological survey of the State.

Your committee recommends that the title is sufficient and that the bill do pass, and further recommends that the bill be referred to the Committee on Appropriations.

FORD, *Acting Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 85, To be entitled An Act to amend an Act entitled An Act to appropriate money to defray the expenses incident to the investigation of the penitentiary affairs as authorized by Concurrent Resolution No. 8, and to fix compensation of witnesses before said committee and of the Sergeant-at-Arms for service of process issued by said committee, compensation of stenographer employed by said committee, and payment of incidental expenses incurred and to be incurred by said committee, approved February 13, 1902, so as to authorize and provide for all lawful expenses incurred by said committee.

Title sufficient and do pass as amended.

H. B. No. 144, To be entitled An Act to authorize the Treasurer of the State of Mississippi to pay to the State Encampment Committee of Greenville, Mississippi, nine hundred and seventy-four dollars and seven cents (\$974.07).

Title sufficient, and do not pass.

S. B. No. 17, To be entitled An Act making an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903.

Title sufficient, and that the bill do pass.

KYLE, *Chairman.*

On motion of Mr. Burge Senate Bill No. 71, To be entitled An Act to provide for a State Geologist and for a geological survey of the State, was recommitted to Committee on Appropriations.

The consideration of the bill pending at the close of yesterday's session, to-wit: Senate Bill No. 65, To be entitled An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties, and to abandon a part of the line so acquired and also a part of its own line in Leflore County, was resumed.

On motion of Mr. Bowers the rules were suspended, the bill was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alsworth, Bennett, Bowers, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Byrd, Castleman, Causey,

Cock, Coody, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Elmer, Evans, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Garraway, George, Gilfoy, Groves, Haley, Harper, Hathorn, Heath, Hemphill, Hewes, Hill, Hubbard, Johnston of Yazoo, Jones, King, Long, Magruder, Mahon, McAfee, McAllister, Mitchell, Moore, Moss, Neill, Owen, Permenter, Quin of Pike, Robbins, Senter, Sharkey, Smith of Holmes, Smylie, Stamps, Stubbs, Swinney, Turner, Underwood, Vollor, Walker, Webster, White, Wren, Mr. Speaker—Total 67.

Nays—Messrs. Alcorn, Arnold, Birmingham, Boddie, Brown, of Itawamba, Burge, Campbell, Cox of Prentiss, Dudley, Ellis, Frazier, Goff, Granberry, Ham, Irby, Langston, Longest, McCafferty, McCuiston, Miller, Norment, Posey, Pyle, Ray, Sharpe of Leake and Winston, Shelby, Taylor, Thomas, Wall—Total 29.

Absent and those not voting—Messrs. Allen, Anderson, Bradshaw, Clayton, Coleman, Cooner, Crum, Dodds, Doss, Eddins, Ferguson, Foster of Claiborne, Galloway, Gambrell, Gibson, Hightower, Johnston of Clarke, Kyle, Lamb, Loper, Magee, McDaniel, McManus, Millsaps, Murphree, Quin of Wilkinson, Reynolds, Rouse, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Thompson, Tucker and Wilkins—Total 37.

PAIRS.

Mr. Kyle was paired with Mr. Clayton; Mr. Kyle would have voted nay and Mr. Clayton yea, had Mr. Clayton been present.

Mr. Millsaps was paired with Mr. Tucker; Mr. Millsaps would have voted yea, and Mr. Tucker nay, had Mr. Tucker been present.

Mr. Quin of Wilkinson was paired with Mr. Norton; Mr. Quin would have voted yea, and Mr. Norton nay, had Mr. Norton been present.

Mr. Stennis of Kemper was paired with Mr. Ferguson; Mr. Stennis would have voted yea, and Mr. Ferguson nay, had Mr. Ferguson been present.

Mr. Hightower was paired with Mr. Eddins; Mr. Hightower would have voted nay, and Mr. Eddins yea, had Mr. Eddins been present.

At 1.20 P. M. Mr. Bowers moved that the House adjourn until Monday evening at 3 o'clock. Lost.

At 1.25 P. M., on motion of Mr. McAfee, the House adjourned until Monday morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

FORTY-SECOND DAY.

MONDAY, February 24, 1902.

The House met pursuant to adjournment, Speaker *pro tem.* Sharp in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names :

Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burge, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Ellis, Evans, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hightower, Irby, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Owen, Pace, Permenter, Posey, Pyle, Ray, Reynolds, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Turner, Underwood, Wall, Walker, Webster, White, Wren—Total 86.

Those absent—Mr. Speaker, and Messrs. Allen, Boddie, Bradshaw, Broadus, Brooks, Burrus, Byrd, Castleman, Clayton, Cock, Coleman, Crum, Eddins, Elmer, Ferguson, Ford, Foster of Claiborne, Galloway, Gambrell George, Gibson, Hathorn, Heath, Hewes, Hill, Hubbard, Johnston of Clarke, King, Long, Loper, Magee, McAfee, McDaniel, McManus, Norton, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Smith of Greene, Thompson, Tucker, Vollar and Wilkins—Total 47.

Leave of absence was granted to Messrs. Hill, Hubbard, Boddie, Bradshaw, Long, Vollar and Robbins.

On motion of Mr. Coody the reading of the journal of Saturday was dispensed with and the same stood approved.

Mr. Brown of Adams offered the following :

Resolved, That for the remainder of this session no member be allowed to speak longer than ten minutes on any subject.

Mr. Brown moved that the rules be suspended and the resolution adopted, which motion was lost and the resolution was ordered to lie on the table one day, as required by the rules.

Mr. Underwood offered the following :

Resolved by the Legislature of the State of Mississippi, That the Speaker of the House and the President of the Senate adjourn their respective Houses sine die at 12 o'clock M. on Friday, the 28th day of February, A. D. 1902.

Ordered to lie on the table one day, as required by the rules.
Mr. Smith of Holmes in the chair.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 86, An Act to dedicate and designate a portion of the present Capitol grounds as a Confederate Monumental Park, create a Commission to have control of same and appropriate one thousand dollars for improvement thereof.

H. B. No. 122, An Act to raise revenue by imposing a privilege tax on every person, firm or corporation who as a broker receives and transmits for the purchase or the sale for future delivery of any commodity or other thing.

H. B. No. 141, An Act authorizing and empowering the Board of Supervisors of Oktibbeha County, Mississippi, to loan any and all funds on certain security and to buy bank or other stock, or town, city, county, State or United States bonds, and to use as much as \$2,500 for the purpose of paying any balance due on account of court house or for further equipment or furnishing of said court house.

H. B. No. 155, An Act authorizing the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county, with accompanying Senate amendments thereto.

JOHN Y. MURRY, JR., *Secretary.*

House Bill No. 109, To be entitled An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years 1902 and 1903, as amended by the Senate, was considered.

The Senate amendments are as follows:

Amend Section 1 to read after the word "at" in line 2, as follows: "six mills on the dollar for the year 1902, and six mills for the year 1903."

Amendment No. 2. Amend Section 1 by striking out in lines 19, 20 and 21 the words, "all its property of any sort, constituting a part of the assets of the bank, not including its real estate," and by inserting in lieu thereof the following words: "the value of such shares augmented by the accumulation, surplus and unpaid dividends, and exclusive of the real estate of the bank."

Amendment No. 4. Amend Section 2 by inserting after the words "outstanding county warrants," in line 12, the words, "or to build public roads, pikes, or other public works."

Amendment No. 4. Amend Section 2 by striking out the words "but the whole amount levied shall not exceed 16 mills," in lines 8 and 9, and by inserting between the words "works" in the amendment and the word "or" in the 12th line of the bill, the following words: "but the whole amount levied for all of the purposes herein provided for, including the State tax, shall not exceed 16 mills."

Mr. Thomas moved that the House refuse to concur in all the amendments reported from the Senate, and the call for the yeas and nays on the motion being sustained, the House refused to concur by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Ellis, Evans, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Garraway, Gilfof, Goff, Groves, Haley, Ham, Harper, Irby, Johnston of Yazoo, Kyle, Langston, Magruder, Mahon, McAllister, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Pace, Permenter, Posey, Pyle, Reynolds, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smylie, Stamps, Stennis of Kemper, Swinney, Thomas, Wall, Walker, Webster, White, Wren—Total 65.

Nays—Messrs. Brown of Itawamba, Coody, Cooner, Crumpton, Frazier, Granberry, Hemphill, Hightower, Lamb, Longest, McCafferty, McCuiston, Owen, Ray, Shelby, Smith of Holmes, Stennis of Lauderdale, Stubbs, Taylor, Turner, Underwood—Total 21.

Absent and those not voting—Messrs. Allen, Boddie, Bradshaw, Broadus, Brooks, Byrd, Castleman, Clayton, Cock, Coleman, Crum, Eddins, Elmer, Ferguson, Ford, Foster of Claiborne, Galloway, Gambrell, George, Gibson, Hathorn, Heath, Hewes, Hill, Hubbard, Johnston of Clarke, Jones, King, Long, Loper, Magee, McAfee, McDaniel, McManus, Miller, Norton, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Smith of Greene, Thompson, Tucker, Vollor, Wilkins and Mr. Speaker—Total 47.

House Bill No. 115, To be entitled An Act to amend Sections 3885 and 3886 of the Code of 1892, and constituting the Railroad Commissioners assessors of telephone property in this State, was, under the suspension of the rules, on motion of Mr. Thomas, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Birmingham, Bowers, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Ellis, Evans, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, Gilfof, Goff,

Granberry, Groves, Haley, Ham, Hemphill, Hightower, Irby, Johnston of Yazoo, Kyle, Lamb, Langston, Magruder, Mahon, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Norment, Owen, Pace, Permenter, Posey, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Turner, Underwood, Wall, Walker, Webster, Wren—Total 75.

Absent and those not voting—Messrs. Allen, Bennett, Boddie, Bradshaw, Brittain, Broadus, Brooks, Byrd, Castleman, Clayton, Cock, Coleman, Crum, Denson, Dudley, Eddins, Elmer, Ferguson, Ford, Foster of Claiborne, Galloway, Gambrell, Gibson, George, Harper, Hathorn, Heath, Hill, Hubbard, Johnston of Clarke, Jones, King, Long, Longest, Loper, Magee, McAfee, McDaniel, McManus, Neill, Norton, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith, of Greene, Taylor, Thompson, Tucker, Vollor, White, Wilkins and Mr. Speaker—Total 48.

Senate Bill No. 86, To be entitled An Act to dedicate and designate a portion of the present Capitol grounds as a Confederate Monumental Park, create a commission to have control of same, and appropriate \$1,000 for improvement thereof, was read twice and referred to Committee on Pensions.

Mr. Denson offered a concurrent resolution to appoint a special committee to investigate the Industrial Institute and College, to report to the Governor after the adjournment of the Legislature.

Ordered to lie on the table subject to call.

Mr. Groves offered a joint resolution declaring the policy of the State respecting her State institutions of learning, especially of the Agricultural and Mechanical College, which was read and referred to the Committee on Universities and Colleges.

On motion of Mr. Thomas a conference was asked on the disagreement of the House and Senate on House Bill No. 109, To be entitled An Act to raise revenue to carry on the State Government of Mississippi for fiscal years 1902 and 1903, and the Speaker named as conferees on the part of the House Messrs. Evans Magruder, and Arnold.

Mr. Hubbard named as a member of the committee authorized by the adoption of the concurrent resolution to investigate the causes leading to the resignation of State Treasurer J. R. Stowers, being unavoidably absent, on motion of Mr. Lamb the Speaker was authorized to name a member in place of Mr. Hubbard on said committee, and the Speaker named Mr. Hemphill.

REPORT OF COMMITTEE ON CONSTITUTION.

MR. SPEAKER: The Committee on Constitution has had under consideration the following bills referred to them, and have in-

structed me to report them back with the following recommendations:

S. C. R. No. 5, A Concurrent Resolution submitting to the qualified electors of the State for ratification or rejection an amendment to the Constitution increasing the number of Supreme Court Judges.

Title sufficient, and that the House do not concur.

Senate Concurrent Resolution No. 12, Proposing to amend Section 166 of the Constitution.

Title not sufficient, and that the House do concur.

Senate Concurrent Resolution No. 14, To amend Section 85 of the State Constitution so that uniformity in the method of working public roads of the State may be enforced.

Title sufficient, and that the House do concur.

W. M. Cox, *Chairman*.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee touching the disagreement of the two Houses on Senate amendment to H. B. No. 121, An Act to create the Eleventh Circuit Court District in Mississippi and fix the time for holding courts therein.

JOHN Y. MURRY, JR., *Secretary*.

On motion of Mr. Millsaps the House considered the conference report previously made in which the Senate committee agreed to recede from its amendments to House Bill No. 121, To be entitled An Act to create the Eleventh Circuit Court District of Mississippi, and to fix a time for holding courts therein.

The yeas and nays being taken on the adoption of the report, as required by the Constitution, the report was adopted by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Ellis, Evans, Foster of Warren, Franklin of Marshall, Frazier, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hightower, Irby, Jones, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, Millsaps, Mitchell, Moore, Moss, Murphree, Neil, Norment, Owen, Permenter, Posey, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stubbs, Swinney, Taylor, Thomas, Turner, Underwood, Walker, Webster, White, Wren—Total 77.

Nay—Mr. Stennis of Lauderdale—Total 1.

Absent and those not voting—Messrs. Allen, Boddie, Broadus, Brooks, Byrd, Castleman, Clayton, Cox, Coleman, Crum, Dodds, Eddins, Elmer, Ferguson, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, Garraway, George, Gibson, Hathorn, Heath, Hewes, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, King, Long, Loper, Magee, McAfee, McDaniel, McManus, Miller, Norton, Pace, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharkey, Smith of Greene, Stennis of Kemper, Thompson, Turner, Vollar, Wall, Wilkins, and Mr. Speaker—Total 53.

Mr. Denton of Quitman moved to reconsider the vote by which Senate Bill No. 65, To be entitled An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties and to abandon a part of the line so acquired, and also a part of its own line in Leflore County, had passed.

Mr. Bowers moved to table the motion to reconsider, which motion prevailed.

Senate Bill No. 85, To be entitled An Act to amend an Act entitled An Act to appropriate money to defray the expense incident to the investigation of penitentiary affairs as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee, and of Sergeant-at-Arms for service of process issued by said committee, compensation of stenographer employed by said committee, and payment of incidental expense incurred and to be incurred by said committee, approved February 13, 1902, so as to authorize and provide for all lawful expenses incurred by said committee, was considered.

The Committee on Appropriations offered an amendment as follows:

Amend the first line of Section 1 by inserting the words "Legislature of the."

On motion of Mr. Kyle the amendment was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Birmingham, Bowers, Brittain, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Ellis, Evans, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, Garraway, Goff, Granberry, Groves, Haley, Hemphill, Hightower, Irby, Jones, Kyle, Langston, Longest, Magruder, Mahon, McAllister, McCuiston, Miller, Mitchell, Moore, Moss, Neill, Norment, Owen, Pace, Permenter, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps,

Stennis of Kemper, Swinney, Thomas, Turner, Underwood, Wall, Walker, Webster, White, Wren—Total 70.

Absent and those not voting—Messrs. Allen, Bennett, Boddie, Bradshaw, Broadus, Brooks, Brown of Adams, Byrd, Castleman, Clayton, Coleman, Cock, Crum, Denton of Quitman, Dudley, Edlins, Elmer, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, George, Gibson, Gilfoy, Ham, Harper, Hathorn, Heath, Hewes, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, King, Lamb, Long, Loper, Magee, McAfee, McCafferty, McDaniel, McManus, Millsaps, Murphree, Norton, Posey, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Smith of Greene, Stennis of Lauderdale, Stubbs, Taylor, Thompson, Tucker, Vollor, Wilkins and Mr. Speaker—Total 63.

House Bill No. 41, To be entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State Government and to pay interest on the State debt, as amended by the Senate, was considered.

The Senate amendments are as follows:

Amendment No. 1. Amend under the subdivision of State Librarian on page 2, in lines 1, 2 and 3 of said subdivision, to read, "Salary of State Librarian for the year 1902 not exceeding \$1,500."

Salary of State Librarian for the year 1903, \$1,500.

Contingent expenses for each of the years 1902 and 1903, \$300.

Amendment No. 2. Amend under the subdivision, Judicial Department, on page 3, line 2 of said subdivision, to read:

Salary of Supreme Court Judges for 1903, \$11,138.90.

Amendment No. 3. Amend on page 3 under subdivision indicated as Judicial Department the sixth item thereof to read:

For special judges and Chancellors *pro tempore*, \$10,000.

Amendment No. 4. Amend by inserting on page 5, and after item 4, the following item:

Interest since July 1, 1901, on 5 per cent bonds, which have not been presented for redemption in pursuance to the call of the Governor, \$1,500.

Amendment No. 5. Amend Section 2 by striking out the last four lines on page 4 of the bill and insert in lieu thereof the following: "Provided that any amount which may be received from the Peabody Fund shall be deducted from the said sum of \$5,000 for each of said years, so that that amount expended for summer normals shall be and not exceed \$5,000 per annum, including such amount so received from said Peabody Fund."

Mr. Kyle moved that the House refused to concur in Senate amendments Nos. 3 and 4, which motion prevailed.

Mr. Kyle then moved that the House do concur in Senate amendments Nos. 1, 2 and 5, and the yeas and nays being taken on the motion to concur, as required by the Constitution, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Arnold, Bennett, Birmingham, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burrus, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Ellis, Evans, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Garraway, Goff, Groves, Haley, Ham, Harper, Hemphill, Irby, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, Miller, Mitchell, Moore, Moss, Murphree, Neill, Norment, Pace, Pyle, Ray, Reynolds, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Thomas, Walker, Webster, White, Wren—Total 69.

Nays—Messrs. Burge, Granberry, Permenter, Posey, Stennis of Kemper, Turner—Total 6.

Absent and those not voting—Messrs. Allen, Anderson, Boddie, Bradshaw, Broadus, Brooks, Byrd, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dudley, Eddins, Elmer, Ferguson, Fort, Foster of Claiborne, Frazier, Galloway, Gambrell, George, Gibson, Gilfoy, Hathorn, Heath, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, King, Long, Loper, Magee, McAfee, McDaniel, McManus, Millsaps, Norton, Owen, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Senter, Sharp of Lowndes, Smith of Greene, Swinney, Taylor, Thompson, Tucker, Underwood, Vollar, Wall, Wilkins and Mr. Speaker—Total 58.

On motion of Mr. Stennis House Bill No. 90, To be entitled An Act to tax mortgages, deeds of trust, and other liens, was made a special order for Tuesday morning at 10 o'clock.

Unanimous consent was given Mr. Brittain to withdraw House Bill No. 111, To be entitled An Act to tax solvent securities and equalize taxation and increase the revenue of the State.

At 1.30 P. M., on motion of Mr. Evans, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment with Speaker Russell in the chair.

A quorum present.

On motion of Mr. Kyle a conference was asked on the disagreement of the Senate and House on House Bill No. 21, To be entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State Government and to pay interest on the State debt, and the Speaker

named as conferees on the part of the House Messrs. Cox of Panola, Frazier and Swinney.

House Bill No. 155, To be entitled An Act authorizing the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of said county, as amended by the Senate, was considered.

The Senate amendments are as follows:

Amend title by adding after the words "seat of justice," in the last line, the words, "of said county," and amend Section 1 by adding after the word "Supervisors," in the sixth line, the following: "for the purpose of submitting to the qualified electors of said county the removal of the seat of justice of said county from its present site to some convenient point on the Gulf and Ship Island Railroad in said county."

Mr. Byrd moved that the House concur in the Senate amendments, and the yeas and nays being taken, as required by the Constitution, the motion prevailed by the following vote:

Yeas — Messrs. Alsworth, Anderson, Arnold, Bennett, Birmingham, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Denton of Lauderdale, Dodds, Doss, Ellis, Elmer, Ferguson, Foster of Warren, Frazier, Gilfoy, Goff, Granberry, Haley, Harper, Hemphill, Hewes, Hightower, Irby, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Norment, Norton, Owen, Permenter, Posey, Pye, Ray, Senter, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Turner, Underwood, Vollar, Walker, Webster, Wren, Mr. Speaker—Total 70.

Absent and those not voting—Messrs. Alcorn, Allen, Boddie, Bowers, Broadus, Brown of Adams, Campbell, Castleman, Crum, Crumpton, Denson, Denton of Quitman, Dudley, Eddins, Evans, Ford, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, Gambrell, Garraway, George, Gibson, Groves, Ham, Hathorn, Heath, Hill, Hubbard, Johnstone of Clarke, Jones, King, Long, Loper, Magee, McAfee, McDaniel, Moore, Moss, Murphree, Neill, Pace, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Rouse, Sharkey, Sharp of Lowndes, Smith of Greene, Stennis of Lauderdale, Stubbs, Taylor, Thompson, Tucker, Wall, White, and Wilkins—Total 63.

Mr. Arnold moved the adoption of the following:

Resolved That the sum of one hundred and thirty-three dollars be paid the Clarion Ledger, and one hundred and thirty-three dollars to the Evening News, to be paid from the contingent fund of the House for the papers delivered to the members during the session of the present Legislature.

The motion to adopt prevailed.

Mr. Bowers moved the adoption of the following:

Resolved, That the committee heretofore appointed to investigate the conduct of the State treasury for the past two years has the fullest confidence of this House, and said committee is hereby directed to pursue its labors as it may seem most wise and advisable.

The motion to adopt prevailed.

Mr. Foster of Warren moved the adoption of the following:

Resolved, That the Governor be requested to return to the House House Bill No. 120, fixing time for holding Circuit Court in the Fourth Circuit Court District, so that certain errors may be corrected.

The motion to adopt prevailed.

Mr. Smith of Holmes moved the adoption of the following:

Resolved, That the sum of one dollar per day be, and the same is hereby appropriated out of the House contingent fund to be used to employ assistants to the State Librarian during the session of the Legislature, beginning on the day the same convened.

The motion to adopt prevailed.

Mr. Millsaps moved the adoption of the following:

Be it resolved by the House of Representatives, That the Board of Control be requested to submit to this House as early as possible an estimate of amount necessary to meet penitentiary expenses for the year 1902 and for the year 1903, that the House may be guided thereby in making an appropriation to meet said penitentiary expenses.

The motion to adopt prevailed.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 21, 1902.

MR. SPEAKER: The Governor directs me to return herewith H. B. No. 62, which he approves in part and vetoes in part, with the accompanying message.

Respectfully,
J. J. COMAN, *Private Secretary*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 21, 1902.

To the House of Representatives.

GENTLEMEN: I return herewith H. B. No. 62, An Act making an appropriation for the maintenance and support of the Alcorn Agricultural and Mechanical College and for the erection of additional buildings for the use of the students of said college for the years 1902 and 1903, with my approval of the said bill except that portion thereof which relates to the appropriation of money to pay interest annually on agricultural land script fund (\$6,814.50),

and interest on the proceeds of sale of the College lands (\$5,777.77), aggregating \$25,184.54 for the two years, but I withhold my approval from that portion of the bill appropriating the said interest for the following reasons, to-wit:

It will be seen from the bill that it designates specifically and by items the maximum amounts of money which shall be expended in the maintenance and support of the College, and for the erection and repair of buildings and for other purposes for the year 1902, as follows:

For support fund	\$ 8,000 00
For insurance	2,200 00
For repairs of buildings.....	750 00
For purchase of stock.....	500 00
For completing and equipping new dormitory.....	13,000 00
For shops, machinery and tools.....	10,000 00

Aggregating exclusive of said interest.....\$34,450 00

The bill designates specifically for 1903 only two items for expenditure of money, and fixes the maximum amounts to be expended thereon as follows:

For support fund	\$ 8,000 00
For repairs to buildings	750 00

Aggregating for all purposes for the year 1903....\$ 8,750 00

And yet it further appropriates interest for said year as follows:

On agricultural land script fund.....	\$6,814 50
On proceeds sale College lands.....	\$5,777 77—12,592 25

Thus making the sum total of appropriation for the year 1903\$21,342 25

Or \$12,592.25 more than the specific maximum limit fixed by the Legislature for expenditure for said year.

The concluding part of Section 1 of said Act provides that said interest shall be used for the support and maintenance of said College, but the support had already been fully provided for by maximum amount named in the bill of \$8,000. If it be contended that the \$8,000 is included in and intended to be a part of the said interest for 1903, there will still remain a balance of \$4,592.25 of the interest appropriated in excess of the maximum fixed by the bill for support. I am of the opinion, however, from a careful reading of the bill that it fails to disclose any legislative directions as to the use for which the said interest appropriated for either of the two years shall be expended, but it seems to supply other mon-

ys out of the State treasury to fully cover all of the items named for expenditure in behalf of or on account of the College for both years, over and above the interest. While it is true that said interest as it matures will represent an indebtedness to the College, I am nevertheless of the opinion that the State which holds the fund in trust for the use of said College is required to direct by legislative enactment the uses to which the interest should be applied, the same as all other moneys paid out of the State treasury. For the Legislature to authorize the withdrawal of \$25,184.54, or any other amount of money from the treasury by any official, institution or board of trustees for indefinite or uncertain expenditure and not properly safeguarded by legislative enactment would be to establish an unsafe or dangerous precedent, and is contrary to public policy.

For these reasons I decline to approve that portion of the bill which seeks to appropriate \$25,184.50, but which declines to state the uses to which the money shall be applied.

Respectfully,

A. H. LONGINO, *Governor.*

INTRODUCTION OF BILLS.

By Mr. Arnold—

House Bill No. 171, To be entitled an Act to appropriate the interest due the Alcorn Agricultural and Mechanical College, and to provide for its expenditure by the Board of Trustees.

Was read twice and referred to Committee on Appropriations.

By Mr. Alcorn, by request—

House Bill No. 172, To be entitled An Act to appropriate \$225 out of the State Treasury to pay Dr. E. L. Irby, county health officer of Tunica County, for medical services rendered in small-pox epidemic in Tunica County during the years 1897 and 1898.

Was read twice and referred to Committee on Local and Private Legislation.

By Mr. Denton of Quitman—

House Bill No. 173, To be entitled an Act to appropriate money to pay for clerical help for the Land Commissioner for the year 1902.

Was read twice and referred to Committee on Appropriations.

By Mr. Moss—

H. B. No. 174, To be entitled An Act to increase the salary of the Adjutant General to six hundred dollars annually.

Was read twice and referred to Committee on Fees and Salaries.

By Mr. Brittain—

H. B. No. 175, To be entitled An Act to make an appropriation to pay the Supreme Court porter.

Was read twice and referred to Committee on Appropriations.

On motion of Mr. Senter the privileges of the House were extended to Captain John Walsh of Vicksburg.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 70, An Act to appropriate from the pension funds returned to the treasury money to pay pensions to those whose applications were received after the distribution had been made to the counties by the Auditor.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 4, To be entitled An Act to amend Section 6 of Chapter 34 of Acts of 1894, so as to further limit the time within which the State Revenue Agent shall have the right to sue for collect and have assessed for delinquent taxes.

Title sufficient, and bill do not pass.

H. B. No. 40, To be entitled An Act to amend Chapter 45, Acts of 1900, in reference to the fees to be charged for the recording of charters of incorporations, and to provide that no suit or defense shall be maintainable in favor of any corporation failing to have its charter recorded in accordance with the terms of this Act.

Title sufficient, and that the bill do not pass.

H. B. No. 63, To be entitled An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years of 1902 and 1903.

Title sufficient and that the bill do not pass.

E. N. THOMAS, *Chairman.*

Mr. Broadus called up motion previously entered to reconsider the vote by which House Bill No. 125, To be entitled An Act to amend Sections 2912, 2913 and 2914 of the Code of 1892 relative to the limits and boundaries of municipalities, and the motion to reconsider prevailed.

Mr. Broadus then moved to amend the bill by adding at the end of line 23, Section 1, the following: "Provided that the provisions of this Act shall not apply to towns with a population of less than 500, and not cities or towns shall combine into one municipality where their present corporate limits are more than three miles apart."

The motion to adopt the amendment prevailed.

Whereupon, on motion of Mr. Broadus, the rules were suspended, the bill as amended was considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alsworth, Anderson, Arnold, Bennett, Bowers, Bradshaw, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Elmer, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, Garraway, Gilfof, Goff, Granberry, Haley, Harper, Hemphill, Hewes, Johnston of Yazoo. Kyle, Lamb, Langston, Longest, Magruder, Mahon, McCafferty, McManus, Millsaps, Mitchell, Moore, Moss, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Reynolds, Senter, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Turner, Underwood, Vollar, Walker, Webster, Wren—Total 73.

Nay—Mr. Birmingham—Total 1.

Absent and those not voting—Messrs. Alcorn, Allen, Boddie, Brooks, Burrus, Castleman, Clayton, Cock, Coleman, Crum, Denson, Denton of Quitman, Ellis, Evans, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, George, Gibson, Groves, Ham, Hathorn, Heath, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Jones, King, Long, Loper, Magee, McAfee, McAllister, McCuiston, McDaniel, Miller, Murphree, Neill, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stubbs, Taylor, Thomas, Thompson, Tucker, Wall, White, Wilkins, and Mr. Speaker—Total 59.

Senate Bill No. 26, To be entitled An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and to provide for its maintenance, and for the issuance of future publications of the Mississippi Historical Society, was considered.

Mr. Bowers moved to strike out of the title the words "and to provide for its maintenance."

The motion prevailed.

Whereupon, on motion of Mr. Bowers, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Anderson, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Broadus, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Ellis, Elmer, Foster of Warren, Frazier, Garraway, Gilfof, Goff, Haley, Ham, Harper, Hewes, Hightower, Irby, Jones, Kyle, Langston, Longest, Magruder, McAfee, McAllister, McManus, Moore, Moss, Murphree, Norton, Pyle, Ray, Reynolds, Rouse, Senter, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Walker, Webster, Wren, Mr. Speaker—Total 59.

Nays—Messrs. Arnold, Brooks, Brown of Itawamba, Cox of Panola, Doss, Franklin of Lowndes, Franklin of Marshall, Granberry, Hemphill, Johnston of Yazoo, Loper, McCafferty, Owen, Permenter, Posey, Sharp of Lowndes, Stennis of Kemper, Turner, Underwood—Total 20.

Absent and those not voting—Messrs. Allen, Alsworth, Boddie, Brown of Adams, Castleman, Clavton, Cock, Coleman, Cooner, Crum, Eddins, Evans, Ferguson, Ford, Foster of Claiborne, Galloway, Gambrell, George, Gibson, Groves, Hathorn, Heath, Hill, Hubbard, Johnston of Clarke, King, Lamb, Long, Magee, Mahon, McCuiston, McDaniel, Miller, Millsaps, Mitchell, Neill, Norment, Pace, Quin of Pike, Quin of Wilkinson, Robbins, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Stubbs, Swinney, Taylor, Thompson, Tucker, Vollar, Wall, White and Wilkins—Total 54.

Senate Bill No. 66, To be entitled An Act to amend Section 1714 of the Annotated Code of 1892 relative to costs in proceedings to establish escheat so as to provide for the allowance and payment of commissions and attorneys' fees in such proceedings, and for the payment of costs in cases in which the personal estate is insufficient, was, under the suspension of the rules, on motion of Mr. Bowers, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alsworth, Anderson, Arnold, Birmingham, Bowers, Bradshaw, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Eddins, Ellis, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Garraway, Gilfoy, Goff, Granberry, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Mitchell, Moss, Murphree, Norment, Norton, Pace, Permenter, Posey, Pyle, Reynolds, Senter, Sharkey, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Turner, Underwood, Vollar, Walker, Webster, Wren—Total 74.

Absent and those not voting—Messrs. Alcorn, Allen, Bennett, Boddie, Brooks, Castleman, Clayton, Cock, Coleman, Crum, Denson, Doss, Elmer, Evans, Ferguson, Ford, Foster of Claiborne, Frazier, Galloway, Gambrell, George, Gibson, Groves, Hathorn, Heath, Hill, Hubbard, Irby, Johnston of Clarke, Jones, King, Long, Loper, Magee, McAfee, McDaniel, Miller, Millsaps, Moore, Neill, Owen, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Stubbs, Taylor, Thomas, Thompson, Tucker, Wall, White, Wilkins, and Mr. Speaker—Total 59.

Senate Bill No. 10, To be entitled An Act to provide for the establishment of a permanent Branch Agricultural and Experiment Station in the Yazoo-Mississippi Delta, was, under the suspension of the rules, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill failed to pass by the following vote:

Yeas — Messrs. Bennett, Bowers, Broadus, Burge, Burrus, Byrd, Coody, Cox of Prentiss, Denton of Lauderdale, Doss, Dudley, Elmer, Foster of Warren, Garraway, Gilfoy, Ham, Hewes, Irby, Johnston of Yazoo, McManus, Millsaps, Norment, Pace, Reynolds, Rouse, Senter, Sharkey, Smylie, Stamps, Underwood, Vollar, Webster, Wren—Total 33.

Nays — Messrs. Alsworth, Anderson, Arnold, Birmingham, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Causey, Cooner, Cox of Panola, Crumpton, Denson, Denton of Quitman, Dodds, Ellis, Ferguson, Franklin of Lowndes, Franklin of Marshall, Frazier, Goff, Granberry, Haley, Harper, Hemphill, Kyle, Lamb, Langston, Longest, McCafferty, McCuiston Mitchell, Moore, Moss, Murphree, Norton, Owen, Permenter, Posey, Pyle, Ray, Sharp of Lowndes, Shelby, Smith of Holmes, Stennis of Kemper, Stennis of Lauderdale, Swinney, Turner, Walker, Mr. Speaker—Total 51.

Absent and those not voting—Messrs. Alcorn, Allen, Boddie, Campbell, Castleman, Clayton, Cock, Coleman, Crum, Eddins, Evans, Ford, Foster of Claiborne, Galloway, Gambrell, George, Gibson, Groves, Hathorn, Heath, Hightower, Hill, Hubbard, Johnston of Clarke, Jones, King, Long, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McDaniel, Miller, Neill, Quin of Pike, Quin of Wilkinson, Robbins, Sharpe of Leake and Winston, Smith of Greene, Stubbs, Taylor, Thompson, Thomas, Tucker, Wall, White and Wilkins—Total 49.

Mr. Stennis of Lauderdale moved to reconsider the vote by which the bill had failed to pass,

Senate Concurrent Resolution No. 10, A concurrent resolution to amend Section 183 of the Constitution of the State of Mississippi so that counties, Circuit Court District of counties, cities or towns may elect to take stock in or vote aid to railroads, was, on motion of Mr. Cox, read for the third time, on the third day of its adoption, and the yeas and nays being called as required by the Constitution, the resolution was adopted on its third reading and the third day by the following vote:

Yeas—Messrs. Anderson, Birmingham, Bowers, Bradshaw, Broadus, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denton of Lauderdale, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Foster of Warren, Franklin of Marshall, Frazier, Garraway, Gilfoy, Goff, Haley, Harper, Hemphill, Hewes, Irby, Johnston of Yazoo, Kyle, Lamb, Langston, Magruder, Mahon, McAfee, McAllister, McCafferty, McManus, Millsaps, Moore, Moss,

Norment, Owen, Pace, Permenter, Pyle, Reynolds, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smylie, Stamps, Stennis of Kemper, Underwood, Vollar, Webster, Mr. Speaker—Total 64.

Nays—Messrs. Alsworth, Arnold, Bennett, Brittain, Brown of Adams, Causey, Longest, McCuiston, Mitchell, Norton, Posey, Ray, Shelby, Smith of Holmes, Walker, Wren—Total 16.

Absent and those not voting—Messrs. Alcorn, Allen, Boddie, Castleman, Clayton, Cock, Coleman, Crum, Denson, Denton of Quitman, Dudley, Ferguson, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, George, Gibson, Granberry, Groves, Ham, Hathorn, Heath, Hightower, Hill, Hubbard, Johnston of Clarke, Jones, King, Long, Loper, Magee, McDaniel, Miller, Murphree, Neill, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Smith of Greene, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Wall, White and Wilkins—Total 53.

Senate Concurrent Resolution No. 12, A concurrent resolution of the Legislature of the State of Mississippi proposing to amend the Constitution of the State by abrogating therefrom Sections 118 and 166, so as to relieve the Legislature from the restrictions thereby imposed in regard to the salaries of the Governor, Judges and Chancellors, was, on motion of Mr. Cox of Prentiss, read the first time for its adoption on the first day, and failed of adoption, not receiving the vote required by the Constitution, the vote being as follows:

Yeas—Messrs. Anderson, Bennett, Birmingham, Bowers, Bradshaw, Broadus, Brown of Adams, Burge, Byrd, Campbell, Causey, Cox of Prentiss, Denton of Lauderdale, Foster of Warren, Franklin of Lowndes, Garraway, Gilfoxy, Goff, Haley, Ham, Harper, Hewes, Lamb, Longest, Magruder, Mahon, McAfee, McAllister, McManus, Miller, Moss, Neill, Norment, Owen, Reynolds, Robbins, Senter, Sharkey, Shelby, Smith of Holmes, Stamps, Stennis of Lauderdale, Underwood, Walker, Webster, Wren, Mr. Speaker—Total 48.

Nays—Messrs. Alsworth, Arnold, Brittain, Brooks, Brown of Itawamba, Burrus, Coody, Cooner, Cox of Panola, Crumpton, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Franklin of Marshall, Frazier, Granberry, Hemphill, Hightower, Johnston of Yazoo, Kyle, Langston, Loper, McCafferty, McCuiston, Mitchell, Norton, Pace, Permenter, Posey, Pyle, Ray, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smylie, Stennis of Kemper, Swinney—Total 41.

Absent and those not voting—Messrs. Alcorn, Allen, Boddie, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dudley, Ford, Foster of Claiborne, Galloway, Gambrell, George, Gibson, Groves, Hathorn, Heath, Hill, Hubbard, Irby, Johnston of Clarke, Jones, King, Long, Magee, McDaniel, Millsaps, Moore, Murphree, Quin of Pike, Quin of Wilkinson, Smith of Greene,

Stubbs, Taylor, Thomas, Thompson, Tucker, Turner, Vollar, Wall, White and Wilkins—Total 44.

Senate Concurrent Resolution No. 14, A concurrent resolution to amend Section 85 of the State Constitution so that uniformity in the method of working the public roads of the State may be enforced, was, on motion of Mr. Cock, read for the first time and for its adoption on the first day, and the yeas and nays being taken the resolution failed of adoption by the following vote:

Yeas—Messrs. Birmingham, Bowers, Brown of Itawamba, Burge, Burrus, Causey, Cooner, Cox of Prentiss, Cox of Panola, Eddins, Evans, Foster of Warren, Franklin of Marshall, Frazier, Gilfoy, Goff, Haley, Ham, Harper, Irby, Magruder, McCafferty, Millsaps, Norment, Owen, Pyle, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Stamps, Underwood, Webster, Wren—Total 36.

Nays—Messrs. Alsworth, Anderson, Arnold, Brittain, Brooks, Brown of Adams, Byrd, Campbell, Coody, Crumpton, Denson, Denton of Lauderdale, Dodds, Ellis, Elmer, Ferguson, Garraway, Granberry, Hemphill, Hightower, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Loper, Mahon, McCuiston, McManus, Mitchell, Moore, Moss, Neill, Norton, Pace, Permenter, Posey, Sharkey, Sharp of Lowndes, Smylie, Stennis of Kemper, Stennis of Lauderdale, Swinney, Turner, Vollar, Walker—Total 47.

Absent and those not voting—Messrs. Alcorn, Allen, Bennett, Boddie, Bradshaw, Broadus, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Doss, Dudley, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, George, Gibson, Gróves, Hathorn, Heath, Hewes, Hill, Hubbard, Johnston of Clarke, Jones, King, Long, Magee, McAfee, McAllister, McDaniel, Miller, Murphree, Quin of Pike, Quin of Wilkinson, Reynolds, Smith of Greene, Stubbs, Taylor, Thomas, Thompson, Tucker, Wall, White, Wilkins, and Mr. Speaker—Total 50.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has recalled from the Governor S. B. No. 73, An Act to provide for interest due on the original Seminary Fund and the 1894 Land Grant Fund for the support of the University of Mississippi for the years 1902 and 1903, for the purpose of perfecting and amending the same and herewith transmits the bill to the House for the purpose of reconsidering same.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON INSURANCE.

MR. SPEAKER: The Committee on Insurance has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 24, To be entitled an Act to establish a separate and distinct department of insurance, to create the office of Insurance Commissioner, and to regulate Insurance Companies and Fraternal orders doing business in this State, and to provide for investigation of incendiary fires.

CLAY SHARKEY, *Chairman.*

Title sufficient, bill do pass as amended.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill, and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

H. B. No. 121, To be entitled an Act to create the 11th Circuit Court District of the State of Mississippi and to designate the time for holding the terms of the Circuit Court in the several counties therein.

EDDINS, *Acting Chairman.*

Whereupon the Speaker declared all business of the House suspended while he signed the bill just reported by the Committee on Enrolled Bills after reading the title and calling the attention of the House thereto.

At 6 o'clock P. M., on motion of Mr. Arnold, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

FORTY-THIRD DAY.

TUESDAY, February 25, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative McCafferty.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Cock, Coody, Cooner, Cox of

Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Heath, Hemphill, Hewes, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thompson, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 115.

