SENATE JOURNAL

SECOND SESSION

OKLAHOMA

1909

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JOURNAL

OF THE

Proceedings of the Senate

OF THE

SECOND LEGISLATURE

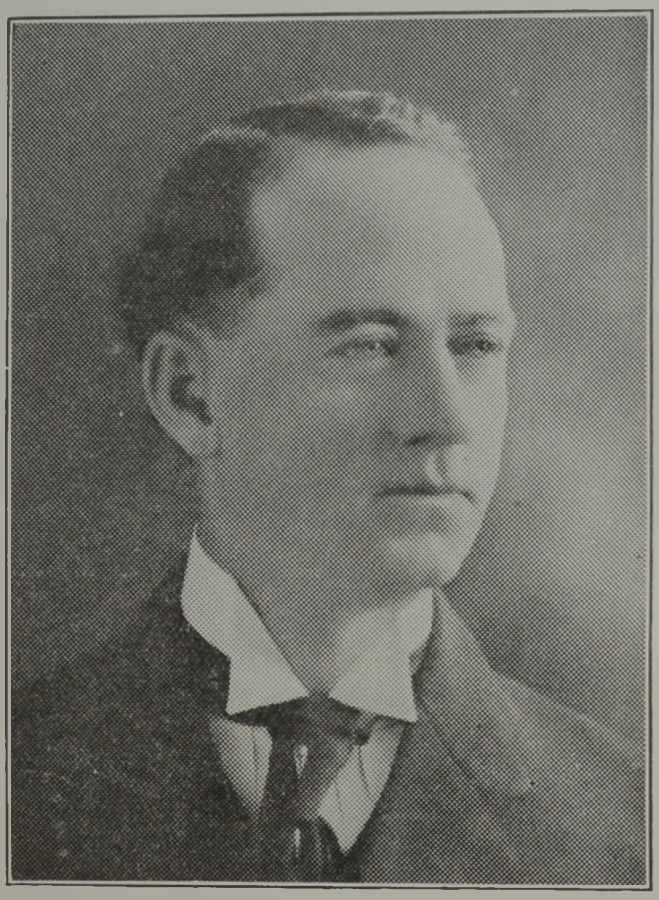
OF THE

State of Oklahoma.

Session Opened January 5, 1909.
Closed March 12, 1909.
67 Days.



DEMOCRAT PRINT TULSA, OKLAHOMA



Lieutenant-Governor George W. Bellamy
President of the Senate

List of the Names and Postoffices

of the

OFFICERS AND EMPLOYJES OF THE SENATE

of the

STATE OF OKLAHOMA.

Regular Session Commencing January 5th, 1909.

Officers of the Senate.

Name.	Office.	Postoffice.
George W. Bellamy,	President and Lieutenant Governor,	El Reno, Okla.
J. Clint Graham,	President Pro Tempore,	Marietta, Okla.
J. R. Finley,	Secretary,	Claremore, Okla.
Cliff Caldwell,	Reading Clerk,	Weatherford, Okla.
J. R. Thacker,	Chief Enrolling and Engrossing Clerk,	Hollis, Okla.
F. J. Etler,	Sergeant-at-Arms,	Ada, Okla.
Wm. Demland,	Messenger	Shawnee, Okla.
Joe Haskell,	Messenger,	Guthrie, Okla.
J. Flem Smith,	Official Reporter,	Ponca City, Okla.
Hartwell A. Tucker,	Chaplain,	Edmond, Okla.

Employees of the Senate.

ASSISTANT ENROLLING AND ENGROSSING CLERKS—A. D. Cowling, Cowling, Okla.; Jas E. Johnston, Tulsa, Okla.; Mrs. Lillian M. Roberts, Anadarko, Okla.

ASSISTANT REPORTER—Geo. E. Reeves, Chickasha, Okla.

PRIVATE SECRETARY TO LT. GOVERNOR—P. P. Duffy, El Reno, Okla.

JOURNAL CLERK—Herbert A. Cook, Enid, Okla.; A. B. Murchison, (Assistant) Tahlequah, Okla.

DOORKEEPERS—C. C. Baird, Grant, Okla.; Enoch Capshaw, Oklahoma City, Okla.

CALENDAR CLERK—Kenney Lotspeich, Yelton, Okla.

AUDITOR AND POSTMASTER—R. L. Moore, Lone Wolf, Okla.

STENOGRAPHEDS—Miss Gertrudde V. Patterson, (Chief of Stenographic Dep't.) Guthrie, Okla.; Anna Bynum, Oklahoma City, Okla.

COMMITTEE CLERKS—W. W. Witt; Misses Ida F. Hasley, Oklahoma City; Emma Koester, McLeod, Okla.; May Waterbury, Atoka, Okla.; Emma Wilson, Pawnee, Okla.

CLOAKROOM KEEPER—Judson Treadwell, McAlester, Okla.

ASSISTANT SERGEANT-AT-ARMS—Wm. Childers, Wann, Okla.

DAY WATCHMAN—L. A. Huber, El Reno, Okla.

NIGHT WATCHMAN—W. H. Riner, Chandler, Okla.

ASSISTANT READING CLERK—W. V. Buckner, Enterprise, Okla.

JANITORS—J. L. Pardue, Cordell, Okla.; Frank Tilghman, Guthrie, Okla.

PAGES—Glenn Coffland, Ardmore, Okla; Wells Thomison, Durant, Okla.; Eddie Underwood, Mill Creek, Okla.; Frank Wolf, Norman, Okla.

MEMBERS OF THE SENATE

District.	Name.	County.	
First,	J. S. Morris,	Harper,	Hooker.
		Beaver,	
		Cimarron,	
Second,	R. E. Echols,	Beckham,	Elk City.
	E. L. Mitchel.	Roger Mills,	Cheyenne.
		Dewey,	
		Ellis,	
Third,	A. E. Updegraff,	Woods,	Fair Valley.
		Woodward,	
Fourth,	H. J. Denton,	Greer,	Hollis.
Fifth,	Tom Moore,	Jackson,	Olustee.
		Tillman,	
Sixth,	Richard A. Billups	Washita,	Cordell.
	J. J. Williams,	Custer,	Weatherford.
		Kiowa,	
Seventh,	R. S. Curd,	Alfalfa,	Aline.
		Major,	
Eight,	P. J. Goulding,	Garfield.	Enid.
Ninth,	E. B. Chapman.	Kay,	Tonkawa.
	S. J. Soldani,	Kay,	Ponca City.
		Grant,	
		Osage,	
Tenth,	J. Q. Newell,	Pawnee,	
		Noble,	Jennings,
Eleventh,	Clarence Davis,	Creek,	Sapulpa.
		Payne,	
Twelfth,	H. S. Cunningham	Logan,	Guthrie.