Those absent—Messrs. Castleman, Clayton, Coleman, Dudley, Ford, Galloway, Gibson, Hathorn, Hill, Hubbard, King, Long, Magee, McDaniel, Quin of Pike, Senter, Thomas and Tucker—Total 18.

On motion of Mr. Brown of Adams the reading of the journal of yesterday was dispensed with and the same stood approved.

Leave of absence was granted to Messrs. Ford, Coleman, King and Thomas and to Mr. Hathorn on account of sickness.

House Bill No. 35, To be entitled An Act to transfer to the office of the Land Commissioner all State land records, all levee land records and all other land records except assessment rolls now in the Auditor's office and to repeal Sections 3815, 3837, 3857, 3858, 3859, 3863, 3864, 3865, and 3866 of the Annotated Code of 1892, as amended by the Senate was considered.

The Senate amendments read as follows:

Amend the title so as to read as follows: An Act to transfer to the office of the Land Commissioner all State land records, all levee land records and all other land records except assessment rolls now in the Auditor's office, and to repeal Sections 3815, 3837, 3850, 3853, 3854, 3855, 3857, 3858, 3859, 3861, 3863, 3864, 3865, and 3866 of the Annotated Code of 1892.

And amend by striking out after the word "redemption," in the fourth line of Section 13 the words "except his fees and commissions," and insert in lieu thereof the words "including the fees and commissions now collected by the Auditor under paragraph 4 of Section 2021 of the Code."

Mr. Brown of Adams moved that the House concur in the amendments, and the yeas and nays being taken as required by the Constitution the motion to concur prevailed by the following vote:

Yeas — Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Birmingham, Boddie, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Den-

ton of Lauderdale, Denton of Quitman, Dodds, Eddins, Ellis, Elmer, Evans, Ferguson, Franklin of Marshall, Frazier, Gambrell, Garraway, Gilfoy, Groves, Ham, Harper, Hemphill, Hewes, Hightower, Irby, Johnston of Clarke, Kyle, Lamb, Langston, Longest, Loper, McAllister, McCafferty, McCuiston, McManus, Moore, Moss, Murphree, Neill, Norton, Pace, Permenter, Posey, Pyle, Ray, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Swinney, Turner, Underwood, Walker, Webster, Wilkins, Wren, Mr. Speaker—Total 80.

Absent and those not voting—Messrs. Bennett, Bowers, Bradshaw, Brooks, Castleman, Clayton, Cock, Coleman, Cooner, Doss, Dudley, Ford, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Galloway, George, Gibson, Goff, Granberry, Haley, Hathorn, Heath, Hill, Hubbard, Johnston of Yazoo, Jones, King, Long, Magee, Magruder, Mahon, McAfee, McDaniel, Miller, Millsaps, Mitchell, Norment, Owen, Quin of Pike, Quin of Wilkinson, Reynolds, Senter, Shelby, Smith of Holmes, Stennis of Kemper, Taylor, Thomas, Thompson, Tucker, Vollar, Wall and White—Total 53.

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has agreed to the appointment of Conference Committee requested by the House on the disagreement of the two Houses touching Senate amendment to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government, and to pay interest on the State debt, and has named as conferees on the part of the Senate Messrs. Campbell, Cayce and Jones.

Also has agreed to the request of the House for the appointment of a Conference Committee on the disagreement of the two Houses touching Senate amendment to H. B. No. 109, An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years 1902 and 1903, and has named as conferees on the part of the Senate Messrs. Falkner, Adams and Bradley.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 35, An Act to transfer to the office of the Land Commissioner all State land records, all levee land records and all other land records except assessment rolls now in the Auditor's office, and to repeal Sections 3815, 3837, 3857, 3858, 3859, 3863, 3864, 3865 and 3866 of the Annotated Code of 1892, with accompanying Senate amendments thereto.

H. B. No. 68, An Act to amend Section 4387 of the Code of 1892, in relation to the salary of the porter for the Supreme Court, so as to increase same.

And has indefinitely postponed H. B. No. 110, An Act to amend Section 921 of the Code of 1892, with reference to special judges, and to require Judges and Chancellors to sit anywhere in the State.

JOHN Y. MURRY, JR., *Secretary.*

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, which is herewith transmitted, to-wit:

H. B. No. 117, An Act to amend Section 455 of the Code of 1892 as amended by Chapter 84 of the Laws of 1900 in relation to terms of Chancery Court in the Seventh Chancery Court District so as to change and fix the time for holding Chancery Courts in the County of Tallahatchie, with accompanying amendment.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 162, To be entitled An Act making an appropriation to place within the main entrance of the new Capitol building a marble tablet containing the names of the members of the Legislature and Capitol Commissioners.

Title sufficient; do pass as amended.

A. S. KYLE, *Chairman.*

House Bill No. 162, To be entitled An Act making an appropriation to place within the main entrance of the Capitol building a marble tablet containing the names of the members of the Legislature and Capitol Commissioners, was considered.

Mr. McAllister moved to substitute for the bill an Act to appropriate \$1,000 to purchase and erect a marble tablet upon which shall be engraved a roster of the present State officials, including the late J. L. Power, members of the Legislature, its officials and pages, also the Capitol Commission and architect, and to authorize the Capitol Commission to have the same placed in a suitable place in the new Capitol building.

Mr. Crum moved to indefinitely postpone both the bill and substitute, and the call for the yeas and nays on the motion to indefinitely postpone being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Allen, Anderson, Arnold, Birmingham, Britain, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coody, Cooner, Cox of Panola, Crum, Denson, Doss, Elmer, Evans, Ferguson, Franklin of Marshall, Frazier, Goff, Groves, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb,

Langston, Longest, Loper, McCafferty, Millsaps, Mitchell, Moss, Murphree, Owen, Pace, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stubbs, Swinney, Taylor, Turner, Underwood, Wilkins, Wren—Total 56.

Nays—Messrs. Alcorn, Alsworth, Bennett, Bowers, Bradshaw, Brooks, Brown of Adams, Cock, Cox of Prentiss, Crumpton, Denton of Lauderdale, Dodds, Eddins, Ellis, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, Gilfoy, Granberry, Haley, Ham, Harper, Hemphill, Irby, Jones, Magruder, Mahon, McManus, Moore, Norment, Norton, Permenter, Robbins, Sharp of Lowndes, Smith of Greene, Stennis of Lauderdale, Vollar, Walker, Webster, Mr. Speaker—Total 41.

Absent and those not voting—Messrs. Boddie, Broadus, Byrd, Castleman, Clayton, Coleman, Denton of Quitman, Dudley, Ford, Foster of Claiborne, Galloway, George, Gibson, Hathorn, Heath, Hewes, Hill, Hubbard, King, Long, Magee, McAfee, McAllister, McCuiston, McDaniel, Miller, Neill, Quin of Pike, Rouse, Senter, Sharkey, Thomas, Thompson, Tucker, Wall and White—Total 36.

Mr. Underwood called up resolution offered on yesterday as follows:

*Resolved by the Legislature of the State of Mississippi, That the Speaker of the House and the President of the Senate adjourn their respective Houses *sin die* at 12 o'clock m., on Friday the 28th day of February, 1902.*

On motion of Mr. Underwood the resolution was adopted.

Mr. Walker offered the following resolution:

WHEREAS, The people of the South African Republics are engaged in a war with one of the great nations of the earth to preserve their God-given rights of life, liberty and property; and,

WHEREAS, The war being waged against them is not to preserve vested rights or redress grievances, but is one of conquest and territorial acquisition; therefore, be it

Resolved by the House, the Senate concurring, That we enter our solemn protest against the war thus being waged against the South African Republics aforesaid, and appeal to the civilized nations of the earth to interfere and put an end to this war of extermination against a brave, patriotic, liberty loving but unoffending people, and that our Senators and Representatives in Congress are hereby petitioned to use their best endeavors to bring about a cessation of hostilities betw. een the countries thus engaged.

The resolution was referred to the Committee on Federal Relations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 135, An Act to provide for the construction of macadamized roads by Boards of Supervisors in certain counties.

H. B. No. 48, An Act making an appropriation for the support, repairs, additional buildings, improvement and equipment of the Mississippi Agricultural and Mechanical College.

H. B. No. 155, An Act to empower the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of justice of said county.

H. B. No. 159, An Act to make an appropriation to pay the salary of the Assistant Attorney General for the years 1902 and 1903.

H. B. No. 122, An Act to raise revenue by imposing a privilege tax on every person, firm or corporation who, as a broker, receives and transmits orders for the purchase or the sale for future delivery of any commodity or other thing.

H. B. No. 141, An Act authorizing and empowering the Board of Supervisors of Oktibbeha County, Mississippi, to loan any or all surplus money of any fund on certain security and to buy bank or other stock, or town, city, county, State or United States Bonds, and to use as much as \$2,500 for the purpose of paying any balance due on county court house or for further equipment or furnishing of said court house.

LOPER, *Chairman.*

Whereupon, the Speaker declared all business of the House suspended while he signed the bills just reported, after reading the titles and calling the attention of the House thereto.

Senate Bill No. 72, To be entitled An Act to provide for the maintenance of the Department of Archives and History and for the issuing of future publications by the Mississippi Historical Society, was, under the suspension of the rules, on motion of Mr. Kyle, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Burge, Campbell, Causey, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Eddins, Ellis, Elmer, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gilfoy, Goff, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Irby, Jones, Kyle, Langston, Longest, Loper, Magruder, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Vollar, Walker, Webster, Wilkins, Wren, Mr. Speaker—Total 81.

Nays—Messrs. Brooks, Crum, Ferguson, Granberry, Mahon, Owen, Permenter, Posey, Sharp of Lowndes, Stennis of Kemper, Swinney, Taylor, Turner, Underwood—Total 14.

Absent and those not voting—Messrs. Broadus, Burrus, Byrd, Castleman, Clayton, Cock, Coleman, Cooner, Doss, Evans, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gibson, Groves, Hathorn, Heath, Hill, Hubbard, Johnston of Clarke, Johnston of Yazoo, King, Lamb, Long, Magee, McAfee, McDaniel, Miller, Pace, Quin of Pike, Rouse, Stubbs, Thomas, Thompson, Tucker, Wall and White—Total 38.

Senate Bill No. 17, To be entitled An Act to make an appropriation to defray the expenses of the State Board of Health for the years 1902 and 1903, was, under the suspension of the rules, on motion of Mr. Kyle, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, Gilfoy, Goff, Granberry, Groves, Harper, Hemphill, Hewes, Hightower, Irby, Johnston of Clarke, Kyle, Lamb, Langston, Longest, Loper, Magruder, McAllister, McCafferty, McCuiston, McManus, Moore, Neill, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stubbs, Swinney, Taylor, Turner, Underwood, Walker, Webster, Wilkins, Wien, Mr. Speaker—Total 90.

Nays—Messrs. Cooner and Stennis of Kemper—Total 2.

Absent and those not voting—Messrs. Bowers, Castleman, Clayton, Cock, Coleman, Denton of Quitman, Ford, Foster of Claiborne, Foster of Warren, Galloway, George, Gibson, Haley, Ham, Hathorn, Heath, Hill, Hubbard, Johnston of Yazoo, Jones, King, Long, Magee, Mahon, McAfee, McDaniel, Miller, Millsaps, Mitchell, Moss, Murphree, Norment, Quin of Pike, Reynolds, Stennis of Lauderdale, Thomas, Thompson, Tucker, Volor, Wall, and White—Total 41.

House Bill No. 133, To be entitled An Act appropriating money to aid the city of Jackson in paving Capitol and State Streets in front of the Capitol and the Governor's Mansion, which previously failed to pass, and a motion to reconsider entered, was called up, and the motion to reconsider prevailed.

Mr. Kyle then moved that the rules be suspended, the bill considered engrossed, read the third time and placed on its final pas-

sage, which prevailed, and the yeas and nays being taken as required by the Constitution, the bill failed to pass, not receiving the necessary constitutional majority, the vote being as follows:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Adams, Campbell, Causey, Cock, Coody, Cox of Prentiss, Cox of Panola, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Elmer, Evans, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Granberry, Haley, Ham, Harper, Hewes, Jones, Kyle, Langston, Longest, Magruder, McAllister, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norment, Quin of Wilkinson, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Stamps, Stennis of Lauderdale, Swinney, Vollar, Wall, Webster, Mr. Speaker—Total 62.

Nays—Messrs. Anderson, Arnold, Birmingham, Brooks, Burge, Burrus, Cooner, Crumpton, Dodds, Doss, Ellis, Ferguson, Goff, Groves, Hemphill, Irby, Johnston of Clarke, Loper, Mahon, McCafferty, McCuiston, Murphree, Norton, Owen, Pace, Permenter, Posey, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Smith of Greene, Smylie, Stennis of Kemper, Stubbs, Taylor, Turner, Underwood, Walker, Wilkins, Wren—Total 41.

Absent and those not voting—Messrs. Allen, Brown of Itawamba, Byrd, Castleman, Clayton, Coleman, Eddins, Ford, Foster of Claiborne, Galloway, Gibson, Gilfoy, Hathorn, Heath, Hightower, Hill, Hubbard, Johnston of Yazoo, King, Lamb, Long, Magee, McAfee, McDaniel, Miller, Quin of Pike, Thomas, Thompson, Tucker and White—Total 30.

Mr. Moore was given consent to place the following explanation on the journal:

I voted for the bill appropriating the State's money to build pavements in front of its own property for the preservation and enhancement of value of same, which I regard as a legitimate expense and not a tax in the true meaning of that word.

At 1.30 P. M., on motion of Mr. Underwood, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 3 P. M. pursuant to adjournment, with Speaker Russell in the chair.

A quorum present.

House Bill No. 138, To be entitled An Act making an appropriation for a geological survey of the State under the direction and supervision of the State University and the Mississippi Agricultural and Mechanical College, was considered.

Mr. McCafferty offered as a substitute for the bill a bill with the same number and the following title:

An Act to create a State Geological Survey Commission, to provide for a geological survey of the State of Mississippi under the auspices of the A. and M. College and the University of Mississippi.

Mr. Mahon moved that the bill and the substitute be indefinitely postponed, which motion prevailed.

Mr. Neill offered the following:

Resolved by the House, That the sum of \$48, being two-fifths of the amount of expense incurred for telegrams, music and carriages by the joint committee on reception of Mrs. Jefferson Davis, be, and hereby is appropriated out of the House contingent fund, to be paid on vouchers to be approved by the chairman of the joint committee.

On motion of Mr. Neill the resolution was adopted.

The privileges of the House were extended to Hon. William Martin, of Jackson County.

On motion of Mr. Kyle Senate Bill No. 73, To be entitled An Act to provide for the payment of interest due on the original seminary fund and the 1894 land grant fund for the support of the University of Mississippi for the years 1902 and 1903, which previously passed, was reconsidered.

Mr. Kyle then moved to amend the bill by adding to the last line preceding the enforcing clause the following: "The same to be supplemental to the uses and purposes specified in an Act entitled An Act to make appropriation for the support of the University of Mississippi for the years 1902 and 1903, and for buildings and equipments needed."

On motion of Mr. Kyle the amendment was adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Causey, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denton, Denton of Lauderdale, Dodds, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, Groves, Haley, Ham, Harper, Hewes, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Loper, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McManus, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Pike, Quin of Wilkinson, Reynolds, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Vollar, Wall, Walker, Webster, Wilkins, Wren, Mr. Speaker—Total 93.

Absent and those not voting—Messrs. Alsworth, Bowers, Brooks, Campbell, Castleman, Clayton, Coleman, Denton of Quitman, Doss, Foster of Claiborne, Galloway, George, Gibson, Gilfoy, Goff, Granberry, Hathorn, Heath, Hemphill, Hill, Hubbard, Irby, Jones, King, Long, Magee, McDaniel, Miller, Ray, Robbins, Shelby, Stennis of Lauderdale, Stubbs, Taylor, Thomas, Thompson, Tucker, Turner, Underwood and White—Total 40.

Senate Bill No. 45, To be entitled An Act to amend Section 3952 of the Annotated Code of Mississippi of 1892, so as to fix the salary of the Secretary of the Railroad Commission at the sum of \$1,200, which previously failed to pass, and a motion entered to reconsider the vote by which the vote failed to pass, was called up for consideration.

On motion of Mr. Kyle the motion to reconsider prevailed.

Mr. Bowers offered as a substitute for the bill a bill with same number and following title:

A bill to be entitled An Act to amend Section 3952 of the Code of 1892 and Chapter 38 of the Acts of 1900, as heretofore amended, so as to make the salary of the Clerk of the Railroad Commission \$1,200.

The amendment by way of a substitute was, on motion of Mr. Bowers, adopted.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended by the adoption of the substitute was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brooks, Campbell, Cock, Coody, Cox of Prentiss, Denson, Denton of Lauderdale, Dodds, Dudley, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, George, Goff, Haley, Ham, Harper, Hewes, Irby, Kyle, Magruder, McDaniel, Miller, Mitchell, Moss, Permenter, Quin of Wilkinson, Reynolds, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Stamps, Stennis of Lauderdale, Swinney, Vollar, Wall, Wren, Mr. Speaker—Total 49.

Nays—Messrs. Anderson, Brittain, Brown of Itawamba, Burge, Burrus, Causey, Cooner, Cox of Panola, Crum, Doss, Ellis, Elmer, Ferguson, Franklin of Marshall, Frazier, Hightower, Johnston of Clarke, Johnston of Yazoo, Lamb, Langston, Longest, Loper, Mahon, McCafferty, McCuiston, Murphree, Norton, Owen, Pace, Posey, Pyle, Ray, Rouse, Sharpe of Leake and Winston, Smith of Greene, Smylie, Stennis of Kemper, Turner, Underwood, Walker, Wilkins—Total 41.

Absent and those not voting—Messrs. Bowers, Broadus, Brown of Adams, Byrd, Castleman, Clayton, Coleman, Crumpton, Denton of Quitman, Eddins, Evans, Ford, Foster of Claiborne, Galloway, Gibson, Gilfoy, Granberry, Groves, Hathorn, Heath,

Hemphill, Hubbard, Jones, King, Long, Magee, McAfee, McAllister, McManus, Millsaps, Moore, Neill, Norment, Quin of Pike, Robbins, Stubbs, Taylor, Thomas, Thompson, Tucker, Webster, and White—Total 41.

Senate Bill No. 69, To be entitled An Act to authorize the Board of Supervisors of Simpson County to invest its court house and jail fund, was, under the suspension of the rules, on motion of Mr. Stamps, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Eddins, Ellis, Elmer, Ferguson, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Garraway, Goff, Haley, Ham, Harper, Hemphill, Irby, Johnston of Yazoo, Jones, Kyle, Lamb, Longest, Loper, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Millsaps, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Thompson, Turner, Underwood, Vollar, Wall, Walker, Webster, Wilkins, Wren, Mr. Speaker—Total 89.

Absent and those not voting—Messrs. Bowers, Brown of Adams, Castleman, Clayton, Coleman, Denton of Quitman, Dudley, Evans, Ford, Foster of Claiborne, Galloway, Gambrell, George, Gibson, Gilfoy, Granberry, Groves, Hathorn, Heath, Hewes, Hightower, Hill, Hubbard, Johnston of Clarke, King, Langston, Long, Magee, McAfee, McDaniel, Miller, Mitchell, Moore, Moss, Murphree, Neill, Quin of Pike, Reynolds, Robbins, Stubbs, Taylor, Thomas, Tucker and White—Total 44.

House Bill No. 45, To be entitled An Act to amend Section 1991 of the Annotated Code of 1892 so as to graduate the salaries of Clerks of the Chancery Courts for *ex-officio* services rendered, as amended by the Senate was considered.

The Senate amendment reads as follows: Amend by inserting after the word "yearly," in subsection 2, and in second line, the words, "in the discretion of the Board of Supervisors."

Mr. Crum moved that the House concur in the Senate amendment, and the yeas and nays being taken on the motion to concur, as required by the Constitution, the motion prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Arnold, Birmingham, Boddie, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Quitman, Dodds, Doss,

Dudley, Eddins, Elmer, Evans, Ferguson, Foster of Warren, Gambrell, Garraway, Haley, Harper, Hemphill, Hightower, Irby, Johnston of Yazoo, Lamb, Longest, Loper, Magruder, Mahon, McAllister, McCafferty, Millsaps, Murphree, Norton, Owen, Permenter, Posey, Pyle, Ray, Reynolds, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stennis of Kemper, Swinney, Thomas, Turner, Underwood, Vollar, Walker, Wilkins, Mr. Speaker—Total 72.

Absent and those not voting—Messrs. Alsworth, Bennett, Bowers, Broadus, Brown of Adams, Burrus, Castleman, Clayton, Cock, Coleman, Coody, Denton of Lauderdale, Ellis, Ford, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Ham, Hathorn, Heath, Hewes, Hill, Hubbard, Johnston of Clarke, Jones, King, Kyle, Long, Magee, McCuiston, McDaniel, McManus, Miller, Mitchell, Moore, Moss, Neill, Norment, Pace, Quin of Pike, Quin of Wilkinson, Robbins, Rouse, Shelby, Stamps, Stubbs, Taylor, Thompson, Tucker, Wall, White and Wren—Total 61.

Senate Bill No. 63, To be entitled An Act to authorize Boards of Supervisors to hire laborers to work on county farms being worked by convicts in certain cases of necessity, was, under the suspension of the rules, on motion of Mr. Birmingham, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Birmingham, Boddie, Bradshaw, Brittain, Broadus, Brooks, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Dodds, Doss, Eddins, Elmer, Ferguson, Foster of Warren, Franklin of Marshall, Gambrell, Garraway, Goff, Haley, Ham, Harper, Hemphill, Johnston of Yazoo, Lamb, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, Millsaps, Murphree, Norton, Owen, Pace, Permenter, Posey, Pyle, Ray, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Stennis of Kemper, Stennis of Lauderdale, Swinney, Thomas, Turner, Underwood, Wall, Walker, Webster, Wilkins, Mr. Speaker—Total 71.

Absent and those not voting—Messrs. Bennett, Bowers, Brown of Adams, Burrus, Castleman, Clayton, Cock, Coleman, Coody, Denton of Lauderdale, Franklin of Lowndes, Frazier, Galloway, George, Gibson, Gilfoy, Granberry, Groves, Hathorn, Heath, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Jones, King, Kyle, Langston, Long, Loper, Magee, McAfee, McDaniel, McManus, Miller, Mitchell, Moore, Moss, Neill, Norment, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins,

Sharp of Lowndes, Shelby, Stamps, Stubbs, Taylor, Thompson, Tucker, Vollar, White and Wren—Total 62.

Mr. Smith of Holmes moved the adoption of the following:

Resolved, That the porters of the House be allowed the sum of five cents a mile for each mile of the distance actually traveled in coming from and returning to their homes, the same to be paid out of the House contingent fund.

The motion to adopt the resolution prevailed.

Mr. Smith of Holmes also moved the adoption of the following:

Resolved, That Frank Julienne, House mail carrier, be allowed the same per diem as that allowed the pages of the House, to be paid out of the House contingent fund.

The motion to adopt prevailed.

Mr. Denson moved the adoption of the concurrent resolution to appoint a special committee to investigate the Industrial Institute and College to report to the Governor after the adjournment of the Legislature.

Mr. Senter moved to amend by adding the following:

Be it further resolved, That the committee so appointed shall proceed immediately to make the investigation, and that the result of the findings shall be made to the Governor, and he shall make the report public through the press of the State within thirty days from the passage of this resolution.

The amendment was adopted.

Whereupon, the resolution as amended was then adopted.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has refused to concur in the following House amendments to S. B. No. 1, An Act to repeal all of Chapter 105 relating to primary meetings and elections except Sections 3274 and 3275, and to provide for all nominations for State, district, county district and county officers to be made by primary elections, viz.:

House amendments No. 1, to Section 1, 2 to Section 3, 4 to Section 5, 5 to Section 5, and 8 to Section 16, and has concurred in House amendments Nos. 3, 6, 7 and 9, all the said amendments being numbered with reference to the sections of the bill intended to amend in their numerical order.

JOHN Y. MURRY, Jr., *Secretary*.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 25, 1902.

To the Legislature of the State of Mississippi.

GENTLEMEN: In compliance with a resolution this day adopted by the Senate requesting the submission of the following sub-

ject: "An Act to authorize the Board of Mississippi Levee Commissioners to build and construct a protection levee in Warren County, Mississippi," I have the honor to submit the same for such consideration and action as your wisdom may see fit.

Respectfully,

A. H. LONGINO, *Governor*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 24, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 11, An Act to create the Exposition Bureau, to provide for an exhibit at the Louisiana Purchase Exposition, and to make an appropriation therefor.

Respectfully,

J. J. COMAN, *Private Secretary*.

REPORT OF COMMITTEE ON PENSIONS.

MR. SPEAKER: The Committee on Pensions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations: S. B. No. 86, To be entitled An Act to dedicate and designate a portion of the present Capitol grounds as a Confederate Monumental Park, create a commission to have control of same, and appropriate one thousand dollars for improvement thereof.

Title sufficient, and that the bill do pass.

SMITH of Greene, *Chairman*.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. B. No. 77, An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds to an amount not exceeding \$250,000 for the purpose of raising funds for high water emergencies, and for other purposes.

S. B. No. 78, An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to borrow money for certain purposes authorized by law, and to issue its debentures therefor.

S. B. No. 79, An Act to authorize the Board of Levee Commissioners for the Yazoo-Mississippi Delta to issue bonds for the purpose of refunding its outstanding bonded indebtedness at a lower rate of interest.

S. B. No. 18, An Act to make an appropriation for the payment of the amount of money expended by the Trustees of the Agricultural and Mechanical College in excess of the appropriation made for the building and equipment of the Textile School at Starkville, Miss.

S. B. No. 51, An Act to authorize the Board of Mayor and Aldermen of the city of Natchez to issue bonds for the purpose of purchasing the waterworks and sewerage system owned and operated in said city by the Natchez Water Supply and Sewer Company, or for the purpose of building, constructing or otherwise securing for said city a system of sewerage and waterworks.

S. B. No. 65, An Act to authorize the Yazoo & Mississippi Valley Railroad Company to acquire a portion of the line of the Southern Railway Company lying in Leflore and Tallahatchie Counties, and to abandon a part of the line so acquired, and also a part of its own line in Leflore County.

S. B. No. 66, An Act to amend Section 1714 of the Annotated Code of 1892 relative to costs in proceedings, to establish escheats so as to provide for allowance and payment of commissions and attorneys' fees in such proceedings, and for the payment of costs in cases in which the personal estate is insufficient.

S. B. No. 74, An Act to repeal so much of Section 2 of an Act entitled An Act to relieve the Delta Bank of Greenwood, Miss., from double taxation and to return to it certain taxes overpaid, approved March 9, 1900, as may require the Board of Levee Commissioners of the Yazoo-Mississippi Delta to pay to said bank the sum of \$643.04.

S. B. No. 75, An Act to repeal so much of Section 2 of an Act entitled An Act to relieve the Bank of Greenwood, Mississippi, from double taxation, and to refund to it certain taxes overpaid, approved March 6, 1900, as may require the Board of Levee Commissioners for the Yazoo-Mississippi Delta to pay to said bank \$492.05.

S. B. No. 76, An Act to authorize and empower the Board of Levee Commissioners for the Yazoo-Mississippi Delta to levy a tax upon all privileges exercised within the said Levee District.

LOPER, Chairman.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following concurrent resolutions and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. C. R. No. 10, To amend Section 283 of the Constitution of the State of Mississippi so that counties, judicial districts of counties, cities or towns may elect to take stock in or vote aid to railroads.

S. C. R. No. 7, Proposing an amendment to the Constitution requiring that all amendments, changes, or alterations of said Constitution be inserted by the Legislature at the next succeeding

session after the election requiring such change, alteration or amendment made.

LOPER, *Chairman.*

Whereupon, all business of the House was suspended, while the Speaker signed the bills and resolutions just reported by the Committee on Enrolled Bills, after reading the titles and calling the attention of the House thereto.

INTRODUCTION OF BILLS.

By Mr. Stennis of Lauderdale—

H. B. No. 176, To be entitled An Act to make an appropriation to defray the expenses of the State penitentiary for the years 1902 and 1903.

Was read twice and referred to Committee on Appropriations.

By Mr. Norment—

H. B. No. 177, To be entitled An Act to make an appropriation for the support and maintenance and further equipment of the penitentiary and State farms, and for other purposes connected therewith for the years 1902 and 1903.

Was read twice and referred to Committee on Appropriations.

At 6 o'clock P. M., on motion of Mr. Hemphill, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,

Clerk of the House of Representatives.

FORTY-FOURTH DAY.

WEDNESDAY, February 26, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes,

Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gilfof, Goff, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAllister, McCafferty, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thompson, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 118.

Those absent—Messrs. Castleman, Clayton, Coleman, Foster of Claiborne, Galloway, Gibson, Hathorn, Heath, Hubbard, King, Long, McAfee, Quin of Pike, Thomas and Tucker—Total 15.

On motion of Mr. Longest the reading of the journal of yesterday was dispensed with, and the same stood approved.

Leave of absence was granted to Messrs. McAfee and King.

House Bill No. 157, To be entitled An Act to amend Section 455 of the Code of 1892 as amended by Chapter 84 of the Laws of 1900 in relation to terms of Chancery Court in the Seventh Chancery Court District so as to change and fix the time for holding Chancery Courts in the County of Tallahatchie, as amended by the Senate, was considered.

The Senate amendment reads as follows: "Amend by striking out the word 'Bolivar' wherever it occurs in said bill, and insert the word 'Coahoma' in lieu thereof, and strike out the word 'Coahoma' wherever it occurs in said bill and insert the word 'Bolivar' in lieu thereof."

Mr. Dudley moved that the House concur in the Senate amendment, and the yeas and nays being taken, as required by the Constitution, the amendment was concurred in by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Cock, Coody, Cooner, Cox of Prentiss, Crum, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Goff, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hewes, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Magee, Mahon, McAllister, McCuiston, McManus, Millsaps, Moss, Murphree, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Thompson,

Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 96.

Absent and those not voting—Messrs. Bennett, Brooks, Castleman, Clayton, Coleman, Cox of Panola, Crumpton, Evans, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gibson, Gilfof, Hathorn, Heath, Hightower, Hubbard, Jones, King, Long, Loper, Magruder, McAfee, McCafferty, McDaniel, Miller, Mitchell, Moore, Neill, Quin of Pike, Rouse, Senter, Taylor, Thomas, Tucker and Vollar—Total 37.

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 67, An Act to appropriate money for the completion and furnishing of the new State House, for beautifying the grounds thereof and for the removal of the State official archives and property to the new State House.

S. B. No. 84, An Act to increase the salary of the Adjutant General to six hundred dollars annually.

S. B. No. 87, An Act to amend Section 4151 of the Annotated Code of 1892 so as to provide for loan of Sixteenth Section fund.

S. B. No. 88, An Act to aid, assist and encourage the organization of the Mississippi National Guard, and for their efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi.

S. B. No. 93, An Act to authorize the Board of Mississippi Levee Commissioners to build and construct a protection levee in Warren County, Mississippi.

H. B. No. 116, An Act to amend Chapter 56 of the Acts of 1896, and Section 81 of Chapter 5 of the sheet Acts of 1898, and Section 1 of Chapter 42 of the sheet Acts of 1900, creating privilege taxes on certain industries in the State of Mississippi, thereby reducing the privilege taxes on telephone companies, with accompanying amendment.

JOHN Y. MURRY, JR., *Secretary.*

MR. SPEAKER: I am directed to inform the House that the Senate has adopted on three several days H. C. R. No. 1, A concurrent resolution to amend Section 36 of the Constitution of the State of Mississippi.

And has agreed to House amendment to S. B. No. 26, An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and for the issuance of future publications of the Mississippi Historical Society.

And has passed S. B. No. 92, An Act to direct the purchase of Beauvoir, the former home of Jefferson Davis, by the State of Mis-

Mississippi, and to appropriate means for the payment thereof and for repairing and caring for same.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 164, To be entitled An Act to appropriate money to pay interest accrued and to accrue to November 1, 1903, upon the fund donated in the State treasury as proceeds of land sold, **such land having been donated by the United States Government to the Industrial Institute and College at Columbus, and prescribe purposes for which said interest may be used by Trustees of said Institute and College.**

Title sufficient, and that the bill do pass.

H. B. No. 171, To be entitled An Act to appropriate the interest due the Alcorn Agricultural and Mechanical College, and to provide for its expenditure by the Board of Trustees.

Title sufficient, and that the bill do pass.

H. B. No. 175, To be entitled An Act to make an appropriation to pay the Supreme Court porter for 1902 and 1903.

Title sufficient, and that the bill do pass as amended.

H. B. No. 173, To be entitled An Act to appropriate money to pay for clerical help for the Land Commissioner for the year 1902.

Title sufficient, and that the bill do pass.

H. B. No. 177, To be entitled An Act to make an appropriation for the support and maintenance and further equipment of the penitentiary and the State farms and for other purposes connected therewith for the years 1902 and 1903.

Title sufficient, and that the bill do pass.

H. B. No. 165, To be entitled An Act to establish a Live Stock Sanitary Board in Mississippi, and the office of State Veterinarian, and to provide for the suppression and control of dangerous, contagious or infectious diseases of domestic animals, and for the study of diseases of live stock of the State.

Title sufficient, and that the bill do pass.

H. B. No. 176, To be entitled An Act to make an appropriation to defray the expenses of the State penitentiary for the years 1902 and 1903.

Title sufficient, and that the bill do not pass.

H. B. No. 167, To be entitled An Act to amend an Act approved February 6, 1902, being an Act to appropriate money for the support of the Industrial Institute and College at Columbus, for addition of certain departments thereto, for the establishment of certain departments, to provide for elevators, and to provide

for the erection of an industrial hall and laundry, and for the remodeling of the chapel building, and for the repair and equipment of the buildings of said institution during the years of 1902 and 1903, and to provide for payment of same.

Title sufficient, and that the bill do not pass.

KYLE, *Chairman.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 68, An Act to amend Section 4387, Code of 1892, in relation to the salary of porter for the Supreme Court, so as to increase the same.

H. B. No. 70, An Act to appropriate from the pension fund returned to the treasury money to pay pensions to those whose applications were received after the distribution had been made by the counties to the Auditor.

H. B. No. 45, An Act to amend Section 1991 of the Annotated Code of 1892, so as to graduate the salaries of Clerks of Chancery Courts for *ex-officio* services rendered.

H. B. No. 157, To be entitled An Act to amend Section 455 of the Annotated Code of 1892 as amended by Chapter 84 of the laws of 1900, in relation to terms of Chancery Court in the Seventh Chancery Court District, so as to change and fix time for holding of Chancery Courts in Tallahatchie County, so as to read as follows:

House Bill No. 35, To be entitled An Act to transfer to the office of the Land Commissioner all State land records, all levee land records, and all other land records except assessment rolls now in Auditor's office, and to repeal Sections 3815, 3837, 3850, 3853, 3854, 3855, 3857, 3858, 3859, 3861, 3863, 3864, 3865 and 3866 of the Annotated Code of 1892.

LOPER, *Chairman.*

Whereupon, the Speaker suspended all business of the House while he signed the bills just reported, calling the attention of the House thereto, after reading the title of each bill separately.

House Bill No. 171, To be entitled An Act to appropriate the interest due the Alcorn Agricultural and Mechanical College, and to provide for its expenditure by the Board of Trustees, was, under the suspension of the rules, on motion of Mr. Kyle, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated by the following vote:

Yeas — Messrs. Alcorn, Allen, Alsworth, Arnold, Bennett, Birmingham, Bowers, Brittain, Broadus, Brooks, Brown of Ad-

ams, Brown of Itawamba, Burge, Campbell, Causey, Cock, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Goff, Granberry, Groves, Haley, Ham, Harper, Hill, Irby, Kyle, Longest, Magee, Magruder, Mahon, McAllister, McCafferty, McManus, Miller, Moore, Moss, Neill, Norton, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Underwood, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 81.

Nays—Messrs. Posey, Turner, Wall—Total 3.

Absent and those not voting—Messrs. Anderson, Boddie, Bradshaw, Burrus, Byrd, Castleman, Clayton, Coleman, Cooner, Crum, Denton of Quitman, Dudley, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gibson, Gilfoy, Hathorn, Heath, Hemphill, Hewes, Hightower, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Lamb, Langston, Long, Loper, McAfee, McCuiston, McDaniel, Millsaps, Mitchell, Murphree, Norment, Owen, Quin of Pike, Senter, Smith of Greene, Stubbs, Taylor, Thomas, Thompson, Tucker and Vollar—Total 49.

House Bill No. 116, To be entitled An Act to amend Chapter 56 of the Acts of 1896, and Section 81 of Chapter 5 of the sheet Acts of 1898, and Section 1 of Chapter 42 of the sheet Acts of 1900, creating privilege taxes on certain industries in the State of Mississippi, thereby reducing the privilege taxes on telephone companies, as amended by the Senate, was considered.

The Senate amendments read as follows:

First—Amend title by striking out the words “thereby reducing the privilege taxes on telephone companies.”

Second—Amend Section 1 by striking out the words and figures “that Section 78 of this Act,” in the 11th line on page 4 of the bill, and insert in lieu thereof the following, “That Section 78 of said Act.”

Third—Strike out the words and figures “that Section 81 of this Act,” in the 18th line on the 4th page of the bill, and insert in lieu thereof the following, “That Section 81 of said Act.”

Fourth—Amend by striking out of the bill Section 2 thereof.

Fifth—Amend by striking out of the bill Section 3 thereof, and insert in lieu thereof the following, “Section —. That this Act take effect and be in force from and after its passage.”

Sixth—Amend Section 6, Chapter 5, of the Acts of 1898 so that it shall read as follows:

Section 61. Peddlers—On each peddler on foot in each county, ten dollars.

On each peddler with one horse or mule, or other animal, and wagon, or other wheeled vehicle, for each county, fifteen dollars.

On each peddler with a wagon and two horses or mules, or other animals, for each county, thirty dollars.

On each peddler of tinware or pottery, or both, not manufactured in this State, on foot, for each county, five dollars.

On each peddler of tinware or pottery, or both, not manufactured in this State, with wagon, each county, ten dollars.

But this person, or his employee, peddling pottery or tinware manufactured by himself in this State shall not be required to pay a privilege tax.

On each transient vendor of merchandise, in each county, whether sold from a wagon, auction stand, or otherwise, twenty-five dollars.

Seventh—Add to life insurance section at the end, the following:

Provided that the tax herein imposed on life insurance companies shall not be enforced or collected in case a law be passed and approved at the present session of the Legislature creating a separate department of insurance, providing for the regulation of insurance companies, and payment by them of a different tax from that herein imposed; but such law, if passed at this session, whether prior or subsequent to the passage of this Act, shall govern as to the tax to be paid by life insurance companies.

Eighth—Section —. On each fortune teller in each county, fifty dollars.

Ninth—Amend by adding new section to be number 2, and read as follows:

Section 2. That Section 26 of Chapter 5 of the Acts of 1898 be amended so as to read as follows:

“On each agent for the purchase of cotton seed or on cotton seed buyer, ten dollars.” But merchants paying a privilege tax as merchants, who buy cotton seed in the regular course of business shall not be liable to said tax.

Debenture Companies—

On each debenture company doing business in this State, one hundred dollars.

Mr. Stennis of Lauderdale moved that the amendments be adopted, and the yeas and nays being taken, as required by the Constitution, the amendments were adopted by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Arnold, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brown of Adams, Burrus, Byrd, Campbell, Causey, Cock, Coody, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, Goff, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hill, Irby, Johnston of Clarke, Jones, Loper, Magruder, Mahon, McAllister McManus, Millsaps, Mitchell, Moore, Moss, Norment, Norton, Pace, Permenter Posey, Reynolds, Sharpe of Leake and Winston, Smith of Greene, Smith of

Holmes, Smylie, Stennis of Kemper, Stennis of Lauderdale, Swinney, Thompson, Walker, Webster, Wilkins, Mr. Speaker—Total 74.

Nays—Messrs. Brown of Itawamba, Cooner, Cox of Prentiss, George, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, McCafferty, McCuiston, Murphree, Owen, Pyle, Quin of Wilkinson, Ray, Rouse, Senter, Sharkey, Sharp of Lowndes, Stamps, Stubbs, Turner, Underwood, Wall, White—Total 26.

Absent and those not voting—Messrs. Anderson, Bennett, Broadus, Brooks, Byrd, Castleman, Clayton, Coleman, Ford, Foster of Claiborne, Galloway, Gibson, Gilfoy, Hathorn, Heath, Hewes, Hightower, Hubbard, King, Long, Magee, McDaniel, Miller, Neill, Quin of Pike, Robbins, Shelby, Taylor, Thomas, Tucker, Vollor and Wren—Total 33.

REPORT OF COMMITTEE ON FEES AND SALARIES.

MR. SPEAKER: The Committee on Fees and Salaries has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 174, To be entitled An Act to increase the salary of the Adjutant General to six hundred dollars annually.

Title sufficient, and we recommend that the bill do pass.

HEWES, *Chairman.*

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 169, To be entitled An Act to make an appropriation to pay L. Cullen, tax assessor of Lafayette County, commissions due for assessing property which had escaped taxation.