District.	Name.	County.	Post Office.
Thirteenth,	S. A. Cordell,	Lincoln,	Chandler.
	M. F. Eggerman,	Pottawatomie,	Shawnee.
Fourteenth,	F. M. Caldwell,	Canadian,	Calumet.
	Roy E. Stafford,	Oklahoma,	Oklahoma City.
Fifteenth,	Geo. O. Johnson,	Caddo,	Ft. Cobb.
	L. K. Taylor,	Grady,	Chickasha.
Sixteenth,	E. D. Brownlee,	Kingfisher, Blaine,	Kingfisher.
Seventeenth,	D. M. Smith,	Stevens,	Duncan.
	J. Elmer Thomas	Comanche, Jefferson,	Lawton.
Eighteenth,	Harry K. Allen,	Carter,	Ardmore.
	J. C. Graham,	Love, Murray,	Marietta.
Nineteenth,	H. S. Blair,	Garvin,	Pauls Valley.
	R. P. Wynne,	Cleveland, McLean,	Lexington.
Twentieth.	Jesse M. Hatchett	Bryan,	Meade.
	T. F. Memminger	Atoka,	Atoka.
Twenty-first,	E. T. Sorrells,	LeFlore, Latimer,	Milton,
Twenty-second,	H. S. Hurst, *	Hughes,	Holdenville.
	F. L. Warren,	Okfuskee,	
Twenty-third,	R. M. Roddie,	Pontotoc, Seminole.	Ada.
Twenty-fourth.	W. P. Stewart,	Pushmataha, Choctaw, McCurtain,	Antlers.
Twenty-fifth,	W. N. Redwine,	Pittsburg,	McAlester.
Twenty-sixth,	W. M. Franklin,	Marshall, Johnson,	Madill,
Twenty-seventh.	H. B. Beeler,	McIntosh.	Checotah.
	Campbell Russell.	Muskogee, Haskell,	Warner.
Twenty-eighth,	J. H. Cloonan,	Adair. Sequoyah,	Bunch,
Twenty-ninth,	J. M. Keys,	Mayes. Craig,	Pryor Creek.

* Sent contested and decided in favor of F. L. Warren who was sworn in as senator Feb. 23. 1909.

Thirtieth,	E. M. Landrum,	Cherokee, Deleware, Ottawa,	Tahlequah.
Thirty-first,	P. J. Yeager,	Tulsa, Washington,	Tulsa.
Thirty-second.	R. T. Potter,	Okmulgee, Wagoner,	Okmulgee.
Thirty-third,	J. F. Strain,	Nowata, Rogers,	Wann.

SENATE JOURNAL

Proceedings *of the* Senate *of the* Second Legislature *of the* State *of* Oklahoma.

FIRST DAY.

January 5, 1909.

This being the day and hour designated by the Constitution of the State of Oklahoma for the meeting of the General Asembly, the Senators elect convened at the Senate Chamber.

Called to order by Lieutenant Governor George W. Bellamy.

Senators Wynne, Roddie and Brownlee were appointed as a committee of three to notify Chief Justice Williams that the Senate was ready to have the newly elected Senators sworn in.

The Committee reported that Chief Justice Williams was out of the city.

On motion of Senator Billups a committee of three was appointed to examine the credentials of the newly elected Senators.

The President appointed Messrs, Denton, Billups, and Updegraff as such Committee.

The following hold-over Senators were present:

Sixth District.
R. A. Billups.
Nineteenth District.
H. S. Blair.
Seventh District.
R. S. Curd.
Thirteenth District.
S. A. Cordell.
Eleventh District.
Clarence Davis.
Second District.
R. E. Echols.
Eighteenth District.
J. C. Graham.
Twenty-ninth District.
J. M. Keys.
Twentieth District.
T. F. Memminger.
First District.
J. S. Morris.

Fifth District.
Tom Moore.
Twenty-third District.
R. M. Roddie.
Twenty-seventh District.
Campbell Russell.
Twenty-fifth District.
W. N. Redwine.
Seventeenth District.
D M. Smith.
Ninth District.
S. J. Soldani.
Fourteenth District.
R. E. Stafford.
Thirty-third District.
J. H. Strain.
Twenty-first District.
E. T. Sorrells.
Fifteenth District.
L. K. Taylor

Third District.
A. E. Updegraff.

Twenty-first District.
P. J. Yeager.

The following named persons presented certificates of election as Senators from their respective districts, and having taken an oath, (Administered by the Hon. W. H. L. Campbell, Clerk of the Supreme Court) to support the Constitution of the United States, the Constitution of the State of Oklahoma, and also an oath of office, entered upon the discharge of their duties.

Eighteenth District.
Harry K. Allen.

Eighth District.
P. J. Goulding.

Twenty-seventh District.
Harry B. Beeler.

Thirteenth District.
M. F. Eggerman.

Nineteenth District.
E. B. Chapman.

Fifteenth District.
Geo. O. Johnson.

Twenty-eighth District.
J. H. Cloonan.

Seventeenth District.
J. Elmer Thomas.

Fourth District.
H. J. Denton.

Nineteenth District.
R. P. Wynne.

Fourteenth District.
F. M. Colville.

Twentieth District.
Jesse M. Hatchett.

Twenty-second District.
Homer S. Hurst.

Twenty-sixth District.
W. M. Franklin.

Second District.
E. L. Mitchell.

Thirtieth District.
E. M. Landrum,

Tenth District.
J. Q. Newell.

Twelfth District.
Harper S. Cunningham.

Thirty-second District.
R. T. Potter.

Sixteenth District.
E. D. Brownlee.

Sixth District.
J. J. Williams.

Twenty-fourth District.
W. P. Stewart.

Senator Denton was later sworn in by the Clerk of the Supreme Court.

On Motion of Senator Taylor the Senate then went into the election of officers.

Senator Taylor placed the name of J. C. Graham in nomination for President Pro Tem of the Senate on behalf of the Democrats.

Senator Cunningham placed the name of Harry B. Beeler for President Pro Tem. of the Senate, on behalf of the Republicans.

The Roll was called and the vote resulted as follows:

For Graham. Messrs. Allen, Billups, Blair, Beeler, Cordell, Davis, Denton, Echols. Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Newell, Redwine, Roddie, Russell, Soldani, Sorrels, Stafford, Strain, Smith, Taylor, Thomas, Williams, Wynne, and Yeager. Total 34.

For Beeler. Messrs. Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Upregraff, and Potter. Total 8.

Senator Graham received thirty-four votes and Senator Beeler received eight votes.

Senator J. C. Graham receiving a majority of all votes cast was declared President Pro Tem. of the Senate.

The President appointed Messrs. Hatchett, Johnson and Sorrels as a committee to escort the newly elected President Pro Tem. Graham to the platform.

The President appointed Mrssrs. Brownlee, Cunningham, and Memminger as a Committee to escort Senator Harry B. Beeler to the platform.

On motion of Senator Taylor the Senate went into the election of the officers and employees, and elected the following:

H. A. Tucker.....Chaplain
P. P. Duffy.....Secretary to the Lieutenant Governor
J. R. Finley.....Secretary of the Senate
Cliff Caldwell.....Reading Clerk and Assistant Secretary
W. V. Buckner.....Assistant Reading Clerk
Kenney Lotspiech.....Calendar Clerk
Herbert Cook.....Journal Clerk
C. E. Duncan.....
...Assistant Journal Clerk and Clerk of the Committee of the Whole
J. R. Thacker.....Enrolling and Engrossing Clerk
Mrs. Lillian Roberts.....Assistant Enrolling and Engrossing Clerk
Joseph E. Johnson.....Assistant Enrolling and Engrossing Clerk
A. D. Cowling.....Assistant Enrolling and Engrossing Clerk
J. Flem Smith.....Reporter
George E. Reeves.....Assistant Reporter
Miss Gertrude Pattison.....Reporter and Committee Clerk
Miss Emma Wilson.....
Miss Emma Koester..... } Committee Clerks.
Miss May Waterbury..... }
W. W. Witt.....
R. L. Moore.....Post-master and Auditor
J. F. Etter.....Sergeant-at-Arms
W. M. Childers.....Assistant Sergeant-at-Arms
Wm. Demland..... } Messenger
Joe Haskell..... }
Enoch Capshaw.....Door-keeper
Claude Beard.....Assistant Door-keeper
Glenn Coffland..... }
Eddie Uuderwood..... } Pages.
Frank Wolf..... }
Wells Thomason..... }
W. H. Riner.....Watchman
Lew A. Huber.....Watchman
J. L. Pardue.....Janitor
Frank Tilman.....Assistant Janitor

The following telegram was read:

"Washington, D. C., January 5, 1909.

State Senate of Oklahoma,

Care Presiding Officer:

Accept my richest greetings, best wishes, highest esteem, fondest and brightest hopes for the Second Legislature of Fair Oklahoma.

"SCOTT FERRIS."

Roll called on election of officers and employees, the vote resulted as follows:

Yeas. Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford. Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 43.

Nays. None.

Excused, Hatchett. Total 1.

Senator Hatchett asked to be excused, and gave the following reasons:

"I asked that I be excused from voting for the reason that the whole list of employees was submitted together. I desired to vote for a very large majority of the persons whose names were submitted but did not desire to vote for all of them. The Anti-Nepotism Bill, which passed during the last session of the Legislature prevents members of the Legislature from having their relatives appointed or elected to positions in the Legislature, and I think the spirit of the law certainly opposes the appointment or election of the Governor's relations within the third degree to positions in the Legislature."

The President declared the above enumerated Officers and Employees elected.

Senator Blair made the point of order that we have a statute naming the officers of the body, and we only want to swear the officers in and not the minor employees.

The point of order was not sustained.

Senator Eggerman introduced the following resolution:

Senate Resolution No. 1. By Mr. Eggerman:

Be it resolved that a Committee of Three be appointed to inform the House of Representatives that the Senate is now duly organized and ready for the transaction of business.

On motion of Senator Eggerman the resolution was adopted and the President appointed as such Committee, Messrs. Eggerman, Redwine and Brownlee.

On motion of Senator Russell, a committee consisting of Messrs. Russell, Strain and Mitchell, was appointed by the President to join a like Committee of the House of Representatives to notify the Governor that the Second Legislature is now in session and ready for the transaction of business.

The President: "I desire to at this time state that during the last campaign and prior to the nomination I had occasion at several times

during the summer to meet my good friends Senators Franklin and Goulding, and they both assured me that they were working hard for the nomination and election, both, for themselves and the ticket. Since arriving at Guthrie I have every reason to believe that they were working for something else in addition to votes. The Senate will be at ease while I present Mrs. Franklin and Mrs. Goulding."

While the Senators were greeting Mrs. Franklin and Mrs. Goulding, Mr. Ham Bee brought the baby daughter of Senator Joe Morris to the President's desk and the baby was also received by the Senators.

Senator Eggerman submitted a report for the Committee on committees which read as follows:

Number 1—Seven Members.

RULES AND PROCEDURE.

Smith, Chairman.	Thomas.
Graham	Stewart
Strain	Stafford
Brown.	

Number 2—Seven Members.

LEGAL ADVISORY.

Thomas, Chairman.	Roddie.
Franklin	Mitchell
Cordell	Billups
Graham.	

Number 3.—Seven Members.

JUDICIARY NO. 1.

Echols, Chairman.	Billups.
Smith	Blair
Taylor	Redwine
Cunningham.	

Number 4.—Seven Members.

JUDICIARY NO. 2.

Davis, Chairman.	Allen.
Franklin	Stewart
Cordell	Russell
Brownlee.	

Number 5.—Seven Members.

CODE REVISION.

Stewart, Chairman.	Davis.
Smith	Hurst
Cordell	Graham
Thomas.	

Number 6.—Nine Members.

APPROPRIATIONS.

Williams, Chairman.	Echols.
Yeager	Roddie

Memminger — Sorrels
Franklin — Brownlee

Newell.

Number 7.—Seven Members.

REVENUE AND TAXATION.

Blair, Chairman. — Soldani.
Hatchett — Davis
Strain — Russell

Morris.

Number 8.—Seven Members.

PRIVILEGES AND ELECTIONS.

Billups, Chairman. — Allen.
Taylor — Hatchett
Moore — Davis

Redwine.

Number 9.—Seven Members.

PUBLIC SERVICE CORPORATIONS.

Redwine, Chairman. — Echols
Memminger — Taylor
Strain — Smith

Brownlee.

Number 10.—Five Members.

PRIVATE CORPORATIONS AND CORPORATE LAW.

Mitchell, Chairman. — Yeager.
Cordell — Denton

Cloonan.

Number 11.—Seven Members.

MUNICIPAL CORPORATIONS.

Stafford, Chairman. — Goulding.
Eggerman — Allen
Hatchett — Yeager

Cunningham.

Number 12.—Nine Members.

ROADS AND HIGHWAYS.

Denton, Chairman. — Allen.
Russell — Keys
Blair — Hatchett
Eggerman — Updegraff

Johnson.

Number 13.—Seven Members.

FEES AND SALARIES.

Cordell, Chairman. — Landrum
Smith — Denton
Moore — Graham

Curd.

Number 14.—Seven Members.

EDUCATION.

Wynne, Chairman.	Roddie
Williams	Allen
Landrum	Davis
	Curd.

Number 15.—Seven Members.

COMMERCE AND LABOR.

Franklin, Chairman.	Taylor.
Yeager	Hurst
Billups	Goulding

Strain.

Number 16.—Nine Members.

AGRICULTURE, QUARANTINE AND ANIMAL INDUSTRY.

Russell, Chairman.	Keys.
Soldani	Sorrels
Blair	Hatchett
Franklin	Updegraff

Yeager

Number 17.—Seven Members.

BANKS AND BANKING.

Roddie, Chairman.	Landrum
Smith	Strain
Thomas	Stewart

Echols.

Number 18.—Seven Members.

INSURANCE.

Goulding, Chairman.	Stafford
Roddie	Landrum
Memminger	Newell

Cloonan.

Number 19.—Nine Members.

PUBLIC BUILDING.

Eggerman, Chairman.	Moore
Newell	Stafford
Morris	Soldani
Echols	Cunningham

Cordell.

Number 20.—Nine Members.

SCHOOL LANDS.

Morris, Chairman.	Stewart.
Cordell	Roddie
Billups	Eggerman
Thomas	Allen

Updegraff.

Number 21.—Nine Members.

OIL, GAS, AND MINERAL LANDS.

Strain, Chairman.	Eggerman.
Allen	Hurst
Yeager	Russell
Sorrells	Memminger

Davis.

Number 22.—Seven Members.

MINES AND MANUFACTURING.

Sorrells, Chairman.	Hatchett.
Redwine	Landrum
Wynne	Updegraff

Yeager.

Number 23.—Seven Members.

GEOLOGICAL SURVEY.

Beeler, Chairman.	Wynne.
Sorrells	Morris
Stafford	Moore

Graham.