H. B. No. 75, To be entitled An Act to authorize the Board of Supervisors of Amite County to transfer money from the common county fund to the school fund.

H. B. No. 172, To be entitled An Act to appropriate \$225 out of the State treasury to pay E. L. Irby, county health officer of Tunica County, for medical services rendered in smallpox epidemic in Tunica County during the years 1897 and 1898.

The relief sought in each of above bills can not be obtained by any proceeding in court because there is no general law covering the matter referred to, nor would it be applicable or advantageous for a general law to be enacted; the relief sought is local in its nature and application, the title to each of said bills is sufficient, and the bills being meritorious the committee recommends that each do pass.

H. B. No. 76, To be entitled An Act for the relief of Dr. H. H. Howard, health officer of the county of Leake, and to pay him for vaccine virus used in said county.

Title sufficient, and that bill do not pass.

H. B. No. 74, To be entitled An Act to authorize the Board of Supervisors of Amite County to pay A. H. Wing, L. E. Roberts, and F. C. Causey for guarding a wounded prisoner, and H. L. Lewis for medical attention.

Title sufficient, and that bill do not pass.

H. B. No. 166, To be entitled An Act authorizing the Board of Supervisors of Lauderdale County to pay certain school indebtedness of said county for the scholastic years of 1899 and 1900.

Title sufficient, and that the bill do not pass.

H. B. No. 93, To be entitled An Act for the relief of B. L. Lowry on account of money paid into the treasury of the town of Ellisville on erroneous assessments.

Title sufficient, and that bill do not pass.

H. B. No. 145, To be entitled An Act to authorize the City Council of the city of Greeneville to issue and float bonds for the purpose of paving the streets and sidewalks.

Title sufficient, and that bill do not pass.

Respectfully submitted,

W. A. ALCORN, JR., *Chairman.*

REPORT OF COMMITTEE ON FEDERAL RELATIONS.

MR. SPEAKER: The Committee on Federal Relations has had under consideration the following resolutions referred to them, and have instructed me to report them back with the following recommendations:

House Concurrent Resolution of sympathy for the Boers in their struggle for liberty in the South African Republics.

Recommend that the resolution be adopted.

House Resolution endorsing Mr. Kitchen, of North Carolina, in his efforts to repeal the 15th amendment to the Constitution of the United States.

Recommend that the resolution be adopted.

COODY, *Chairman.*

SENATE BILLS REFERRED.

S. B. No. 88, To be entitled An Act to aid, assist and encourage the organization of the Mississippi National Guard, and for their efficient support and maintenance, as contemplated in Section 221 of the Constitution of the State of Mississippi.

Was read twice and referred to Committee on Appropriations.

S. B. No. 87, To be entitled An Act to amend Section 4151 of the Annotated Code of 1892 so as to provide for loan of Sixteenth Section fund.

Was read twice and referred to Committee on Judiciary.

S. B. No. 84, To be entitled An Act to increase the salary of the Adjutant General to six hundred dollars annually.

Was read twice and referred to Committee on Fees and Salaries.

S. B. No. 67, To be entitled An Act to appropriate money for the completion and furnishing of the new State House, for beautifying the grounds thereof, and for the removal of the State's official archives and property to the new State House.

Was read twice and referred to Committee on Appropriations.

S. B. No. 92, To be entitled An Act to direct the purchase of Beauvoir, the former home of Jefferson Davis, by the State of Mississippi, and to appropriate means for the payment thereof, and for repairing and caring for same.

Was read twice and referred to Committee on Appropriations.

S. B. No. 93, To be entitled An Act to authorize the Board of Levee Commissioners to build and construct a protection levee in Warren County, Mississippi.

Was read twice and referred to Committee on Local and Private Legislation.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 170, To be entitled An Act to amend Section 622 of the Annotated Code of 1892 in relation to the time of holding the Circuit Courts in the Third Judicial District so far as it relates to DeSoto County.

Title sufficient, and that the bill do pass.

BOWERS, *Chairman.*

REPORT OF COMMITTEE ON CONFERENCE.

MR. SPEAKER: The Committee on Conference has had under consideration the disagreement of the House and Senate on House Bill No. 41, To be entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State Government and to pay interest on the State debt, and beg leave to report with the following suggestions:

First—That the appropriation therein for special judges and Chancellors be changed from \$10,000 to \$8,000.

Second—That the committee can not agree on Senate amendment in reference to the following item:

“Interest since July 1, 1901, on 5 per cent bonds which have not been presented for redemption in pursuance to the call of the Governor, \$1,500.”

The House portion of the committee insisting that the Senate recede from the said amendment, to which the Senate portion of the committee would not agree.

J. M. COX,
Chairman on the part of the House.
R. B. CAMPBELL,
Chairman on the part of the Senate.

On motion of Mr. Frazier the report was received, ordered spread on the journal, the committee discharged, and another Conference Committee asked to consider further the disagreement of the two Houses on the bill.

The Speaker named as conferees on the part of the House Messrs. Lamb, Brown of Adams and Cox of Prentiss.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. B. No. 85, An Act to mend an Act entitled An Act to appropriate money to defray the expense incident to investigation of penitentiary affairs as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee and of Sergeant-at-Arms for service of process issued by said committee, compensation of stenographer employed by said committee, and payment of incidental expense incurred and to be incurred by said committee, approved February 13, 1902, so as to authorize and provide for payment of all lawful expense incurred by said committee.

S. B. No. 73, An Act to provide for the payment of interest due on the original Seminary fund, and the 1894 land grant fund, for the support of the University of Mississippi for the years 1902 and 1903.

S. B. No. 72, An Act to provide for the maintenance of the Department of Archives and History and to aid the Mississippi Historical Society in issuing its future publications and distributing same.

S. B. No. 69, An Act to authorize the Board of Supervisors of Simpson County to invest its court house and jail fund.

S. B. No. 63, An Act to authorize the Boards of Supervisors to hire laborers to work on county farms being worked by convicts in certain cases of necessity.

S. B. No. 26, An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and for the issuing of future publications of the Mississippi Historical Society.

S. B. No. 17, An Act to make an appropriation to defray the expense of the State Board of Health for the years 1902 and 1903.
LOPER, Chairman.

Whereupon all business of the House was suspended while the Speaker signed the bills just reported by the Committee on Enrolled Bills, he reading the titles and calling the attention of the House thereto.

Senate Bill No. 1, To be entitled An Act to repeal all of Chapter 105 relating to primary meetings and elections except Sections 3274 and 3275, and to provide for all nominations for State, district, county district and county officers to be made by primary elections, as returned by the Senate with House amendments, in which the Senate refused to concur, was considered.

The amendments are as follows:

Amend Section 1 by adding after the last word the following: Provided that any county executive committee may have the power to order a primary for county and county district officers other than for the members of the State Legislature and the State Senate at a different time from the date herein fixed for the nomination of State officers, and the said members of the Legislature and Senate shall be nominated at the time fixed for the nomination of State officers as herein provided for.

Mr. Smith of Holmes moved that the House recede from its amendment, which motion prevailed.

Amendment No. 2 reads as follows:

Amend by adding at the end of Section 3 the following: Each Congressional committee shall, during the month of August, 1902, choose or provide for the choosing of three State Executive Committeemen, and the terms of the said State Executive Committeemen shall commence September 1, 1902, and end with the State convention to be held in 1904.

Mr. Smith of Holmes moved that the House recede from its amendment, which motion prevailed.

Amendment No. 3—Amend by striking out in Section 5 all after the word "office," in line 11, up to and including the last word in line 20 of said section.

On motion of Mr. Smith of Holmes the House receded from its amendment.

Amendment No. 3—By striking out in lines 22 and 23, Section 5, the words, "according to either of the methods above given."

On motion of Mr. Smith of Holmes the House receded from its amendment.

Amendment No. 8 reads as follows: "Amend Section 16 by adding after the last word in said section the following; Nothing contained in this Act shall defeat the right to place the name of any candidate on the official ballot in any election by petition as provided by Section 3652 of the Code of 1892."

On motion of Mr. Smith of Holmes the House recessed from its amendment.

House Bill No. 164, To be entitled An Act to appropriate money to pay interest accrued and to accrue to November 1, 1903, upon the fund deposited in the State treasury as proceeds of lands sold, such land having been donated by the United States Government to the Industrial Institute and College at Columbus, and to prescribe purposes for which said interest may be used by Trustees of said Institute and College, was considered.

Mr. Coody moved the adoption of a substitute for the bill with the same number and the following title:

An Act to amend an Act approved February 6, 1902, being an Act to appropriate money for the support of the Industrial Institute and College at Columbus, for addition of certain departments thereto, for the establishments, to provide for elevators, and to provide for the erection of an industrial hall and laundry and for the remodeling of the chapel building, and for the repairs and equipment of the buildings of the said institution during the years 1902 and 1903, and to provide for payment of same.

Mr. Neill moved to table the motion to adopt the substitute, and the call for the yeas and nays on the motion to table being sustained, the motion prevailed by the following vote:

Yeas—Messrs. Alsworth, Bennett, Birmingham, Bowers, Bradshaw, Broadus, Brooks, Brown of Adams, Burge, Burrus, Byrd, Campbell, Causey, Cock, Cox of Prentiss, Crumpton, Denton of Lauderdale, Elmer, Evans, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, Haley, Hewes, Hill, Irby, Johnston of Clarke, Jones, Kyle, Magee, Magruder, McAllister, McCafferty, McManus, Millsaps, Moore, Moss, Neill, Norment, Permenter, Quin of Wilkinson, Robbins, Rouse, Senter, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stennis of Lauderdale, Stubbs, Thompson, Vollar, Wall, White, Mr. Speaker—Total 55.

Nays—Messrs. Alcorn, Allen, Anderson, Arnold, Brittain, Brown of Itawamba, Burge, Coody, Cooner, Cox of Panola, Crum, Denson, Dodds, Doss, Eddins, Ellis, Ferguson, Franklin of Marshall, Frazier, Gilfoy, Goff, Granberry, Ham, Harper, Hemphill, Hightower, Johnston of Yazoo, Lamb, Langston, Longest, Loper, Mahon, McCuiston, McDaniel, Murphree, Norton, Owen, Pace, Posey, Pyle, Ray, Reynolds, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Stamps, Stennis of Kemper, Taylor, Turner, Underwood, Walker, Webster, Wilkins, Wren—Total 54.

Absent and those not voting—Messrs. Boddie, Castleman, Clayton, Coleman, Denton of Quitman, Dudley, Ford, Foster of Claiborne, Galloway, George, Gibson, Groves, Hathorn, Heath, Hubbard, King, Long, McAfee, Miller, Mitchell, Quin of Pike, Swinney, Thomas and Tucker—Total 24.

Mr. Kyle then moved that the rules be suspended and the bill be considered engrossed, read the third time and placed on its

final passage, which motion prevailed, and the yeas and nays being taken, as required by the Constitution, the bill failed to pass, not receiving the Constitutional majority, the vote being as follows:

Yeas—Messrs. Allen, Alsworth, Bennett, Birmingham, Boddie, Bowers, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Causey, Cock, Cox of Prentiss, Crumpton, Denton of Lauderdale, Elmer, Evans, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, George, Gilfoy, Haley, Hewes, Hill, Johnston of Clarke, Jones, Kyle, Magee, Magruder, Mahon, McAllister, McCafferty, McManus, Millsaps, Moore, Moss, Neill, Norment, Permenter, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thompson, Vollar, Wall, White, Mr. Speaker—Total 59.

Nays—Messrs. Alcorn, Anderson, Arnold, Brittain, Brown of Itawamba, Coody, Cooner, Cox of Panola, Crum, Denson, Dodds, Doss, Dudley, Eddins, Ellis, Ferguson, Franklin of Marshall, Frazier, Granberry, Ham, Harper, Hemphill, Hightower, Johnston of Yazoo, Lamb, Langston, Longest, Loper, Murphree, Norton, Owen, Pace, Posey, Ray, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Taylor, Turner, Underwood, Walker, Webster, Wilkins, Wren—Total 44.

House Bill No. 177, To be entitled An Act making an appropriation for the support and maintenance and further equipment of the penitentiary and State farms, and for other purposes connected therewith, for the years 1902 and 1903, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Bowers, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dudley, Eddins, Ellis, Elmer, Ferguson, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gilfoy, Goff, Granberry, Haley, Ham, Hemphill, Hewes, Hill, Irby, Johnston of Clarke, Jones, Kyle, Lamb, Langston, Magee, Magruder, Mahon, McCafferty, McCuiston, McDaniel, McManus, Millsaps, Moore, Moss, Murphree, Neill, Norment, Norton, Owen, Posey, Pyle, Quin of Wilkinson, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Thompson, Turner, Vollar, Walker, Webster, Wilkins, Wren, Mr. Speaker—Total 90.

Absent and those not voting—Messrs. Boddie, Bradshaw, Broadus, Burrus, Castleman, Clayton, Coleman, Dodds, Doss,

Evans, Ford, Foster of Claiborne, Franklin of Lowndes, Galloway, Gibson, Groves, Harper; Hathorn, Heath, Hightower, Hubbard, Johnston of Yazoo, King, Long, Longest, Loper, McAfee, McAllister, Miller, Mitchell, Pace, Permenter, Quin of Pike, Ray, Sharpe of Leake and Winston, Stubbs, Taylor, Thomas, Tucker, Underwood, Wall and White—Total 43.

At 1.10 P. M., on motion of Mr. Underwood, the House took a recess until 3 P. M.

AFTERNOON SESSION.

The House reconvened at 3 o'clock P. M. pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 67, To be entitled An Act to appropriate money for the completion and furnishing of the new State House, for beautifying the grounds thereof, and for the removal of the State's official archives and property to the new State House.

Title sufficient; do pass.

S. B. No. 88, To be entitled An Act to aid, assist and encourage the organization of the Mississippi National Guard, and for their efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi.

Title sufficient; do pass as amended.

A. S. KYLE, *Chairman.*

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 94, An Act to appropriate money to pay interest on bonds authorized to be sold to raise money to complete the new State House and other purposes.

H. B. No. 54, An Act to make an appropriation for fuel, lights, telephone and janitor for the Governor's Mansion for the years 1902 and 1903.

H. B. No. 123, An Act to amend Section 313 of Chapter 17 of the Annotated Code of 1892 so as to authorize the Board of Supervisors to borrow from its County Treasurer and to authorize said

Treasurer to lend said Board out of any fund in the treasury thereof not otherwise appropriated for the expenses of the current year, an amount of money not to exceed one hundred thousand dollars in one year.

H. B. No. 142, An Act to authorize the Board of Supervisors of Perry County and the Mayor and Board of Aldermen of the city of Hattiesburg to invest the sinking funds now on hand and being raised with which to pay all certain bonds.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House amendment to S. B. No. 75, An Act to provide for the payment of interest due on the original seminary fund and the 1894 land grant fund for the support of the University of Mississippi for the years 1902 and 1903.

Also has concurred in House amendment to S. B. No. 85, An Act to amend an Act entitled An Act to appropriate money to defray the expense incident to investigation of penitentiary affairs, as authorized by Concurrent Resolution No. 8, and to fix the compensation of witnesses before said committee and of Sergeant-at-Arms for service of process issued by said committee, compensation of stenographer employed by said committee and payment of incidental expense incurred and to be incurred by said committee, approved February 13, 1902, so as to authorize and provide for all lawful expense incurred by said committee.

And has adopted S. C. R. proposing to print messages from the Governor submitting matters to Legislature with laws.

JOHN Y. MURRY, JR., *Secretary*.

House Bill No. 75, To be entitled An Act to authorize the Board of Supervisors of Amite County to transfer money from the common county fund to the school fund, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Bennett, Birmingham, Boddie, Bowers, Brittain, Brown of Adams, Brown of Itawamba, Burrus, Byrd, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Quitman, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Franklin of Marshall, Gambrell, George, Granberry, Groves, Haley, Ham, Harper, Hewes, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McCafferty, McCuiston, McManus, Millsaps, Moore, Murphree, Neill, Norton, Owen, Pace, Permenter, Posey, Pyle, Ray, Reynolds, Rouse, Sharkey, Shelby, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Tucker, Turner, Underwood, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 81.

Absent and those not voting — Messrs. Arnold, Bradshaw, Broadus, Brooks, Burge, Campbell, Castleman, Clayton, Cock, Coleman, Denton of Lauderdale, Dodds, Dudley, Ford, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Frazier, Galloway, Garraway, Gibson, Gilfoy, Goff, Hathorn, Heath, Hemphill, Hightower, Hubbard, Jones, King, Long, Loper, Magee, McAfee, McAllister, McDaniel, Miller, Mitchell, Moss, Norment, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharp of Leake and Winston, Sharp of Lowndes, Smith of Holmes, Taylor, Thomas, Thompson, Vollar and Wall—Total 52.

House Bill No. 172, To be entitled An Act to appropriate \$225 out of the State treasury to pay Dr. E. L. Irby, county health officer of Tunica County for medical services rendered in smallpox epidemic in Tunica County during the years 1897 and 1898, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burrus, Byrd, Causey, Cock, Coody, Cox of Panola, Crum, Crumpton, Denson, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Marshall, Gambrell, George, Gilfoy, Granberry, Haley, Harper, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Langston, Longest, Magee, Mahon, McCafferty, McManus, Millsaps, Mitchell, Moore, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Ray, Reynolds, Rouse, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 82.

Absent and those not voting—Messrs. Anderson, Bradshaw, Brooks, Burge, Campbell, Castleman, Clayton, Coleman, Cooner, Cox of Prentiss, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Ford, Foster of Claiborne, Franklin of Lowndes, Frazier, Galloway, Garraway, Gibson, Goff, Groves, Ham, Hathorn, Heath, Hemphill, Hubbard, Irby, King, Lamb, Long, Loper, Magruder, McAfee, McAllister, McCuiston, McDaniel, Miller, Moss, Quin of Pike, Robbins, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Taylor, Thomas, Thompson, Vollar and Wilkins—Total 51.

House Bill No. 170, To be entitled An Act to amend Section 622 of the Annotated Code of 1892 in relation to the time of holding the Circuit Courts in the Third Judicial District so far as it relates to DeSoto County, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas

and nays were taken and the bill passed, title standing as stated, by the following vote :

Yeas — Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Brittain, Brown of Itawamba, Burrus, Byrd, Causey, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, George, Granberry, Groves, Harper, Hewes, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McCafferty, McCuiston, McManus, Miller, Millsaps, Moore, Murphree, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Reynolds, Rouse, Sharkey, Shelby, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Tucker, Turner, Underwood, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 83.

Absent and those not voting — Messrs. Bradshaw, Broadus, Brooks, Brown of Adams, Burge, Campbell, Castleman, Clayton, Coleman, Denton of Laurerdale, Denton of Quitman, Dudley, Ford, Foster of Claiborne, Galloway, Garraway, Gibson, Gilfof, Goff, Haley, Ham, Hathorn, Heath, Hemphill, Hightower, Hubbard, King, Long, Loper, Magee, McAfee, McAllister, McDaniel, Mitchell, Moss, Neill, Norment, Quin of Pike, Ray, Robbins, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Holmes, Taylor, Thomas, Thompson, Vollar and Wall—Total 50.

House Bill No. 169, To be entitled An Act to make an appropriation to pay L. Cullen, tax assessor of Lafayette, commissions due for assessing property which had escaped taxation, was, under the suspension of the rules, on motion of Mr. Alcorn, considered engrossed, read the third time, and agreeably to the provisions of the constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote :

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burrus, Byrd, Causey, Coody, Cooner, Cox of Panola, Crum, Crumpton, Denson, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Marshall, Gambrell, George, Gilfof, Granberry, Haley, Harper, Hemphill, Hightower, Hill, Irby, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Magruder, Mahon, McAllister, McCafferty, McCuiston, McManus, Moore, Murphree, Neill, Norment, Norton, Owen, Permenter, Posey, Ray, Reynolds, Rouse, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Underwood, Wall, Walker, Webster, White, Mr. Speaker—Total 81.

Absent and those not voting—Messrs. Burge, Campbell, Castleman, Clayton, Cock, Coleman, Cox of Prentiss, Denton of

Lauderdale, Denton of Quitman, Dudley, Ford, Foster of Claiborne, Franklin of Lowndes, Frazier, Galloway, Garraway, Gibson, Goff, Groves, Ham, Hathorn, Heath, Hewes, Hubbard, Johnston of Clarke, Jones, King, Long, Loper, Magee, McAfee, McDaniel, Miller, Millsaps, Mitchell, Moss, Pace, Pyle, Quin of Pike, Quin of Wilkinson, Robbins, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stubbs, Thomas, Thompson, Tucker, Turner, Vollar, Wilkins and Wren—Total 52.

Senate Bill No. 94, To be entitled An Act to appropriate money to pay interest on bonds authorized to be sold to raise money to complete the new State House and other purposes, was read twice and referred to Committee on Appropriations.

Senate Bill No. 86, To be entitled An Act to dedicate and designate a portion of the present Capitol grounds as a Confederate Monumental Park, create a commission to have control of same, and to appropriate \$1,000 for improvement thereof, was, under the suspension of the rules, on motion of Mr. Sharkey, read the third time, and the yeas and nays being taken, as required by the Constitution, the bill failed to pass, failing to receive the votes required by the Constitution, the vote being as follows:

Yeas—Messrs. Alcorn, Alsworth, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brooks, Brown of Adams, Burrus, Byrd, Campbell, Causey, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Dodds, Dudley, Ellis, Elmer, Evans, Ferguson, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Gambrell, George, Gilfoxy, Groves, Harper, Hemphill, Hewes, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Magee, Magruder, Mahon, McAllister, McCuiston, McManus, Mitchell, Moore, Moss, Murphree, Norment, Norton, Pace, Permenter, Quin of Wilkinson, Reynolds, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Swinney, Tucker, Vollar, White, Mr. Speaker—Total 64.

Nays—Messrs. Allen, Anderson, Brittain, Brown of Itawamba, Burge, Coody, Cooner, Denton of Lauderdale, Doss, Frazier, Gibson, Granberry, Hightower, Kyle, Lamb, Langston, Longest, McCafferty, Owen, Posey, Pyle, Ray, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Turner, Underwood, Walker, Wilkins, Wren—Total 31.

Absent and those not voting—Messrs. Broadus, Castleman, Clayton, Cock, Coleman, Denton of Quitman, Eddins, Ford, Foster of Claiborne, Galloway, Garraway, Goff, Haley, Ham, Hathorn, Heath, Hubbard, Jones, King, Long, Loper, McAfee, McDaniel, Miller, Millsaps, Neill, Quin of Pike, Robbins, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Stubbs, Taylor, Thompson, Wall and Webster—Total 38.

Mr. Sharkey moved to reconsider the vote by which the bill failed to pass.

Senate Bill No. 88, To be entitled An Act to aid, assist and encourage the organization of the Mississippi National Guard,

and for their efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi, was considered.

The Committee on Appropriations offered the following amendment: Strike out \$12,325 wherever it occurs and insert in lieu thereof \$9,000.

On motion of Mr. Kyle the amendment was adopted.

Mr. Kyle then moved to amend the bill as amended by striking out \$9,000 where the same occurs and insert in lieu thereof \$6,000.

The motion to adopt prevailed.

Mr. Anderson of Tippah moved to indefinitely postpone the bill as amended, which motion was lost.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was read the third time, and the yeas and nays being taken as required by the Constitution, the bill failed to pass, not receiving the vote required by the Constitution, the vote being as follows:

Yeas—Messrs. Allen, Anderson, Arnold, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Cock, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Dodds, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Franklin of Marshall, Frazier, Gibson, Granberry, Groves, Harper, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Mahon, McCafferty, McCuiston, McDaniel, McManus, Moore, Murphree, Norton, Owen, Permenter, Posey, Pyle, Reynolds, Rouse, Sharkey, Smith of Greene, Smylie, Stamps, Swinney, Taylor, Turner, Underwood, Walker, Wilkins—Total 62.

Nays—Messrs. Alsworth, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Broadus, Campbell, Coody, Dudley, Foster of Warren, Franklin of Lowndes, Gambrell, George, Haley, Ham, Hewes, Hill, Magee, Magruder, McAllister, Millsaps, Moss, Neill, Quin of Wilkinson, Ray, Robbins, Senter, Sharp of Lowndes, Shelby, Smith of Holmes, Stubbs, Tucker, White—Total 34.

Absent and those not voting—Messrs. Alcorn, Castleman, Causey, Clayton, Coleman, Denton of Lauderdale, Denton of Quitman, Ford, Foster of Claiborne, Galloway, Garraway, Gilfoy, Goff, Hathorn, Heath, Hubbard, Irby, Jones, King, Long, Loper, McAfee, Miller, Mitchell, Norment, Pace, Quin of Pike, Sharpe of Leake and Winston, Stennis of Kemper, Stennis of Lauderdale, Thomas, Thompson, Vollar, Wall, Webster, Wren and Mr. Speaker—Total 37.

Mr. Senter moved to reconsider the vote by which the bill failed to pass.

At 5.40 P. M., on motion of Mr. Taylor, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

FORTY-FIFTH DAY.

THURSDAY, February 27, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Birmingham.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Cock, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Gambrell, Garraway, George, Gibson, Gilfoy, Granberry, Groves, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Moore Moss, Murphree, Neill, Norment, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wreh—Total 122.

Those absent—Messrs. Castleman, Clayton, Foster of Claiborne, Galloway, Goff, Hathorn, Heath, Hubbard, King, Long, Quin of Pike, Total 11.

On motion of Mr. Sharkey the reading of the journal of yesterday was dispensed with and the same stood approved.

Mr. Sharkey called up motion previously entered to reconsider the vote by which Senate Bill No. 86. To be entitled An Act to dedicate and designate a portion of the present Capitol grounds as a Confederate Monumental Park, create a commission to have control of same, and appropriate one thousand dollars for improvement thereof, had failed to pass, and the motion to reconsider prevailed.

Mr. Sharkey then moved to amend the bill by striking out \$1,000 wherever the same appears in the bill, and strike out one thousand dollars as mentioned in title of same..

Mr. Hightower moved to table the motion to adopt the amendment, which was lost, and the motion to adopt the amendment then prevailed.

Whereupon, on motion of Mr. Sharkey, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alsworth, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Adams, Burge, Burrus, Byrd, Campbell, Causey, Cock, Cox of Prentiss, Crum, Crumpton, Denson, Denton of Lauderdale, Doss, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, George, Gibson, Gilfoy, Groves, Ham, Harper, Hemphill, Hewes, Hill, Irby, Johnston of Clarke, Langston, Longest, Magee, Magruder, Mahon, McAllister, McCuiston, McManus, Miller, Mitchell, Moore, Moss, Norton, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Thomas, Thompson, Tucker, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 88.

Nays—Messrs. Anderson, Brown of Itawamba, Coody, Cooner, Johnston of Yazoo, Kyle, McCafferty, Posey, Smylie, Turner—Total 10.

Absent and those not voting—Messrs. Alcorn, Allen, Brooks, Castleman, Clayton, Coleman, Cox of Panola, Denton of Quitman, Dodds, Dudley, Foster of Claiborne, Franklin of Lowndes, Galloway, Garraway, Goff, Granberry, Haley, Hathorn, Heath, Hightower, Hubbard, Jones, King, Lamb, Long, Loper, McAfee, McDaniel, Millsaps, Murphree, Neill, Norment, Quin of Pike, Robbins and Taylor—Total 35.

REPORT OF COMMITTEE ON PENSIONS.

MR. SPEAKER: The Committee on Pensions has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 13, To be entitled An Act to provide a home to be supported by the State for indigent and dependent soldiers and sailors of the Confederacy.

Title sufficient, and that the bill do not pass.

SMITH of Greene, *Chairman*.

REPORT OF COMMITTEE ON ROADS, FERRIES AND BRIDGES.

MR. SPEAKER: The Committee on Roads, Ferries and Bridges has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendation:

H. B. No. 9, To be entitled An Act for the working of public roads by contract.

Title sufficient, and that the bill do not pass.

DENTON, of Lauderdale, *Chairman.*

REPORT OF COMMITTEE ON LOCAL AND PRIVATE LEGISLATION.

MR. SPEAKER: The Committee on Local and Private Legislation has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 93, To be entitled An Act to authorize the Board of Levee Commissioners to build and construct a protection levee in Warren County.

The relief sought in this bill can not be obtained by any proceeding in court because there is no law covering the matter referred to, nor would a general law be applicable or advantageous. The relief sought is local in its nature and application. The title to said bill is sufficient, the bill is meritorious, and the committee recommends that it does pass.

Respectfully submitted,

W. A. ALCORN, Jr., *Chairman.*

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES.

MR. SPEAKER: The Committee on Universities and Colleges has had under consideration the following House Joint Resolution declaring the policy of the State of Mississippi respecting her State institutions of learning, especially the Agricultural and Mechanical College at Starkville.

Title sufficient; do pass.

GEORGE, *Chairman.*

REPORT OF COMMITTEE ON WAYS AND MEANS.

MR. SPEAKER: The Committee on Ways and Means has had under consideration the following bill referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 57, An Act to amend Chapter 54, Acts of 1900, in relation to issuance of State bonds for the purpose of erecting a new State House.

Title sufficient; bill do pass.

E. N. THOMAS, *Chairman.*

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 71, To be entitled An Act to provide for a State Geologist and for a geological survey of the State.

Title sufficient; and that the substitute do pass.

S. B. No. 94, To be entitled An Act to appropriate money to pay interest on bonds authorized to be sold to raise money to complete the new State House and other purposes.

Title sufficient; do pass,

S. B. No. 55, To be entitled An Act to make an appropriation for payment of salaries of special judges and Chancellors.

Title sufficient; do not pass.

A. S. KYLE, *Chairman.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 26, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 120, An Act to amend Section 613 of the Annotated Code, and also to amend Chapter 86 of the Laws of 1900 for the purpose of extending the time for holding terms of the Circuit Court in the Fourth Circuit Court District thereof.

H. B. No. 159, An Act to make an appropriation to pay the salary of the Assistant Attorney General for the years 1902 and 1903.

H. B. No. 135, An Act to provide for the construction of macadamized roads by Boards of Supervisors in certain counties.

H. B. No. 141, An Act authorizing and empowering the Boards of Supervisors of Oktibbeha County, Mississippi, to loan any or all surplus money of any fund on certain security, and to buy bank or other stocks, or town, city, county, State or United States bonds, and to use as much as \$2,500 for the purpose of paying any balance due on county court house or for further equipment or furnishing of said court house.

H. B. No. 155, An Act to empower the Board of Supervisors of Covington County to order an election for the purpose of submitting to the qualified electors of said county the removal of the county seat of justice of said county.

H. B. No. 157, An Act to amend Section 455 of the Annotated Code of 1892, as amended by Chapter 84 of the Laws of 1900, in relation to terms of Chancery Court in the Seventh Chancery Court District, so as to change and fix time for holding of Chancery Court in Tallahatchie County, so as to read as follows:

H. B. No. 35, An Act to transfer to the office of the Land Commissioner all State land records, all levee land records and all other land records except assessment rolls now in the Auditor's office, and to repeal Sections 3815, 3837, 3850, 3853, 3854, 3855,

3857, 3858, 3859, 3861, 3863, 3864, 3865, and 3866 of the Annotated Code of 1892.

H. B. No. 70, An Act to appropriate from the pension funds returned to the treasury money to pay pensions to those whose applications were received after the distribution had been made to the counties by the Auditor.

H. B. No. 68, An Act to amend Section 4387, Code of 1892, in relation to the salary of porter for the Supreme Court, so as to increase the same.

H. B. No. 45, An Act to amend Section 1991 of the Annotated Code of 1892 so as to graduate the salaries of clerks of Chancery Courts for *ex-officio* services rendered.

H. B. No. 98, An Act to require the members of the Board of Control and the warden of the State penitentiary to pay into the general fund of the State treasury immediately upon the receipt thereof any money they receive from the labor of convicts or from the sale of agricultural products produced on farms worked by the State, or from the sale of any penitentiary property, and to provide for disbursements for penitentiary purposes from the State treasury on the Auditor's warrant, and to provide for the making of an appropriation to meet such disbursements.

Respectfully,
J. J. COMAN, *Private Secretary.*

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House of Representatives that the Senate has passed the following entitled bills, which are herewith transmitted, to-wit:

H. B. No. 75, An Act to authorize the Board of Supervisors of Amite County to transfer money from the common county fund to the school fund.

H. B. No. 78, An Act to amend Section 4043 of the Annotated Code of 1892 so as to change the time for the opening of the winter and the summer schools.

H. B. No. 115, An Act to amend Sections 3885 and 3886 of the Code of 1892, and constituting the Railroad Commissioners assessors of telephone property in this State.

H. B. No. 169, An Act to make an appropriation to pay L. Cullen, tax assessor of Lafayette County, commissions due for assessing property which had escaped taxation.

H. B. No. 171, An Act to appropriate the interest due on the Alcorn Agricultural and Mechanical College and to provide for its expenditure by the Board of Trustees.

H. B. No. 172, An Act to appropriate \$225 out of the State treasury to pay Dr. E. L. Irby, county health officer of Tunica County, for medical services rendered in smallpox epidemic in Tunica County during the years 1897 and 1898.

JOHN Y. MURRY, JR., *Secretary.*

MR. SPEAKER: I am directed to inform the House that the Senate has agreed to the appointment of a second Conference Committee on the disagreement of the two Houses touching Senate amendment to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government and to pay interest on the State debt, and has named as conferees on the part of the Senate Messrs. Gardner, Noel and Clinton.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON PENITENTIARY.

To His Excellency, A. H. Longino, Governor, and to the Legislature of the State of Mississippi.

In accordance with the suggestion of the Senate as contained in its resolution No. —, adopted on the — day of February, 1902, your committee charged with the duty of investigating and reporting upon the conduct and management of penitentiary affairs, etc., beg leave to now submit this its supplemental report.

Your committee respectfully shows that almost continuously since the adoption of Concurrent Resolution No. 8, directing that said investigation be continued, much time and attention has been given thereto; many witnesses have been examined and during the greater portion of that period the several members of the committee have devoted their time and labor almost exclusively to the discharge of the duties imposed upon them, frequently holding morning, afternoon and night sessions, seldom adjourning before 11 o'clock at night.

The Warden has called many witnesses and your committee has given a patient and protracted hearing to all witnesses so called. His Excellency, the Governor, and other members of the Board of Control and the Warden have also appeared and been heard. By far the greater portion of our time has been given to the hearing of the witnesses and parties mentioned, and the committee, because of its earnest desire to avoid even a seeming injustice, has permitted the greatest latitude even to the extent of largely burdening the record with much testimony which is both irrelevant and incompetent.

Your committee has been criticised because of the seeming long delay in making its former or first report, and in not earlier filing the same with His Excellency, the Governor. It is but fair and just that we draw attention to the fact that originally there was appropriated only \$500 for the payment of the expenses incident to the investigation demanded, including per diem of members of the committee, stenographer's fees, account of expert accountant, cost of printing report and all other expenses.

We had no funds with which to pay witness fees or costs of service of process, and consequently your committee was compelled to itself seek the witnesses rather than issue subpoenas and

compel attendance, and in that way the work of the committee was both greatly delayed and limited.

Because of the limited appropriation referred to your committee could not hold as frequent or as protracted sessions as was necessary, and its work was unavoidably abridged and delayed.

For the reasons given the report submitted on the first day of the present session was not concluded and signed more than thirty minutes before it was submitted to His Excellency, the Governor, and to this Legislature.

Your committee make this statement by way of explanation and in reply to criticisms made because its first report was not earlier prepared and filed with the Governor.

First.

Your committee deems it proper to declare that in its former report it nowhere charged or intended to charge that any officer or employee of the Board of Control had diverted or misappropriated any funds belonging to the State, and it now gives us pleasure to further report that our continued investigation has nowhere disclosed any such misappropriation or any failure to promptly and fully account for said moneys except as hereinafter specifically set forth.

Yet, in the opinion of your committee, the evidence discloses much that can not be approved and which demands a radical change in the management of the large and important interests entrusted to the Board of Control.

Second.

Your committee further reports that its findings, as shown by its former report, are reiterated and reaffirmed except as hereinafter expressly modified or withdrawn, and we respectfully invite attention to other and additional items or matters hereinafter fully set forth, and which, in our opinion, merit condemnation and correction.

Third.

Your committee reports that any modifications of findings heretofore reported, as well as any withdrawal of any such findings, are induced and warranted almost wholly by reason of proof adduced and offered since the making of our former report herein, which said proof could never have been secured except for this investigation, the same being in a large measure absolutely confined to the personal knowledge of a few men who are fortunately yet living and almost entirely independent of any information that can be secured from the books or any records in the office of the Board of Control.

Fourth.

Your committee finds no reason whatever to alter or modify its former finding declaring that "the books of the Board of Control have been kept in a manner far from satisfactory," and we further report that such unsatisfactory condition still exists.

It is, in the opinion of your committee, impossible for any bookkeeper or accountant, however expert he may be, to take the books and prepare therefrom an accurate statement showing the true condition of the financial department of the Board of Control and correctly listing its assets and liabilities.

With this prefatory statement the following clauses found on page 4 of printed report heretofore made, to-wit:

"It is impossible even with the most careful and long-continued examination of the books to ascertain with any degree of accuracy whatever, the results of the former operations of the Board of Control.

Sales of cotton, cotton seed and grain are entered in gross amounts and nothing whatever to show the quantities sold, to whom sold, or price per pound, bushel or ton, received, except in isolated cases.

Detailed statements or accounts of sale were called for, but neither the bookkeeper nor Board of Control could produce same," should be and are withdrawn. When engaged in the examination of the books your committee requested both the Secretary and Mr. McClellan (Mr. McClellan being the convict who has long been engaged in assisting in keeping the books, and who impressed your committee with the conviction that he was more familiar with and knew more about the books than any other person) to produce the account of sales for cotton and cotton seed, and we were then informed by the Secretary and by his said assistant that such accounts of sales could not then be produced because of the fact that they had been packed in boxes and sent to Oakley for safe keeping, though the sergeant at Oakley has since advised members of your committee that there are not now and have never been any accounts of sales or other papers sent to or deposited at that place.

This fact, coupled with the sworn statement of Mr. J. J. Evans, former Secretary (see printed report, page 85, *et seq.*) warranted, as your committee thought, the charge now withdrawn, which withdrawal is because of the fact that many, though not all, of such accounts of sales made during the last two years have been found on file in the Secretary's office.

Your committee can not say to what extent there was a failure to file accounts of sales for cotton and cotton seed, nor can we now fix the period during which such failures existed, but such information may be hereafter secured.

It is true, as heretofore reported, that large quantities of corn are annually sold by the Warden with no showing whatever relative to such sales excepting as the Warden may see proper to enter upon his cash book, which entries are often most meager.

The finding of your committee heretofore reported concerning compensation received for convict labor (see page 4 printed report) is fully sustained by the evidence, though the Warden, not denying that the books and records are absolutely silent on this subject, now explains that much of such labor to which the books make no reference whatever, was paid for by use of the land so cleared for one year free of rent,

Nevertheless, it is true that large tracts of land have been cleared by convict labor for which the State received no compensation in so far as can be discovered from the books and records of the Board of Control, and, in the opinion of your committee, granting that the explanation of the Warden is correct, the State has never, under any circumstances, received for such work anything approximating fair and just compensation.

The labor here referred to as having been performed by the convicts and about which the books and records are absolutely silent, was performed during the years 1896-1899, inclusive.

Your committee therefore declines to in any manner modify its former report touching convict labor and the past and present system of bookkeeping in reference to same, but insists that such report is fully and thoroughly sustained by all the proof adduced.

We repeat that in many entries touching labor performed by convicts the books show only amount reported collected and plantation entitled to credit, and that the Board of Control can verify such entries or reports—can ascertain when, where, and for whom such labor was performed, nature of contract, quantity of work done or land cleared, number of convicts employed, length of time so engaged, and expenses to the State incident to transportation, maintenance and guarding such convicts—only by finding and examining witnesses who may be familiar with the matter, if indeed such parties can be found.

In so far as your committee is advised all sums collected for labor performed by convicts, corn and timber sold, excepting as hereinafter shown, have been promptly accounted for, but your committee insists that the system adopted and pursued by both the present Board of Control and its predecessor, in so far as the same relates to reports of money collected and paid in for corn sold, timber sold, and labor performed by convicts, renders verification well nigh if not absolutely impossible, opens wide the door for fraud and speculation, and demonstrates beyond all question that a dishonest Warden may, if he so chooses, safely and without fear of detection annually rob the State of thousands of dollars.

The books show no separate convict labor account, no separate corn account, no separate timber account, though thousands of dollars are handled annually by the Warden from each of these sources, and it is impossible to even approximate the sums so received during any given year or period except by examination of the Warden's cash book item by item and page by page, or by ex-

amination of the several plantation accounts separately and securing therefrom all credits embracing such items.

The Warden annually pays very considerable sums in the way of exchange on drafts and checks; what amount such payments aggregate annually can be ascertained only by examination of the cash book, item by item and page by page.

Fifth.