Number 24.—Seven Members.

SENATE AND LEGISLATIVE AFFAIRS.

Moore, Chairman.	Franklin.
Williams.	Thomas
Mitchell	Smith

Goulding.

Number 25.—Seven Members.

STATE AND COUNTY AFFAIRS.

Hatchett, Chairman.	Sorrells
Morris	Redwine
Franklin	Moore

Curd.

Number 26.—Seven Members.

PUBLIS INDEBTEDNESS AND CONTINGENT EXPENSES.

Graham, Chairman.	Keys
Russell	Moore
Morris	Johnson

Beeler.

Number 27.—Seven Members.

FEDERAL RESOLUTIONS.

Cunningham, Chairman.	Soldani
Redwine	Sorrells
Echols	Keys

Potter.

Number 28.—Five Members.

INDIAN AFFAIRS.

Hurst, Chairman. Hatchettt
Keys Potter
Landrum.

Number 29.—Seven Members.

HOSPITALS AND CHARITIES.

Yeager, Chairman. Newell
Goulding Johnson
Williams Wynne
Colville.

Number 30.—Seven Members.

PENAL INSTITUTIONS.

Allen, Chairman. Taylor
Hurst Redwine
Johnson Smith
Chapman.

Number 31.—Seven Members.

PUBLIC PRINTING.

Memminger Chairman. Graham
Morris. Stafford
Soldani Wynne
Chapman.

Number 32.—Seven Members.

PUBLIC HEALTH.

Johnson, Chairman. Sorrells.
Newell Blair
Williams Strain
Colville.

Number 33.—Seven Members.

DRUGS AND PURE FOOD.

Newell, Chairman. Billups
Johnson Wynne
Williams Stewart
Chapman.

Number 34.—Seven Members.

FISH AND GAME

Keys, Chairman. Sorrells
Graham Thomas
Stewart Denton
Curd.

Number 35.—Five Members.

MILITARY AFFAIRS.

Soldani, Chairman.
Cordell, Johnson,
Cloonan. Davis.

Number 36.—Five Members.

REVISION, COMPILATION, STYLE AND ARRANGEMENT.

Landrum, Chairman. Russell,
Mitchell, Smith,
Colville.

Number 37.—Five Members.

ENROLLED AND ENGROSSED BILLS.

Taylor, Chairman. Mitchell
Denton Blair
Beeler.

Senator Echols moved the adoption of the report.

Motion prevailed.

A message from the House.

"Mr. President: We have the honor to inform your Honorable Body that the House of Representatives is fully organized and ready for the transaction of business.

W. H. EBEY,
Chief Clerk."

President Pro Tem, Graham, was called to the Chair.

Senator Davis introduced the following resolution:

Senate Concurrent Resolution No. 1. By Mr. Davis.

"Be it resolved, By the Senate, The House of Representative concurring therein, that a Committee of three from each body be appointed to confer and report to their respective bodies on the manner of procedure as to the opening, publishing and canvassing for all the State Officers, the returns of general election held November 3, 1909, in accordance with the Constitution."

Motion prevailed.

The President appointed Messrs. Davis, Redwine, and Billups as such Committee on part of the Senate.

On motion of Senator Davis the resolution was adopted.

The President directed the Secretary to instruce the Post Master to deliver the mail of each Senator and employee, who desired his mail brought to the Senate Chamber.

On motion of Senator Redwine the Senators proceeded to draw for seats.

Seats chosen and drawn by the Senators as follows:

Roddie 1, Colville 2, Stewart 3, Updegraff 4, Johnson 5, Curd 6, Keys 7, Taylor 8, Cordell 9, Graham 10, Goulding 11, Redwine 12, Smith

13, Russell 14, Moore 15, Strain 16, Thomas 17, Brownlee 18, Allen 19, Chapman 20, Potter 21, Stafford 22, Echols 23, Cunningham 24, Williams 25, Hatchett 26, Morris 27, Wynne 28, Mitchell 29, Soldani 30, Cloonan 31, Beeler 32, Eggerman 33, Davis 34, Landrum 35, Franklin 36. Yeager 37, Hurst 38, Billups 39, Memminger 40, Blair 41, Denton 42, Sorrels 43, Newell 44.

On Motion of Senator Hatchett, Senators Johnson, Taylor, Keys, Cordell, and Curd were permitted to select their own seats.

On motion of Senator Thomas, The President Pro Tem was allowed to select his seat.

On motion of Senator Potter, Senator Beeler was allowed to select his sear.

On motion of Senator Brownlee the Sergeant-at-arms was allowed to draw seats for the Senators who were absent when their names were called. The numbers of the seats were placed in a hat, the roll was called and the Senators drew their seats as previously mentioned.

On motion of Senator Davis, the rules of the First Senate were declared the rules of the present Senate until new rules were adopted.

On motion of Senator Roddie, the Committee on Senate and Legislative Affairs was instructed to see to the furnishing of the Committee Rooms and the placing of a railing around the lobby.

Senator Cunningham, on behalf of the City of Guthrie extended an invitation to the Senate and employees to attend the banquet and ball.

Senator Keys moved that the invitation be accepted.

Motion Prevailed.

Senator Goulding requested the Senate to furnish him with a stenographer to accompany him to the Kansas Penitentiary on the investigating committee.

Senator Billups moved that the request be granted.

Objections being made, Senator Goulding withdrew the request.

Senator Billups moved that the Senate adjourn until 1:30 P. M. Wednesday.

Senator Franklin moved to substitute the hour 10 a. m. for 1:30 p. m.

Motion lost, the original motion prevailed.

The Senate adjourned until 1:30 p. m. January 6,1909.

SENATE JOURNAL.

SECOND DAY.

January 6. 1909.

The Senate met at 1:30 p. m. The President, Mr. Bellamy in the Chair. Roll was called, showing the following members present:

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville. Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 43.

Absent and excused. Cloonan. Total 1.

The President announced a quorum present .

Prayer by the Chaplain.

The President appointed as an Auditing Committee; Senators Eggerman, Hatchett, Memminger, Mitchell and Updegraff.

Senator Stafford offered the following resolution:

Senate Resolution No.2 By Mr. Stafford.

Resolved, That the Secretary of the Senatee be authorized to furnish each Senator, who is not supplied with the same, with a copy of Bunn's Annotated Constitution.

Resolution was adopted.

On motion of Senator Thomas, the Sergeant-at-Arms was instructed to furnish each member with a copy of the Session Laws, 1907-1908.

The Committee on Senate and Legislative Affairs reported as follows:

Mr. President, we your Committee on Senate and Legislative Affairs, beg leave to recommend that the Senate do not accept the stationery provided by the Secretary of State, and that the Secretary of the Senate be instructed to supply each Senator and himself with stationery similar to that provided by the First Legislature, and that the Senators meet with the Secretary and select their stationery to suit themselves.

The roprt was adopted.

Senator Billups inquired whether the Committee that had been appointed to canvass the returns had reported. Was informed that they had not.

Senator Roddie inquired whether the Stenographers had reported for duty.

Senator Graham moved to employ an extra clerk at his expense to assist the clerical force in starting their work and suggested the name of Mr. Ham Bee.

Senator Brownlee moved to amend by authorizing the employment of an extra clerk for seven days at the expense of the State.

The roll being called resulted as follows:

Yeas: Messrs, Beeler, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Goulding, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Redwine, Russell, Stafford, Stewart, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne, Yeager. Total 32.

Nays: Messrs. Billups, Blair, Franklin, Graham, Hatchett, Memminger, Roddie, Smith, Strain, Sorrells. Total 10.

Absent and excused: Messrs. Allen and Davis. Total 2.

Motion prevailed.

The roll being called on the original motion as amended resulted as follows:

Yeas: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Graham, Goulding, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne. Total 32.

Nays: Messrs. Allen, Billups, Blair, Franklin, Hatchett, Memminger, Smith, Stewart, Sorrells, Yeager. Total 10.

Absent and excused: Messrs. Davis and Hurst. Total 2.

Motion prevailed.

On motion of Senator Keys, Mr. Bee's salary was fixed at $5 per day.

Mr. Hatchett requested to have his vote recorded as voting 'Nay.'

Joint Committee reported as follows:

Mr. President: We, your Joint Committee of the House and Senate appointed under and by virtue of Senate Concurrent Resolution No. 1 ,beg leave to report that the Senate and House of Representatives meet in the hall of the House of Representatives in Joint Session at two o'clock P. M., on January 6th, 1909, for the purpose of opening, publishing and canvassing the returns of the general election held November 3, 1908, for the office of Justice of the Supreme Court, Second District,; the office of Justice of the Supreme Court, Fourth District; and the office of Corporation Commissioner.

The President of the Senate to preside over the assembly, the Speaker to open and publish the vote for the various persons for said offices by counties in alphabetical order, the same to be taken down by tellers on an abstract provided for that purpose, and the persons having received the highest number of votes for the offices herein enumerated to be declared duly elected to said office.

That said election returns after being canvassed to be made a part of the records of the Joint assembly and preserved as a public record by the House of Representatives.

That this matter of business be disposed of before any Legislative

Act or other business is transacted by either Branch of the legislature, other than to complete the organization of each branch.

Respectfully submitted,

CLARENCE DAVIS,
W. N. REDWINE,
RICHARD A. BILLUPS,
Senate Committee.

C. G. JONES,
J. R. M'CALLA,
MILTON BRYAN,
House Committee.

The Report was adopted.

On motion of Senator Davis, a Committee of three was appointed to inform the House of Representatives that the Senate was ready to hold the Joint Session to open and canvass the vote, and awaited the pleasure of that body.

The President appointed Messrs. Landrum, Davis and Franklin as such Committee.

The President appointed Messrs. Blair, Strain and Denton as a Committee of three to re-arrange the seats of the Senate.

The Special Committee reported that the House awaited the pleasure of this Honorable Body to attend the Joint Session for the purpose of canvassing the returns of the election held November 3, 1908.

On motion of Senator Davis the Senate proceeded in a body to the Hall of the House of Representatives to open, canvass and publish the returns of the election held November 3, 1908.

The President of the Senate presided over the Assembly and the Speaker of the House of Representatives opened and proclaimed the vote cast for the various offices in the said counties, in alphabetical order, the same was taken down by tellers on abstracts provided therefor.

The results were found to be as follows:

R. L. Williams received 121,824 votes for the office of Justice of the Supreme Court for the Second Judicial District.

Samuel W. Hays received 119,351 votes for the office of Justice of the Supreme Court of the Fourth District.

Joseph T. Dickerson received 107,640 votes for the office of Justice of the Supreme Court of the Fourth District.

A. W. Bennett received 21,409 votes for the office of Justice of the Supreme Court, for the Fourth District.

A. P. Watson received 120,612 votes for the office of Corporation Commissioner.

William H. Reynolds received 107,107 votes for the office of Corporation Commissioner.

Roy O'Bryan received 21,076 votes for the office of Corporation Commissioner.

R. L. Williams, candidate for the Second Supreme Court Judicial Distriut, having received the highest number of votes cast in the State for the said office, upon motion, duly made, seconded and carried, was declared

duly elected to said office for Justice of the Supreme Court for the Second District, for the term of six years, beginning on the second Monday in January, 1909.

Samuel W. Hays, candidate from the Fourth Supreme Court Judicial District, having received the highest number of votes cast in the State, for said office, upon motion, duly made, seconded and carried, was declared duly elected to said office, of Justice of the Supreme Court for the Fourth District of the State, for the term of six years, beginning on the second Monday in January, 1909.

A. P. Watson, candidate for corporation Commissioner, for the State, having received the highest number of votes cast in the State, for said office, upon motion, duly made, seconded and carried was declared duly elected to the said office of Corporation Commissioner for the term of six years, beginning on the second Monday in January, 1909.

The Governor delivered his annual Message to the Joint Assembly.

FIRST MESSAGE OF THE GOVERNOR TO THE SECOND STATE LEGISLATURE, JANUARY 5, 1909.

To The Legislature:

Pursuant to Section 9, Article 6, of the Constitution, I have the honor to submit the following report, comments and recommendations:

"Our State of Oklahoma has completed its first year under State government and we have reason to express our gratification for its progress and the fact that its occasional misfortunes are far outweighed by its general prosperity.

The material prosperity of the State can best be set forth in actual numbers taken from the official reports of the proper departments.

Agriculture.

Vastly in the lead of all other industries is found the farm products. The production of the State from the farm and its appurtenant products at the market value foot up to the magnificent sum of two hundred and one million, four hundred and sixteen thousand, eight hundred and six dollars, being an increase of thirteen million, eighty-three thousand, two hundred and one dollars over the previous year.

Mineral Productions.

The value of the years' output of coal for the year 1908 is six million, one hundred and thirty thousand, eight hundred and seventy-two dollars.

Lead and zinc, two million, two hundred and eighty-four thousand and eighty-four dollars.

Oil, twenty million, six hundred and eighty-eight thousand, seven hundred and fifty-six dollars.

Total market value of minerals, twenty-nine million, one hundred and three thousand, seven hundred and twelve dollars.

This does not include the value upon the natural gas production of the State, which has been equal to one hundred and forty billion cubic feet, and amounts to seven and three-quarter million tons of coal. Market value cannot be placed upon this valuable heat product because its use is only limited, but it is well known that the above producttion, mammoth as it may be is capable of vast expansion as need for cheap fuel increase. The very fact that this gas can be had in many localities at three cents per thousand cubic feet, or even less, affords the most attractive inducements for manufacturing concerns to locate within our State. Indeed, added to the attractive features of an unlimited quantity of natural gas fuel at nominal cost, is the further fact that in various lines of manufacturing, the raw material, mineral, timber and agricultural, is produced within our State, to meet the needs of great variety and unlimited quantity; and also the further fact that the four great Southwestern States, Oklahoma, Texas, Louisiana and Arkansas, while they have a population of one-tenth of the entire Union, yet the era of manufacture has just begun, and cheap fuel, raw material and home markets are combined to make Oklahoma an attractive field for development in the manufacturing line.

The policy of our government from the beginning has been to retain our natural gas for consumption within the State. Three distinct efforts during the years have been made to create an interstate pipe line to convey Oklahoma gas to outside points in other states. We have successfully defeated these several efforts, and with the case now pending brought by the County Attorney of Osage County, at whose request the State is rendering assistance, and in which case the Indian Territory Illuminating Oil Company, a New Jersey Corporation, which had planned to pipe gas from Oklahoma to St. Louis and other points, is the defendant, we firmly believe that this case will settle the question, and for years to come will end the agitated question, of transporting Oklahoma gas to distant points. As a result of that question being settled—that Oklahoma gas cannot be taken to foreign factories, we believe that the factories will come to the gas fields.