It is possible that your committee may have been in error relative to double credits as charged in paragraph 2 of its former report (see printed report, page 5), but of this we can not say positively until we have received and examined the report of the expert accountant employed and now examining the books, but we find that the inventories are by no means always correct, and do not always give a full and correct statement of the property belonging to the State and chargeable against the Board of Control, and as an illustration we cite the fact that the inventory made and returned in February, 1900, did not in any way show or embrace or include cotton and cotton seed then held by the Board of Control. Whether or not the Board then held any cotton seed belonging to the State we have as yet been unable to ascertain, but it is clearly shown and admitted that several hundreds of bales of cotton were then held, much of which was not sold or accounted for until the following August and September, yet no part of such cotton was in any way alluded to or embraced in the said inventory.

The Warden testifies that all of said cotton was purposely omitted from said inventory because of the fluctuations in value of same and the difficulty found in placing true values thereon, yet this difficulty seems to have been readily overcome by the appraisers taking the next succeeding inventory.

We submit that every inventory should show all property with which the Board of Control is chargeable, otherwise such inventory does not give a true and correct showing of the property belonging to the State and for which the Board of Control is responsible.

Whether or not this complaint can be made of inventories other than the one named your committee can not say.

Sixth.

Referring again to the matter of the clearing of the Parchman or Tubbs land, heretofore reported (see printed report, page 6), we have to say, the fact has been established beyond all doubt that the title to these lands was in Warden Parchman and his son-in-law, Mr. C. L. Tubbs, as tenants in common, at the time of the clearing of same, by the convicts and that it so remains even now in so far as is shown by the records of the county in which such lands are located.

According to the sworn statement of the warden the undivided half interest which he then owned in said lands has been since conveyed to his daughter, Mrs. C. L. Tubbs, and the warden further testifies that he contracted with his son-in-law for the clearing of said lands by State convicts at \$3 per acre, not knowing at that time that he was, as shown by deed, joint owner with his son-in-law, but believing that the title to said lands was vested in Mr. Tubbs alone, and that soon thereafter he conveyed his said interest in said lands to his said daughter.

We find further that on September 23, 1901, the Warden paid and accounted for \$300 in partial settlement of amount due the State on account of this work, and that for such work there is still due and unpaid, as admitted by the Warden, the further sum of \$225.

The Warden testifies that after the payment of the \$300 above named, he reported to the Board that with convict labor he had cleared the lands belonging to his son-in-law, and that he had paid in \$300 on account of same and would collect and account for balance due as soon as said lands were measured and such balance was ascertained; further, that the said balance was ascertained by actual survey made prior to December 25, 1901, and that the said balance has been in the bank subject to his check for thirty days or longer, but will not be reported, accounted for or paid in until the pending investigation has been closed.

Seventh.

Continued investigation tends to verify the charge made in our former report relative to large losses in cotton seed, but it has been shown that such losses were sustained principally in 1898, and that losses from that source have been small since that year.

It is further shown that such losses are attributable principally to the rotting of the seed.

In reference to sales on long credits and in reference to verbal contracts heretofore referred to (see printed report, page 8) we deem it our duty to further report that the verbal contracts referred to in our former report were made prior to 1900, and that all contracts made by the present administration for the renting or cultivation of lands have been reduced to writing, and also that the long credit sales complained of were made prior to the year 1900, and that since that date there have been no credit sales in so far as your committee has yet learned except as hereinafter stated.

Eighth.

Referring to the matter of convict labor on Y. & D. R. R., see printed report, page 9), we have to further report that such work was performed in 1898, and that on the 16th day of February, 1899, the sum of \$1,500 was reported and paid in full settlement of and for such work.

The entry of said payment of \$1,500 has been pointed out to us by some member of the Board of Control or by the Warden, as it is shown in the Warden's cash book, which said entry is as follows:

"Check on E. A. Shedd, Home Insurance Building, Chicago, drawn by Chester H. Pond, of Morehead, Miss., convict labor on railroad, credit sundry places—\$1,500."

There is nothing whatever on any of the ledgers of the Board of Control for any year by which this item might have been found or traced, excepting only that the said ledgers for 1899, 1900 and 1901 show that one Chester H. Pond has to his credit with the said Board the sum of \$1,500, such showing is utterly and entirely error, and the books nowhere contain any charge or entry of any kind to balance the said credit, nor is it otherwise explained in any way by the said books.

The said credit of \$1,500 was entered upon the ledger of 1899 and has been continuously brought forward as a credit since that date, and so appears on the ledger of 1901.

The books nowhere show any charge whatever against any one for said work on said railroad, and the said entries on said cash book and on said ledgers throw no light whatever upon the matter.

Your committee could have found the entry on cash book showing the said payment of \$1,500 only by carefully examining the said book, item by item, and page by page, there being nowhere upon any of the books of the Board anything whatever to guide one in searching for same.

There is nowhere any charge for the said work and the ledger account showing \$1,500 due the said Chester H. Pond is absolutely incorrect and misleading.

The books of the Board of Control to-day show that the Board is indebted to said Pond in the sum of \$1,500, when in truth and in fact there is nothing whatever due or owing him.

It is shown by the evidence that the labor required of the convicts in this matter was largely of an exceedingly severe nature, such as free labor would not perform, and from the evidence of Major J. D. McInnis, then and now a member of the Board of Control, it is shown that something over \$2,000 was due the State on account of such work, but that the said member of the Board accepted the said sum of \$1,500 in full settlement because he feared that the railroad contractors were in failing circumstances financially and that the entire sum due the State might be lost if full payment was insisted on.

There are also on the ledger many unbalanced accounts which have long since been fully settled but which still show large balances due to or from the Board.

With such bookkeeping it is impossible for even an expert to prepare a true balance sheet, such incorrect accounts erroneously adding largely to both assets and liabilities as shown by the books.

We therefore say that it is impossible to secure from the books of the Board a true and correct statement as to assets and liabilities.

In connection with this we refer to the fact that demands for settlement and payment of accounts which the Board claimed to be due, and which were shown by its books to be due, have been met and refuted by the party against whom the charge was made by the production of properly endorsed checks, which had long prior been given and accepted in settlement of such items, but had not been properly credited on the books.

Ninth.

Your committee further draws attention to the fact that during the fall of 1900 and during all of the year 1901, a number of county convicts who had been convicted of misdemeanors and sentenced to a payment of a fine and imprisonment in the county jail were worked upon one of the plantations cultivated by the State in common with the State convicts, being clad in stripes and being guarded by the same guards who had charge of the State convicts, and being fed and maintained from the same sources as were the State convicts.

It is true that the State received one-half of the proceeds of the labor of such county convicts, but we submit that such action, all of which was well known to the Warden but at no time reported to the Board of Control, was improper and merits censure.

Tenth.

We respectfully further report that during the month of January, 1901, the Warden shipped to Aberdeen, Mississippi, from the Belmont plantation, a carload of corn, and that there was never made upon the books of the Board of Control any entry whatever of such sale or shipment, nor was the same in any manner reported to the Board until the — day of January, 1902, more than a year after the date of such shipment, when for the first time and upon said last named date, and after your committee had caused a subpoena *duces tecum* to be served upon the railroad agent at Tehula, that being the point from which such corn was shipped, the said sale was first reported and accounted for.

This sale had never been reported or in any manner accounted for until after the expiration of an entire year, as above stated.

While, after the lapse of more than a year this corn sale was eventually reported and accounted for, we cite this as tending to show and prove how loosely these important interests have been guarded and managed and how readily and safely a dishonest Warden may appropriate thousands of dollars belonging to the State if he shall so elect.

We respectfully submit that in this instance the plain provisions of the law were inexcusably violated, and we further insist

that the direct provisions of the law were further violated in the clearing of the Parchman-Tubbs lands, above referred to (see Sections 3190 and 3204, Code 1892).

To the end that no possible injustice may be done the Warden, and for the purpose of giving his explanation in full we here quote his sworn statement relative to the shipment of this corn and accounting for proceeds of same:

Q.—Captain, on page 110 of the petty cash book, under date January 16, 1902, I find the following item: "Received from J. A. Johnson for 322 bushels of corn at 50 cents per bushel on Belmont place, \$161." From what place to what point was that corn shipped, and when was the shipment made?

A.—Mr. Johnson is ex-sheriff of Monroe County, and resides about nine miles from Aberdeen on his plantation. He is absolutely gilt-edged in all his financial transactions. Some time in the spring of 1901 I sold Mr. Johnson what I thought to be 200 bushels of corn, at more than the prevailing price of that day. When he measured the corn out he reported to me the amount of corn as shown by this entry, to-wit, 322 bushels, for which he paid me \$161, at 50 cents a bushel. This represents briefly the whole transaction. The corn was shipped from Belmont plantation near Tehula, to its destination, Aberdeen, Miss. I want to say further that notwithstanding 1900 was the wettest year known to my experience in farming, we made on this Belmont plantation a surplus of corn, a part of which is represented in this sale.

Q.—And if this corn was sold to Captain Johnson in the spring of 1901 how did it happen that it was not paid for, as shown by the petty cashbook, until January 16, 1902?

A.—For the reason that for the last three years I have not spent exceeding three days in the month at my home in Aberdeen. Mr. Johnson living nine miles in the country it was not convenient for me to see him, and knowing him to be absolutely responsible, I never pressed a settlement.

Eleventh.

We find further that on or about the — day of ———, Governor Longino, *ex-officio* President of the Board of Control, purchased from the Warden and had shipped to his plantation in Tallahatchie County a carload of hay and a carload of corn belonging to the State.

While the evidence shows affirmatively that in this instance neither the Governor or the Warden intended any wrong whatever, that the purchaser promptly paid the full market value for the products purchased, that the State sustained no loss whatever, and the entire transaction was entirely open, without concealment and absolutely wanting in any intentional wrong, being conducted in all respects exactly as if the Warden had been making such sale

to some one wholly disconnected with the Board of Control, and conceding as we do that the proof shows affirmatively that neither the Governor or the Warden are guilty because of this sale and purchase of any moral wrong, yet we condemn the transaction as being against public policy and as being prohibited by law (see Code 1892, Section 3190).

Twelfth.

The proof further shows that at some date during the year 1901 the Board of Control determined to employ an Assistant Secretary, and that Mr. Henry Yerger was awarded such position at a salary of \$60 per month, with the understanding and agreement, as he himself testifies, that only a portion of his time would be required by the Board, so that he might have sufficient time to also keep up and discharge his duties as the paid correspondent at Jackson for the *Commercial-Appeal*, a newspaper published in Memphis, Tennessee. We find that Mr. Yerger retained his said position as Assistant Secretary for only a few weeks and that during such time he, with the full knowledge and consent of the Board of Control, was also in the employment of said newspaper as its paid correspondent, and we respectfully declare that such double employment was absolutely in violation of law (see Code 1892, Section 3191).

Thirteenth.

It has been developed that during the year 1899 the Board of Control cultivated among other places on the share system the Forked Deer place, in Sharkey County; it is further shown that the Board had become somewhat dissatisfied with the results of the farming operations on that place, and were seriously considering the advisability of declining to contract to cultivate that property during 1899, when the owner offered as an inducement to guarantee that the State would and should receive for its share 250 pounds of lint cotton from each and every acre of said place planted in cotton.

The Board promptly accepted such guarantee and contracted to cultivate the place on the share system during the year named; yet we find that notwithstanding such guarantee demanding that the largest possible acreage be planted in cotton nevertheless about three-eighths of all of said lands were during said year planted in corn, and in that year the State derived but little benefit from the advantageous terms named, and failed to realize as should have been done.

It is true that the State realized a handsome sum from the cultivation of said lands during the said year, but we condemn the singular and indefensible course pursued whereby the State's profits and collections were largely decreased.

Fourteenth.

Your committee further reports that when the books were examined by us during the summer of 1901 it was found that a large proportion of the crops of 1900 were still on hand and unsold, and your committee could not and did not therefore investigate and report upon the management and results for the year 1900.

Fifteenth.

Your committee further reports that it has employed an expert accountant and bookkeeper who is even now examining the books of the Board of Control and who will make his report thereon at an early date.

Such examination has not been concluded prior to this date because of the fact that all of said books were necessarily before your committee during the examination of the many witnesses called, and the said accountant was compelled to delay his work until the examination of witnesses had been concluded. The said accountant's report will be filed as soon as possible, and we invite a careful examination of same.

As hereinbefore stated the evidence is very voluminous and even yet the stenographers employed by your committee have not been able to transcribe and typewrite all of the same.

All of such evidence will be filed as may be directed at the earliest possible moment.

Sixteenth.

Your committee, now repeating its various recommendations made and contained in its report submitted on the first day of the present session respectfully tenders this its supplemental report and asks that the same be filed and considered.

Respectfully submitted this February 26, 1902.

E. H. MOORE,
Chairman.

R. F. ABBAY,
J. W. HEARD,
E. N. THOMAS,
J. D. STENNIS,
E. R. WREN,
S. W. JONES,

Secretary of Joint Committee.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. B. No. 1, An Act to repeal all of Chapter 105 relating to primary meetings and elections except Sections 3274 and 3275,

and to provide for all nominations for State, district, county district and county officers to be made by primary election.

H. B. No. 123, An Act to amend Section 313 of Chapter 17 of the Annotated Code of 1892 so as to authorize the Board of Supervisors to borrow from its County Treasurer and to authorize said Treasurer to lend said Board out of any fund or funds in the treasury thereof not otherwise appropriated for the expenses of the current year an amount of money not exceeding \$100,000 in one year.

H. B. No. 142, An Act authorizing the Board of Supervisors of Perry County and the Mayor and Board of Aldermen of the city of Hattiesburg to invest the sinking funds now on hand and being raised with which to pay off certain bonds.

H. B. No. 51, An Act to make an appropriation for fuel, lights, telephone and janitor for the Governor's Mansion for the years 1902 and 1903.

H. B. No. 116, An Act to amend Chapter 56 of the Acts of 1896 and Section 81 of Chapter 5 of the sheet Acts of 1898, and Section 1 of Chapter 420 of the sheet Acts of 1900, creating privilege taxes on certain industries in the State of Mississippi.

And House Concurrent Resolution No. 1, A concurrent resolution proposing an amendment to the Constitution whereby there shall be regular sessions of the Legislature every two years.

Senate Joint Resolution No. 3, Memorializing the Congress of the United States to appropriate money to deepen and complete the Ship Island Harbor.

LOPER, *Chairman.*

Whereupon, all business of the House was suspended while the Speaker signed the bills and resolutions just reported by the Committee on Enrolled Bills, after reading the titles and calling the attention of the House thereto.

The motion previously entered to reconsider the vote by which Senate Bill No. 88, To be entitled An Act to aid, assist and encourage the organization of the Mississippi National Guard and for their efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi had failed to pass, was called up for consideration, and the motion to reconsider prevailed.

Mr. Brown of Adams offered the following:

Amend the bill as previously amended by the House by striking out \$6,000 and by inserting in lieu thereof \$10,500.

Mr. McCafferty moved to table the motion to adopt the amendment, which was lost, and the motion to adopt the amendment then prevailed.

Whereupon, on motion of Mr. Brown of Adams, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays

were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brown of Adams, Burrus, Byrd, Campbell, Causey, Cock, Coody, Cox of Panola, Crum, Denton of Lauderdale, Dodds, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, George, Gilfoy, Groves, Haley, Ham, Harper, Hemphill, Hewes, Hill, Jones, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McManus, Miller, Millsaps, Moss, Neill, Norment, Norton, Permenter, Posey, Quin of Pike, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Stubbs, Thomas, Thompson, Tucker, Underwood, Vollar, Wall, Walker, White, Mr. Speaker—Total 77.

Nays — Messrs. Anderson, Arnold, Brown of Itawamba, Burge, Crumpton, Denson, Doss, Eddins, Franklin of Marshall, Gibson, Granberry, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, McCafferty, McCuiston, Mitchell, Moore, Owen, Pace, Pyle, Reynolds, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Swinney, Turner, Webster, Wilkins — Total 30.

Absent and those not voting — Messrs. Brooks, Castleman, Clayton, Coleman, Cooner, Cox of Prentiss, Denton of Quitman, Foster of Claiborne, Franklin of Lowndes, Frazier, Galloway, Gambrell, Garraway, Goff, Hathorn, Heath, Hightower, Hubbard, Irby, King, Lamb, Long, McDaniel, Murphree, Taylor and Wren—Total 26.

REPORT OF CONFERENCE COMMITTEE.

MR. SPEAKER: Your second Committee of Conference on the disagreement of the two Houses touching Senate amendments to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government and to pay interest on the State debt, beg leave to submit the following report:

That in lieu of the amendment adopted by the Senate on page 3 of subdivision indicated as Judicial Department, 6th item, appropriating the sum of \$10,000, that the sum of \$8,000 for said purpose be appropriated.

That the House concur in Senate amendment appropriating \$1,500 to cover interest since July 1, 1901, on 5 per cent bonds which have not been presented for redemption in pursuance of the call of the Governor.

A. F. GORDON,
Chairman of Senate Committee.
T. L. LAMB,
Chairman of House Committee.

Mr. Lamb moved that the report of the Conference Committee be adopted, and the yeas and nays being called on the motion to adopt, as required by the Constitution, the motion was lost by the following vote:

Yeas—Messrs. Allen, Alsworth, Birmingham, Boddie, Bradshaw, Broadus, Brown of Adams, Burge, Burrus, Campbell, Cox of Prentiss, Crum, Doss, Dudley, Ford, Foster of Warren, Gambrell, George, Haley, Ham, Harper, Hewes, Hill, Irby, Jones, Lamb, Langston, Magruder, Mahon, McAllister, McManus, Miller, Millsaps, Mitchell, Neill, Norton, Pyle, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Shelby, Smith of Holmes, Smylie, Thompson, Tucker, Turner, Underwood, Wall, White, Mr. Speaker—Total 52.

Nays—Messrs. Anderson, Arnold, Brittain, Brooks, Brown of Itawamba, Causey, Cock, Coody, Cooner, Cox of Panola, Crumpton, Denton of Lauderdale, Dodds, Eddins, Ellis, Elmer, Evans, Ferguson, Franklin of Marshall, Frazier, Gibson, Gilfooy, Granberry, Groves, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Kyle, Longest, Loper, Magee, McCafferty, McCuiston, Norment, Owen, Pace, Permenter, Posey, Reynolds, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stamps, Stennis of Kemper, Stubbs, Swinney, Thomas, Walker, Webster, Wilkins, Wren—Total 53.

Absent and those not voting—Messrs. Alcorn, Bennett, Bowers, Byrd, Castleman, Clayton, Coleman, Denson, Denton of Quitman, Foster of Claiborne, Franklin of Lowndes, Galloway, Garraway, Goff, Hathorn, Heath, Hubbard, King, Long, McAfee, McDaniel, Moore, Moss, Murphree, Quin of Pike, Stennis of Lauderdale, Taylor and Vollar—Total 28.

Mr. Lamb moved that another conference be asked on the disagreement of the two Houses on the bill the conference report on which had just failed of adoption, and the Speaker named as conferees on the part of the House Messrs. —

House Bill No. 173, To be entitled An Act to appropriate money to pay for clerical help for the Land Commissioner for the year 1902, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yes—Messrs. Alcorn, Allen, Alsworth, Anderson, Arnold, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denton of Lauderdale, Denton of Quitman, Doss, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Gambrell, George, Gibson, Gilfooy, Granberry, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Kyle, Lamb, Langston, Longest, Magruder,

Mahon, McAfee, McAllister, McManus, Miller, Millsaps, Mitchell, Moss, Murphree, Neill, Norment, Norton, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stennis of Lauderdale, Thomas, Tucker, Turner, Underwood, Wall, Walker, Webster, White, Wilkins, Mr. Speaker—Total 90.

Nays — Messrs. Johnston of Yazoo, McCuiston, Owen, Permenter, Posey, Stennis of Kemper—Total 6.

Absent and those not voting—Messrs. Bennett, Castleman, Clayton, Cock, Coleman, Cooner, Crum, Denson, Dodds, Eddins, Foster of Claiborne, Franklin of Lowndes, Frazier, Galloway, Garraway, Goff, Groves, Hathorn, Heath, Hubbard, Jones, King, Long, Loper, Magee, McCafferty, McDaniel, Moore, Pace, Quin of Pike, Stamps, Stubbs, Swinney, Taylor, Thompson, Vollor and Wren—Total 37.

Senate Bill No. 94, To be entitled An Act to appropriate money to pay interest on bonds authorized to be sold to raise money to complete the new State House and other purposes, was, under the suspension of the rules, on motion of Mr. Kyle, read the third time, and agreeably to the provisions of the Constitution, the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Arnold, Boddie, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, George, Gibson, Gilfoy, Granberry, Groves, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Yazoo, Kyle, Langston, Longest, Loper, Magee, Magruder, McCafferty, McCuiston, McManus, Mitchell, Moss, Norment, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, Wren, Mr. Speaker—Total 81.

Absent and those not voting — Messrs. Anderson, Bennett, Birmingham, Bowers, Bradshaw, Broadus, Burrus, Castleman, Clayton, Cock, Coleman, Cooner, Crum, Denton of Quitman, Dudley, Eddins, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, Goff, Haley, Hathorn, Heath, Hubbard, Johnston of Clarke, Jones, King, Lamb, Long, Mahon, McAfee, McAllister, McDaniel, Miller, Millsaps, Moore, Murphree, Neill, Norton, Owen, Quin of Pike, Smith of Greene, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, White and Wilkins—Total 52.

FEBRUARY 5, 1902.

MR. SPEAKER: We your committee appointed to make examination of the expenditure of the executive contingent fund beg to report that we have made a careful investigation of said expenditures and find that the report of the Governor is correct and that the balance unexpended is in the State treasury.

Respectfully submitted,
CRUMPTON, *Chairman.*

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 27, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 48, An Act making an appropriation for the support, repairs, additional buildings, improvement and equipment of the Mississippi Agricultural and Mechanical College.

Respectfully,
J. J. COMAN, *Private Secretary.*

REPORT OF COMMITTEE ON CONFERENCE ON H. B. NO. 109.

MR. SPEAKER: The Committee of Conference appointed by the Senate and House has had under consideration the following bill referred to them, and have instructed me to report to them with the following recommendations, viz.:

That the House concur in the Senate amendment to H. B. No. 109, which is as follows: Amend Section 1 to read after the word "at," in line 2, as follows: "six mills on the dollar for the year 1902, and at six mills on the dollar for 1903."

That the House also concur in Senate amendment number 2 as follows: Amend Section 1 by striking out in lines 19, 20, and 21 the words "all its property of any sort constituting the assets of the bank not including its real estate," and by inserting in lieu thereof the following words, "the value of such shares augmented by the accumulations, surplus and unpaid dividends and exclusive of the real estate of the bank."

House concurs in amendment No. 3, as follows, Amend Section 2 by inserting after the words "outstanding county warrants," in line 12, the words, "or to build public roads, pikes, or other public works."

That House concur in Senate amendment No. 4, as follows: Amend Section 2 by striking out the words "but the whole amount levied shall not exceed 16 mills," in lines 8 and 9, and by inserting between the word "works" in the amendment and the word "or" in the 12th line of the bill, the following words, "but the whole

amount levied for all purposes herein provided for including the State tax shall not exceed sixteen mills."

J. W. T. FALKNER,
Chairman on part of Senate.
JAS. B. EVANS,
Chairman on part of House.

Mr. Thomas moved that the report of the Committee on Conference be adopted, and the yeas and nays being taken as required by the Constitution, the motion to adopt prevailed by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Arnold, Birmingham, Bradshaw, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Cock, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denton of Lauderdale, Dodds, Doss, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Marshall, Frazier, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Magee, Magruder, McAllister, McCafferty, McCuiston, McManus, Miller, Millsaps, Moore, Norton, Owen, Pyle, Ray, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Wall, Walker, White, Wilkins, Mr. Speaker—Total 81.

Nays—Messrs. Allen, Brittain, Broadus, Eddins, Foster of Warren, Irby, Mahon, Mitchell, Murphree, Permenter, Posey, Reynolds, Wren—Total 13.

Absent and those not voting—Messrs. Bennett, Boddie, Bowers, Brooks, Byrd, Castleman, Clayton, Coleman, Denson, Denton of Quitman, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, Garraway, George, Goff, Groves, Hathorn, Heath, Hubbard, King, Long, Loper, McAfee, McDaniel, Moss, Neill, Norment, Pace, Quin of Pike, Quin of Wilkinson, Robbins, Sharp of Lowndes, Stubbs, Taylor, Underwood, Vollar and Webster—Total 39.

House Bill No. 175, To be entitled An Act to make an appropriation to pay the Supreme Court porter for 1902 and 1903, was considered.

On motion of Mr. Kyle the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill failed to pass by the following vote:

Yeas—Messrs. Allen, Alsworth, Arnold, Boddie, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Burrus, Campbell, Cock, Coody, Cox of Prentiss, Denson, Denton of Lauderdale, Dodds, Dudley, Eddins, Ellis, Elmer, Ford, Foster of Warren, Franklin of Marshall, Gambrell, George, Gilfoy, Groves, Ham, Hemphill, Hewes, Hill, Irby, Jones, Kyle, Longest, Loper, Magee,

Magruder, Mahon, McAllister, McCafferty, Miller, Millsaps, Moore, Moss, Neill, Norton, Pace, Robbins, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Stubbs, Thomas, Thompson, Underwood, Wall, Walker, Webster, White, Mr. Speaker—Total 64.

Nays—Messrs. Anderson, Birmingham, Brown of Itawamba, Burge, Byrd, Doss, Evans, Frazier, Gibson, Granberry, Johnston of Clarke, Johnston of Yazoo, Langston, McCuiston, Owen, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Senter, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Turner, Wilkins—Total 28.

Absent and those not voting—Messrs. Alcorn, Bennett, Bowers, Castleman, Causey, Clayton, Coleman, Cooner, Cox of Panola, Crum, Crumpton, Denton of Quitman, Ferguson, Foster of Claiborne, Franklin of Lowndes, Galloway, Garraway, Goff, Haley, Harper, Hathorn, Heath, Hightower, Hubbard, King, Lamb, Long, McAfee, McDaniel, McManus, Mitchell, Murphree, Norment, Quin of Pike, Rouse, Sharp of Lowndes, Swinney, Taylor, Tucker, Vollar and Wren—Total 41.

Mr. Moss moved to reconsider the vote by which the bill had failed to pass.

Senate Bill No. 67, To be entitled An Act to appropriate money for the completion and furnishing of the new State House, for beautifying the grounds thereof, and for the removal of the State's official archives and property to the new State House, was considered.

Mr. Anderson offered the following amendment:

Amend by striking out \$75,000 for furnishing.

Mr. Kyle moved to table the motion to adopt the amendment, which motion prevailed.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill was read the third time, the yeas and nays were taken as required by the Constitution, and the bill failed to pass by the following vote:

Yeas—Messrs. Alsworth, Bennett, Boddie, Bowers, Brown of Adams, Burrus, Byrd, Cock, Coody, Cox of Prentiss, Denson, Denton of Lauderdale, Dudley, Elmer, Foster of Warren, Gambrell, George, Granberry, Ham, Harper, Hewes, Hill, Irby, Kyle, Lamb, Magruder, McAfee, McAllister, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Quin of Wilkinson, Robbins Senter, Sharkey, Shelby, Smith of Holmes, Smylie, Stamps, Thomas, Tucker, Underwood, Vollar, Wall, Webster, Mr. Speaker—Total 50.

Nays—Messrs. Allen, Anderson, Arnold, Birmingham, Bradshaw, Brittain, Brown of Itawamba, Burge, Campbell, Cooner, Cox of Panola, Crumpton, Doss, Eddins, Ellis, Evans, Ferguson, Ford, Franklin of Marshall, Frazier, Gibson, Gilfoy, Groves, Hemphill, Johnston of Clarke, Johnston of Yazoo, Langston, Longest, Loper, Mahon, McCafferty, McCuiston, Norton, Owen,

Pace, Permenter, Posey, Pyle, Ray, Reynolds, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stubbs, Thompson, Turner, Walker, White, Wilkins, Wren—Total 53.

Absent and those not voting—Messrs. Alcorn, Broadus, Castleman, Causey, Clayton, Coleman, Crum, Denton of Quitman, Dodds, Foster of Claiborne, Franklin of Lowndes, Galloway, Garraway, Goff, Haley, Hathorn, Heath, Hightower, Hubbard, Jones, King, Long, Magee, McDaniel, Murphree, Norment, Quin of Pike, Stennis of Lauderdale, Swinney and Taylor—Total 30.

Mr. White entered a motion to reconsider the vote by which the bill had failed to pass.

Mr. Thomas moved that the report of the special committee to investigate the affairs of the State penitentiary and presented this morning be made special order for three o'clock this afternoon, which motion prevailed.

At 1.30 P. M., on motion of Mr. Foster, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment at 3 o'clock P. M., with Speaker Russell in the chair.

A quorum present.

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee on the disagreement of the two Houses touching Senate amendment to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government and to pay interest on the State debt.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee on the disagreement of the two Houses touching amendment to H. B. No. 109, An Act to raise revenue to carry on the State Government of Mississippi for the fiscal years 1902 and 1903.

And has agreed to the request of the House for the appointment of another Conference Committee touching the disagreement of the two Houses on Senate amendment to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government, and

to pay interest on the State debt, and has named as conferees on the part of the Senate Messrs. Sheppard, Evans and Shelton.

JOHN Y. MURRY, JR., *Secretary.*

PROCLAMATION BY THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 27, 1902.

To the Senate and House of Representatives.

GENTLEMEN: After consultation with chairmen of important committees of each House of the Legislature I am of opinion that much important legislation can not be completed within the time embraced in my proclamation of the 19th instant, extending the time of the sitting of the Legislature until and embracing the 28th day of February, 1902.

Now, therefore, I, A. H. Longino, Governor of the State of Mississippi, by virtue of the authority vested in me by the Constitution and laws of the State, do issue this my proclamation in writing, to be transmitted to each House of the Legislature to be entered upon the journals thereof, extending the sitting of the Legislature for a period of five days, or up to and including Wednesday, the 5th day of March, A. D. 1902.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Mississippi to be affixed.

Done at the Capitol in the city of Jackson this the 27th day of February, in the year of our Lord, 1902.

A. H. LONGINO, *Governor.*

By the Governor:

JOSEPH W. POWER,
Secretary of State.

The special order of the afternoon, to-wit: The consideration of the report of the special committee to investigate the affairs of the State penitentiary, was taken up, and pending the consideration of said report, the House, at 5.30 P. M., on motion of Mr. Crum, adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

FORTY-SIXTH DAY.

FRIDAY, February 28, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Langston.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Arnold, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crum, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, Gambrell, Garraway, George, Gibson, Gilfoy, Goff, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, King, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCafferty, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston. Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollor, Wall, Walker, Webster, White, Wilkins, Wren—Total 121.

Those absent—Messrs. Byrd, Castleman, Clayton, Cock, Denton of Quitman, Foster of Claiborne, Norment, Quin of Pike, Shelby, and Stennis of Kemper—Total 12.

Leave of absence granted to Messrs. Stennis of Kemper and Denton of Quitman.

On motion of Mr. Boddie the reading of the journal of yesterday was dispensed with and the same stood approved.

REPORT OF JOINT COMMITTEE.

MR. SPEAKER: The joint committee to whom was referred the investigation attending the cause of the resignation of J. R. Stowers, State Treasurer, and to ascertain the names of all persons who were connected with obtaining money from the State Treasurer or out of the State treasury otherwise than as directed by law, respectfully beg to report as follows:

We have subpoenaed and examined the following witnesses, to-wit: W. G. Cole, F. B. Neal, O. J. Waite, Wm. Anderson, C. E. Lowe, E. J. Smith and Governor A. H. Longino.

Messrs. J. R. Stowers and F. T. Raiford, being subpoenaed, appeared before the committee but declined to testify for the reason that there were indictments pending against them. Mr. Phil A. Rush being subpoenaed, did not appear, but wrote a letter to the chairman of the committee declining to testify for the reason that there was an indictment pending against him.

Mr. L. L. Montgomery was subpoenaed and appeared before the committee but declined to testify on the ground of having been foreman of the grand jury at the recent term of Hinds County Circuit Court.

W. A. Montgomery being subpoenaed, failed to appear before the committee.

The facts and circumstances detailed in the evidence are as follows:

The First National Bank of Jackson, Miss., had \$10,000 in silver on deposit with it placed there by the State Treasurer to be exchanged for currency. This money was placed in the bank on the 7th day of August, 1901, and returned to the State treasury on the 16th day of August following; that in the fall of 1900 the State Treasurer placed \$25,000 in currency of the State's money in the Capital State Bank, of Jackson, Miss. This money was returned to the State treasury in about ten days after it had been placed in said bank. That in the spring of 1901 the State Treasurer placed \$40,000 in silver with the Merchants Bank in Jackson, Miss., to be exchanged for currency. This \$40,000 remained in said bank some two or three months before the amount of the same was returned to the State treasury, and, judging from the testimony, perhaps \$20,000 of the \$40,000 so deposited was held by said bank some six or eight months before being returned to the State treasury in currency. We find it has been the custom of the First National Bank, the Capital State Bank and the Merchants Bank of Jackson to collect checks and drafts for the State Treasurer without cost to the State, and return the amounts of same to the State treasury.

We find the different amounts collected on checks and drafts were usually returned by the banks to the State treasury within ten, fifteen, twenty and thirty days from the time said checks and drafts were placed with said banks for collection. The testimony shows that no interest or other compensation was paid by any of these banks to any person for the use of the money placed with them to be exchanged, or currency placed with them or drafts and checks placed with them for collection. We find that \$100,000 of the \$107,621.44 that was missing at the time the Governor made his count in August, 1901, of the money in the State treasury had been loaned in Memphis, being loaned through Messrs. F. T. Raiford, Phil. A. Rush and John Armistead. This money was

loaned at the rate of 3 per cent per annum; said interest, when collected, was to be divided equally among Messrs. F. T. Raiford, Phil. A. Rush and John Armistead. This \$100,000 so loaned had been brought from Memphis before the counting of the money in the State treasury by the Governor, on two occasions, one time by John Armistead and the last time by F. T. Raiford.

We failed to find any trace as to the whereabouts of the \$7,621.44 at the time the Governor and Auditor Cole counted the money in the treasury in August, 1901.

We find from the evidence that there were no bonds or security in the State treasury to cover the missing \$107,621.44 at the time of the count made by the Governor, nor was there any evidence as to the whereabouts of said money at that time. We find that the banks of Jackson collecting checks and drafts and handling money for the State treasury placed bonds, collaterals or securities with said Treasurer covering all amounts so obtained from him.

It is the opinion of the committee that Section 137 of the State Constitution intends and requires that the State's money shall be actually kept in the treasury.

The committee herewith files the evidence taken regarding the resolution passed by the Legislature requiring said investigation.

G. L. JONES,
Chairman of Committee.
 L. J. FARLEY.
 T. L. LAMB.
 J. C. SMYLLIE.
 L. S. HEMPHILL.

On motion of Mr. Lamb the report of the committee was received and ordered spread on the journal.

Mr. Broadus moved that the thanks of the House be extended to the members of the committee appointed to investigate the causes leading to the resignation of Treasurer J. R. Stowers, and that the committee be discharged, which motion prevailed.

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

H. B. No. 36, An Act to require the several State officials hereinafter named to make guarantee or surety bonds, and to fix the penalty of the same, and to provide for the payment of the premiums of such bonds out of the State treasury and to repeal all laws in conflict herewith, with accompanying amendments.

H. B. No. 136, An Act to provide for the payment of the premiums on the bonds of the several State officials when made by guarantee or surety companies.

H. B. No. 170, An Act to amend Section 622 of the Annotated Code of 1892 in relation to the time of holding the Circuit Courts in the Third Judicial District so far as it relates to DeSoto County.

JOHN Y. MURRY, JR., *Secretary.*

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House amendments to the two following bills, viz.:

S. B. No. 45, An Act to amend Section 3952 of the Annotated Code of Mississippi, 1892, so as to fix the salary of the Secretary of the Railroad Commission at the sum of twelve hundred dollars.

S. B. No. 88, An Act to aid, assist and encourage the organization of the Mississippi National Guard and for their efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi.

And has concurred in House amendment to S. B. No. 86, An Act to dedicate and designate a portion of the present Capitol grounds as a Confederate Monumental Park, create a commission to have control of same.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE TO INVESTIGATE STATE OFFICES.

MR. SPEAKER: The committee to investigate State offices beg leave to report that through subcommittee they have investigated the various State offices required to be investigated, and submit herewith the reports of the following subcommittees, namely:

- To investigate State Auditor's office.
- To investigate State Treasurer's office.
- To investigate State Land Commissioner's office.
- To investigate State Revenue Agent.
- To investigate State Superintendent of Education.
- To investigate State Board of Health.
- To investigate office of Secretary of State.

Respectfully submitted,

VAN B. BODDIE, *Chairman.*

Mr. Chairman and Gentlemen.

We your committee to investigate the State Auditor's office beg leave to make the following report, after a full and thorough examination of the books of this office:

We find all books required by law in the office and the same in a neat and businesslike manner, just as the law directs, everything in place and a place for everything, and the State is to be commended for the very efficient business methods which are practiced in this office.

The fidelity and zeal that has characterized its management is a matter of great pride to the people of our State, and in the language of the inspired author it can be said "Well done, thou good and faithful servant," etc.

Respectfully submitted,

C. R. COCK,
A. J. BURRUS.

JACKSON, MISS., February 20, 1902.

To the Honorable Chairman of the Joint Committee to Investigate State Officers.

Your subcommittee appointed to investigate the office of State Treasurer during our session of 1900 incurred the following items of expense in investigating said office, and ask that the same be paid out of the contingent fund of the House:

Railroad fare of W. W. George and Henry G. Meyer from Meridian to Jackson and return.....	\$11 70
Expense at hotel of said W. W. George and Henry G. Meyer while in Jackson at the request of the committee.	6 50
Total	\$18 20

Respectfully submitted,

JAS. B. EVANS,
H. H. RAY,
J. I. LONGEST,
C. R. COCK.

To the Honorable Chairman of the Joint Committee to Investigate State officers.

The undersigned committee appointed to investigate the office of the State Treasurer beg leave to submit the following report:

Your committee appeared on the morning of February 19, 1902, at the State treasury. The books of said office show at the time that there ought to be \$1,136,403.97 in the vaults of the treasury; they proceeded to count the funds therein and found the amount called for by the books actually in the vaults of the treasury as per exhibit "A," which is filed herewith and asked to be considered a part of this report.

Respectfully submitted,

JAS. B. EVANS,
H. H. RAY,
J. I. LONGEST,
J. A. E. PYLE,
C. R. COCK.

Exhibit "A."

Statement of cash on hand and in the vaults of the State treasury on the morning of February 19, 1902, at the opening of business:

General Fund.

Cash on hand February 1, 1902.....	\$1,305,112.65
Cash received in February to 18th, inclusive.....	402,718 38
	<hr/>
	\$1,707,831 03
Less cash payments to February 18th, inclusive....	580,063 56
	<hr/>
Cash on hand February 19, 1902.....	\$1,127,767 47

Penitentiary Fund.

Cash on hand February 19, 1902.....	\$ 8,045 95
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New Farm Account.

Cash on hand February 19, 1902.....	\$ 322 04
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Land Redemption Fund.

Cash on hand February 19, 1902.....	\$ 268 51
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Total cash on hand February 19, 1902.....\$1,136,403 97

We, the undersigned members of the House, certify that we have this day counted the cash and found all, as shown by the above statement, actually in the vaults of the treasury.

(Signed)

JAS. B. EVANS,
J. I. LONGEST,
H. H. RAY,
J. A. E. PYLE,
C. R. COCK.

MR. CHAIRMAN: Your committee appointed to examine the office of State Land Commissioner make report that we have performed that duty and found the Land Commissioner in the active and faithful discharge of his duties. The work of his office up to date. The books and papers appear to have been kept in a businesslike way, and we find no ground for complaint. The receipts for money paid into the treasury are on file, and the applications to purchase lands, with all papers are in shape to be readily examined and checked up.

The recommendation made in his report to the Governor appears to have been proper and fully borne out by the record.

S. J. FARLEY, *Senator.*

Chairman.

MR. CHAIRMAN: The Committee to investigate the office of State Revenue Agent beg leave to submit the following report: We examined the receipts, vouchers and all business pertaining

to the office and find that everything is correct and all moneys received have been properly paid to the proper parties entitled to receive the same and properly accounted for. We most cordially commend the Honorable Wirt Adams, the present incumbent in said office, for efficiency and faithful performance of all the duties incumbent on him.

Respectfully submitted,

R. F. ABBAY, *Chairman.*

MR. CHAIRMAN: The Committee to investigate the office of State Superintendent beg to submit the following report:

We have examined the books of said office and find them accurately kept. We have further examined the receipts and disbursements of all the moneys coming into the said office and find that the disbursements have been properly made, and that there is now a small balance in the hands of the Superintendent to pay all indebtedness. We heartily commend our present Superintendent for the efficient work he has done for the public schools of the State and think that no man could have accomplished more for the progress of education than he has done.

Respectfully submitted,

W. B. ALSWORTH,
G. E. WILSON.

MR. CHAIRMAN: Your committee appointed to investigate the books of the State Board of Health respectfully submit the following report, viz.:

We have carefully examined the books of said Board, beginning with November 9, 1899, and checking each item of expenditure up to September 30, 1901, and we find the same to have been correctly kept and all credits asked for supported by proper legal vouchers corresponding with the itemized biennial report of the Board of Health placed on the desks of the members of this Legislature.