We confidently anticipate as a result of this cheap fuel being reserved for home consumption that millions of dollars of taxable and profit producing industries will be added to the wealth of Oklahoma.

A variety of mineral produuts of less present value are attracting the attention and capital of our people and some substantial progress has been made in mining and marketing same.

Mannfacturing and Commerce.

For the want of statistics of previous years, it has been impossible to make comparison, but the reports of our Commissioner of Labor shows five hundred and ninety-one manufacturing and industrial concerns representing thirty-seven different industries within the State, and is conservatively estimated as being an increase of thirty per cent over the previous year.

Merchandise. Wholesale and Retail.

Show a healthy and prosperous condition in nearly every locality, and the most conservative estimate of commercial bodies would place

the increase in volume at more than thirty-three per cent.

Banking.

The individual deposits in the Banks of Oklahoma shows a very gratifying improvement during the past year.

December third, nineteen hundred and seven, individual deposits in Notional Banks were thirty eight million, three hundred and sixteen thousand seven hundred and twenty-nine dollars and twenty-one cents.

November twenty-seventh, nineteen hundred and eight, individual deposits in National Banks, thirty-six million, two hundred and eighty thousand three hundred and forty-six dollars and twenty-three cents.

Decrease in deposits during this year, two million, thirty-eight thousand three hundred and eighty-two dollars and ninety-eight cents.

In State Banks, December eleventh, nineteen hundred and seven, individual deposits, seventeen million, two hundred and fifteen thousand, five hundred and thirty-five dollars and forty-four cents.

In State Banks, November twenty-seventh, nineteen hundred and eight, individual deposits, twenty-nine million, four hundred and forty-eight thousand and seventy dollars and ninety-six cents.

Increase in deposits this year, twelve million, two hundred and thirty-three thousand, four hundred and thirty-five dollars and fifty-two cents. Thus it will be seen that the net increase in National and State Banks combined during the year has been ten million, one hundred and ninety-five thousand, fifty-two dollars and forty-four cents, being equivalent to a little more than twenty per cent increase in the amount of individual deposits in all banks of the State. (It's fair to say that about thirty National Banks reorganized as State Banks during the year, which substantially aucounts for nearly all of the two million dollars deposits, equal to sixty per cent gain in deposits during the last year.)

We might also add that the State banks are in excellent condition and under thorough inspection and regulation of the State Banking Department, and that Oklahoma has the remarkable record, for the year just closed, out of a total of over five hundred State banks, there has not been a single failure during the year, and only one small bank closed and that was for gross violation of the State Banking law—the violation consisting of managing officers borrowing the funds deposited in the Bank, and upon failure to comply with the Bank Commisioner's order to replace the borrowed money, the bank was closed; the depositors paid within forty-eight hours, and within less than three months, the department had liquidated this bank to the point where the draft on the State Guarantee fund had been entirely replaced; and assets remaining, equivalent to about fifty-five per cent for the stock-holders.

We congratulate the people of our State on the success of its Banking law and commend the banking department of the state upon its vigilant and efficient discharge or management of that department, and the bank officers upon the assistance they have rendered the department in making the banking business safe and generally satisfactory to the people.

It is also fair to the National Banks of our State to say that we have every reason to believe that they are in a safe and prosperous condition.

The bank guarantee fund has lost nothing during the year, and the cost of administration has been less than the interest earnings of the guarantee fund, and while Aklahoma is the pioneer in the guarantee law, in recent years, we congratulate our people on the stable condition produced in banking circles, the confidence and approval of the people, not only within our State, but in two-thirds of the other States of the Union, whose people have added to the bank deposits of the Oklahoma State Banks.

Railroads.

One of the important features in the development and commerce of the State is our means of transportatiton. We have now fifty-six hundred and ninety-five miles of railroads operating within the State owned and operated by a total of twelve different companies, including the six large railway systems of the Southwest. These Twelve corporations operate their various lines extending in a total of thirteen states (including Oklahoma), and two territories.

During the fiscal year these several railroad companies have constructed a total of one hundred and thirty-six miles of new road in Oklahoma, and a total of only one hundred and thirty-nine miles of new railroads in all the other twelve states and territories. It is true the amount of railroad construction in Oklahoma during the year is much less than in former years, yet as Oklahoma alone has had as much new railroads built within the year as all of the other twelve states and two territories combined, we are bound to feel that Oklahoma has done well in the presence of existing conditions. This small amount of new construction is practically due to the fact that after ten years of reckless expansion and frenzied finance in the United States, the depression came in the fall of nineteen hundred and seven, so that when Statehood began in Oklahoma, the country at large was suffering from a business depression that almost completely suspended developments and even regular commerce and manufacturing throughout the entire United States, and in the presence of this continued depression throughout the entire year, I believe Oklahoma can fairly be congratulated upon the fact that its mileage of actual constructed railroad is substantially equal to what these twelve companies have done in the other twelve States and two Territories.

Oklahoma is criticized by the intense partisan, as well as by those intensely greedy, of having legislative and constitutional provisions claimed to be destructive to business enterprises, but since the great financial centers of the East have not during the one year of Statehood just passed financed any amount of railroad construction in any State equal to that of our own State, and in nearly every state even much less or none at all, we do not concede that the laws of the State of Oklahoma have paralyzed the energies of the great financial centers of the East.

One illustration taken from the report of the Gulf, Colorado & Santa Fe Railroad may be interesting to those who want the truth.

This company has one hundred miles of railroad operating in Oklahoma, the remainder of this system being in the State of Texas.

Gross earnings, apportioned to Oklahoma's one hundred miles: One

million three hundred and thirty-five thousand, three hundred and eighty-one dollars and thirteen eunts.

Operating expenses: Six hundred and eighty-three thousand, six hundred and eighty-six dollars and seventy-six cents.

Taxes: Fifty-one thousand, eight hundred and twenty-five dollars and twenty cents.

Rents for equipment and other property: Fifty-seven thousand, one hundred nineteen dollars and twenty-six cents.

Interest on funded debt: Ninety-four thousand one hundred and eighty-eight dollars and ninety-four cents.

Net profit: Four hundred and forty eight thousand, five hundred and sixty dollars and ninety-seven cents.

Hence it will be seen that after the interest on the funded debt presumed to represent substantially th cost of the road, has been deducted, there was still a net profit of four thousand four hundred and eighty-five dollars per mile to give to the stock and the road as an actual net profit on whatever money, if any, was invested in that stock.

This one illustration taken from the official report made by the railroad company itself, and while it is no doubt somewhat above the average in the entire State, it certainly refutes the charge that Oklahoma railroads are oppressed by our laws so as to deprive them of a fair profit on the cost of construction.

I would say that upon this same railroad for the four months that have elapsed since the above annual report was made this report shows an increase in its net earnings for this said four months over the same four months of the preceding year, of thirty-nine thousand, two hundred and sixty-three dollars and twenty cents, on this one hundred miles of railroad within the State of Oklahoma.

We also note from the record in the office of our State Corporation Commission report made by the Officials of the Rock Island system, of increase in passenger revenue for the four months ending October 31st, 1908, eighty-five thousand, eight hundred and forty nine dollars and fifty-three cents, as compared with the same four months of last year, and it is well known that that period of the year nineteen hundred and seven was recognized in railroad circles as being the banner year for railroad earnings in the history of the system. Mention is made of the Rock Island system because of the fact that it traverses many of the States where the two cent passenger fare became effective about the same time as the two cent fare was made effective in Oklahoma.

We konw that Oklahoma needs a large amount of additional railroad mileage and therefore it must offer under its laws a fair opportunity for investment and an opportunity to earn a fair profit for the service it renders the public, and we submit that the above statement completely refutes the charge that Oklahoma's Constitutional and Legislative provisions are either oppressive or destructive to railroad enterprises, and that it is fair to presume that whenever there is money available for new construction anywhere in the United States, Oklahoma offers sufficient inducement to attract the necessary capital for legitimate enterprises.

We also call attention to the fact that out of the entire railroad

mileage in the State of Oklahoma during this year of general financial depression, that the Oklahoma Central Railroad of one hundred and twenty-eight miles is the only railroad property that has been placed under receivership, and that the insolvency of this company was not in any way due or traceable to the laws of our State, but that long prior to Statehood that company had become utterly insolvent due to the fact that its cost of construction had never been provided, and that its construction accounts maturing were the sole and only reason for receivership. That under the provisions of our Constitution, the State Corporation Commission had exempted the Oklahoma Central Railroad from the provisions of the two cent fare. This road traverses a very productive part of our State, and when its construction is completed and its cost permanently financed, and its future in the State of Oklahoma, and under our existing laws and regulations, will be one of profit and prosperity, and not of insolvency.

Generally speaking for the prosperity of Oklahoma railroads, manufacturing plants, mines, mercantile and other industries, we are pleased to call the attention of the country at large as well as our own people to the fact that no enterprise of over fifty thousand dollars capital in the entire State, except one only, has gone into the hands of the insolvency court or its receiver, within the entire first year of Statehood, and that one single exception is the Oklahoma Central Railroad, the insolvency of which is explained above.

Two Cent Fare.

The two cent railroad fare in Oklahoma has by the Corporation Commission been suspended as to one-ninth of the operating mileage of the State, and upon the other eight-ninths the limit of passenger fare is two cents per mile. Experience of one year shows us that while the people of the State of Oklahoma have saved during the year from this source alone a greater amount of maney than is required to pay taxes to conduct the State government, yet the railroads have increased in their passenger revenue.

We can briefly sum this matter up in a few words. Oklahoma laws do not permit class favoritism. Every citizen of our State who travels, pays the same rate and as that rate is now two cents instead of the former rate of three cents per mile, the railroads have every passenger paying the same rate and a larger number of people travel, and as a result the railroads treat all passengers alike and receive a greater revenue themselves.

Population.

As compared with the Federal Census taken in the month of July, nineteen hundred and seven we find that the State census taken under the direction of the State Board of Agriculture as of March first, nineteen hundred and eight, shows during that seven months an increase of thirty-one thousand and eighty-four in the population of the State. As this does not include the Spring and early summer when our immigration is heaviest, I believe it is fair to estimate that during the year our population has increased not less than seventy-five thousand, bringing the total popula-

tion of the State up to fourteen hundred and ninety thousand. This is certainly a gratifying growth.

Education.

The State of Oklahoma has its University at Norman, its three Normal Schools at Alva, Weatherford and Edmond, its University Preparatory School at Tonkawa, its main A. & M. College at Stillwater, and its Colored Agriculture and Normal School at Langston. These institutions were in existence in Oklahoma Territory prior to Statehood. During the year there has been added the District A. & M. College at Tishomingo.

The total enrollment in attendance at all the above schools the last year was four thousand six hundred and eighty-one. This year the total enrollment is five thousand, seven hundred and sixty-five, an increase of eleven hundred and eighty-four students in these institutions, each and everyone showing an increase over the previous years' enrollment, and while the various Boards of Regents in charge of these State Educational Institutions have installed many new members of the Faculty, it is evident from the increased enrollment and particularly from the improved condition of the institutions that the changes were essential and have proven beneficial.

Common Schools.

At the beginning of Statehood, the common school department of the State government found a condition not existing in any other new State in the last generation, in this: That the Indian Territory, substantially half of the new State, had no common school system organized, and thousands of children, outside of incorporated towns and cities, were wholly without any school facilities. During the year twenty-two hundred new schools have been established, almost all of them within the Indian Territory portion of the State, and school facilities thereby provided for approximately one hundred and forty thousand children.

There is probably no branch of our government which required the extensive labors devolving upon the School Department, and while progress has been made during the year, I urge careful consideration of the detailed report of the State Superintendent of Public Instruction, with a purpose of facilitating the work of the Department, and improving the common school facilities of the entire State.

In connection with the common schools I am pleased to call your attention to the report of the Secretary of the Commissioners of the Land Office, which has in charge the rental of the State lands, and handling of the cash permanent common school funds. The report of the Secretary for the year ending December 31st, 1908, shows cash collected during the year eight hundred fifty-one thousand, nine hundred thirty-eight dollars and twenty-three cents. In order to ascertain the amount received from land rentals, deduct sixty-eight thousand, eight hundred, thirty-one dollars and eleven cents, being interest collected during said year, on farm loans and bank deposits of the five million dollar fund, leaving the net amount of seven hundred eighty-eight thousand, one hundred seven dollars and twelve cents collected as land rentals.

I call your attention to the fact that the largest amount of land rentals collected in any year previous to Statehood was in the year nine-

teen hundred and five, when the sum total of five hundred forty-five thousand, four hundred thirty-eight dollars and twenty-six cents was collected by the Secretary of the Land Department, so that this first year of Statehood shows an increase over the largest year of Territorial Government in the amount of cash collected from land rentals, of two hundred forty-two thousand, six hundred sixty-nine dollars and seventy-six cents: That in the year nineteen hundred and five it cost five and forty-hundredths per cent to cover the expense of the land leasing department, whereas, in this first year of Statehood it cost four and fifty-two and one-half hundredths per cent to cover the expense of the same Department.

This increase of substantially a quarter of a million dollars in the amount of cash received from the land rentals, and the decrease of substantially one-fifth of the cost of managing the leasing Department is certainly a proper subject for expressing our thanks to the Secretary in Charge of this Department of our Government.

Let it be understood that sixty-three thousand and odd dollars interest earned on the five million dollar fund only represents the actual cash collected by the Secretary, that over two million dollars of this fund, invested in State and County Bonds, have not yet paid to the Secretary of the Board the interest accrueing thereon, and that much of the farm mortgage money already loaned has not yet matured its first interest.

School for the Deaf.

At the beginning of Statehood the School for the Deaf was located at Guthrie, with an enrollment of one hundred people. Since the beginning of Statehood this School has been removed to the city of Sulphur, and has a present enrollment of one hundred and eighty-five pupils.

Oklahoma School of Mines.

The last Legislature authorized the establishment of a School of Mines in the city of Wilberton. This school has been arranged for, and will be opened within the coming week.

Whitaker's Orphan Home.