And now having fully reported, your committee respectfully asks to be discharged.

A. MILLER, *Chairman.*
H. G. JOHNSTON.

MR. CHAIRMAN: The undersigned appointed as subcommittee to investigate the office of the Secretary of State beg leave to report the performance of that duty.

We find the office in all respects kept in first-class style. The receipts and expenditures fully accounted for by proper and legal vouchers, and we heartily commend the honest and businesslike methods of the present incumbent as well as that of his lamented predecessor.

Respectfully submitted,

E. A. WHITE,
H. G. JOHNSTON.
Subcommittee.

The report of the committee was received and ordered spread on the journal.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 28, 1902.

MR. SPEAKER: I am directed by His Excellency the Governor to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 121, An Act to create the Eleventh Circuit Court District of the State of Mississippi and to designate the time for holding the terms of Circuit Court in the several counties therein.

Respectfully

J. J. COMAN, *Private Secretary.*

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 91, An Act to fix the salary of the Cashier of the Treasury.

And has failed to pass H. B. No. 67, An Act to encourage the religious and educational interests in the State and to exempt all property belonging to or used by religious and educational bodies from taxation.

JOHN Y. MURRY, JR., *Secretary.*

Mr. Moore offered the following resolution:

Be it resolved by the House of Representatives of the State of Mississippi, the Senate concurring, That we recognize at all times the providence of Almighty God, both in regard to the affairs of individuals as well as nations, and while we feel that none shall excel us in our love for and loyalty to our present great government, yet we fondly cherish the memory of the Lost Cause and its devoted followers, and more especially the exponent of the great principles of government for which we contended, and which can never, never die.

Therefore we take this opportunity to express our willingness to at any time join the States formerly composing the Confederate States of America in the purchase of Beauvoir, the former home of the deceased President of the Confederacy, to beautify, adorn and keep as a monument of the Lost Cause and the great exponent of its principles.

And further, that the Secretary of State be directed to forward a copy of this resolution to the Secretaries of each of the States formerly composing the Confederate States of America requesting them to publish the same.

MOORE,
QUIN of Wilkinson,
BENNETT.

On motion of Mr. Moore the resolution was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills, and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. B. No. 94, An Act to appropriate money to pay interest on bonds authorized to be sold to raise money to complete the new State House and other purposes.

S. B. No. 88, An Act to aid, assist and encourage the organization of the Mississippi National Guard and for their efficient support and maintenance as contemplated in Section 221 of the Constitution of the State of Mississippi.

S. B. No. 86, An Act to dedicate and designate a portion of the present Capitol grounds as a Confederate Monumental Park, and to create a commission to have control of same.

H. B. No. 172, An Act to appropriate \$225 out of the State treasury to pay Dr. E. L. Irby, county health officer of Tunica County, for medical services rendered in smallpox epidemic in Tunica County during the years 1897 and 1898.

H. B. No. 75, An Act to authorize the Board of Supervisors of Amite County to transfer money from the common county fund to the school fund.

H. B. No. 169, An Act to make an appropriation to pay L. Cullen, tax assessor of Lafayette County, Mississippi, for commissions due him for assessment of certain property that had escaped assessment for the years 1894-1900, inclusive.

H. B. No. 171, An Act to appropriate the interest due the Alcorn Agricultural and Mechanical College, and to provide for its expenditure by the Board of Trustees.

H. B. No. 78, An Act to amend Section 4043 of the Annotated Code of 1892, so as to change the times for the opening of the winter and summer schools.

H. B. No. 115, An Act to amend Sections 3885 and 3886 of the Code of 1892, and constituting the Railroad Commissioners assessors of telephone property in this State.

LOPER, Chairman.

Whereupon, the Speaker declared all business of the House suspended while he signed the bills just reported by the Committee on Enrolled Bills, after reading the titles of the bills reported, and calling the attention of the House thereto.

The business pending at the close of the session of yesterday, to-wit: The consideration of the report of the special committee appointed during the session of 1900 to investigate the affairs of the penitentiary, was resumed, and pending consideration of the report the House, at 1.20 P. M., on motion of Mr Foster of Warren, took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 3 o'clock P. M., pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

The consideration of the business pending at the conclusion of the morning session, to-wit: The report of the special committee appointed to investigate the affairs of the State penitentiary, was resumed.

Mr. Thomas moved that the report of the committee be adopted and spread on the journal and the committee discharged.

Mr. Smith of Holmes moved as a substitute for the motion made by Mr. Thomas the adoption of the following:

Resolved by the House, That the report of the committee be received and the committee discharged.

Mr. Cox of Prentiss moved to table the motion to adopt the resolution offered by Mr. Smith of Holmes as a substitute for the motion made by Mr. Thomas, and the call for the yeas and nays on the motion to table being sustained, the motion to table was lost by the following vote:

Yeas—Messrs. Bennett, Brittain, Burge, Campbell, Coody, Cox of Prentiss, Ford, Gibson, Gilfoy, Johnston of Clarke, Langston, Longest, Moss, Owen, Permenter, Pyle, Smith of Greene, Smylie, Wren—Total 19.

Nays—Messrs. Alcorn, Allen, Anderson, Birmingham, Bowers, Bradshaw, Broadus, Brown of Adams, Brown of Itawamba, Burrus, Causey, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Ellis, Evans, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Haley, Ham, Harper, Hightower, Hill, Irby, Kyle, Magee, Magruder, McAfee, McCuiston, McDaniel, McManus, Miller, Murphree, Pace, Quin of Wilkinson, Ray, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Stamps, Thompson, Tucker, Turner, Underwood, Wall, Walker, Webster, Wilkins—Total 59.

Absent and those not voting—Messrs. Arnold, Boddie, Brooks, Byrd, Castleman, Crum, Clayton, Coleman, Cock, Cooner, Denton of Quitman, Dudley, Eddins, Elmer, Ferguson, Foster of Claiborne, Franklin of Lowndes, Galloway, Garraway, George, Goff, Granberry, Groves, Hathorn, Heath, Hemphill, Hubbard, Johnston of Yazoo, Jones, King, Lamb, Long, Loper, Mahon, McAllister, McCafferty, Millsops, Mitchell, Moore, Neill, Norment, Norton, Posey, Quin of Pike, Reynolds, Sharp of Lowndes, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Vollor, White and Mr. Speaker—Total 55.

PAIRS.

Mr. White was paired with Mr. Crum. Had Mr. Crum been present he would have voted yea, and Mr. White would have voted nay.

Mr. Lamb was paired with Mr. Millsaps. Had Mr. Millsaps been present he would have voted yea and Mr. Lamb nay.

Mr. Reynolds was paired with Mr. Hathorn. Had Mr. Hathorn been present he would have voted nay and Mr. Reynolds would have voted yea.

Mr. Granberry was paired with Mr. Elmer. Had Mr. Elmer been present he would have voted nay, and Mr. Granberry would have voted yea.

Mr. Gambrell was paired with Mr. Taylor. Had Mr. Taylor been present he would have voted yea and Mr. Gambrell would have voted nay.

Mr. Loper was paired with Mr. Stennis of Lauderdale. Had Mr. Stennis been present he would have voted yea and Mr. Loper would have voted nay.

Mr. Moore was paired with Mr. Dudley. Had Mr. Dudley been present he would have voted yea and Mr. Moore would have voted nay.

The resolution offered by Mr. Smith of Holmes was then adopted.

Mr. Underwood offered the following:

Resolved, That the thanks of the House are hereby tendered the committee for its arduous and painstaking labor.

The resolution, on motion of Mr. Underwood, was adopted.

Mr. Smith of Greene introduced House Bill No. 178, To be entitled An Act to make the filing of county assessment rolls of 1900 in certain cases where they were not filed as required by law legal.

Was read twice and referred to Committee on Judiciary.

Senate Bill No. 93, To be entitled An Act to authorize the Board of Mississippi Levee Commissioners to build and construct a protection levee in Warren County, Mississippi, was, under the suspension of the rules, on motion of Mr. Alcorn, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alcorn, Alsworth, Anderson, Birmingham, Bowers, Brittain, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Evans, Ferguson, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gibson, Granberry, Haley, Harper, Hewes, Hightower, Hill, Irby, Lyle, Lamb, Langston, Longest, Loper, Magee, Magruder, McDaniel, McManus,

Moore, Moss, Murphree, Owen, Pace, Permenter, Pyle, Ray, Rouse, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smylie, Stamps, Thomas, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Mr. Speaker—Total 73.

Absent and those not voting—Messrs. Allen, Arnold, Bennett, Boddie, Bradshaw, Brooks, Campbell, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Elmer, Foster of Claiborne, Franklin of Lowndes, Galloway, Gambrell, Garroway, George, Gilfoy, Goff, Groves, Ham, Hathorn, Heath, Hemphill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Long, Mahon, McAfee, McAllister, McCafferty, McCuiston, Miller, Millsaps, Mitchell, Neill, Norment, Norton, Posey, Quin of Pike, Quin of Wilkinson, Reynolds, Robbins, Senter, Sharp of Lowndes, Smith of Holmes, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thompson, Tucker and Wren—Total 60.

Mr. Evans offered the following:

Resolved by the House, That the sum of \$11 be, and the same is hereby allowed out of the contingent fund to W. W. George and Henry G. Meyer for services rendered to the subcommittee in investigating the State Treasurer's office at the session of 1900.

On motion of Mr. Evans the resolution was adopted.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 41.

MR. SPEAKER: The Committee of Conference appointed by the Senate and House has had under consideration the following bill referred to them, and have instructed me to report for them with the following recommendation, viz.:

That the House concur in Senate amendment to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government and to pay interest on the State debt, to-wit:

"Interest since July 1, 1901, on 5 per cent bonds which have not been presented for redemption in pursuance of the call of the Governor, \$1,500."

The House also concur in Senate amendment to said bill for special Judges and Chancellors *pro tempore*, \$8,000.

SMYLIE, *Chairman*.

On motion of Mr. Kyle the House refused to adopt the report of the Conference Committee and asks another conference on the disagreement of the two Houses. The Speaker naming as conferees on the part of the House Messrs. Kyle, Bowers and Owen.

On motion of Mr. Walker House Concurrent Resolution of sympathy for the Boers in their struggle for liberty in the South African Republics was considered.

Mr. McAllister moved to insert after the word "interpose," in the fourth line of the second paragraph of the resolution the words "for peace."

The motion to insert the words was adopted.

The resolution as amended was then adopted.

On motion of Mr. Sharkey the reports of the Insurance and Ways and Means Committees were made the special order for Saturday morning.

On motion of Mr. Hightower S. B. No. 21, To be entitled An Act to amend Section 3771 of the Annotated Code, providing for the assessment of lands every four years for the purpose of raising revenue.

Mr. Broadus offered a resolution asking our Senators and Representatives in Congress to use their best efforts to secure appropriation from the Federal Government to improve the channel of Pascagoula River and Pascagoula Harbor.

On motion of Mr. Broadus the resolution was adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., February 28, 1902.

MR. SPEAKER: I am directed by His Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 142, An Act authorizing the Board of Supervisors of Perry County and the Mayor and Board of Aldermen of the city of Hattiesburg to invest the sinking funds now on hand and being raised, with which to pay off certain bonds.

H. B. No. 123, An Act to amend Section 313 of Chapter 17 of the Annotated Code of 1892 so as to authorize the Board of Supervisors to borrow from its County Treasurer, and to authorize said Treasurer to lend said Board out of any fund or funds in the treasury thereof not otherwise appropriated for the expenses of the current year an amount of money not to exceed one hundred thousand dollars in one year.

Respectfully,

J. J. COMAN, *Private Secretary.*

Mr. Johnston of Clarke called up Resolution endorsing Mr. Kitchen of North Carolina, in his efforts to repeal the 15th amendment to the Constitution of the United States, and moved the adoption of the resolution, which motion was lost, as no quorum voted.

At 5.30 P. M., on motion of Mr. White, the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

FORTY-SEVENTH DAY.

SATURDAY, March 1, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Mr. C. S. Johnson.

The roll being called, the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Evans, Ford, Foster of Warren, Franklin of Marshall, Frazier, Gambrell, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Mahon, McAfee, McAllister, McCuiston, McDaniel, Miller, Moore, Moss, Murphree, Neill, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren—Total 87.

Those absent—Messrs. Arnold, Bennett, Broadus, Byrd, Castleman, Causey, Clayton, Cock, Coleman, Crum, Denton of Quitman, Elmer, Ferguson, Foster of Claiborne, Franklin of Lowndes, Garraway, Galloway, George, Goff, Groves, Hathorn, Heath, Hemphill, Hubbard, Johnston of Yazoo, King, Long, Magruder, McCafferty, McManus, Millsaps, Mitchell, Norment, Norton, Posey, Quin of Pike, Senter, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Underwood and Vollar—Total 46.

Leave of absence granted to Messrs. McCafferty, Stennis of Lauderdale, Boddie, Vollar, Crum, Franklin of Marshall, Swinney, Mitchell, Thomas, from day to day, and to Messrs. Underwood, Posey, Groves, and Denton of Quitman from day to day on account of sickness.

On motion of Mr. Brown of Adams the reading of the journal of yesterday was dispensed with and the same stood approved.

On motion of Mr. Wall the privileges of the House were extended to Major T. C. Dockery, of DeSoto County.

REPORT OF COMMITTEE ON PENITENTIARY.

MR. SPEAKER: The Committee on Penitentiary has had under consideration the following bill referred to them, and have in-

structed me to report it back with the following recommendations:

S. B. No. 37, An Act to amend Section 3182 of Code of 1892 so as to require inventory of appraisers to be made January 1st of each year and clerks' books to be balanced by same.

Title sufficient, and that the bill do pass.

FRANKLIN of Lowndes, *Chairman*.

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

H. B. No. 125, An Act to amend Sections 2912, 2913 and 2914 of the Code of 1892, relative to the limits and boundaries of municipalities.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in H. C. R. No. 6, A concurrent resolution to appoint a special committee to investigate the Industrial Institute and College, to report to the Governor after the adjournment of the Legislature.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has declined to grant the request of the House for the appointment of a fourth Conference Committee on the disagreement of the two Houses touching Senate amendments to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government and to pay interest on the State debt, and insists upon the adoption of the report of the third Conference Committee on said bill.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 178, To be entitled An Act to make the filing of county assessment rolls of 1900 in certain cases where they were not filed as required by law, legal.

Title sufficient, and that the substitute do pass.

BOWERS, *Chairman*.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly en-

rolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 109, An Act to raise revenue to carry on the State government of Mississippi for the fiscal years 1902 and 1903.

H. B. No. 136, An Act to provide for the payment of the premiums on the bonds of the several State officials when made by guarantee or surety companies.

H. B. No. 170, An Act to amend Section 622 of the Annotated Code of 1892 in relation to the time of holding the Circuit Court in the Third Judicial District so far as it relates to DeSoto County.

S. B. No. 93, An Act to authorize the Board of Mississippi Levee Commissioners to build and construct a protection levee in Warren County, Mississippi.

LOPER, *Chairman.*

Whereupon, all business of the House was suspended while the Speaker signed the bills just reported by the Committee on Enrolled Bills, reading the titles and calling the attention of the House thereto.

Senate Bill No. 91, To be entitled An Act to fix the salary of the Cashier of the Treasury, was read twice and referred to the Committee on Fees and Salaries.

Senate Bill No. 21, To be entitled An Act to amend Section 3771 of the Annotated Code providing for the assessment of lands every four years for the purpose of raising revenue, was, under the suspension of the rules, on motion of Mr. Hightower, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Bennett, Birmingham, Bowers, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Burge, Burrus, Byrd, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Evans, Foster of Warren, Frazier, Gambrell, Gibson, Granberry, Haley, Ham, Hewes, Hightower, Hill, Johnston of Clarke, Lamb, Langston, Longest, Loper, McAllister, McDaniel, Miller, Moore, Moss, Murphree, Neill, Owen, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Smylie, Stamps, Thompson, Tucker, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 70.

Nays—Messrs. Campbell, Gilfoy, Irby McCuiston—Total 4.

Absent and those not voting—Messrs. Arnold, Boddie, Broadus, Brooks, Castleman, Causey, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dodds, Elmer, Ferguson, Ford, Foster of Claiborne, Franklin of Marshall, Franklin of Lowndes, Galloway, Garraway, George, Goff, Groves, Harper, Hathorn, Heath, Hemphill, Hubbard, Johnston of Yazoo, Jones, King, Kyle, Long, Magee, Magruder, Mahon, McAfee, McCafferty, McManus, Mill-

saps, Mitchell, Norment, Norton, Pace, Posey, Quin of Pike, Rouse, Senter, Sharp of Lowndes, Shelby, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Turner. Underwood and Vollor—Total 59.

House Bill No. 36, To be entitled An Act to require the several State officials hereinafter named to make guarantee or surety bonds and to fix the penalty of same, and to provide for the payment of the premiums of such bonds out of the State treasury, and to repeal all laws in conflict herewith, as amended by the Senate, was considered.

The Senate amendments are as follows :

Amend Section 1 by inserting after the word "officials," in the second line, the following words, "hereafter elected or appointed."

Also amend Section 1 by striking out the word "shall," in the line next to the last, and inserting in lieu thereof the following words, "now in office may," and by striking out the words "within sixty days from," in the last line of said section, and by inserting in lieu thereof the following, "at any time after."

Also amend Section 4 by adding at the end thereof the following words, "and the certificate of the Governor shall be filed with or attached to the bond given with individual sureties."

Mr. Evans moved that the House concur in the Senate amendments, and the yeas and nays being taken as required by the Constitution the motion to concur prevailed by the following vote :

Yeas—Messrs. Allen, Alsworth, Anderson, Birmingham, Bowers, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Ellis, Evans, Ford, Frazier, Gibson, Gilfoy, Haley, Ham, Harper, Hewes, Hill, Irby, Johnston of Clarke, Kyle, Lamb, Longest, Loper, Magee, Mahon, McAllister, McCuiston, McDaniel, Miller, Moore, Moss, Murphree, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Groves, Smith of Holmes, Smylie, Stamps, Turner, Walker, Webster, White, Wilkins—Mr. Speaker—Total 69.

Absent and those not voting—Messrs. Alcorn, Arnold, Bennett, Boddie, Broadus, Brooks, Byrd, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dudley, Eddins, Elmer, Ferguson, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Gambrell, Garraway, George, Goff, Granberry, Groves, Hathorn, Heath, Hemphill, Hightower, Hubbard, Johnston of Yazoo, Jones, King, Langston, Long, Magruder, McAfee, McCafferty, McManus, Millsaps, Mitchell, Neill, Norment, Norton, Posey, Quin of Pike, Reynolds Robbins, Senter, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Underwood, Vollor, Wall and Wren—Total 64.

Mr. Sharkey called up for consideration the special order of the day, to-wit:

Senate Bill No. 24, To be entitled An Act to establish a separate and distinct department of insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in this State, and to provide for the investigation of incendiary fires.

On motion of Mr. Dudley the consideration of the bill was postponed until Monday afternoon at 3 o'clock.

The Speaker announced as members of the committee on the part of the House authorized by the adoption of House Concurrent Resolution No. 6, to appoint a special committee to investigate the Industrial Institute and College, to report to the Governor after the adjournment of the Legislature, Messrs. Neill, Bennett and Langston.

S. B. No. 37, To be entitled An Act to amend Section 3182, Code of 1892, so as to require appraisers' inventory to be made on January 1 each year, and clerks' books to be balanced from same, was considered.

Mr. Brown of Adams moved to amend by striking out after the words "selected by the" the word "Governor," and inserting in lieu thereof the word "Board."

Whereupon, on motion of Mr. Coody, the rules were suspended and the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Alsworth, Bennett, Birmingham, Bradshaw, Brittain, Brown of Adams, Brown of Itawamba, Burge, Burrus, Campbell, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Doss, Dudley, Eddins, Ellis, Evans, Ford, Foster of Warren, Frazier, Gambrell, Gibson, Gilfoy, Granberry, Ham, Harper, Hathorn, Hewes, Hightower, Hill, Irby, Kyle, Lamb, Langston, Longest, Loper, Magee Mahon, McCuiston, Miller, Moore, Moss, Murphree, Neill, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Rouse Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smith of Holmes, Smylie, Stamps, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 76.

Nays—Mr. McDaniel—Total 1.

Absent and those not voting—Messrs. Alcorn, Anderson, Arnold, Boddie, Bowers, Broadus, Brooks, Byrd, Castleman, Causey, Clayton, Cock, Coleman, Crum, Denton of Quitman, Elmer, Ferguson, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, Garraway, George, Goff, Groves, Haley, Heath, Hemphill, Hubbard, Johnston of Clarke, Johnston of Yazoo, Jones, King, Long, Magruder, McAfee, McAllister, McCafferty, McManus, Millsaps, Mitchell, Norment, Norton, Posey, Quin of Pike, Robbins, Senter, Shelby, Stennis of Kemper, Sten-

nis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Underwood, and Vollar—Total 56.

Mr. Brown of Adams entered a motion to reconsider the vote by which the bill had passed.

Senate Bill No. 57, To be entitled An Act to amend Section 1, Chapter 54, Acts of 1900, in relation to the issuance of State bonds for the purpose of erecting a new State House.

Mr. Allen moved that the bill be placed on its final passage.

Mr. Cox moved as a substitute for the motion that the bill be recommitted to the Committee on Ways and Means, which prevailed.

Mr. Sharp of Lowndes offered the following:

Resolved by the House of Representatives, the Senate concurring, That the following verses be adopted as a State Ode for the State of Mississippi:

MISSISSIPPI.

For thy grand and varied hills,
For thy clear and rippling rills,
For thy wide and fertile vales,
For thy caves and glens and dales,
I love thee, Mississippi.

With thy mists and clouds and storms,
With thy winds and rains and calms,
With thy snow and hail and sleet,
With thy sunshine and thy heat,
I love thee, Mississippi.

Where thy forests stand serene,
Where thy prairies roll between,
Where thy rich plantations lie,
Where thy sedge fields never die,
I love thee, Mississippi.

Brave thy men, thy women fair,
Boys and girls beyond compare,
Proud thy record, years gone by,
Bright thy prospects, drawing nigh,
I love thee, Mississippi.

Place where first I saw the light,
Place where boyhood made its fight,
Place where love and hope grew strong,
Place where home and friends belong,
I love thee, Mississippi.

Here, my heart, thy vigils keep;
 Here, my dead, in quiet sleep;
 Here, my life, ebb thou away;
 Here, my bones, turn back to clay;
 I love thee, Mississippi.

On motion of Mr. Sharp of Lowndes, the resolution was adopted.

Senate Bill No. 47, To be entitled An Act to amend Section 6 of Chapter 15, of the Acts of 1897 in reference to the collection and publication of vital, mortuary and sanitary statistics, was considered.

Mr. Owen moved that the bill be indefinitely postponed, no quorum voting, the motion was lost.

Mr. Bowers, at 12.55 P. M., moved that the House adjourn until Monday afternoon at 3 o'clock. (Lost.) And pending the consideration of Senate Bill No. 47, To be entitled An Act to amend Section 6 of Chapter 15, of the Acts of 1897, in reference to the collection and publication of vital, mortuary and sanitary statistics, on motion of Mr. Foster of Warren, at 1 o'clock P. M., the House adjourned until Monday morning at 10 o'clock.

L. PINK SMITH,

Clerk of the House of Representatives.

FORTY-EIGHTH DAY.

MONDAY, March 3, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Coody.

The roll being called, the following members answered to their names:

Mr. Speaker, Acorn, Alsworth, Anderson, Birmingham, Boddie, Bowers, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dudley, Edkins, Ellis, Evans, Ford, Foster of Warren, Franklin of Lowndes, Frazier, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Ham, Harper, Hemphill, Hightower, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Mahon, McAfee, McAllister, McCuiston, McDaniel, Miller, Mitch-

ell, Murphree, Neill, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Taylor, Thomas, Thompson, Tucker, Turner, Wall, Walker, Webster, White, Wilkins, Wren—Total 85.

Those absent — Messrs. Allen, Arnold, Bennett, Bradshaw, Broadus, Brown of Adams, Byrd, Castleman, Coleman, Crum, Denton of Quitman, Dodds, Elmer, Ferguson, Foster of Claiborne, Franklin of Marshall, Galloway, George, Goff, Groves, Haley, Hathorn, Heath, Hewes, Hill, Hubbard, King, Long, Magruder, McCafferty, McManus, Millsaps, Moore, Moss, Norment, Norton. Posey, Quin of Pike, Robbins, Smith of Holmes, Stennis of Lauderdale, Stubbs, Swinney, Underwood and Vollar—Total 48.

Leave of absence was granted to Messrs. Dodds, Underwood, Hathorn and Franklin of Marshall.

On motion of Mr. Wilkins the reading of the journal of Saturday was dispensed with and the same stood approved.

Senate Bill No. 47, To be entitled An Act to amend Section 6 of Chapter 15 of the Acts of 1897, in reference to the collection and publication of vital, mortuary and sanitary statistics, the business pending at the close of Saturday's session, was resumed.

On motion of Mr. Senter the bill was indefinitely postponed.

Mr. Kyle introduced by request H. B. No. 180, To be entitled An Act to appropriate the additional sum of three hundred dollars for the year 1902, and the additional sum of three hundred dollars for the year 1903, with which to pay the salary of the clerk of the Railroad Commission, his said salary having been increased from nine hundred dollars to twelve hundred dollars per annum by an Act of this Legislature.

Was read twice and referred to Committee on Appropriations.

REPORT OF COMMITTEE ON LEVEES

MR. SPEAKER: The Committee on Levees has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

H. B. No. 179, Entitled An Act to amend an Act entitled An Act to amend an Act entitled An Act to incorporate the Board of Mississippi Levee Commissioners for the counties of Bolivar, Washington and Issaquena and for other purposes, approved November 27, 1865, and the several amendments thereto, approved January 27, 1877.

Title sufficient, and that the bill do pass.

REPORT OF COMMITTEE ON FEES AND SALARIES.

MR. SPEAKER: The Committee on Fees and Salaries has had under consideration the following bill referred to them, and have

instructed me to report it back with the following recommendations:

S. B. No. 84, To be entitled An Act to increase the salary of the Adjutant General to six hundred dollars annually.

Title sufficient, and we recommend that the bill do pass.

HEWES, *Chairman*.

Mr. Neill offered the following:

WHEREAS, The Senate has this day unanimously adopted the following resolution, viz.:

Resolved, That in the event the World's Fair Bureau for this State at the Louisiana Purchase Exposition to be held at St. Louis, Mo., in 1903, should provide for a Ladies' Department in connection with the State's exhibit, we unqualifiedly recommend to such department that Mrs. S. G. Hindman, postmistress of the Senate, be and is hereby endorsed and recommended by the Senate to the Commissioners of said Bureau as a suitable and proper lady to collect exhibits therefor and to take charge of and supervise said department,

Be it further resolved, That a copy of this resolution be forwarded to the Governor.

On motion of Mr. Neill the resolution was adopted.

Mr. Pyle offered the following:

Resolved by the House, the Senate concurring, That the Speaker of the House and President of the Senate each declare their respective Houses adjourned *sine die* at 12 o'clock M., on Wednesday, March 5, 1902.

On motion of Mr. Lamb the resolution was adopted.

Mr. Pyle offered the following:

Resolved by the House, the Senate concurring, That the members of the committee appointed to investigate the Industrial Institute and College are hereby, allowed a per diem of five dollars and actual expenses, which shall be drawn from the one thousand dollars appropriated by House Concurrent Resolution No. 6, on certificate of the chairman and secretary of said committee, and on warrant of the Auditor upon the State Treasurer.

On motion of Mr. Kyle the resolution was adopted.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

MR. SPEAKER: Your Committee on Contingent Expenses has examined the following accounts and recommend that they be allowed, to-wit:

Joe Brown for painting maps for Committee on Apportionment	\$12 00
B. F. Ward for traveling expenses, Treasury Investigating Committee	26 20

Miscellaneous accounts as follows:

Jackson Hardware Company.....	12 50
Virgie Lee	1 50
Ben Jones	25
L. Pink Smith.....	25
Carpenter	75
C. R. Cock.....	25
W. S. Lemly & Bro.....	90
Boyd & Buckley.....	1 25
B. C. Trigg.....	2 00
T. McClelland & Son.....	1 90
Capitol Furniture Company.....	5 00
Erich & Company.....	7 70
E. Watkins	2 50
J. F. Hunter Drug Company.....	1 30
Frank Walker (mistake in allowance).....	2 00
H. D. Gaston.....	1 50

J. D. Doss, *Chairman*.

On motion of Mr. Anderson the report was adopted.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 1, 1902.

MR. SPEAKER: I am directed by His Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 51, An Act to make an appropriation for fuel, lights, telephone and janitor for the Governor's mansion for the years 1902 and 1903.

H. B. No. 116, An Act to amend Chapter 56 of the Acts of 1896, and Section 81, Chapter 5, of the sheet Acts of 1898, and Section 1, of Chapter 42 of the sheet Acts of 1900, creating privilege taxes on certain industries in the State of Mississippi.

H. B. No. 75, An Act to authorize the Board of Supervisors of Amite County to transfer money from the common county fund to the school fund.

H. B. No. 169, An Act to make an appropriation to pay L. Cullen, tax assessor of Lafayette County, Mississippi, for commissions due him for assessment of certain property that had escaped assessment for the years 1894 to 1900, inclusive.

H. B. No. 172, An Act to appropriate two hundred and twenty-five dollars out of the State Treasury to pay Dr. E. L. Irby, county health officer of Tunica County, for medical services rendered in smallpox epidemic in Tunica County during the years 1897 and 1898.

H. B. No. 171, An Act to appropriate the interest due the Alcorn Agricultural and Mechanical College, and to provide for its expenditure by the Board of Trustees.

H. B. No. 115, An Act to amend Sections 3885 and 3886 of the Code of 1892, and constituting the Railroad Commissioners assessors of telephone property in this State.

H. B. No. 78, An Act to amend Section 4043 of the Annotated Code of 1892, so as to change the times for the opening of the winter and summer schools.

H. B. No. 109, An Act to raise revenue to carry on the State government of Mississippi for the fiscal years 1902 and 1903.

H. B. No. 170, An Act to amend Section 622 of the Annotated Code of 1892 in relation to the time of holding the Circuit Courts in the Third Judicial District, so far as it relates to DeSoto County.

H. B. No. 136, An Act to provide for the payment of the premiums upon the bonds of the several State officials where made by guarantee or surety companies.

Respectfully,

J. J. COMAN, *Private Secretary*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 3, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to return H. B. No. 122 without his approval with the accompanying message.

Respectfully,

J. J. COMAN, *Private Secretary*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 3, 1902.

To the House of Representatives.

GENTLEMEN: I return herewith without my approval H. B. No. 122, An Act to raise revenue by imposing a privilege tax on every person, firm or corporation who as a broker receives and transmits orders for the purchase or the sale for future delivery of any commodity or other thing, for the following reasons:

1st. The said bill attaches no penalties for the failure to pay a privilege tax named therein.

2d. Section 1120 of the Code provides that "if any person shall deal in any contracts commonly called futures, or shall by himself or his agent directly or indirectly buy or sell any future contract he shall be guilty of a misdemeanor," and on conviction be fined and imprisoned in the county jail. Section 1121 provides that "if any person shall buy or sell commodities of any kind to be delivered at a future day without agreeing or intending that the commodities are actually to be delivered in kind and the price paid," he is likewise guilty of a misdemeanor, and shall be punished by fine and imprisonment.

Said bill is clearly in conflict with the said sections of the Code and neither repeals nor seeks to repeal the same only in so far as it applies to future dealings carried on through the "exchanges" therein referred to, but leaves all future contracts under the ban and condemnation of the law as it now exists in the Code. The

said bill does not repeal the sections of the Code above herein referred to, and is in direct conflict therewith. Nor can it be treated as an amendment thereto because it does not conform to Section 61 of the Constitution providing the manner of making amendments to existing laws, which reads as follows: "No laws shall be revived or amended by reference to its title only, but the sections as amended or revived shall be inserted at length."

I therefore return the bill without my signature.

Respectfully,

A. H. LONGINO, *Governor.*

Mr. Coody moved to table the motion previously entered to reconsider the vote by which Senate Bill No. 37, To be entitled An Act to amend Section 3182, Code of 1892, so as to require appraisers' inventory to be made on January 1st, each year, and clerks' books to be balanced from same, had passed, and the motion to table prevailed.

House Bill No. 178, To be entitled An Act to make the filing of county assessment rolls of 1900 in certain cases where they were not filed as required by law, legal, was considered.

On motion of Mr. Bowers the substitute with the same number and title as offered by the committee, was adopted.

Whereupon, on motion of Mr. Bowers, the rules were suspended, the bill as amended by the adoption of the substitute considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas — Messrs. Alcorn, Alsworth, Anderson, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale Ellis, Evans, Ford, Foster of Warren, Frazier, Gambrell, Garraway, Granberry, Harper, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Magee, Mahon, Miller, Murphree, Neill, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Taylor, Thomas, Thompson, Tucker, Turner, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 69.

Absent and those not voting—Messrs. Allen, Arnold, Bennett, Broadus, Brooks, Brown of Adams, Byrd, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dodds, Doss, Dudley, Eddins, Elmer, Ferguson, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Gibson, Gilfof, Goff, Groves, Haley, Ham, Hathorn, Heath, Hewes, Hill, Hubbard, Irby, King, Long, Loper, Magruder, McAfee, McAllister, McCafferty, McCuiston, McDaniel, McManus, Millsaps, Mitchell, Moore, Moss, Norment, Norton, Posey, Quin of Pike,

Robbins, Rouse, Sharkey, Smith of Holmes, Stennis of Lauderdale, Stubbs, Swinney, Underwood, Vollar and Wall—Total 64.

At 11.40 A. M., on motion of Mr. Longest, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 3 o'clock P. M., pursuant to adjournment, with Speaker Russell in the chair.

House Bill No. 179, To be entitled An Act to amend an Act entitled An Act to incorporate the Board of Mississippi Levee Commissioners for the counties of Bolivar, Washington and Issaquena, and for other purposes, approved November 27, 1865, and the several amendments thereto, approved January 27, 1877, was, under the suspension of the rules, on motion of Mr. Foster of Warren, considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Cooner, Cox of Panola, Crumpton, Denson, Dudley, Edkins, Ford, Foster of Warren, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hemphill, Irby, Johnston of Clarke; Johnston of Yazoo, Jones, Longest, Loper, Mahon, McCuiston, McDaniel, Miller, Millsaps, Moore, Murphree, Norton, Owen, Pace, Permenter, Pyle, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Smith of Greene, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Thompson, Turner, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 67.

Absent and those not voting—Messrs. Alsworth, Arnold, Bennett, Broadus, Brown of Adams, Byrd, Campbell, Castleman, Causey, Clayton, Cock, Coleman, Coody, Cox of Prentiss, Crum, Denton of Lauderdale, Denton of Quitman, Dodds, Doss, Ellis, Elmer, Evans, Ferguson, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Goff, Groves, Hathorn, Heath, Hewes, Hightower, Hill, Hubbard, King, Kyle, Lamb, Langston, Long, Magee, Magruder, McAfee, McAllister, McCafferty, McManus, Mitchell, Moss, Neill, Norment, Posey, Quin of Pike, Quin of Wilkinson, Senter, Shelby, Smith of Holmes, Stubbs, Swinney, Taylor, Thomas, Tucker, Underwood, Vollar and Wilkins—Total 66.

Senate Bill No. 84, To be entitled An Act to increase the salary of Adjutant General to six hundred dollars annually, was, on motion of Mr. White, under the suspension of the rules, read the third time, and agreeably to the provisions of the Constitution, the

yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Bowers, Bradshaw, Burrus, Byrd, Castleman, Coody, Denson, Denton of Lauderdale, Dodds, Dudley, Ellis, Ford, Foster of Warren, Gambrell, Garraway, Haley, Ham, Harper, Irby, Jones, Loper, Mahon, McDaniel, McManus, Miller, Millsaps, Moore, Quin of Wilkinson, Robbins, Sharkey, Sharp of Lowndes, Shelby, Smylie, Stamps, Stennis of Lauderdale, Taylor, Thomas, Thompson, Wall, Walker, White, Mr. Speaker—Total 45.

Nays—Messrs. Anderson, Birmingham, Brittain, Brooks, Brown of Itawamba, Burge, Cooner, Cox of Panola, Crumpton, Eddins, Frazier, Gibson, Gilfoy, Granberry, Hemphill, Johnston of Clarke, Johnston of Yazoo, Kyle, Langston, Longest, McCuiston, Murphree, Norton, Owen, Pace, Permenter, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Turner, Wilkins, Wren,—Total 35.

Absent and those not voting—Messrs. Allen, Arnold, Boddie, Broadus, Brown of Adams, Campbell, Causey, Clayton, Cock, Coleman, Cox of Prentiss, Crum, Denton of Quitman, Doss, Elmer, Evans, Ferguson, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Goff, Groves, Hathorn, Heath, Hewes, Hightower, Hill, Hubbard, King, Lamb, Long, Magee, Magruder, McAfee, McAllister, McCafferty, Mitchell, Moss, Neill, Norment, Posey, Quin of Pike, Rouse, Senter, Smith of Holmes, Stubbs, Swinney, Tucker, Underwood, Vollar and Webster—Total 53.

Mr. Campbell offered the following:

Resolved, That the Capitol Commission be instructed to place the portrait of Jefferson Davis, which now overhangs the Speaker's desk in this House, over the Speaker's desk in the hall of the House of Representatives in the new State House when completed and ready for furnishing.

On motion of Mr. Campbell the resolution was adopted.

Mr. Dudley offered the following:

Resolved by the House of Representatives, the Senate concurring, That the Capitol Commission are hereby requested to arrange for the laying of the corner-stone of the new Capitol on the third day of June next, that being the birthday of Mississippi's great and beloved citizen, Jefferson Davis, whose memory the people of Mississippi will always cherish and whose name the people of this State will always delight to honor.

On motion of Mr. Dudley the resolution was adopted.

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bills, viz.:

S. B. No. 28, An Act to amend Section 2 of Chapter 73, Laws of 1900, approved March 10, 1900, so as to change the composition of the Board of Inquiry and to provide compensation for members of the Board.

S. B. No. 95, An Act to appropriate money for the payment and retirement of the outstanding bonds issued pursuant to the provisions of Chapter 34, of the Laws of Mississippi, 1896.

S. B. No. 96, An Act to so amend Section 4, Chapter 76, of the Laws of 1900, as to omit the words "or Secretary of State."

H. B. No. 106, An Act to amend Section 4017 of the Annotated Code of 1892, relating to examinations of teachers.

H. B. No. 148, An Act to amend Section 3702 of the Code of 1892 in respect to the day fixed for the meeting of Presidential electors, with accompanying Senate amendment.

H. B. No. 173, An Act to appropriate money to pay for clerical help for the Land Commissioner for the year 1902.

And has adopted Concurrent Resolution asking our Senators and Representatives in Congress to use their best efforts to secure appropriations from the Federal Government to improve the channel of Pascagoula River and Pascagoula Harbor.

JOHN Y. MURRY, JR., *Secretary*.

MR. SPEAKER: I am directed to inform the House that the Senate has reconsidered its action in refusing to grant the fourth Conference Committee asked for by the House on the disagreement of the two Houses touching Senate amendment to H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Judicial and Executive Departments of the State Government and to pay interest on the State debt, and has granted the said request of the House for the appointment of the said fourth Conference Committee, and has named as conferees on the part of the Senate Messrs. Bradley, McGehee and Dunn.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 125, An Act to amend Section A, 2912, 2913 and 2914 of the Annotated Code of 1892 relative to the limits and boundaries of municipalities.

H. B. No. 36, An Act to require the several State officials hereinafter named to make guaranty or surety bonds, and to fix the penalty of the same, and to provide for the payment of the premiums on such bonds out of the State treasury and to repeal all laws in conflict herewith.

LOPER, *Chairman*.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled concurrent resolution and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

House Concurrent Resolution No. 6, To appoint a special committee to investigate the Industrial Institute and College, to report to the Governor after the adjournment of the Legislature.

LOPER, *Chairman.*

Whereupon, all business of the House was suspended while the Speaker signed the bills and resolution just reported by the Committee on Enrolled Bills, reading the titles and calling the attention of the House thereto.

SENATE BILLS REFERRED.

S. B. No. 28, To be entitled An Act to amend Section 2 of Chapter 73, Laws of 1900, approved March 10, 1900, so as to change the composition of the Board of Inquiry, and to provide compensation for the members of the Board.

Was read twice and referred to the Committee on Appropriations.

S. B. No. 95, To be entitled An Act to appropriate money for the payment and retirement of the outstanding bonds issued pursuant to the provision of Chapter 34 of the Laws of Mississippi, 1896.

Read twice and referred to Committee on Appropriations.

S. B. No. 96, To be entitled An Act to so amend Section 4, Chapter 76, of the Laws of 1900, as to omit the words "or Secretary of State."

Was read twice and referred to Committee on Judiciary.

Mr. Taylor moved to reconsider the vote by which Senate Bill No. 84, To be entitled An Act to increase the salary of the Adjutant General to six hundred dollars annually had this day passed.

Mr. Bowers offered the following:

Resolved, That the thanks of the House are due and are hereby extended to L. Pink Smith, Chief Clerk of the House, and Robert E. Wilson, the Reading Clerk, for the efficient and satisfactory manner in which they have discharged their laborious duties.

Resolved, further, That in order to bring up the work of the House and for furnishing a copy of the journal of the House for the entire session to the printer, and indexing the same, that the Clerk of the House be, and is allowed ten days' additional compensation at the rate per diem provided for by law, and that the Reading Clerk of the House be allowed \$100.

Both of said amounts being paid out of the House contingent fund.

On motion of Mr. Bowers the resolution was adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 1, 1902.

To the Legislature of the State of Mississippi.

GENTLEMEN: In compliance with a resolution adopted by the Senate requesting the submission of the following subject, I have the honor to submit same for your consideration and such action as you may deem proper, to-wit:

An Act to amend "An Act to incorporate the Board of Mississippi Levee Commissioners for the counties of Bolivar, Washington and Issaquena, and for other purposes," approved November 27, 1865, and the several amendments thereto, approved January 27, 1877.

Respectfully,

A. H. LONGINO, *Governor.*

Senate Bill No. 24, To be entitled An Act to establish a separate and distinct department of insurance and to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in this State, and to provide for the investigation of incendiary fires, the special order of the day, was considered.

The Committee on Insurance offered the following amendment:

In Section 2 strike out all of lines 3, 4, 5 and 6 to and including the word "he," in line 6, and insert in lieu thereof the following: "who shall be elected at the general election in 1903 as other State officers, but until the election and qualification of such Insurance Commissioner the Auditor of Public Accounts shall discharge the duties imposed by this Act, beginning with the passage of this Act, and he is hereby empowered to employ a deputy as provided for in this Act, and, if need be, a clerk, whose combined salaries shall not exceed twenty-five hundred dollars a year and shall be paid from the fees of said department hereinafter provided for, and the balance of the fees shall be paid by the Auditor into the State treasury." "The Insurance Commissioner."

On motion of Mr. Sharkey the amendment was adopted.

The committee offered amendment No. 2 as follows:

Amend Section 16, line 27, on page 4, by adding after the word "law," the words "applicable to it."

On motion of Mr. Sharkey the amendment was adopted.

Mr. Bowers moved the adoption of amendment No. 3, as follows:

Amend Section 16 by striking out the words "or if any," in line 8, and all of lines 9, 10, 11, 12, 13, 14, 15, and the words "insurance company," in line 16.

The motion was adopted.

Mr. Sharkey offered the following amendment No. 4:

Amend by adding after the word "company," in line 6, Section 21, page 6, the words, "hereafter organized."

On motion of Mr. Sharkey the amendment was adopted.

The Committee on Insurance offered the following amendment No. 6:

Amend line 9, Section 17, page 5, by striking out the words "is now or."

On motion of Mr. Sharkey the amendment was adopted.

The committee offered amendment No. 7 as follows:

Before the word "Capitol," in third line, Section 28, page 11, insert the words "paid up."

On motion of Mr. Sharkey the amendment was adopted.

The committee offered amendment No. 8 as follows:

In line 11, Section 38, insert after the word "the" and before "policy," the words "application and."

On motion of Mr. Sharkey the amendment was adopted.

The committee offered amendment No. 9 as follows:

Strike out Sections 43, 44, 45, 46 and 47.

On motion of Mr. Sharkey the amendment was adopted.

Mr. Bowers offered amendment No. 10 as follows:

Amend Section 49 by striking out all in line 41 after the word "company," and by striking out lines 42, 43, 44, 45, 46, and the words "any policy of insurance issued by them," in line 47.

On motion of Mr. Bowers the amendment was adopted.

Mr. Bowers then moved to strike out Section 50 A, and pending consideration of the motion to adopt the amendment to strike out the section, the House at 5.30 P. M., on motion of Mr. Hemphill, adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,

Clerk of the House of Representatives.

FORTY-NINTH DAY.

TUESDAY, March 4, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Representative Ferguson.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Den-

ton of Lauderdale, Dodds, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Frazier, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Long, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norton, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 109.

Those absent—Messrs. Arnold, Broadus, Brown of Adams, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman Doss, Foster of Claiborne, Franklin of Marshall, Galloway, George, Goff, Groves, Heath, Hubbard, King, McCafferty, Norment, Posey, Quin of Pike, and Underwood—Total 24.

Leave of absence was granted to Mr. Norment on account of sickness in his family.

Mr. Hightower offered the following:

WHEREAS, George Lee has received pay for four days' labor less for services this session than the other porters of the House; therefore, be it

Resolved, That he be allowed pay for the four days for which he has not been compensated.

On motion of Mr. Hightower the resolution was adopted.

Mr. Neill moved the adoption of the following:

Be it resolved by the House, That the postmistress of the House be allowed pay for five days' extra service after the adjournment to forward mail to members, and that the doorkeeper of the House be allowed the sum of four dollars per diem for his services to be paid out of the House contingent fund.

The motion to adopt prevailed.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 28, To be entitled An Act to amend Section 2 of Chapter 73, Laws 1900, approved March 10, 1900, so as to change the composition of the Board of Inquiry and to provide compensation for the members of the Board.

Title sufficient; do pass.

S. B. No. 95, To be entitled An Act to appropriate money for the payment and retirement of the outstanding bonds issued pur-

suant to the provisions of Chapter 34 of the Laws of Mississippi. 1896.

Title sufficient, and do not pass.

KYLE, *Chairman.*

MESSAGES FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

H. B. No. 177, An Act to make an appropriation for the support and maintenance and further equipment of the penitentiary and State farms and for other purposes connected therewith for the years 1902 and 1903, with accompanying Senate amendment.

JOHN Y. MURRY, JR., *Secretary.*

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

S. B. No. 89, An Act to provide for the better enforcement of the Anti-trust laws of this State.

JOHN Y. MURRY, JR., *Secretary.*

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House Concurrent Resolution providing for the payment of a per diem of five dollars and actual expenses to the members of the committee appointed to investigate the Industrial Institute and College, to be drawn from the one thousand dollars appropriated by House Concurrent Resolution No. 6, on certificate of the Chairman and Secretary of said committee, and on warrant of the Auditor upon the State Treasurer.

Also has concurred in House Concurrent Resolution adopting a State Ode as contained in the verses accompanying.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF CONFERENCE COMMITTEE.

MR. SPEAKER: Your Committee on Conference on disagreement of the two Houses on amendments to House Bill No. 41, entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State Government and to pay interest on the State debt, beg leave to report as follows:

1st. That the Senate agree to the House amendment reducing the amount appropriated for the purpose of paying special judges and Chancellors *pro tempore* from \$10,000 to \$8,000.

2d. That the Senate recede from its amendment to appropriate \$1,500 for the payment of interest since July 1, 1901, on 5 per cent bonds which have not been presented for redemption in pursuance of the call of the Governor.

A. S. KYLE,
E. J. BOWERS,
S. JOE OWEN.

Mr. Kyle moved the adoption of the report of the Conference Committee just made on the disagreement of the two Houses on House Bill No. 41, To be entitled An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial departments of the State Government and to pay interest on the State debt, and the yeas and nays being taken on the motion to adopt, as required by the Constitution, the motion prevailed by the following vote:

Yeas—Messrs. Allen, Alsworth, Anderson, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Dudley, Ellis, Elmer, Ferguson, Ford, Franklin of Marshall, Frazier, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Haley, Ham Harper, Hemphill, Hewes, Hightower, Hill Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norton, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 97.

Absent and those not voting—Messrs. Alcorn, Arnold, Bennett, Broadus, Brooks, Brown of Adams, Castleman, Causey, Clayton, Cock, Coleman, Crum, Denton of Quitman, Doss, Eddins, Evans, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Galloway, George, Goff, Groves, Hathorn, Heath, Hubbard, Jones, King, Long, McCafferty, Norment, Posey, Quin of Pike, Senter, Stubbs and Underwood—Total 36.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

S. B. No. 92, To be entitled An Act to direct the purchase of Beauvoir, the former home of Jefferson Davis, by the State of Mississippi, and to appropriate means for the payment thereof, and for the repairing and caring for same.

Title sufficient, and do not pass.

H. B. No. 180, To be entitled An Act to appropriate the additional sum of \$300 for the year 1902 and the additional sum of \$300 for the year 1903, with which to pay the salary of the clerk of the Railroad Commission, his said salary having been increased from \$900 to \$1,200 per annum by an Act of this Legislature.

Title sufficient, and do pass.

KYLE, *Chairman.*

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has concurred in House Concurrent Resolution providing that the Speaker of the House and President of the Senate each declare their respective Houses adjourned *sine die* at 12 o'clock M., on Wednesday, March 5, 1902, with an amendment striking out 12 o'clock M. and inserting in lieu thereof 12 midnight.

JOHN Y. MURRY, JR., *Secretary*.

Mr. Bowers moved that the House decline to concur in the Senate amendment to the House Concurrent Resolution providing for adjournment at 12 o'clock M. to-morrow, and that the House ask a conference on the disagreement of the two Houses on said resolution.

The motion prevailed and the Speaker named as conferees on the part of the House Messrs. Stennis of Kemper, Bowers and Loper.

S. B. No. 67, To be entitled An Act to appropriate money for the completion and furnishing of the new State House, for beautifying the grounds thereof, and for the removal of the State's official archives and property to the new State House, which previously failed to pass, with a motion entered to reconsider, was called up.

On motion of Mr. Kyle the vote by which the bill had previously failed to pass was reconsidered.

Mr. Anderson moved the adoption of the following amendment:

Amend by striking out \$60,000 for grading, and insert in lieu thereof \$10,000.

Mr. Smylie moved to table the motion to adopt the amendment, which prevailed.

Mr. Hemphill moved the adoption of the following:

Strike out the item of \$75,000 for furniture.

The amendment was adopted.

Mr. Loper moved to strike out \$60,000 for grading and insert in lieu thereof \$30,000.

Mr. Bowers moved to table the motion to adopt, which prevailed.

Mr. Johnston of Clarke moved to amend by striking out \$5,000 for removing archives, and insert in lieu thereof \$2,000.

Mr. White moved to table the motion to adopt the amendment, which prevailed.

Mr. Allen then moved to strike out \$5,000 for removing records and insert in lieu thereof \$3,000.

Mr. Bowers moved to table the motion to adopt the amendment, which motion was lost, and the motion to adopt the amendment then prevailed.

Mr. Cooner moved the adoption of the following:

Amend by striking out \$60,000 for grading and improving the grounds, and by inserting in lieu thereof \$20,000.

Mr. Bowers moved to table the motion to adopt the amendment, which prevailed.

Whereupon, on motion of Mr. Bowers, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Birmingham, Boddie, Bowers, Brittain, Brown of Itawamba, Burrus, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Crumpton, Denson, Denton of Lauderdale, Dodds, Dudley, Ellis, Elmer, Evans, Ferguson Ford, Foster of Warren, Gambrell, Gilfoy, Granberry, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Jones, Kyle, Longest, Loper, Magee, Magruder, McAfee, McDaniel, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Neill, Quin of Wilkinson, Ray, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Webster, White, Wilkins, Mr. Speaker—Total 71.

Nays—Messrs. Allen, Anderson, Bradshaw, Brooks, Burge Cooner, Cox of Panola, Eddins, Frazier, Garraway, Gibson, Johnston of Clarke, Johnston of Yazoo, Lamb, Langston, Mahon, McCuiston, Murphree, Norton, Owen, Pace, Permenter, Pyle, Reynolds, Rouse, Sharp of Lowndes, Smith of Greene, Stennis of Kemper, Stennis of Lauderdale, Walker, Wren—Total 31.

Absent and those not voting—Messrs. Arnold, Broadus, Brown of Adams, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Doss, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Goff, Groves, Haley, Hathorn, Heath, Hubbard, King, Long, McAllister, McCafferty, Norment, Posey, Quin of Pike, Stubbs, Taylor, and Underwood—Total 31.

Mr. Wilkins moved to reconsider the vote by which the bill had just passed.

Senate Bill No. 28, To be entitled An Act to amend Section 2 of Chapter 73, Laws of 1900, approved March 10, 1900, so as to change the composition of the Board of Inquiry, and to provide compensation for members of the Board, was, under the suspension of the rules, on motion of Mr. Kyle, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken, and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Alsworth, Anderson, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Burge, Byrd, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Dudley, Eddins, Ellis, Elmer, Ferguson, Ford, Foster of Warren, Frazier, Gambrell Garraway, Gibson, Gilfoy, Harper, Hemphill, Hightower, Hill Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Lang-

ston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCuiston, McDaniel, McManus, Mitchell, Moore, Moss, Murphree, Norton, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Robbins, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 84.

Nays—Messrs. Brown of Itawamba, Granberry, Smith of Greene—Total 3.

Absent and those not voting—Messrs. Alcorn, Arnold, Broadus, Brooks, Brown of Adams, Burrus, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Doss, Evans, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Goff, Groves, Haley, Ham, Hathorn, Heath, Hewes, Hubbard, Jones, King, Long, McCafferty, Miller, Millsaps, Neill, Norment, Posey, Quin of Pike, Reynolds, Rouse, Senter, Sharp of Lowndes, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor and Underwood—Total 46.

Senate Bill No. 89, To be entitled An Act to provide for the better enforcement of the Anti-trust laws of the State, was read twice and referred to Committee on Trusts and Combines.

On motion of Mr. Kyle House Bill No. 144, To be entitled An Act to authorize the Treasurer of the State of Mississippi to pay to the State Encampment Committee of Greenville, Mississippi, nine hundred and seventy-four dollars and seven cents (\$974.07). was recommitted to Committee on Appropriations.

House Bill No. 180, To be entitled An Act to appropriate the additional sum of three hundred dollars for the year 1902 and the additional sum of three hundred dollars for the year 1903, with which to pay the salary of the clerk of the Railroad Commission, his said salary having been increased from nine hundred dollars to twelve hundred dollars per annum by an Act of this Legislature, was, under the suspension of the rules, on motion of Mr. Kyle, considered engrossed, read the third time, and the yeas and nays being taken, the bill failed to pass, not receiving the majority required by the Constitution, the vote being as follows:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Boddie, Bowers, Bradshaw, Brittain, Brooks, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Denson, Denton of Lauderdale, Dudley, Elmer, Evans, Ford, Foster of Warren, Gambrell, Garraway, Haley, Harper, Hemphill, Hewes, Hill, Kyle, Loper, Magee, Magruder, McManus, Miller, Mitchell, Moore, Moss, Quin of Wilkinson, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thompson, Vollar, Wall, White, Wren, Mr. Speaker—Total 50.

Nays—Messrs. Allen, Anderson, Birmingham, Brown of Itawamba, Burge, Cooner, Cox of Panola, Ellis, Ferguson, Frazier, Gibson, Granberry, Irby, Johnston of Clarke, Johnston of Yazoo, Lamb, Langston, Longest, McCuiston, Murphree, Neill, Norton,

Owen, Pace, Permenter, Pyle, Ray, Reynolds, Sharpe of Leake and Winston, Smith of Greene, Stennis of Kemper, Tucker, Turner, Walker, Webster, Wilkins—Total 36.

Absent and those not voting—Messrs. Arnold, Broadus, Brown of Adams, Burrus, Castleman, Clayton, Cock, Coleman, Crum, Crumpton, Denton of Quitman, Dodds, Doss, Eddins, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Gilfoy, Goff, Groves, Ham, Hathorn, Heath, Hightower, Hubbard, Jones, King, Long, Mahon, McAfee, McAllister, McCafferty, McDaniel, Millsaps, Norment, Posey, Quin of Pike, Robbins, Rouse, Senter, Stennis of Lauderdale, Stubbs, Taylor, Thomas, and Underwood—Total 47.

Mr. Neill moved to reconsider the vote by which the bill failed to pass.

Senate Bill No. 71, To be entitled An Act to provide for a State Geologist and for a geological survey of the State, was considered.

The motion previously entered to reconsider the vote by which the bill had failed to pass prevailed.

Mr. Kyle moved to adopt the substitute for the bill offered by the Committee on Agriculture.

Mr. Reynolds moved to table the motion to adopt the substitute, which motion prevailed.

Mr. Bowers then moved to indefinitely postpone the bill, which motion prevailed.

House Bill No. 175, To be entitled An Act to make an appropriation to pay the Supreme Court porter for 1902 and 1903, was considered.

And the motion to reconsider the vote by which the bill had previously failed to pass prevailed.

Mr. Kyle then moved to amend the bill as follows:

Strike out \$283.33 where it occurs and insert in lieu thereof \$83.33, and strike out \$300 where it occurs and insert in lieu thereof \$100.

The motion to adopt the amendment prevailed.

Whereupon, on motion of Mr. Kyle, the rules were suspended, the bill as amended was considered engrossed and the yeas and nays being taken as required by the Constitution, the bill failed to pass, failing to receive the constitutional majority required for the passage of an appropriation bill, the vote being as follows:

Yeas—Messrs. Alsworth, Bennett, Boddie, Bradshaw, Brittain, Brown of Itawamba, Burrus, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Denson, Denton of Lauderdale, Dodds, Dudley, Ellis, Ford, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, Gilfoy, Ham, Harper, Hemphill, Hewes, Hill, Kyle, Longest Loper, Magee, Magruder, McAfee, McAllister, McDaniel, Miller Mitchell, Moore, Moss, Neill, Norton, Robbins, Sharkey, Sharp of Lowndes, Shelby, Smith of Holmes, Smylie, Stamps, Swinney, Thomas, Thompson, Tucker, Vollar, Wall, Walker, White, Wren, Mr. Speaker—Total 59.

Nays—Messrs. Allen, Anderson, Birmingham, Brooks, Burge, Cooner, Cox of Panola, Crumpton, Elmer, Evans, Ferguson, Frazier, Gibson, Granberry, Hightower, Johnston of Clarke, Johnston of Yazoo, Lamb, Langston, McCuiston, McManus, Murphree, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Sharpe of Leake and Winston, Smith of Greene, Turner, Wilkins—Total 33.

Absent and those not voting—Messrs. Alcorn, Arnold, Bowers, Broadus, Brown of Adams, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Doss, Eddins, Foster of Claiborne, Franklin of Marshall, Galloway, George, Goff, Groves, Haley, Hathorn, Heath, Hubbard, Irby, Jones, King, Long, Mahon, McCafferty, Millsaps, Norment, Posey, Quin of Pike, Rouse, Senter, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Taylor, Underwood and Webster—Total 41.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has agreed to the request of the House for the appointment of a Conference Committee on the disagreement of the two Houses touching Senate amendment to House Concurrent Resolution to adjourn *sine die*, and has named as conferees on the part of the Senate Messrs. Dulaney, Martin and Moore.

JOHN Y. MURRY, JR., *Secretary*.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. B. No. 21, An Act to amend Section 3771 of the Annotated Code, providing for the assessment of lands every four years, for the purpose of raising revenue.

S. B. No. 45, An Act to amend Section 3952 of the Code of 1892, and Chapter 38, Acts of 1900, as heretofore amended, so as to make the salary of the clerk of the Railroad Commission \$1,200.

H. B. No. 106, An Act to amend Section 4017 of the Annotated Code of 1892 relating to the examinations of teachers.

H. B. No. 173, An Act to appropriate money to pay for clerical help for the Land Commissioner.

LOPER, *Chairman*.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled concurrent resolution and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

House Concurrent Resolution No. 8, Asking our Senators and Representatives in Congress to use their best efforts to secure ap-

appropriations from the Federal Government to improve the channel of Pascagoula River and deepen Pascagoula Harbor.

LOPER, *Chairman.*

Whereupon, all business of the House was suspended while the Speaker signed the bills and the resolution just reported by the Committee on Enrolled Bills, after reading the titles and calling the attention of the House thereto.

House Bill No. 177, To be entitled An Act to make an appropriation for the support and maintenance and further equipment of the penitentiary and State farms, and for other purposes connected therewith for the years 1902 and 1903, as amended by the Senate, was considered.

The Senate amendments read as follows:

Amend by adding after last word in Section 2 the words, "all moneys herein appropriated shall be drawn out on Auditor's warrant issued on the certificate of said Board of Control, as provided by law," and amend further by adding the word and figure, "Section 1," after the enacting clause.

Mr. Kyle moved that the House concur in the Senate amendments, and the yeas and nays being taken as required by the Constitution, the motion to concur in the Senate amendments prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Burge, Byrd, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denton, Denton of Lauderdale, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Frazier, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McCuiston, McDaniel, McManus, Miller, Millsaps, Moore, Moss, Murphree, Neill, Norton, Owen, Pace, Permenter, Posey, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Thomas, Thompson, Tucker, Turner, Vollar, Wall, Walker, Webster, White, Wren, Mr. Speaker—Total 92.

Absent and those not voting—Messrs. Arnold, Broadus, Brown of Adams, Brown of Itawamba, Burrus, Campbell, Castleman, Causey, Clayton, Cork, Coleman, Cooner, Crum, Denton of Quitman, Dodds, Doss, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Goff, Groves, Hathorn, Heath, Hubbard, Irby, King, Long, McAfee, McAllister, McCafferty, Mitchell, Norment, Quin of Pike, Sharp of Lowndes, Stennis of Lauderdale, Stubbs, Taylor and Underwood—Total 41.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bill and find that it is correctly enrolled, and we herewith present it to the Speaker for his signature, to-wit:

S. B. No. 37, An Act to amend Section 3182 of the Code of 1892 so as to require appraisers' inventory to be made on January 1st each year, and clerks' books to be balanced from same.

LOPER, *Chairman*.

Whereupon, all business of the House was suspended while the Speaker signed the bill just reported, reading the title and calling the attention of the House thereto.

REPORT OF COMMITTEE ON APPROPRIATIONS.

MR. SPEAKER: The Committee on Appropriations has had under consideration the following bill referred to them and have instructed me to report it back with the following recommendations:

H. B. No. 144, To be entitled An Act to authorize the Treasurer of the State of Mississippi to pay to the State Encampment Committee of Greenville, Mississippi, nine hundred and seventy-four dollars and seven cents (\$974.07).

Title sufficient, and that the bill do pass.

KYLE, *Chairman*.

REPORT OF COMMITTEE ON TRUSTS AND COMBINES.

MR. SPEAKER: The Committee on Trusts and Combines has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 89, Entitled An Act to provide for the better enforcement of the Anti-trust laws of this State.

Title sufficient, and that the bill do pass.

W. M. COX, *Chairman*.

House Bill No. 144, To be entitled An Act to authorize the Treasurer of the State of Mississippi to pay to the State Encampment Committee of Greenville, Mississippi, nine hundred and seventy-four dollars and seven cents (\$974.07), was considered and pending consideration of the bill, at 1.10 P. M., on motion of Mr. Stennis of Kemper, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The House met at 3 o'clock P. M., pursuant to adjournment, with Speaker Russell in the chair.

A quorum present.

The business pending at the close of the morning session, to-wit: House Bill No. 144, To be entitled An Act to authorize the Treasurer of the State of Mississippi to pay to the State Encampment Committee of Greenville, Mississippi, nine hundred and seventy-four dollars and seven cents (\$974.07), was resumed.

On motion of Mr. Thomas the rules were suspended, the bill considered engrossed, and the yeas and nays being taken as required by the Constitution, the bill failed to pass, no quorum voting, the vote being as follows:

Yeas—Messrs. Alsworth, Bowers, Campbell, Coody, Cox of Prentiss, Denton of Lauderdale, Dudley, Ford, Foster of Warren, Gambrell, Garraway, Harper, Hemphill, Hewes, Hill, Jones, Kyle, Magruder, McAfee, McAllister, McManus, Millsaps, Mitchell, Moss, Reynolds, Robbins, Sharkey, Smith of Holmes, Stennis of Lauderdale, Thomas, Webster, Wilkins—Total 32.

Nays—Messrs. Anderson, Boddie, Brittain, Brooks, Byrd, Cooner, Cox of Panola, Crumpton, Denson, Dodds, Ellis, Elmer, Evans, Ferguson, Frazier, Gibson, Granberry, Johnston of Clarke, Johnston of Yazoo, Longest, Magee, McCuiston, McDaniel, Norton, Pace, Pyle, Ray, Smylie, Stennis of Kemper, Turner, Walker, White, Wren—Total 33.

Absent and those not voting—Messrs. Alcorn, Allen, Arnold, Bennett, Birmingham, Bradshaw, Broadus, Brown of Adams, Brown of Itawamba, Burge, Burrus, Castleman, Causey, Clayton, Cock, Coleman, Crum, Denton of Quitman, Doss, Eddins, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Gallo-way, George, Gilfoy, Goff, Groves, Haley, Ham, Hathorn, Heath Hightower, Hubbard, Irby, King, Lamb, Langston, Long, Loper, Mahon, McCafferty, Miller, Moore, Murphree, Neill, Norment, Owen, Permenter, Posey, Quin of Pike, Quin of Wilkinson, Rouse, Senter, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Stamps, Stubbs, Swinney, Taylor, Thompson, Tucker, Underwood, Vollar, Wall and Mr. Speaker—Total 68.

Mr. Cox of Prentiss moved to suspend the regular order, to-wit: Senate Bill No. 24, To be entitled An Act to establish a separate and distinct Department of Insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in this State and provide for the investigation of incendiary fires, for the consideration of Senate Bill No. 89, To be entitled An Act to provide for the better enforcement of the Anti-trust laws of the State of Mississippi.

Mr. Bowers raised the question of no quorum, and the roll being called, a quorum of the House was announced to be present.

On motion of Mr. Cox of Prentiss to suspend the rules for the consideration of the Anti-trust law, the call for the yeas and nays was sustained, and the motion to suspend the rules and displace the regular order was adopted by the following vote:

Yeas—Messrs. Alcorn, Allen, Anderson, Boddie, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Causey, Coody, Cooner, Cox of Prentiss, Crumpton, Dudley, Eddins, Ellis, Ferguson, Ford, Frazier, Gambrell, Gibson, Gilfoy, Granberry, Ham, Harper, Hemphill, Hightower, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Longest, Magee, Magruder, McAllister, McCuiston, Millsaps, Mitchell, Moore, Norton, Owen, Pace, Pyle, Reynolds, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Taylor, Thomas, Thompson, Tucker, Turner, Webster, White, Wilkins, Wren—Total 60.

Nays—Messrs. Alsworth, Bowers, Byrd, Campbell, Cox of Panola, Denson, Denton of Lauderdale, Elmer, Evans, Garraway, Hewes, Hill, Loper, McAfee, McDaniel, McManus, Moss, Robbins, Senter, Stennis of Kemper—Total 20.

Absent and those not voting—Messrs. Arnold, Bennett, Birmingham, Bradshaw, Broadus, Brown of Adams, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dodds, Doss, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, George, Goff, Groves, Haley, Hathorn, Heath, Hubbard, Irby, King, Langston, Long, Mahon, McCafferty, Miller, Murphree, Neill, Norment, Permenter, Posey, Quin of Pike, Quin of Wilkinson, Ray, Rouse, Sharkey, Sharp of Leake and Winston, Sharp of Lowndes, Shelby, Stubbs, Swinney, Underwood, Vollor, Wall, Walker and Mr. Speaker—Total 53.

Mr. Cox of Prentiss moved that Senate Bill No. 89, To be entitled An Act to provide for the better enforcement of the anti-trust laws of this State be considered.

Whereupon on motion of Mr. Cox, the rules were suspended, the bill was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Alsworth, Anderson, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Frazier, Gambrell, Gibson, Gilfoy, Granberry, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Johnston of Yazoo, Jones, Kyle, Lamb, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCuiston, McDaniel, McManus, Millsaps, Mitchell, Moore, Moss, Norton, Owen, Pace, Pyle, Quin of Wilkinson, Ray, Rey-

nolds, Senter, Sharkey, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Taylor, Thomas, Thompson, Tucker, Turner, Walker, Webster, White, Wilkins—Total 83.

Absent and those not voting—Messrs. Alcorn, Arnold, Bennett, Birmingham, Broadus, Brown of Adams, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dodds, Doss, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Garraway, George, Goff, Groves, Hathorn, Heath, Hubbard, Irby, Johnston of Clarke, Langston Long, McCafferty, Miller, Murphree, Neill, Norment, Permenter, Posey, Quin of Pike, Robbins, Rouse, Sharpe of Leake and Winston, Sharp of Lowndes, Stubbs, Swinney, Underwood, Vollar, Wall, Wren and Mr. Speaker—Total 50.

Mr. Stennis of Kemper moved to reconsider the vote by which the bill had passed.

The regular order, to-wit: Senate Bill No. 24, To be entitled An Act to establish a separate and distinct department of insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in this State, and to provide for the investigation of incendiary fires, was resumed.

The amendment pending at the close of yesterday's session offered by Mr. Bowers, to-wit: To strike out Section 50 A, was withdrawn by consent of the House.

The Committee on Insurance offered the following:

Amend Section 50 A by inserting after the word "therein," in the fourth line, the words "to act as agents."

On motion of Mr. Sharkey the amendment was adopted.

Whereupon, on motion of Mr. Sharkey, the rules were suspended, and the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Allen, Anderson, Bowers, Bradshaw, Burge, Burrus, Byrd, Campbell, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Gambrell, Garraway, Gilfoxy, Granberry, Haley, Ham, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Langston, Longest, Loper, Mahon, McAfee, McAllister, McManus, Millsaps, Mitchell, Moss, Murphree, Neill, Norton, Owen, Pace, Pyle, Quin of Wilkinson, Ray, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Vollar, Walker, Webster, White, Wren—Total 73.

Nays — Messrs. Alsworth, Bennett, Birmingham, Brittain, Brooks, Brown of Itawamba, Causey, Dodds, Eddins, Lamb, Ma-

gee, Magruder, McDaniel, Permenter, Smylie, Stennis of Kemper—Total 16.

Absent and those not voting—Messrs. Alcorn, Arnold, Boddie, Broadus, Brown of Adams, Castleman, Clayton, Cock, Coleman, Cooner, Crum, Denton of Quitman, Doss, Foster of Claiborne, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Goff, Groves, Hathorn, Heath, Hubbard, King, Long, McCafferty, McCuiston, Miller, Moore, Norment, Posey, Quin of Pike, Reynolds, Rouse, Sharp of Lowndes, Smith of Greene, Stubbs, Taylor, Underwood, Wall, Wilkins and Mr. Speaker—Total 44.

Mr. Elmer moved to reconsider the vote by which the bill had just passed.

Senate Bill No. 57, To be entitled An Act to amend Section 1, Chapter 54, Acts of 1900, in relation to issuance of State bonds for the purpose of erecting a new State House, previously recommitted to the Committee on Ways and Means, was recalled from said committee.

Mr. Thomas moved that the bill be considered for its final passage, which prevailed.

Mr. Hightower moved to amend Section 1 by striking out of line 5, the words "and no other."

The motion to adopt prevailed.

Mr. Hightower also offered the following:

Amend by striking out all of Section 3 after the word "treasury," in line 10, and insert the following, "and so much thereof as may be necessary shall be used for the completion of the new State House and the remainder of said proceeds shall be placed to the credit of the general fund of the State treasury."

On motion of Mr. Hightower the amendment was adopted.

Whereupon, on motion of Mr. Thomas, the rules were suspended, the bill as amended was read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Bowers, Bradshaw, Brittain, Burge, Burrus, Bvrd, Campbell, Causey, Coody, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Dodds, Dudley, Ellis, Elmer, Evans, Ferguson, Ford, Franklin of Lowndes, Gambrell, Garraway, Granberry, Haley, Harper Hemphill, Hewes, Hightower, Hill, Irbv, Kyle, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McDaniel, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norton, Pace, Permenter, Pyle, Rav, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Vollor, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 80.

Nays—Messrs. Anderson, Birmingham, Brown of Itawamba, Cooner, Frazier, Gibson, Gilfoy, Johnston of Yazoo, Owen, Stennis of Kemper—Total 10.

Absent and those not voting—Messrs. Arnold, Bennett, Boddie, Broadus, Brooks, Brown of Adams, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Doss, Eddins, Foster of Claiborne, Foster of Warren, Franklin of Marshall, Galloway, George, Goff, Groves, Ham, Hathorn, Heath, Hubbard, Johnston of Clarke, Jones, King, Lamb, Long, McCafferty, McCuiston, Miller, Murphree, Norment, Posey, Quin of Pike, Quin of Wilkinson, Rouse, Stubbs, Taylor, Underwood and Wall—Total 43.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 4, 1902.

MR. SPEAKER: I am directed by His Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 36, An Act to require the several State officials hereinafter named to make guaranty or surety bonds and to fix the penalty of the same, and to provide for the payment of the premiums on such bonds out of the State treasury, and to repeal all laws in conflict herewith.

H. B. No. 125, An Act to amend Section A 2912, 2913, and 2914 of the Annotated Code of 1892, relative to the limits and boundaries of municipalities.

H. B. No. 106, An Act to amend Section 4017 of the Annotated Code of 1892 relating to the examination of teachers.

H. B. No. 173, An Act to appropriate money to pay for clerical help for the Land Commissioner.

Respectfully,

J. J. COMAN, *Private Secretary.*

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted H. C. R. of sympathy for the Boers in their struggle for liberty in the South African Republics.

And has concurred in House amendment to S. B. No. 37, An Act to amend Section 3182, Code 1892, so as to require appraisers' inventory to be made on January 1st of each year, and clerks' books to be balanced by same.

And has failed to pass H. B. No. 73, An Act authorizing the Board of Supervisors of any county in this State to order an extra assessment of the land therein.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: The Committee on Judiciary has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 96, To be entitled An Act to so amend Section 4, Chapter 76, of the Laws of 1900, as to omit the words "or Secretary of State."

Title sufficient; bill do pass.

E. J. BOWERS, *Chairman*.

REPORT OF COMMITTEE ON PENSIONS.

MR. SPEAKER: The Committee on Pensions has had under consideration the following bills referred to them, and have instructed me to report them back with the following recommendations:

H. B. No. 2, To be entitled An Act to appropriate money for the relief of certain officers, soldiers, sailors, widows and servants of the war between the States.

Title sufficient, and that the bill do not pass.

H. B. No. 19, To be entitled An Act to appropriate money for the relief of certain officers, soldiers, sailors, widows and servants of the war between the States.

Title sufficient, and that the bill do not pass.

H. B. No. 20, To be entitled An Act to appropriate money for the relief of certain officers, soldiers, sailors, widows and servants of the war between the States.

Title sufficient, and that the bill do not pass.

J. A. SMITH, *Chairman*.

REPORT OF COMMITTEE ON FEES AND SALARIES.

MR. SPEAKER: The Committee on Fees and Salaries has had under consideration the following bill referred to them, and have instructed me to report it back with the following recommendations:

S. B. No. 91, To fix salary of the Cashier of the Treasury.

Title sufficient, and that the bill do pass.

HEWES, *Chairman pro tem*.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the following concurrent resolution, viz.:

Resolved by the Senate, the House concurring, That the reports of the Penitentiary Investigating Committee, and all the testimony taken in connection therewith, be, and the same are hereby ordered to be printed, and that twelve hundred copies be prepared

for public distribution, one thousand copies to be distributed to the members of the House and Senate, and that the chairman of the joint committee, Senator E. H. Moore, Senator L. C. Dulaney, and S. W. Jones, Secretary of said joint committee, be authorized to supervise said printing, and that two hundred copies be left with the Secretary of State.

JOHN Y. MURRY, JR., *Secretary.*

Mr. Millsaps moved that the House concur in the Senate Resolution just reported ordering printed testimony taken by the Penitentiary Investigating Committee, and the motion to concur prevailed.

Mr. Wilkins withdrew, with the consent of the House, the motion previously entered to reconsider the vote by which Senate Bill No. 67, To be entitled An Act to appropriate money for the completion and furnishing of the new State House, for beautifying the grounds thereof, and for the removal of the State's official archives and property to the new State House had passed.

House Bill No. 148, To be entitled An Act to amend Section 3702 of the Code of 1892 in respect to the day fixed for the meeting of Presidential Electors, as amended by the Senate, was considered.

The Senate amendment reads as follows:

Amend by striking out the word "appointment," in line 5, Section 1, and by inserting in lieu thereof the word "election."

Mr. Kyle moved that the House concur in Senate amendment, and the yeas and nays being taken as required by the Constitution, the motion to concur prevailed by the following vote:

Yeas—Messrs. Alcorn, Allen, Alsworth, Anderson, Bowers, Brittain, Burge, Burrus, Byrd, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Gambrell, Garraway, Gibson, Gilfoy, Granberry, Haley, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCuiston, McDaniel, McManus, Millsaps, Mitchell, Moore, Moss, Neil, Norton, Owen, Pace, Permenter, Pyle, Ray, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Swinney, Taylor, Thomas, Thompson, Tucker, Turner Vollar, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 86.

Absent and those not voting—Messrs. Arnold, Bennett, Birmingham, Boddie, Bradshaw, Broadus, Brooks, Brown of Adams, Brown of Itawamba, Campbell, Castleman, Clayton, Cock, Coleman, Crum, Denton of Quitman, Dodds, Doss, Dudley, Foster of Claiborne, Franklin of Marshall, Frazier, Galloway, George, Goff,

Groves, Ham, Hathorn, Heath, Hubbard, Johnston of Clarke, Jones, King, Long, McCafferty, Miller, Murphree, Norment, Posey, Quin of Pike, Quin of Wilkinson, Rouse, Sharp of Lowndes, Shelby, Stubbs, Underwood and Wall—Total 47.

House Bill No. 180, To be entitled An Act to appropriate the additional sum of three hundred dollars for the year 1902, and the additional sum of three hundred dollars for the year 1903 with which to pay the salary of the clerk of the Railroad Commission, his said salary having been increased from nine hundred dollars to twelve hundred dollars per annum by an Act of this Legislature, which failed to pass at the morning session, was, on motion of Mr. Neill, reconsidered.

Whereupon, on motion of Mr. Gambrell, the rules were suspended, the bill considered engrossed, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Bennett, Boddie, Bowers, Bradshaw, Brittain, Brooks, Burrus, Byrd, Campbell, Causey, Coody, Cox of Prentiss, Denson, Denton of Lauderdale, Doss, Dudley, Eddins, Ellis, Elmer, Evans, Ford, Gambrell, Garraway, Haley, Ham, Harper, Hemphill, Hewes, Hill, Johnston of Yazoo, Jones, Kyle, Lamb, Loper, Magee, Magruder, McAfee, McAllister, McDaniel, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norton, Quin of Wilkinson, Reynolds, Robbins, Senter, Sharkey, Sharpe of Leake and Winston, Shelby, Smith of Holmes, Smylie, Stamps, Stennis of Lauderdale, Swinney, Thomas, Thompson, Tucker, Turner, Vollar, Walker, White, Wren, Mr. Speaker—Total 69.

Nays—Messrs. Birmingham, Brown of Itawamba, Burge, Cox of Panola, Ferguson, Granberry, Johnston of Clarke, Langston, Owen, Pace, Pyle, Stennis of Kemper, Wilkins—Total 13.

Absent and those not voting—Messrs. Allen, Anderson, Arnold, Broadus, Brown of Adams, Castleman, Clayton, Cock, Coleman, Cooner, Crum, Crumpton, Denton of Quitman, Dodds, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Frazier, Galloway, George, Gibson, Gilfoy, Goff, Groves, Hathorn, Heath, Hightower, Hubbard, Irby, King, Long, Longest, Mahon, McCafferty, McCuiston, Miller, Murphree, Norment, Permenter, Posey, Quin of Pike, Ray, Rouse, Sharp of Lowndes, Smith of Greene, Stubbs, Taylor, Underwood and Webster—Total 52.

Mr. Hewes called up the motion previously entered by Mr. Taylor to reconsider the vote by which Senate Bill No. 84, To be entitled An Act to increase the salary of the Adjutant General to six hundred dollars annually, had passed.

Mr. Hewes moved to table the motion to reconsider, which prevailed.

Senate Bill No. 96, To be entitled An Act to so amend Section 4, Chapter 76, of the Laws of 1900 as to omit the words "or Secretary of State," was, under the suspension of the rules, on motion of Mr. Bowers, read the third time, and agreeably to the provisions of the Constitution the yeas and nays were taken and the bill passed, title standing as stated, by the following vote:

Yeas—Messrs. Alcorn, Alsworth, Anderson, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coody, Cooner, Cox of Prentiss, Cox of Panola, Denson, Denton of Lauderdale, Eddins, Ellis, Elmer, Ford, Frazier, Garraway, Gibson, Granberry, Haley, Harper, Hemphill, Hewes, Hightower, Hill, Irby, Johnston of Clarke, Johnston of Yazoo, Kyle, Lamb, Langston, Longest, Loper, Magruder, McAfee, McCuiston, McDaniel, McManus, Millsaps, Mitchell, Moore, Moss, Neill, Norton, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Senter, Sharpe of Leake and Winston, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Swinney, Thomas, Thompson, Tucker, Vollar, Walker, Webster, White, Wilkins, Wren, Mr. Speaker—Total 80.

Absent and those not voting—Messrs. Allen, Arnold, Broadus Brooks, Brown of Adams, Castleman, Clayton, Cock, Coleman, Crum, Crumpton, Denton of Quitman, Dodds, Doss, Dudley, Evans, Ferguson, Foster of Claiborne, Foster of Warren, Franklin of Lowndes, Franklin of Marshall, Galloway, Gambrell, George, Gilfoy, Goff, Groves, Ham, Hathorn, Heath, Hubbard, Jones, King, Long, Magee, Mahon, McAllister, McCafferty, Miller, Murphree, Norment, Posey, Quin of Pike, Rouse, Sharkey, Sharp of Lowndes, Stennis of Lauderdale, Stubbs, Taylor, Turner, Underwood and Wall—Total 53.

On motion of Mr. Senter, at 6 o'clock P. M., the House adjourned until to-morrow morning at 10 o'clock.

L. PINK SMITH,
Clerk of the House of Representatives.

FIFTIETH DAY.

WEDNESDAY, March 5, 1902.

The House met pursuant to adjournment, Speaker Russell in the chair.

Prayer by Rev. J. W. Moseley.

The roll being called the following members answered to their names:

Mr. Speaker, Alcorn, Allen, Alsworth, Anderson, Bennett, Birmingham, Boddie, Bowers, Bradshaw, Brittain, Brooks, Brown of Itawamba, Burge, Burrus, Byrd, Campbell, Causey, Coleman, Coody, Cooner, Cox of Prentiss, Cox of Panola, Crumpton, Denson, Denton of Lauderdale, Denton of Quitman, Dodds, Dudley, Eddins, Ellis, Elmer, Evans, Ferguson, Ford, Foster of Warren, Franklin of Lowndes, Frazier, Gambrell, Garraway, Gibson, Gilfooy, Granberry, Groves, Haley, Ham, Harper, Hathorn, Hemphill, Hewes, Hightower, Hill, Hubbard, Irby, Johnston of Clarke, Johnston of Yazoo, Jones, Kyle, Lamb, Langston, Longest, Loper, Magee, Magruder, Mahon, McAfee, McAllister, McCuiston, McDaniel, McManus, Miller, Millsaps, Mitchell, Moore, Moss, Murphree, Neill, Norton, Owen, Pace, Permenter, Pyle, Quin of Wilkinson, Ray, Reynolds, Robbins, Rouse, Senter, Sharkey, Sharpe of Leake and Winston, Sharp of Lowndes, Shelby, Smith of Greene, Smith of Holmes, Smylie, Stamps, Stennis of Kemper, Stennis of Lauderdale, Stubbs, Swinney, Taylor, Thomas, Thompson, Tucker, Turner, Underwood, Vollar, Wall, Walker, Webster, White, Wilkins, Wren—Total 113.

Those absent—Messrs. Arnold, Broadus, Brown of Adams, Castleman, Clayton, Cock, Crum, Doss, Foster of Claiborne, Franklin of Marshall, Galloway, George, Goff, Heath, King, Long, McCafferty, Norment, Posey, and Quin of Pike—Total 20.

On motion of Mr. Denson the reading of the journal of yesterday was dispensed with and the same stood approved.

Mr. Cox moved to table the motion previously entered to reconsider the vote by which Senate Bill No. 89, To be entitled An Act to provide for the better enforcement of the Anti-trust Laws of this State, had been passed, and the motion to table prevailed.

Mr. Sharkey moved to table the motion previously entered to reconsider the vote by which Senate Bill No. 24, To be entitled An Act to establish a separate and distinct Department of Insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in this State, and to provide for the investigation of incendiary fires, had passed, and the motion prevailed.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

MR. SPEAKER: The Committee on Contingent Expenses has had under consideration the following account and recommend that it be allowed:

B. F. Waid, Jr., Expense account for Penitentiary Investigating Committee, \$101.95.

A. M. DODDS, *Chairman pro tem.*
ARTHUR REYNOLDS, *Secretary.*

On motion of Mr. Bowers the report of the committee was adopted and the clerk was instructed to issue a certificate for the amount.

MR. SPEAKER: We the undersigned chairmen of the joint committee appointed to examine into and report on the facts and circumstances which lead up to the resignation of State Treasurer J. R. Stowers, hereby certify that the expenses of said investigation are as follows, to-wit:

To amount due F. Yerger, stenographer.....	\$15 00
To amount due Miss Mattie Cavett, stenographer.....	50
To amount due O. J. Waite, witness.....	1 50
To amount due L. F. Montgomery, witness.....	1 50
To amount due C. E. Lowe, witness.....	1 50
To amount due A. H. Longino, witness.....	1 50
To amount due E. J. Smith, witness.....	1 50
To amount due J. R. Stowers, witness and mileage.....	8 90
To amount due F. B. Neal, witness.....	1 50
To amount due W. M. Anderson, witness.....	1 50
To amount due F. T. Raiford, witness.....	1 50
To amount due W. Q. Cole, witness.....	1 50
	\$37 90

That the said sum of \$37.90 be paid out of the contingent funds of the House and Senate in the following proportions, to-wit: Two-fifths out of the Senate fund and three-fifths out of the House fund.

This the 27th day of February, 1902.

T. L. LAMB,
Chairman of House Committee.
G. L. JONES,
Chairman of Senate Committee.

On motion of Mr. Lamb the report was adopted and the clerk was instructed to issue a certificate for the amount.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has passed the following entitled bill, viz.:

H. B. No. 180, An Act to appropriate the additional sum of three hundred dollars for the year 1902 and the additional sum of three hundred dollars for the year 1903, with which to pay the salary of the Clerk of the Railroad Commission, his said salary having been increased from nine hundred dollars to twelve hundred dollars per annum by an Act of this Legislature.

And has concurred in House amendments to the following bills, to-wit:

S. B. No. 24, An Act to establish a separate and distinct Department of Insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders

doing an insurance business in this State, and to provide for the investigation of incendiary fires.

S. B. No. 57, An Act to amend Section 1, Chapter 54, Acts of 1900, in relation to issuance of State bonds for the purpose of erecting a new State House.

S. B. No. 67, An Act to appropriate money for the completion and furnishing of the new State House, for beautifying the grounds thereof, and for the removal of the State's official archives and property to the new State House.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 178, An Act to make the filing of county assessment rolls of 1900 in certain cases where they were not filed as required by law, legal.

H. B. No. 179, An Act to amend an Act entitled An Act to amend an Act entitled An Act to incorporate the Board of Mississippi Levee Commissioners for the counties of Bolivar, Washington and Issaquena, and for other purposes, approved November 27, 1865, and the several amendments thereto, approved January 27, 1877.

H. B. No. 148, An Act to amend Section 3702 of the Code of 1892 in respect to the day fixed for the meeting of Presidential Electors.

H. B. No. 177, An Act to make an appropriation for the support and maintenance and further equipment and improvement of the penitentiary and State farms, and for other purposes connected therewith, for the years 1902 and 1903.

H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government, and to pay interest on the State debt.

LOPER, *Chairman.*

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled concurrent resolutions and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

House Concurrent Resolution adopting the State ode for the State of Mississippi.

House Concurrent Resolution fixing the day for the laying of the corner-stone of the new Capitol.

House Concurrent Resolution expressing sympathy for the South African Republics.

LOPER, *Chairman.*

Whereupon, the Speaker declared all business of the House suspended while he signed the bills just reported by the Committee on Enrolled Bills, after reading the titles and calling the attention of the House thereto.

Mr. Smith of Holmes offered the following:

Resolved, That the thanks of the House are hereby tendered to Hon. E. J. Bowers for the faithful and efficient manner in which he has discharged the duties which have devolved upon him as Chairman of the Judiciary Committee and for his courteous treatment of all members of the House who were interested in matters pending before the said committee.

On motion of Mr. Smith of Holmes the resolution was adopted by a rising vote, and Mr. Bowers, in a few appropriate words, thanked the House for the expressions of esteem contained in the resolution.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

MR. SPEAKER: Your Committee on Contingent Expenses recommend that Mr. B. C. Trigg be paid the sum of \$2.25 for type-writing done for the Committee on Ways and Means.

Respectfully,

A. M. DODDS, *Acting Chairman.*

On motion of Mr. Dodds the report of the committee was adopted and the Clerk was instructed to issue a certificate for the amount.

Mr. Bowers offered the following:

Resolved, That our efficient porter, William Gregory, be allowed the sum of \$14 out of the contingent fund of the House for keeping in repair the locks on the desks, doors of clerks' rooms and committee rooms.

On motion of Mr. Bowers the resolution was adopted.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted S. C. R. No. 18, A concurrent resolution to authorize and require survey to determine the practicability of constructing canals and improving the waterways of Mississippi.

And has passed H. B. No. 178, An Act to make the filing of county assessment rolls of 1900 in certain cases when they were not filed as required by law, legal.

H. B. No. 179, An Act to amend An Act entitled An Act to incorporate the Board of Mississippi Levee Commissioners for the counties of Bolivar, Washington and Issaquena, and for other purposes, approved November 27, 1865, and the several amendments thereto, approved January 27, 1877.

And has adopted resolution requesting the Capitol Commission to fix June 3d next for laying the corner-stone of Mississippi's new Capitol building.

And has indefinitely postponed resolution asking the co-operation of other Southern States in securing funds for the purchase of Beauvoir.

JOHN Y. MURRY, JR., *Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

S. B. No. 96, An Act to amend Section 4, Chapter 76, of the Laws of 1900, as to omit the words "or Secretary of State,"

S. B. No. 84, An Act to increase the salary of the Adjutant General to six hundred dollars (\$600) annually.

S. B. No. 28, An Act to so amend Section 2 of Chapter 73, of the laws of Mississippi, 1900, approved March 10, 1900, so as to change the composition of the Board of Inquiry and to provide compensation for members of the Board.

LOPER, *Chairman.*

Whereupon, the Speaker declared all business of the House suspended while he signed the bills just reported by the Committee on Enrolled Bills after reading the titles and calling the attention of the House thereto.

The Committee on Conference on the disagreement of the two Houses on the hour of adjournment made the following report:

MR. SPEAKER: Your Committee on Conference as to resolution fixing the hour of adjournment beg leave to report that an agreement in conference has been reached, and that said resolution be amended so as to read six o'clock P. M.

J. K. STENNIS,
FLOYD LOPER,
E. J. BOWERS,

Committee on part of the House..

On motion of Mr. Stennis the report was adopted.

Mr. Lamb offered the following:

Resolved, That the Sergeant-at-Arms and two porters whom he may select be allowed two days' extra pay to be paid out of the contingent fund of the House for gathering up and returning papers, books, etc., and for cleaning up the hall after adjournment.

On motion of Mr. Lamb the resolution was adopted.

Through Mr. Senter the House presented Gen. Jacob H. Sharp as a token of the esteem, respect, veneration and love in which the

gallant old hero is held by its members, with a handsome gold watch.

The presentation speech by Mr. Senter was eloquent and appropriate, while the response by Gen. Sharp in accepting the present was beautiful and expressive of the deep appreciation that he felt.

Mr. Haley in a few well chosen words presented to Speaker Russell on behalf of the House a beautiful bronze clock as an evidence of the appreciation of the House for the dignity, and uniform courtesy and fairness with which he had presided over the deliberations of this body. The response of the Speaker in accepting this token of esteem was characteristic of the man, being filled with noble sentiments and generous expressions to the members of the House for their support and consideration in all the trying ordeals through which the presiding officer of the House must pass.

Mr. Bowers for the House presented to the postmistress, Miss Olivia Swayze, a silver handled umbrella, with the expression that he hoped that the fair young lady would find that the same would shield and protect her from the rains and from the heat as, every member of that House would delight to shield and protect her from all harm through life.

Mr. Sharkey, in a few beautiful and appropriate remarks, accepted for Miss Swayze this token of the appreciation of the House for her efficient services.

Mr. Stennis of Lauderdale called up the motion previously entered to reconsider the vote by which Senate Bill No. 10, To be entitled An Act to provide for the establishment of a permanent Branch Agricultural Experiment Station in the Yazoo-Mississippi Delta, had failed to pass.

Mr. Owen moved to table the motion to reconsider, which motion prevailed.

Mr. Moore, on behalf of the Committee on Appropriations, presented the chairman of the committee, Mr. Kyle, with a set of silver spoons as a token of their esteem, which Mr. Kyle accepted in well chosen words.

Mr. Wilkins offered the following:

WHEREAS, This House is largely composed of young men, men whom as it were, heard but the cannon's echo after the dark days from 1861 to 1865; and,

WHEREAS, That venerable minority whose heads are frosted by the snows of many winters, have so ardently labored with us in this hall for the upbuilding of Mississippi, have so kindly given us the advantage of their many years of experience in the affairs of civic duty, and have ever been solicitous of encouraging the younger and less experienced to persevere in the efforts to surmount those stumbling stones which lie out before every one at the beginning of his career; and,

WHEREAS, This will be the last convening of Mississippi's Legislature in this historic old hall, made sacred by the memories of the past, fraught with many glorious deeds and endeared to the heart of every loyal Mississippian by recalling of scenes which have transpired beneath its now crumbling dome, scenes of turmoil and strife, wherein our battle-scarred veterans were prominent actors, and always the victors in the defense of the principles of Democracy; and,

WHEREAS, We have now passed into a new century with great and boundless opportunities opening up to our loved commonwealth, and in view of the regretful facts that year by year, day by day, "the boys who wore the gray" are falling by the wayside, awearry of life's long march, and that fewer they will be in numbers to grace that magnificent hall now preparing for this body at its next sitting; therefore, be it

Resolved by the younger members of this House, That our thanks be voted to the honor-crowned ex-Confederate soldiers of this body for their ever untiring efforts to make Mississippi a bright shining star in the galaxy of great American commonwealths, and for that noble example of true patriotism and Christian manhood which they are to bequeath to us when they are called, as soon all must be, to eternal camping grounds in a brighter beyond.

On motion of Mr. Wilkins the preamble and resolution were adopted, when Mr. Gambrell, for the old soldiers, thanked the younger members of the House for this expression of their confidence and esteem.

On motion of Mr. Thomas, at 12.30 P. M., the House took a recess until 4 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 3 o'clock P. M., pursuant to adjournment, Speaker Russell in the chair.

A quorum present.

The Sergeant-at-Arms, B. F. Ward, Jr., presented to Chief Clerk, L. Pink Smith, a beautiful pair of gold cuff buttons with the expression that though its value was small, were it ever so great it would be a meager expression felt by the members and servants of the House for the many kindnesses, courtesies and accommodations he has rendered them under all circumstances.

The Clerk accepted the token in the kind spirit with which it was tendered.

Mr. Smith of Holmes, for the porter to the Clerk, William Gregory, presented to the Clerk a silver cup, which the Clerk received with words of genuine thanks.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed to inform the House that the Senate has adopted the report of the Conference Committee on the disagreement of the two Houses touching Senate amendment to House Resolution to adjourn *sine die* at 6 o'clock P. M. this day.

JOHN Y. MURRY, JR., *Secretary*.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 5, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bills, to-wit:

H. B. No. 179, An Act to amend an Act entitled "An Act to amend an Act entitled An Act to incorporate the Board of Mississippi Levee Commissioners for the counties of Bolivar, Washington and Issaquena, and for other purposes, approved November 27, 1865, and the several amendments thereto," approved January 27, 1877.

H. B. No. 148, An Act to amend Section 3702 of the Code of 1892 in respect to the day fixed for the meeting of Presidential Electors.

H. B. No. 177, An Act to make an appropriation for the support and maintenance and further equipment and improvement of the penitentiary and State farms, and for other purposes connected therewith for the years 1902 and 1903.

H. B. No. 41, An Act to appropriate money to defray the expenses of the Legislative, Executive and Judicial Departments of the State Government, and to pay interest on the State debt.

Respectfully,

J. J. COMAN, *Private Secretary*.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER: Your Committee on Enrolled Bills have examined the following entitled bills and find that they are correctly enrolled, and we herewith present them to the Speaker for his signature, to-wit:

H. B. No. 180, To be entitled An Act to appropriate the additional sum of three hundred dollars for the year 1902, and the additional sum of three hundred dollars for the year 1903, with which to pay the salary of the clerk of the Railroad Commission, his said salary having been increased from nine hundred dollars to twelve hundred dollars per annum by an Act of this Legislature.

S. B. No. 57, An Act to amend Chapter 54, Acts 1900, in relation to the issuance of State bonds for the purpose of erecting a new State House.

S. B. No. 67, An Act to appropriate money for the completion and furnishing of the new State House and for beautifying the grounds thereof, and for the removal of the State's official archives and property to the said new State House.

S. B. No. 89, An Act to provide for the better enforcement of the Anti-trust laws of this State.

S. B. No. 24, An Act to establish a separate and distinct department of Insurance, to create the office of Insurance Commissioner, and to regulate insurance companies and fraternal orders doing an insurance business in this State, and to provide for the investigation of incendiary fires.
LOPER, *Chairman*.

Whereupon, the Speaker declared all business of the House suspended while he signed the bills just reported by the Committee on Enrolled Bills, reading the titles of same and calling the attention of the House thereto.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 5, 1902.

To the Legislature of Mississippi.

GENTLEMEN: In creating the Eleventh Circuit Court District of the State of Mississippi I am informed that your honorable body failed to make an appropriation for the salaries of the Judge and District Attorney. I have the honor to call your attention to this matter for such action as you may deem proper.

Respectfully,

—
A. H. LONGINO, *Governor*.

EXECUTIVE DEPARTMENT,
JACKSON, MISS., March 5, 1902.

MR. SPEAKER: I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved the following bill, to-wit:

H. B. No. 180, An Act to appropriate the additional sum of three hundred dollars for the year 1902, and the additional sum of three hundred dollars for the year 1903, with which to pay the salary of the Clerk of the Railroad Commission, his said salary having been increased from nine hundred dollars to twelve hundred dollars per annum by an Act of this Legislature.

Respectfully,

J. J. COMAN, *Private Secretary*.

Mr. McAllister offered the following, which was ordered placed on the journal:

WHEREAS, In the last two Presidential campaigns the great States of the North and East were solidified against the Democratic candidates, which caused their overwhelming defeat.

In the section east of the Mississippi and north of the Ohio and Potomac Rivers there is presented an *homo genius* population led and marshaled by the highest types of American enterprise and sagacity, and the most amazing aggregation of wealth and intelligence that has occurred in the whole history of man.

This section has untold millions of idle capital for industrial investment and expansion, while in the Southern States there are boundless natural resources being neglected for the want of ready capital for their development and utilization; and,

WHEREAS, In an advance state of society, political alliances should have regard for commercial relations, social improvement, and industrial growth, but aside from this practical business view of the situation we have not forgotten, nor will we ever forget the devotion of the glorious Democrats of the North and East to our sections in her hours of adversity, and in the years to come we stand ready to march with them in the processions of progress, and in times of national peril assist them in voting down issues calculated to disturb the national peace, impair public confidence, and to maintain at whatever cost the paramount supremacy of the Federal flag, and point with pride to the dauntless valor of the Southern soldiery in the late war with Spain.

Under the beneficent auspices of this fraternal policy the South will enjoy every possible advantage and carve out of the future a career of social, material and intellectual splendor that not even an imaginary limit can be assigned where they will come to a standstill.

Compromise and concession being the conservative principle in our system of popular government, it should be given a political turn and applied to the exigencies of our national party organization as the means to harmony and unity, to the end that our grand old party may present a united front in the next National election. Upon these lines we invite the co-operation of conservative patriotic men of all sections, that sectional estrangements may be no more, and that the talent, resources and genius of the American people may be applied unhindered and undeterred, to the practical solution of social and economic problems, and to the mitigation of the condition of kindred peoples not yet free.

I consider this one of the most important and far-reaching questions now before the Southern people, and before entering into its discussion I wish to state that I was born under John C. Calhoun influences and there was very little in my early training to predispose me to Eastern ideas, policies or sympathies. In 1892 I went to New York at the instance of the late Senators George and Walthall, and Senator Arthur P. Gorman, to serve the Democratic National Committee in the Presidential campaign of that year. This brought me into contact and association with the leading men of the North and East, and gave me the opportunity to study those economic policies which have enabled those sections to achieve an accumulation of wealth which must stand the marvel

and wonder of all time. I became convinced that policies which accomplish so much for the sections less favored by nature than ours, if given the same application to our section, would produce results upon a much vaster scale. Here it was that I conceived the idea that the future social and political destiny of the South lay in allying herself with the North and East, and I modestly submit that all reasonings confirm this view.

For forty years the South has indulged in a rainbow chase in pursuit of a political alliance with the West, only to be time and again disappointed, each repetition being more and more disastrous in its consequences. The reason for this must be obvious to any one who has studied the social and political conditions of that section.

For fifty years the west has been the dumping ground of the socialistic and anarchial offscourings of European countries, therefore poisoned with the gangrenous formation of socialism, communism, anarchism, and every other ism calculated to produce a general tendency to social confusion and political chaos. This section is plastered all over with mortgages, and is stranded upon the shores of pecuniary bankruptcy, and consequently can neither offer the South political security nor financial aid. But in the section east of the Mississippi and north of the Ohio and the Potomac Rivers there is presented an homogenous population with wonderful political cohesion and organization, under the most astute leadership, with the most amazing economic and industrial achievements of which history has made a record.

This section has untold millions of idle capital awaiting inviting fields of investment, while the South has boundless natural resources to be developed and utilized.

In a semi-civilized state political alliances hinge upon sentimental impulses, but in an advanced state of society such alliances must have regard for close commercial relations, social advancement and industrial development. From this reasoning it is clear that a political alliance with the West means retrogression, while on the other hand such alignment with the North and East means rapid progression.

While sentimentalism is discounted as a determining factor, I recognize that from the very nature of things it will play its part in the adjustment of the question, and upon this line I wish to call attention to the tremendous balance in favor of the North and East as against the wild, wooly West.

To begin with, those of the North and East who favored permitting the South to peacefully withdraw from the Union and establish a separate nation and government were Democrats, which is borne out by the historical fact that George B. McClelland carried the State of New Jersey as the Democratic candidate for President in 1864, upon a platform declaring the war a failure. During the four years' strife these same Democrats were untiring in their efforts to mitigate the severities of the war upon the South

at great sacrifice and often personal risk. When the war ended and the great civic chieftain of the Confederate cause was a manacled prisoner in Fortress Monroe, it was Horace Greely, the Easterner, who demanded his release and volunteered to make his bond. It was this same spartan band who resisted the reconstruction acts, and who passed the amnesty acts of '68 and '72, who defeated the Butler force bill of '74, and through whose opposition the civil rights bill of the same year was practically nullified.

It was in the town halls of Pennsylvania, New York and the New England States that indignation meetings were held to protest against military usurpation under the following reconstruction, the dispersion of State Legislatures by federal bayonets and wholesale arrest of Southern citizens and a general degradation of the Southern people by negro rule.

These protests soon moulded a public sentiment in the North and East which forced the Federal Government to withdraw troops from the South, when the manhood of the South arose in the majesty of its might and overthrew that scandalous carpet-bag regime which must ever be a stench in the nostrils of all liberty loving Americans.

Again the soldiers of the North and East, during the war, under McClelland, Meade and other Eastern commanders conformed to the rules of civilized warfare, while the Kansas Jay-hawkers and Nebraska barnburners under the Western commanders, Sherman and Sheridan, spread pestilence and flame all over the South, recalling the terrible period in European history when the Duke of Alva was commissioned by the devil to invade the low countries upon a career of atrocity, rapine and desolation.

Northern and Eastern capital has built our railroads, erected our factories, and constructed our telephone and telegraph lines and has given us most of the advantages we enjoy of modern civilization, and owing to the great advance of those sections in literature, art and science, an alignment with them will stimulate the South to a greater measure of social improvement and industrial activity.

The adoption of such a policy will create in the great financial centers of the North and East the highest degree of confidence in the future of the South, which will be followed by enormous investments in southern enterprises and development. This in turn will create a community of interest on an immense scale between the North, the East and the South, thus securing for the South the political co-operation of the North and East in realizing those fostering advantages from the Federal Government which have made those sections great, rich and powerful.

Mr. Thomas moved that a committee of three on the part of the House and — on the part of the Senate be appointed to notify the Governor that the Legislature is now ready to adjourn, and to learn if the Governor has any further communication to make to the Legislature.

The motion prevailed and the Speaker named as members of the committee on the part of the House Messrs. Thomas, Smith of Holmes and Hewes.

The committee notified the Senate of the action of the House, and the committee soon reported that it had performed its duty, and that the Governor had no further communication to make to the Legislature, and the committee was discharged.

A committee from the Senate appeared in the hall of the House of Representatives and formally notified the House that the Senate was now ready to adjourn.

At 6 o'clock P. M. Mr. Senter moved that the House do now adjourn, and Mr. Speaker Russell stated that the hour of 6 o'clock P. M., March 5, 1902, having arrived, that in accord with the joint resolution previously adopted by the Senate and the House, he now declared the special session of the Legislature of 1902 adjourned *sine die*.

L. PINK SMITH,
Clerk of the House of Representatives.

INDEX TO HOUSE JOURNAL.

	PAGES
HOUSE BILLS	537-545
SENATE BILLS	546-549
HOUSE BILLS—PREVIOUS SESSION	550
HOUSE RESOLUTIONS	551-554
SENATE RESOLUTIONS	555-556
GENERAL INDEX	557-568

INDEX TO HOUSE BILLS.

No.	PAGE
1	An Act making appropriation to defray expenses, special session of Assembly, 1902...67, 71, 73, 79, 81, 82
2	An Act to appropriate money for relief of certain officers, sailors, etc., of war of rebellion.....67, 517
3	To amend Section 3757 of Code, To exempt from taxation certain money loaned, etc. ....67, 68, 118
4	To amend Section 6 of Chapter 34 of Acts of 1894, To limit time of collection of Revenue Agent....68, 81, 405
5	For relief of Wade Polk, Tax Assessor of Lawrence County .....68, 166, 189, 240, 269, 273
6	For appropriation for an exhibit at Louisiana Purchase Exposition, St. Louis, 1903 68
7	To divide the State into certain number of Congressional districts .....68, 212
8	To appropriate money for common schools..... 68
9	To work public roads by contract .....68, 118, 448
10	To provide for certain amount of Capitol grounds for Confederate Memorial grounds...69, 106, 126, 128, 159
11	To create the Exposition Bureau for Louisiana Purchase Exposition, 1903, etc....69, 112, 132, 134, 349, 369, 424
12	To amend Section 3041 of Chapter 94 of Code of 1892, in regard to Notaries Public 73, 78
13	To divide the State into eight Congressional districts.73, 212
14	To appropriate \$2,500 for year 1902 for Hospital Annex at Vicksburg, etc. 74, 159, 198, 290, 295, 325, 350
15	To revise and recodify the statute laws, etc. ....74, 87, 273
16	To amend Chapter 32 of Acts of 1898, in relation to educable children, etc. ....74, 95, 159, 198, 264, 273
17	To provide for the support of Charity Hospital at Vicksburg, etc. ....74, 252
18	Providing for the purpose of dividing the State into eight Congressional districts .....74, 212
19	Providing for relief of certain soldiers, sailors, etc., of Civil War .....74, 517
20	To appropriate money for relief of certain soldiers, sailors, etc., of Civil War .....74, 517

No.	PAGE
21	To be entitled an Act to divide the State into eight Congressional districts, etc. ....74, 212
22	To divide the State into eight Congressional districts, etc. ....74, 212
23	To appropriate money for indigent soldiers and sailors, etc. ....75, 114, 202, 214, 290, 322, 328, 339, 345, 351, 387
24	To amend Chapter 32 of the Acts of 1892 75, 95
25	To appropriate money for the support of the common schools of Mississippi .....75, 96, 99, 122, 128, 145
26	To defray expenses State Board of Health.75, 259, 268, 271
27	To appropriate money for the support of the common schools, etc. ....79, 118
28	To make an appropriation for State Insane Hospital.....79, 106, 106, 112, 180, 231, 254, 274
29	To provide for interest due State University...79, 112, 155, 161, 165
30	To provide for support of State University.79, 143, 153, 168
31	To provide for support of Hospital at Vicksburg.. 79, 252, 265, 324, 351
32	To make an appropriation for support of East Mississippi Insane Hospital .....80, 118, 119, 160, 187, 290, 309, 327, 332, 343, 352, 388
33	To have lands assessed every two years in place of four .....80, 138
34	To require a new assessment in 1904, etc.....80, 138
35	To transfer lands, etc., and assessments to Land Commissioner, etc. ....80, 96, 120, 412, 413, 430, 449
36	To make State officials give security for bond..82, 220, 286, 287, 288, 296, 473, 487, 499, 516
37	To make appropriation to defray expenses of Blind Institute .....85, 95, 99, 112, 115, 210, 214, 254, 274
38	To provide for statistics of crimes committed in the State, etc. ....85, 145
39	To divide the State into eight Congressional districts.85, 212
40	To be An Act to amend Chapter 45, Acts of 1900, in reference to fees charged to incorporations ....85, 405
41	To defray expenses of Legislative, Executive and Judicial Departments of State government ...85, 202, 218, 376, 399, 413, 435, 451, 463, 469, 482, 485, 499, 503, 504, 523, 528
42	To raise revenue by making valid and binding of all contracts made previous to passage of this law.. 85, 95, 109, 252, 279, 325, 360
43	To carry into effect contract under Chapter 385, Acts 1888, to secure safety of health in State institutions .....86, 127, 130, 324, 326, 351

No.		PAGE
44	To pay for legal services rendered State in suit of Warren County vs. E. H. Nall, Land Commissioner	86, 127, 127, 188, 290, 325, 351,
45	To amend Section 1991 of Code, so as to graduate salaries of Chancery Clerk	86, 128, 141, 324, 421, 430, 450
46	To make appropriation for equipment of Branch Agricultural College at McNeill, Miss.	86, 159, 199, 279, 351, 380
47	To repeal Section 3264 of Code, to restrict participations in conventions, etc.	87, 291, 292, 347, 370
48	To make appropriation for repairs, A. and M. College	98, 107, 114, 136, 136, 137, 148, 170, 290, 326, 333, 360, 381, 416, 466
49	To make appropriation for support and maintenance of the State Normal, at Holly Springs.	98, 136, 142, 272, 325, 351
50	To appropriate money to carry out provisions of Chapter 76 of the Laws of 1900	98, 118
51	To make provisions for lights, telephone and janitor for the Governor, etc.	98, 112, 131, 462, 493
52	To provide for the assessment of lands in the year 1902, etc.	98, 138
53	To aid and assist the organization of the Mississippi National Guard, etc.	98, 128, 267
54	To raise revenue to carry on State government for years 1902 and 1903	98, 440
55	To provide for the incorporation of State mutual insurance companies	98, 108, 143, 198, 218
56	To amend Section 7, Chapter 76, Acts 1900, etc.	98, 118
57	To secure better enforcement of Anti-Trust Laws, etc.	99, 107, 176, 178, 185, 369
58	To require and regulate the working of public roads.	99, 175
59	To amend Section 1574 of Code, etc.	100, 174, 271
60	To regulate the fishing and canning of oysters in the State	104, 138, 158, 202
61	To make appropriation to defray expenses of Deaf and Dumb Institute	104, 135, 141, 168, 185, 324, 327, 344, 362, 370, 388
62	To make appropriation to defray expenses of Alcorn A. and M. College	104, 136, 157, 302, 328, 352, 402
63	To raise revenue to carry on State government for years 1902 and 1903	104, 405
64	Making appropriation to carry out the provisions of Chapter 76, Laws of 1900	105, 118, 131, 253, 280, 325, 350
65	To establish a Department of Archives and History, etc.	105, 168

No.		PAGE
66	To appropriate money to pay expenses of Presidential Electors	105, 112, 115, 257, 349, 370, 388
67	To encourage the religious and educational interest in the State	108, 138, 337, 518
68	To amend Section 4387 of Code, in relation to salary of porter	108, 128, 140, 413, 430, 450
69	Authorizing Mayor and Aldermen of municipalities to levy school taxes, etc.	108, 325
70	To appropriate money from pension funds, etc.	109, 126, 129, 160, 187, 405, 430, 450
71	To amend Section 3772 of Code of 1892	109, 138
72	To divide the State into eight Congressional districts	109, 212
73	To authorize Boards of Supervisors of any county to order extra assessment	113, 138, 148, 516
74	To authorize Board of Supervisors of Amite County to pay A. H. Wing, et al, for guarding prisoner.	113, 434
75	Authorizing Board of Supervisors of Amite County to allow certain amounts to school funds.	113, 433, 450, 479, 493
76	For relief of Dr. N. H. Howard, of Leake County.	113, 434
77	To amend Section 4043 of Code of 1892.	113, 229
78	To amend Section 4043 of Code of 1892.	113, 229, 319, 450, 479, 494
79	To amend Section 7 of Chapter 73 of Laws of 1900, in relation to pensions	113
80	To make appropriation to pay fees of Critz & Bequette	127, 127, 223, 343, 352, 355, 388
81	To divide the State into eight Congressional districts	212
82	To provide for the protection of State Capitol grounds	119, 160, 186, 324, 325, 351
83	For relief of W. T. Gwin, ex-Tax Assessor of Webster County	119, 182, 193, 253, 269, 273
84	To authorize the city of Columbus to issue certain bonds	119, 127, 127, 148, 175, 206, 221
85	To authorize the city of Columbus to issue and sell certain bonds	119, 127, 127, 149, 196, 206, 221
86	To make appropriation to pay A. W. Jones, of Prentiss County	129, 156, 182, 193, 290, 325, 351
87	To divide the State into eight Congressional districts.	129
88	To appropriate from pension funds to refund C. L. Graham, etc.	129, 195, 316, 369, 384, 388
89	To require member of the Board of Control and Warden to pay money received by them, etc.	129, 139, 147, 349, 370
90	To tax mortgages, deeds in trust, etc.	131, 138
91	To provide for statue to commemorate valor of Mississippi troops	132

No.	PAGE
92	To provide for taxation for county purposes on all revenue on real and personal property 140, 221, 255
93	For relief of B. L. Lowry, of Ellisville, etc. 140, 434
94	To provide for a coöperative system between counties and State for improvement of public roads . . . 141, 175, 176, 209, 229, 252
95	To divide the County of Tallahatchie into two Circuit and Chancery Court Districts. 156, 190, 231, 269, 303
96	To control the admission of scholars into A. and M. College 161
97	To transfer certain deeds from Land Commissioner's office to Chancery Clerk's office, etc. . . 161, 211, 217, 253, 269, 273
98	To authorize city of West Point to issue certain bonds, etc. 166, 182, 189, 264, 273, 276, 450
99	To repeal Chapter 39 of Acts of 1898, and Chapter 121 of Acts of 1900, etc. . 166, 202, 206, 248, 290, 325, 360
100	To regulate the fishing and canning of oysters in State of Mississippi 169, 182
101	To amend Chapter 84 of the Laws of 1896, etc. . . . 178, 211
102	To empower Board of Supervisors of Perry County to order an election, etc. 183, 195, 224, 302, 325, 351
103	To amend Chapter 84 of Acts of 1896, etc. 183, 211
104	To provide for the further support of the penitentiary, etc. 192, 220, 244
105	To create Board of Jury Commissioners, etc., in certain cases 194
106	To amend Section 4017 of Code of 1892. . 197, 211, 250, 361, 499, 509, 516
107	To raise revenue, to suppress bucket shops, etc. . . . 197, 202
108	Authorizing the issuance of bonds for completion of State House 204, 211, 256
109	To raise revenue to carry on State government for years 1902 and 1903 205, 211, 255, 370, 394, 413, 466, 469, 486, 494
110	To amend Section 921 of Code, in relation to special Judges 205, 259, 284, 414
111	To tax solvent securities, etc. 205
112	To appropriate money for resupplying wards of State Hospital 205, 212, 217, 302, 325, 350
113	To provide for the support of the Natchez Hospital 205, 229, 324, 326, 350
114	To authorize Board of Supervisors of Leflore County to pay back certain money to sixteenth section fund 205, 230, 313
115	To amend Section 3885 of Code, etc., in relation to Railroad Commissioners 205, 260, 395, 450, 479, 494

No.		PAGE
116	To amend Section 81 of Chapter 5 of Sheet Acts of 1888, in relation to Telephones	205, 291, 310, 428, 430, 462, 493
117	To redistrict, etc., the several Congressional districts of the State, etc.	205, 212, 227, 244, 248, 264, 276, 303, 414
118	To secure the proper assessment of money, of party assessed, etc.	213, 273
119	To confer power on Boards of Mayor and Aldermen of several towns, etc., pass ordinances	213, 230
120	To amend Section 613 of Code, and Chapter 86 of Laws, 1900	213, 250, 283, 349, 354, 370
121	To create the Eleventh Circuit Court District.	213, 250, 369, 370, 389, 397, 411, 449, 478
122	To raise revenue by privilege tax on brokers, etc.	213, 221, 311, 394, 416, 494
123	To amend Section 313 of Chapter 17 of Code, in relation to Boards of Supervisors, etc.	213, 220, 298, 440, 462, 483
124	To authorize Board of Supervisors of Tippah County to loan Sixteenth Section School Fund.	213, 230, 247, 248, 302, 324
125	To amend Section 2912 of Code, in relation to boundaries of municipalities, etc.	214, 302, 366, 405, 485, 499, 516
126	To amend Section 4043 of Chapter 87 of Code, in relation to Boards of Supervisors.	226, 229
127	To authorize Board of Supervisors of Yazoo County to transfer certain money	226, 230, 247, 248, 302, 325, 350
128	To amend Section 1300 of Code of 1892, in relation to telegraph lines	226, 230, 286, 369, 384, 387
129	To make appropriation to reclaim public lands.	226, 260, 365, 366
130	To authorize Board of Control of Penitentiary to supply teams, etc., for grading Capitol grounds.	226, 240
131	An Act to increase the revenue of the State by recovering lands unlawfully purchased, etc.	226, 260
132	To amend Section 3757 of Code, in relation to loans and securities	227, 259
133	An Act to appropriate money to aid city of Jackson to pave streets	133, 227, 260, 335, 417
134	To amend Section 3624 of Code, in relation to primary elections	227, 340, 347
135	To provide for macadamized roads	232, 252, 336, 376, 416, 449
136	To provide for payment of premium on bonds of State officers	232, 271, 287, 312, 328, 473, 486, 494

No.	PAGE
137	To amend Section 2013 of Code, in relation to Surveyors' fees .....232, 251
138	An Act making appropriation for geological survey of State, etc. ....232, 260, 418
139	For relief of J. W. Duke .....232, 250, 316, 349, 353, 369
140	To authorize Mayor and Aldermen of Holly Springs to loan money for certain purposes...232, 250, 318, 369, 384, 387
141	To authorize Board of Supervisors of Oktibbeha County to loan money, etc. . .240, 250, 315, 394, 416, 449
142	To authorize Board of Supervisors of Perry County and Mayor and Aldermen of Hattiesburg to invest money .....240, 342, 382, 441, 462, 483
143	To amend an Act of 1902, to appropriate money for I. I. and C. ....240, 241, 261
144	To authorize State Treasurer to pay Encampment Committee of Greenville, Miss., certain money.. 253, 391, 511
145	To authorize City Council of Greenville to issue bonds for paving of streets .....253, 434
146	To amend Section 3635 of Code, in reference to County Election Commissioners .....253, 291
147	To authorize payment of fees of Williams & Williams 258
148	To amend Section 3702 of Code, in relation to Presidential Electors .....262, 302, 314, 499, 518, 523, 528
149	To repeal so much of Section 2 of an Act to relieve the Delta Bank of Greenwood .....262, 271
150	To repeal so much of Section 2 of an Act to relieve the Delta Bank of Greenwood .....262, 271
151	To authorize Board of Levee Commissioners of Y. and M. Delta to issue bonds, etc. ....263, 272
152	To authorize Board of Levee Commissioners of Y. and M. Delta to borrow money .....263, 272
153	To authorize Board of Levee Commissioners of Y. and M. Delta to issue bonds not to exceed \$250,000 .....263, 272
154	To authorize and empower Board of Levee Commissioners of Y. and M. Delta to levy tax.....263, 272
155	Authorizing Board of Supervisors of Covington County to order an election, etc. ....263, 342, 358, 394, 401, 416, 449
156	To repay W. Q. Cole for premiums on bond for years 1900 and 1901.....263, 271
157	To amend Section 455 of Code, as amended by Chapter 84 of Laws of 1900, in relation to Chancery Court in Seventh District....263, 274, 285, 427, 430, 449
158	For the relief of sureties on bonds of State and county officers .....275, 341

No.		PAGE
159	To make appropriation to pay salary of Assistant Attorney General	295, 312, 334, 376, 416, 449
160	To increase revenue of State by recovering lands fraudulently purchased	296, 313
161	To amend Section 1996 of Code, in regard to Clerks' fees in criminal cases	320, 349
162	To make appropriation for marble tablet for main entrance to new Capitol building.	320, 414
163	To appropriate \$1,000 for purchase of marble tablet for main entrance to new Capitol building.	320
164	To appropriate money to pay interest upon fund deposited in treasury for I. I. and College, etc.	353, 429, 438
165	To establish a live stock sanitary board, etc.	353, 388, 389, 429
166	To authorize Board of Supervisors of Lauderdale County to pay certain school indebtedness, etc.	353, 434
167	To appropriate money for the support of I. I. and College, etc.	354, 429
168	To provide for public depositories and to protect same, etc.	368
169	To make appropriation to pay L. Cullen, Tax Assessor of Lafayette County, for assessing, etc.	389, 433, 443, 450, 479, 493
170	To amend Section 622 of Code, in regard to time of holding Circuit Court in Third District.	389, 435, 442, 450, 474, 486, 494
171	To appropriate the interest due Alcorn A. and M. College, and provide for its expenditure by Board of Trustees	404, 429, 430, 450, 479, 493
172	To appropriate money out of treasury to pay Dr. E. L. Irby, Health Officer of Tunica County, etc.	404, 433, 442, 479, 493
173	To appropriate money to pay for clerical help in Land Commissioner's office for year 1902.	404, 429, 464, 499, 509, 516
174	To increase the salary of Adjutant General	404, 433
175	To make appropriation to pay salary of porter for Supreme Court	404, 429, 467, 508
176	To make appropriation to defray expenses of penitentiary for years 1902 and 1903	426, 429
177	To make appropriation for the support and maintenance of penitentiary and state farms, etc.	426, 429, 439, 495, 503, 510, 523, 528
178	To make filing of county assessment rolls legal, etc.	485, 523, 524

INDEX TO HOUSE JOURNAL

545

No.		PAGE
179	An Act to incorporate the Board of Mississippi Levee Commissioners for Bolivar, Washington, and Issequena Counties, etc.	491, 496, 523, 524, 528
180	To appropriate extra money for pay of Clerk of Railroad Commission, etc.	491, 504, 507, 519, 522, 528, 529
194	To authorize Board of Mayor and Aldermen of Vaiden to sell certain lands	76, previous session
197	For relief of J. F. Williams, of Leake County	75, previous session

18 M H J

INDEX TO SENATE BILLS.

No.	PAGE
1	An Act to repeal all of Chapter 105 relating to primary meetings, etc. 263, 264, 292, 347, 371, 423, 437
3	To prevent unintended defeat of criminal prosecution, etc. 145, 282, 299
5	To appropriate money for support of Industrial Institute and College at Columbus. 143, 163, 196
10	To provide for establishment of a Branch Agricultural Experiment Station in Yazoo Delta. 175, 183, 260, 385
12	To provide for a collateral inheritance and succession tax 220, 385
13	To provide a home to be supported by State for indigent and dependent soldiers and sailors of the Confederacy 168, 169, 203, 344, 447
14	To provide for the payment of interest due State University on account. 160, 163
15	To make appropriation for support of the University of Mississippi, years 1902 and 1903. 203, 212, 265, 275, 288, 299, 324, 361
17	To make appropriation to defray expenses of State Board of Health, 1902 and 1903. 348, 352, 391, 437
18	To make appropriation for amount expended by Trustees of A. and M. College. 168, 169, 183, 257, 266, 368, 425
21	To amend Section 3771 of the Code in relation to assessment of lands. 211, 218, 260, 483, 486, 509
24	To establish a separate department of insurance and to create office of Insurance Commissioner. 323, 411, 488, 500, 514, 522, 529
26	To establish a State Department of Archives and History, etc. 264, 275, 340, 385, 406, 428, 436
27	To repeal Section 1575 of Code relating to granting of liquor license, etc. 145, 151, 174, 197, 276, 299
28	To amend Section 2 of Chapter 73, Laws of 1900, approved March 10, 1900, etc. 498, 499, 502, 506, 525
30	To provide for a reformatory prison for juvenile convicts 155, 156, 212
32	To provide public depositories and to secure public funds in their custody. 290, 296, 340, 385

No.	PAGE
36 To amend Chapter 215, Acts of 1896, in regard to Mobile, J. & K. C. Ry. Co.	156, 176, 195, 319, 361
37 To amend Section 3182 of Code in regard to appraisers' inventory.	349, 352, 485, 488, 495, 511
43 Making an appropriation to pay Mrs. D. W. Hurst, widow of D. W. Hurst, for services, etc., rendered	290, 291, 297, 342, 385
44 To regulate the fishing and canning of oysters, etc. .	168, 169 176, 206, 269
45 To amend Section 3952 of Code in regard to salary of Clerk of Railroad Commission.	291, 297, 312, 345, 420, 474, 509
46 Making appropriation for Branch A. and M. Experiment Station at McNeills.	343
47 To amend Section 6, Chapter 15, of Acts of 1897, in reference to publication of mortuary and sanitary statistics, etc.	342, 344, 388, 490, 491
50 To cure defects in the issuance of certain bonds, town of Oxford.	167, 170, 182, 192, 214
51 To authorize Mayor and Aldermen of city of Natchez to issue bonds for purpose of purchasing waterworks.	272, 296, 342, 381, 425
52 To appropriate money to defray expenses of penitentiary affairs as authorized by Concurrent Resolution No. 8.	175, 184, 212, 236, 272, 288
54 To amend the charter of the town of Rosedale so as to authorize Mayor and Aldermen to issue certain bonds, etc.	239, 241, 251, 317, 361
55 To make appropriation to pay salaries of Special Judges and Chancellors, etc.	240, 241
56 To empower Board of Supervisors of Harrison County to order special election for certain purposes.	196, 197, 203, 225, 269
57 To amend Section 1, Chapter 54, Acts of 1900, in relation to issuance of bonds for new State House.	343, 344, 448, 489, 515, 523, 528
58 To provide for the appointment of an Assistant Attorney General, etc.	231, 233, 259, 297, 353, 384
59 To amend Section 3952 of Code relative to salaries of Governor's Private Secretary.	231, 233, 251, 277, 343, 344
63 To authorize Boards of Supervisors to hire laborers on county farms in cases of necessity. .	264, 350, 422, 436
64 To appropriate money to pay interest on funds deposited in treasury belonging to I. I. and C., etc.	264, 329, 346
65 To authorize the Y. & M. V. Ry. Co. to acquire part of Southern Ry. Co., etc.	296, 297, 302, 310, 373, 386, 389, 391, 398, 425

No.		PAGE
66	To amend Section 1714 of Code relative to costs in proceedings to establish escheats, etc.	323, 340, 407, 425
67	To appropriate money for completion and furnishing new State House.	428, 435, 440, 468, 505, 523, 529
69	To authorize Board of Supervisors of Simpson County to invest its court house and jail fund.	301, 342. 421, 436
70	Authorizing Board of Supervisors of Attala County to loan certain amount of money.	301, 310, 342, 359, 384
71	To provide for a State Geologist, etc.	291, 297, 390, 449, 508
72	To provide for the maintenance of a Department of Archives and History, etc.	296, 297, 312, 416, 436
73	To provide for the payment of interest due on Seminary fund, etc.	275, 296, 312, 333, 360, 410, 419, 436
74	To relieve the Delta Bank of Greenwood from double taxation, etc.	301, 309, 331, 333, 377, 425
75	To repeal so much of Section 2, entitled an Act to relieve Delta Bank of Greenwood from double taxation.	301, 309, 331, 333, 341, 378, 425
76	To authorize and empower Yazoo Delta Levee Commissioners to levy privilege tax.	301, 309, 331, 333, 341, 379, 425
77	To authorize and empower Yazoo Delta Levee Commissioners to issue bonds to amount of \$250,000.	301, 309, 331, 333, 341, 379, 424
78	To authorize and empower Yazoo Delta Levee Commissioners to borrow money to pay off bonded indebtedness, etc.	301, 309, 331, 333, 341, 380, 424
79	To authorize and empower Yazoo Delta Levee Commissioners to issue bonds to pay off outstanding bonded indebtedness.	301, 309, 331, 333, 341, 377, 424
81	To validate and confirm the proceedings of the Nashville & Mississippi Delta Ry. Co., etc.	291, 296, 302, 310, 342, 363, 384
82	To amend Section 2, Chapter 79 of Acts of 1900.	301, 310, 340, 362, 384
83	To fix the salary of Governor's Private Secretary.	343, 350
84	To increase the salary of the Adjutant General.	428, 434, 492, 496, 519, 525
85	To amend an Act entitled An Act to appropriate money to defray expenses incident to investigation of penitentiary affairs.	349, 352, 391, 398, 436
86	To create part of Capitol grounds into a Confederate Monumental Park.	394, 424, 444, 446, 474, 479
87	To amend Section 4151 of Code so as to provide a loan for Sixteenth Section fund.	428, 434
88	To aid, assist and encourage the organization of the Mississippi National Guard.	428, 434, 440, 444, 462, 474, 479

INDEX TO HOUSE JOURNAL

549

No.		PAGE
89	To provide for the better enforcement of the Anti-trust Laws.....	503, 507, 511, 521, 529
91	To fix the salary of the Cashier of the Treasury....	486, 517
92	To direct the purchase of Beauvoir, the former home of Jefferson Davis, by the State of Mississippi—	428, 429, 435, 504
93	To authorize Board of Mississippi Levee Commissioners to build a protection levee in Warren County	428, 435, 448, 481, 486
94	To appropriate money to pay interest on the State House bonds.....	440, 449, 465, 479
95	To appropriate money for the retirement of outstanding bonds, etc.....	498, 499, 502
96	To so amend Section 4, Chapter 76, Laws of 1900, as to omit the words "or Secretary of State"....	498, 499, 517, 520, 525

INDEX TO HOUSE BILLS—PREVIOUS SESSION.

No.		PAGE
320	To enable Board of Supervisors of Jefferson County to compensate Mrs. K. W. Grafton, etc.....	76
335	To authorize Board of Supervisors of Jefferson County to pay expenses of smallpox cases.....	76
482	To authorize Board of Supervisors of Tate County to pay Dr. Thomason for services.....	76
491	To restore suffrage to Geo. Payne, of Benton County, Mississippi	76
492	To restore suffrage to John D. Brown and Billie Bright, of Benton County.....	76
291	To amend Section 202 of Code of 1892, etc.....	76
277	For Relief of H. L. Taylor, of Yazoo County, etc....	76
349	To refund to J. B. McAlpin, of Newton County, certain money	76
438	To change time of holding Supervisors Court of Itawamba County	77
255	To amend Section 1 of an Act approved February 10, 1894, in relation to titles to lands in Yazoo Delta, etc.	221
147	For relief of J. P. Cain, agent for State, etc.....	77
144	To refund W. K. Collins, of Franklin County, \$10..	77
148	To refund C. W. Graham taxes overpaid.....	77

INDEX TO HOUSE RESOLUTIONS.

No.	PAGE
1 Joint Resolution in regard to appointing of a committee of each House in regard to bills in redistricting the State into Congressional Districts.....	52
2 Joint Resolution enlarging the important committees of the House.....	52
3 Joint Resolution that a joint committee be appointed to divide the State into new Congressional Districts, etc.	53, 69
4 Appointing a committee of fifteen, two from each Congressional District and one from State at large, which shall consider all bills and resolutions looking to the apportionment of State into new districts	53, 71
5 Appointing a special committee of both Houses to whom all bills shall be referred to the apportioning of the State into eight Congressional Districts.	53
6 Appointing a special committee of both Houses to whom all bills shall be referred to the apportioning of the State into eight Congressional Districts.	54
20 In regard to special election for Secretary of State...	54
In regard to special election for Secretary of State.....	54
Requesting that each member pay for his own newspaper..	54
Commending Admiral Schley.....	58
Denouncing the majority report in Schley Court of Inquiry.	58
Extending invitation to Admiral Schley to visit Jackson..	58
Requesting Senators and Congressmen in Congress to use their good offices before Congress, etc., and support certain bills	71
Adopting the Rules of the last House of Representatives, etc.	72
Accepting invitations from faculties of A. and M. College, etc.	72
To ascertain the cost of investigating the penitentiary affairs	72
Requesting an itemized account of expenses of the investigation of penitentiary affairs.....	73
Extending sympathies of the House to Hon. Pres. Groves.	79
Approving the decision of Admiral Dewey in the Schley Court of Inquiry.....	81

	PAGE
No text-book should be used that would assail the conduct of Admiral Schley.....	81
Inviting the Senate to hear the speech of Hon. John M. Allen	81
Requesting ministers of Jackson to supply one of their members to open each session of the House.....	84
Tendering thanks to Faculty and scholars of A. and M. College for their hospitality.....	84
Inviting Dr. E. A. Alderman, of Tulane College, to address the Legislature	84
To amend Section 36 of the Constitution of the State of Mississippi	84
Allowing pages of the House mileage.....	94
Allowing doorkeeper mileage.....	94
That no money be paid out of contingent fund unless by yea and nay vote.....	94
Allowing Sergeant-at-Arms and Clerk mileage.....	94
Inviting Miss Belle Kearney to address the Legislature...	94
Appointing a joint committee to investigate the Natchez Hospital	94
Commending Admiral Schley.....	94
Condemning the majority report in the Schley Court of Inquiry	101
Extending invitation to Admiral Schley to visit Jackson..	101
That copy of these resolutions be sent to Admiral Schley.	101
Invitation extended to Gens. A. P. Stewart and S. D. Lee to address the Legislature.....	102, 103
Allowing postmistress of the House mileage.....	103
Instructing House Committee on Liquor Traffic to investigate South Carolina Dispensary system.....	103
Instructing House Committee on Judiciary to investigate the Wilson Act of Congress.....	104
Granting Mr. Ham leave of absence.....	117
Appointing a joint committee to investigate charges against State University	119
Instructing Sergeant-at-Arms to distribute copies of the report of the penitentiary investigation.....	120
For a committee to arrange for the reception and address of Dr. Alderman.....	125
To appoint a committee to investigate the needs of Natchez Hospital and State Charity Hospital at Vicksburg..	126
To appoint a committee to investigate the Greek Letter Societies of the State University.....	127
Memorial to Senators and Representatives of United States requesting them to urge the passage of a bill by Congress seeking to have refunded tax collected on cotton after the war.....	139
That Clerk do not pay any warrants for members and employees for attendance while on trip to Gulfport....	141

	PAGE
Appointing a committee to examine books and accounts of the penitentiary for years 1898 and 1899.....	141
For a joint committee to inquire into the causes attending the resignation of J. R. Stowers, State Treasurer... 141,	184
To appoint a joint committee to act with present penitentiary Investigation Committee.....	151
Allowing the Sergeant-at-Arms a deputy.....	150
That Committee on Appropriations report to the House..	150
Tendering thanks to Senators and Representatives of Hancock, Harrison and Jackson Counties.....	156
In regard to Senate Bill No. 5.....	162
That Trustees of I. I. and College furnish a further itemization of the disbursements	163
Ordering Speaker to appoint four additional members to Natchez Hospital Committee.....	163
Requesting the United States Fish Commission to investigate the oyster reefs of State of Mississippi.....	165
To insert into the State Constitution Section 206.....	169
To amend Section 36 of the Constitution.....	169
That Sergeant-at-Arms enforce House Rule 16.....	184
Requesting a full report from Trustees of State University at next term of Legislature.....	203
Ordering Clerk to issue certificate to Hon. J. T. Senter for \$152.60 for expense of committee in investigating Natchez Hospital	214
That members absent and not voting on final passage of a bill be allowed no per diem.....	228
Memorializing Congress to appropriate money to deepen and improve Ship Island Harbor.....	231
That a committee of three wait upon Trustees of I. I. College for report.....	233
Requesting Legislature to adjourn until after carnival in New Orleans	234
No member be allowed per diem unless by leave of absence.	237
In regard to House Concurrent Resolution No. 1.....	255
In regard to House Concurrent Resolution No. 1.....	268
Appropriating \$400 to purchase marble slab for new State House	320
To set no bill for consideration after February 17.....	330
To amend Section 273 of the Constitution.....	357
In regard to re-extending of time of Legislature.....	364
Allowing each member of the House ten minutes for discussion of bills.....	392
Fixing 28th of February as day for adjournment <i>sine die</i> .	394
Authorizing Clerk to pay Clarion Ledger \$133 and Evening News \$133 out of contingent fund.....	401
Expressing confidence in committee appointed to investigate State Treasury affairs.....	402

	PAGE
Requesting the Governor to return House Bill No. 120..	402
Appropriating \$1 per day for assistants to State Librarian.	402
Requesting Board of Control to submit estimate of expenses for penitentiary, years 1902 and 1903.....	402
Adopting February 28th as day of final adjournment....	414
Appropriating \$48 to pay for expense of reception of Mrs. Jefferson Davis	419
Allowing porters of the House 5 cents for mileage, etc....	423
Allowing F. Julienne, House mail carrier, same as allowed pages of the House	423
Ordering committee to investigate I. I. and College to proceed to their duties at once.....	423
Regarding committee on investigation of penitentiary affairs	480
In regard to purchase of Beauvoir as a Confederate Home.	478
Tendering thanks of the House to the Penitentiary Investigation Committee	481
Allowing W. W. George and H. G. Myer \$11 for services.	482
Adopting State "Ode" for State of Mississippi.....	489
Regarding World's Fair and Louisiana Purchase Exposition at St. Louis.....	492
Regarding final adjournment.....	492
Regarding Industrial Institute and College.....	492
Regarding Capitol Commission	497
Regarding Capitol Commission laying of corner-stone....	497
Tendering thanks of the House to Hon. L. P. Smith, Clerk, and Robert E. Wilson, Reading Clerk.....	498
Allowing Clerk ten days' pay for an index to the Journal..	498
Allowing four days' pay to Geo. Lee as porter.....	502
Allowing postmistress of the House five days' extra pay.	502
In regard to Penitentiary Investigation Committee.....	517
Tendering thanks of the House to Hon. E. J. Bowers....	524
Allowing Wm. Gregory \$14 as porter.....	524
Allowing Sergeant-at-Arms and two porters two days' extra pay	525
(Of "younger members") voting thanks to honor crowned ex-Confederates	527
In regard to Governor's Message.....	50
Appointing a committee to prepare suitable resolutions in reference to the death of C. O. McCarthy.....	50
Tendering use of hall of Legislature to Mississippi Historical Society	79
Of sympathy for the Boers of South Africa.....	434
Endorsing Mr. Kitchen, of North Carolina.....	434

INDEX TO SENATE RESOLUTIONS.

No.	PAGE
1	To amend Section 36 of the Constitution of the State of Mississippi was read and referred to Committee on Constitution. 184
3	Memorializing Congress of United States to deepen and complete the Ship Island Harbor. 360, 370
5	Concurrent Resolution approving the decision of Admiral Dewey in the Schley Court of Inquiry. 84, 323, 330, 397
6	Concurrent Resolution inviting Dr. E. A. Alderman, of Tulane University, to address the Legislature. 84, 125
7	Concurrent Resolution proposing an amendment to the Constitution requiring that all changes, etc., of said Constitution be inserted by Legislature. 145, 145, 151, 169, 238, 241, 254, 357, 359, 425
8	Concurrent Resolution authorizing joint committee to investigate and report upon penitentiary affairs to send for persons, papers and books, and that the Sergeant-at-Arms of the two Houses be required to execute all processes, etc. 108, 351, 376
10	Concurrent Resolution to amend Section 183 of the Constitution in regard to counties, etc., taking stock in railroads. 265, 356, 408, 425
12	Concurrent Resolution of the Legislature of the State of Mississippi proposing to amend the Constitution of the State by abrogating therefrom Sections 118 and 166, so as to relieve the Legislature from restrictions, etc. 297, 397, 409
13	Extending an invitation to Mrs. Jefferson Davis to visit the Legislature and provide a joint committee for her reception. 222, 223
14	To amend Section 85 of the Constitution so that uniformity in the method of working the public roads of the State may be enforced, etc. 330, 397
15	Authorizing joint committee to investigate penitentiary affairs to secure rooms in which to hold its sessions, etc. 295, 351
18	To authorize and require survey to determine the practicability of constructing canals and improving the waterways of Mississippi. —

No.		PAGE
1	Senate Joint Resolution in reference to Congressional apportionment	71
3	Memorializing Congress of the United States to appropriate money to deepen and complete the Ship Island Harbor	234, 462
	Protesting against the war in South Africa.....	—

GENERAL INDEX.

	PAGE
Convening of the House January 7, 1902.....	3
Roll of members.....	3, 4, 5
Address of Speaker Russell.....	5-10
Message from the Senate to notify the Governor of their readiness to receive any communication.....	10
Report of Special Committee on Governor's Message....	51, 52
Clerk ordered to keep calendar.....	54
Report of Penitentiary Investigation Committee.....	58-67
One thousand copies of report of Penitentiary Investiga- tion ordered printed.....	67
Thanks of the House extended to Penitentiary Investiga- tion Committee	67
Placing of new members upon the different committees..	69
Governor's messages	76
Vetoing House Bill No. 277.....	76
Vetoing House Bill No. 349.....	77
Vetoing House Bill No. 438.....	77
Vetoing House Bill No. 144.....	77
Vetoing House Bill No. 148.....	77
Privileges of the House extended to Major M. F. Berry, of Jasper County.....	80
Extending invitations to Hon. John M. Allen to address the House	80
George Lee appointed a porter in the House.....	81
Thanks of the House extended to Hon. J. M. Allen for his address	84
Returns of special election of Secretary of State and State Treasurer	89-92
Announcement of members by Speaker on Committee of Congressional Apportionment	92
Announcement of election of Secretary of State and State Treasurer	92
Admiral Schley endorsed by Committee on Federal Rela- tions	100, 101
Privileges of the House extended to Hon. J. F. McCool, Attala County, ex-speaker of the House.....	102
Privileges of the House extended to Hon. R. A. Dean, of Lafayette County	102

	PAGE
Invitations extended to Gens. S. D. Lee and A. P. Stewart to address the House.....	102
Thanks of the House extended to Gens. S. D. Lee and A. P. Stewart for the addresses.....	103
Privileges of the House extended to Hon. Claud Pintard, Lieut.-Col. Sharp, John L. Buckley and E. M. Barber	117
Petition to have a new Circuit Court District created....	122, 123
Leave of absence granted.....	122, 126, 133, 140, 159, 167, 178, 195, 270, 289, 300, 321, 348, 368, 390, 393, 412, 427, 484, 491.
Privilege of the House extended to Hon. John C. Kyle..	126
Invitation extended by Mr. Broadus to the House to visit Scranton and Pascagoula.....	126
Invitation accepted by the House.....	126
Privileges of the House extended....	133, 153, 159, 167, 173, 183, 195, 201, 301, 385, 484
Minority report on House Bill No. 48.....	136
Tuesday, January 12, fixed as the day to consider the financial condition of the State.....	140
Governor's message on penitentiary investigation.....	146
Mr. W. G. Stevens appointed Deputy Sergeant-at-Arms..	150
Resignation of Mr. Castleman from Committee on Liquor Traffic	155
Communication from Biloxi Commercial Club on Bowers' Oyster Bill	173
Communication from Gens. A. P. Stewart and A. V. Boynton on Chickamauga Monument Bill.....	174
Mrs. Kimbrough invited to address the House in regard to Beauvoir	177
Proclamation by Governor in regard to adjournment of Legislature	204
Report of special committee to visit Natchez and Vicksburg Hospitals	233
Governor's message in regard to expenditures of Industrial Institute and College.....	238
Report of special committee to visit Charity Hospital in Vicksburg	249
Invitation to the House from the Daughters of the Confederacy to attend a reception at Governor's Mansion..	279
Invitation accepted	279
Minority report on Senate Bill No. 1 and House Bill No. 47.	292, 293
Informal reception in honor of Mrs. Jefferson Davis.....	303
Governor's report of expenditures from contingent fund, years 1900 and 1901.....	304-308
Announcement by Speaker of committee to investigate the resignation of J. R. Stowers, State Treasurer.....	345
Proclamation by Governor in regard to time of adjournment of Legislature.....	364

	PAGE
Andrew Allen appointed as porter in place of Jim Gilliam.	367
Resolutions on death of James M. Tate and Chas. O'Connor McCarthy	374, 375
Report of Conference Committee on House Bill No. 48..	381
Minority report on House Bill No. 65.....	386
Message from Governor in regard to House Bill No. 62...	402
Report of Committee on Penitentiary.....	451, 461
Proclamation by Governor in regard to adjournment of Legislature	470
Report of joint committee in regard to resignation of J. R. Stowers, State Treasurer.....	471, 473
Report of Joint Committee to investigate State officers..	474, 475
Report of joint committee to investigate State Land Commissioner	476
Report of joint committee to investigate State Revenue Agent	477
Report of joint committee to investigate State Superintendent of Education.....	477
Report of joint committee to investigate State Board of Health	477
Report of sub committee to investigate Secretary of State.	477
Resolution adopting Ode "Mississippi" as State Ode....	489
Report of Committee on Contingent Expenses.....	493
Governor's Message vetoing House Bill No. 122.....	494, 495
Thanks of the House extended to L. P. Smith, Clerk of the House.....	498
Thanks of the House extended to Hon. Robert E. Wilson, Reading Clerk	498
Report of contingent expenses.....	521
Cost of investigation of resignation of J. R. Stowers.....	522
Thanks of the House tendered to Hon. E. J. Bowers.....	524
Report of Committee on Contingent Expenses.....	524
William Gregory allowed \$14 out of contingent fund for repairs of locks, etc.....	524
Report of Conference Committee in regard to time of adjournment	525
Presentation of gold watch to Gen. Sharp.....	526
Presentation of bronze clock to Speaker Russell.....	526
Presentation of umbrella to Miss Olivia Swayze.....	526
Presentation of set of silver spoons to Mr. Kyle, on behalf of Committee on Appropriations.....	526
Presentation of gold cuff buttons to L. P. Smith, Clerk of the House	527
Presentation of a silver cup to L. P. Smith, Clerk of the House, by Wm. Gregory, porter	527
Adjournment of the House <i>sine die</i>	533

REPORTS OF COMMITTEES.

	PAGE
Immigration and Labor.....	—
Public Buildings and Grounds.....	—
Federal Relations	100, 359, 434
Fisheries, Commerce and Shipping.....	138, 175, 196
Universities and Colleges.....	127, 153, 448
Agriculture	202, 260, 390
Census and Congressional Apportionment.....	212
Constitution	169, 312, 396
To Investigate State Officers.....	474
Public Lands	96
Levees	271
Joint on Executive Contingent Fund.....	—
Contingent Expenses	139, 492, 521, 524
Public Health and Quarantine.....	259, 388
Judiciary ..78, 81, 87, 89, 145, 168, 211, 220, 230, 250, 259, 274, 302, 340, 435, 485, 517	—
Manufactories	—
Education	95, 159, 229, 250
Printing	—
Local and Private Legislation... 127, 166, 182, 195, 203, 230, 250, 341, 373, 377, 386, 433, 448	—
Engrossed Bills	—
Fees and Salaries	128, 202, 251, 349, 433, 491, 517
Pensions	97, 126, 203, 424, 447, 517
County Affairs	350
Insurance	108, 410
Ways and Means.. 95, 118, 138, 139, 211, 221, 260, 273, 291, 313, 405, 448	—
Claims	—
Roads, Ferries and Bridges.....	175, 252, 447
Military Affairs	128
Liquor Traffic	174
Appropriations... 96, 107, 112, 117, 127, 136, 159, 168, 183, 202, 212, 229, 252, 260, 271, 312, 313, 390, 414, 429, 440, 448, 502, 504, 511.	—
Library	—
Corporations	—
Registrations	—
Levees	331, 491
Penitentiary	59, 67, 212, 220, 240, 451, 461
Railroads	176, 177, 302
Propositions and Grievances.....	—
Enrolled Bills... 81, 128, 196, 206, 214, 254, 269, 276, 288, 299, 324, 344, 351, 353, 360, 369, 385, 411, 415, 424, 430, 436, 461, 479, 485, 499, 509, 511, 523, 525, 528.	—
Benevolent Institutions	95, 106, 118, 135
Factories	—

	PAGE
Capitol Building	
Mileage	55, 57
Special Committee on Governor's Messages.....	51, 52
Rules	71, 86
Trusts and Combines.....	107, 511
Registration and Elections.....	291
Conference	332, 362, 435, 463, 503
Conference on House Bill No. 9.....	466
Conference on House Bill No. 41.....	482
Minority Report on House Bill No. 48.....	136, 137
Joint Committee	471

MESSAGES.

From the Senate.....	10, 69, 72, 79, 81, 84, 122, 126, 139, 145, 155, 160, 167, 168, 175, 196, 203, 210, 220, 231, 252, 263, 265, 272, 274, 290, 296, 299, 301, 313, 323, 327, 333, 342, 344, 348, 353, 360, 369, 376, 394, 397, 405, 410, 413, 423, 428, 440, 450, 469, 473, 474, 478, 485, 497, 498, 499, 503, 505, 509, 516, 517, 522, 524, 528
----------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

GOVERNOR'S MESSAGES.

On finances of the State	11-23
On Secretary of State	23
On good roads	23
On State Revenue Agent	24, 25
On Soldiers' Home	26, 27
On National Guard	27, 28
On Board of Health	28
On Congressional apportionment	29
On Branch Experimental Stations	29
On disease of animals	30
On State lands	30, 31
On schools	31-37
On increase of salaries	37
On Institute for the Blind	38
On Deaf and Dumb Institute	38
On East Mississippi Insane Hospital	38, 39
On State Insane Hospital	39
On Charity Hospital	39
On Louisiana Purchase Exposition, 1903	39, 40
On proceeds of sale of lands to the State for the use of universities and colleges	40
On Mississippi Boundary Commission	40
On commission appointed to ascertain the position occupied by Mississippi troops in defense of Vicksburg	41

	PAGE
On Assessors	42
On Notaries Public	42
On new State house	42, 43
On Attorney General	46
On State Auditor	47
On Penitentiary	48
On Primary Election Law	48
Regarding J. M. Stone	49
Conclusion	49
Approving the following bills (old bills) : H. B.'s Nos. 289, 147, 197, 298, 223, 194, 320, 335, 482, 491, 492, 482, 291	75, 76
Vetoing House Bill No. 277	76
Vetoing House Bill No. 349	76
Vetoing House Bill No. 438	77
Vetoing House Bill No. 144	77
Vetoing House Bill No. 148	77
Approving House Bill No. 1	82
On bill to establish a State Department of Archives and History	97
On bill to prevent the sale of malt and vinous liquors.	97
On an Act to regulate the fishing and canning of oysters in the State of Mississippi	97
On an Act to allow solvent banks within the State to take on loan or deposit any money in the State treasury	108
On report of commission appointed to ascertain and determine the position of Mississippi troops in the defense of Vicksburug, etc.	109
To create a new Circuit Court District	122, 123
In reference to Mobile, Jackson & Kansas City Rail- way Company	124
In reference to Grenada County in reference to issu- ance of bonds	124
In reference to city of Columbus in reference to issu- ance of bonds	124
In regard to Mobile, Jackson & Kansas City Railway Company	124
In regard to County of Grenada	124
In regard to Columbus, Fayette & Decatur Railway Company	124
Approving House Bill No. 25	145
In relation to investigation of penitentiary affairs. . .	146, 147
In relation to Circuit and Chancery Court Districts in Tallahatchie County	153, 154
Submitting subjects for House's consideration, viz. :	
1. Change the present system of drawing grand juries	154

	PAGE
2. To require male inhabitants to work public roads	154
3. Change the law of 1900, Chapter 120, Section 4	154
4. Define some punishment for unruly convicts..	154
5. To secure within the State the proper listing and assessments of solvent credits	154
Submitting subjects for consideration of the House..	155
Submitting subjects for consideration of the House..	160
Submitting subjects for consideration of the House..	161
On House Bill No. 29.....	165
Submitting subjects for House's consideration	165
Submitting subjects for House's consideration	166
Submitting subjects for House's consideration	170
On House Bill No. 255	221
On House Bill No. 84	221
On House Bill No. 85	221
Submitting subjects for consideration by the House..	222
Submitting subjects for consideration by the House..	225
Submitting subjects for consideration by the House..	231
On itemized expenditures of Industrial Institute and College	238
Submitting subjects for consideration by the House..	261
Approving House Bill No. 5	273
Approving House Bill No. 16	273
Approving House Bill No. 98	273
Approving House Bill No. 83	273
Approving House Bill No. 97	273
Submitting subjects for consideration by the House..	273, 274
Approving House Bill No. 28	274
Approving House Bill No. 37	274
Submitting subjects for consideration by the House ..	303
Submitting his report of the Executive Contingent Fund	303, 304, 308
Submitting subjects for consideration by the House ..	341
Approving the following bills, to-wit: House Bills Nos. 113, 127, 124, 112, 64, 14, 82, 49, 102, 44, 86, 31, 43	350, 351
Approving House Bill No. 99	360
Approving House Bill No. 42	360
Approving House Bill No. 139.....	369
Approving House Bill No. 23.....	387
Approving House Bill No. 140.....	387
Approving House Bill No. 128.....	387
Approving House Bill No. 80.....	388
Approving House Bill No. 46.....	388
Approving House Bill No. 32.....	388
Approving House Bill No. 66.....	388
Approving House Bill No. 61.....	388

	PAGE
Approving House Bill No. 88.....	388
Approving in part House Bill No. 62, and vetoing in part House Bill No. 62	402, 403, 404
Submitting subject for consideration by the House...	424
Approving House Bill No. 11.....	424
Approving House Bill No. 120.....	449
Approving House Bill No. 159.....	449
Approving House Bill No. 135.....	449
Approving House Bill No. 141.....	449
Approving House Bill No. 155.....	449
Approving House Bill No. 157.....	449
Approving House Bill No. 35.....	449
Approving House Bill No. 70.....	450
Approving House Bill No. 68.....	450
Approving House Bill No. 45.....	450
Approving House Bill No. 98.....	450
Approving House Bill No. 48.....	466
Approving House Bill No. 121.....	478
Approving House Bill No. 142.....	483
Approving House Bill No. 123.....	483
Approving House Bill No. 51.....	493
Approving House Bill No. 116.....	493
Approving House Bill No. 75.....	493
Approving House Bill No. 169.....	493
Approving House Bill No. 172.....	493
Approving House Bill No. 171.....	493
Approving House Bill No. 115.....	494
Approving House Bill No. 78.....	494
Approving House Bill No. 109.....	494
Approving House Bill No. 170.....	494
Approving House Bill No. 136.....	494
Vetoing House Bill No. 122	494, 495
Submitting subject for consideration by House.....	500
Approving House Bill No. 36.....	516
Approving House Bill No. 125.....	516
Approving House Bill No. 106.....	516
Approving House Bill No. 173.....	516
Approving House Bill No. 179.....	528
Approving House Bill No. 148.....	528
Approving House Bill No. 177.....	528
Approving House Bill No. 41.....	528
In reference to the Eleventh Circuit Court District...	529
Approving House Bill No. 180.....	529

YEAS AND NAYS.

On House Bill No. 1	73
On House Bill No. 37	99, 115

	PAGE
On House Bill No. 42	109, 110
On House Bill No. 29	114
On House Bill No. 66	115
On House Bill No. 35	120
On House Bill No. 43	130
On House Bill No. 51	131
On House Bill No. 64	132
On House Bill No. 11	134, 135
On House Bill No. 45	141
On House Bill No. 49	142
On House Bill No. 89	147
On House Bill No. 73	148
On House Bill No. 84	148, 149
On House Bill No. 85	149
On House Bill No. 62	157
On House Bill No. 29	161, 162
On Senate Bill No. 5	163
On House Bill No. 48	170, 171
On House Bill No. 57	178, 179
On House Bill No. 28	180
On Senate Concurrent Resolution No. 1	184
On House Bill No. 61	185
On House Bill No. 82	186
On House Bill No. 70	187
On House Bill No. 32	187
On House Bill No. 44	188
On House Bill No. 5	189
On House Bill No. 98	189
On House Bill No. 95	190
On Senate Bill No. 50	192
On House Bill No. 86	193
On House Bill No. 83	193
On House Bill No. 16	198
On House Bill No. 14	198, 199
On House Bill No. 46	199
On House Bill No. 99	206, 207
On Senate Bill No. 44	206, 207
On House Bill No. 94	209, 210
On House Bill No. 37	214
On House Bill No. 23	215
On House Bill No. 97	217
On House Bill No. 112	217, 218
On House Bill No. 41	219
On House Bill No. 80	223
On House Bill No. 102	224
On Senate Bill No. 56	225
On Senate Bill No. 15	234
On Senate Bill No. 52	237

	PAGE
On Senate Concurrent Resolution No. 7	241
On House Concurrent Resolution No. 1	242
On House Bill No. 1	244
On House Bill No. 117	245, 246
On House Bill No. 104	244, 245
On House Bill No. 127	247
On House Bill No. 124	247, 248
On Senate Concurrent Resolution No. 7	254, 255
On House Bill No. 109	255, 256
On House Bill No. 108	256
On Senate Bill No. 18	257
On House Bill No. 31	265
On House Bill No. 53	267
On House Concurrent Resolution No. 1	268
On Senate Bill No. 27	276, 277
On Senate Bill No. 59	277
On House Bill No. 42	279
On House Bill No. 64	280, 281
On House Bill No. 46	281, 282
On Senate Bill No. 3	282, 283
On House Bill No. 120	283
On House Bill No. 121	284
On House Bill No. 110	284, 285
On House Bill No. 157	285
On House Bill No. 128	286
On House Bill No. 36	286
On House Bill No. 136	287, 288
For a recess	289, 290
On House Bill No. 14	295
On Senate Bill No. 58	297
On House Bill No. 123	298
On Senate Bill No. 15	308
On House Bill No. 116	310, 311
On House Bill No. 122	311, 312
On House Bill No. 114	313, 314
On House Bill No. 148	314
On House Bill No. 141	315
On House Bill No. 139	316
On House Bill No. 88	316
On Senate Bill No. 54	317
On House Bill No. 140	318
On Senate Bill No. 36	319
On House Bill No. 78	319, 320
On Senate Bill No. 15	321
On House Bill No. 23	322, 323
On House Bill No. 48	326
On House Bill No. 62	328
On House Bill No. 136	328, 329

	PAGE
On Senate Bill No. 64.....	329
On House Bill No. 32.....	332
On Senate Bill No. 73.....	333
On House Bill No. 159.....	334
On House Bill No. 69.....	335
On House Bill No. 133.....	335
On House Bill No. 135.....	336
On House Bill No. 67.....	337
On House Bill No. 23.....	339
On Senate Bill No. 45.....	345
On Senate Bill No. 64.....	346
On Senate Bill No. 1.....	347
On House Bill No. 120.....	354
On House Bill No. 89.....	355
On Senate Concurrent Resolution No. 10.....	356
On Senate Concurrent Resolution No. 7.....	356
On Senate Bill No. 70.....	359
On House Bill No. 106.....	361
On House Bill No. 61.....	362
On Senate Bill No. 82.....	362, 363
On Senate Bill No. 81.....	363
In regard to time of adjournment of Legislature....	364, 365
On House Bill No. 125.....	366
On Senate Bill No. 18.....	368
On Senate Bill No. 1.....	371, 372
On Senate Bill No. 79.....	377
On Senate Bill No. 74.....	377, 378
On Senate Bill No. 75.....	378
On Senate Bill No. 77.....	379
On Senate Bill No. 76.....	379, 380
On Senate Bill No. 78.....	380
On Senate Bill No. 51.....	381
On House Bill No. 48.....	381
On House Bill No. 142.....	382, 383
On Senate Concurrent Resolution No. 10.....	383
On Senate Bill No. 65.....	391
On House Bill No. 109.....	394, 395
On House Bill No. 115.....	395, 396
On House Bill No. 121.....	397
On Senate Bill No. 85.....	398
On House Bill No. 41.....	399
On House Bill No. 155.....	401
On House Bill No. 125.....	405
On Senate Bill No. 26.....	406
On Senate Bill No. 66.....	407
On Senate Bill No. 10.....	408
On Senate Concurrent Resolution No. 10.....	408, 409
On Senate Concurrent Resolution No. 12.....	409

	PAGE
On Senate Concurrent Resolution No. 14.....	410
On House Bill No. 35	412
On House Bill No. 162	414
On Senate Bill No. 72	416, 417
On Senate Bill No. 17	417
On House Bill No. 133	417
On Senate Bill No. 73	419
On House Bill No. 45	419
On House Bill No. 69	420
On House Bill No. 45	421
On Senate Bill No. 63	422
On House Bill No. 157	427
On House Bill No. 171	430, 431
On House Bill No. 116	431, 432
On House Bill No. 164	438, 439
On House Bill No. 177	439
On House Bill No. 75	441
On House Bill No. 172	442
On House Bill No. 169	443
On Senate Bill No. 86	444
On Senate Bill No. 88	444, 445
On Senate Bill No. 86	446, 447
On Senate Bill No. 88	462, 463
On House Bill No. 41	463, 464
On House Bill No. 173	464
On Senate Bill No. 94	465
On House Bill No. 109	466, 467
On House Bill No. 175	467
On Senate Bill No. 67	468, 469
In regard to penitentiary affairs.....	480
On Senate Bill No. 93	481, 482
On Senate Bill No. 21	486
On House Bill No. 36	487
On Senate Bill No. 37	488
On House Bill No. 178	495
On House Bill No. 179	496
On Senate Bill No. 41	504
On Senate Bill No. 67	505, 506
On Senate Bill No. 28	506
On House Bill No. 180	507
On House Bill No. 175	508
On House Bill No. 177	510
On House Bill No. 144	512
On Senate Bill No. 24	512, 513
On Senate Bill No. 89	513
On Senate Bill No. 24	514
On Senate Bill No. 57	515
On House Bill No. 148	518
On House Bill No. 180	519
On Senate Bill No. 96	520