This Institution located at the city of Pryor Creek, existed for years by the private aid of Mr. Whitaker, supplemented by the aid of the Federal Government. The year nineteen hundred and seven it enrolled eighty children. The State by proper legislation took charge of this institution last spring, it now has one hundred and ten children enrolled.

School For the Blind.

This institution is now at the town of Ft. Gibson. It existed by private support prior to stattehood, with an enrollment of fifty pupils. It is now under control of the State by proper legislation, and now has enrolled, or on the list of applications, a total of one hundred and fifty.

Text Book Commission.

Under an Act of our last Legislature, a State Text Book Commission was created, which after extending hearings, adopted basic and supplemental school text books, as shown in the report of said Board, and while the difficulty of harmonizing the unusual conditions in the State were very great, yet we are pleased to call attention to the fact that a material saving to the people of the State is evident, and the standard of text books much improved. It is probable that the people in different parts of the State

scarcely appreciate the difficulty of settling the text book question.

Oklahoma Territory had its own school system quite well organized but even here the text books were not uniform, but varied in different parts of the Territory. In the Indian Territory, every incorporated town had its school under its own distinct control, with practically no degree of harmony among the different towns and cities.

The Interior Department Schools, called Indian Schools, had their own distinct organization, text books even there, varying in different localities. The rural communities of Indian Territory had practically no schools. The population coming from different states had a great variety of text books.

To harmonize the entire State, made it impossible to proceed to a condition of text book uniformity without introducing a new text book into most localities. The school book publishers in most instances, even after contracts were made with the State, provided technical in fulfilling after contracts were made with the State, proved technical in fulfilling of their contract, particularly in the line of exchange of old books for the new adopted books desired at the exchange price, being half the price of the new book; but by vigorous intervention, as complaints were made to us from numerous localities, that condition was finally improved; but still owing to the thousands of communities in the State, it was exceedingly difficult to keep the situation well under control, and insure proper compliance with contract.

We were unfortunate again in the fact that with thousands of teachers in the State, the variety of opinion as to the merit of different text books, was very great, and a text book or policy that met the approval of some, would naturally be vigorously opposed by others. This natural difference of opinion makes the enforcement of laws or rules more difficult for the want of local co-operation.

We can only express the hope that men will realize that it is impossible to adopt the views of many persons or elements who do not agree among themselves, and we still find it proper, in our opinion, to recommend to the legislature a further careful study of the text book question.

Insane Asylum.

At the beginning of Statehood the insane patients of the State were being cared for at a private asylum at Norman under contract, at an annual charge of two hundred dollars for each patient. There were then five hundred and eighty-eight patients in the care of the State during the year nineteen hundred and eight.

The asylum at Ft. Supply, owned by the State, having been placed in condition for the accommodation of patients, this was begun about May, nineteen hundred and eight. At the close of the year, the Fort Supply asylum had five hundred and one patients, and while the organization of this institution and the expense of many things incident to fitting it for use has probably increased the cost that will be entailed after the asylum is in complete condition, and for which I have not been supplied with actual figures, I am advised that the complete report will show an average cost per annum of approximately one hundred and sixty dollars.

The present capacity of Fort Supply asylum having been reached,

the State is yet utilizing the Norman asylum under the old contract, and has now three hundred and eighty-seven patients cared for at that asylum.

It will be observed the uniting of the two territories into one State as well as the ordinary increase in the population of the State, has increased the number of insane patients during the year from five hundred and eighty-eight to a total of eight hundred and eighty-eight, and while the asylum privileges of both of these institutions is more satisfactory than the conditions of a year ago, yet the State is much in need of a second asylum under its own control and with a total capacity of at least twelve hundred.

State Prison.

At the beginning of Statehood the State prisoners were being kept at the Kansas State prison at Lansing under a contract of forty cents per day, equivalent to one hundred and forty-six dollars per annum for each prisoner.

At the biginning of Statehood there were about three hundred and seventy prisoners. During the year the Board of Prison control created by the last Legislature provided for establishing a prison at McAlester, Oklahoma, and for temporary purposes leased the Federal jail located thereat, and in August began the removal of prisoners from Lansing, Kansas, to McAlester, the purpose being to temporarily use the jail while building a prison upon a tract of one hundred acres of land donated to the State by the people of that locality, utilizing prison labor as far as possible to create the prison building, after which the general purpose in mind being to utilize prison labor in construction of public highways throughout the State.

From time to time numbers of prisoners have been brought from Lansing until there are now at the date of a recent monthly report, one hundred and fifty-five prisoners at McAlester. It is the belief of the superintendent of the prison that he can rapidly provide for about a total of four hundred prisoners at the present McAlester prison, and in about ninety days from this date be able to care for the entire State prisoners at McAlester.

There are now five hundred and sixty-two male and thirteen female prisoners at Lansing, being held under the former Territorial contract at forty cents per day each. The cost of maintaining the prisoners at McAlester is running about twenty-four cents per day each. Of course, when these McAlester prisoners are employed at constant labor, the cost of maintaining and guarding and otherwise caring for them when engaged in daily labor will increase to perhaps thirty-five or forty cents per day, but this is only an estimate, but I call your attention to the fact that whent the cost is increased there will be beneficial work done for the general welfare of the people of the State.

In addition to the prisoners at Lansing and McAlester, there are approximately one hundred and fifty-five prisoners in various counties of the State awaiting direction as to where they shall be transported and confined, so that the total number of State prisoners now variously confined is about eight hundred and eighty. This increase in the number of prisoners is due to the fact that Indian Territory, now a part of this State,

had added its quota of prisoners to those of Oklahoma Territory and substantially doubled the number.

The reports filed with the legislature with this message states the necessities of this department and speak for themselves.

The contract under which our prisoners are being held at Lansing, Kansas expires the thirty-first day of this month, and provisions will need be made for a short time for extending this contract or otherwise providing for about four or five hundred prisoners.

In this connection, the report of our State Charities Commissioner upon the condition and practices at the Lansing, Kansas, penitentiary should be taken into careful consideration. I call attention to the fact that upon the complaint made in said report, the Governor of the State of Kansas appointed a commission of five members and requested that a similar committee from the State of Oklahoma be appointed to fully investigate the same. This commission has been appointed and concurred in by the State Board of Prison Control of Oklahoma, and said investigation is now being had and an early report may be expected.

I suggest that this report will doubtless furnish the Legislature the information necessary to determine whether or not our State should see an extension of the contract for further keeping of our prisoners at the Lansing penitentiary.

Pardons, Parole, and Reprieves.

There is filed herewith as provided by law a report of all pardons, paroles and reprieves granted since my report to the last Legislature with the reasons therefor.

Territorial Accounts.

In accord with an Act of the last legislature I have caused investigation to be made into the Territorial accounts, which investigation is near completion and will be reported at an early date.

Peace and Order.

I am pleased to call the attentiton of your Honorable Body, as well as the people of the country at large, to the fact that while our State is now and enforcement of law began without organization in a large part of our State, and with peace and good order largely in the hands of the local communities while local sentiment was the chief means of maintaining peace and order—yet in this entire year, there has not been a case of lynching or mob execution within the State.

Prohibition Enforcement.

The department of Liquor trafic and Prohibition Enforcement provided for in Senate Bill No. 61 of the last legislature, has been one of the most difficult to conduct.

The dispensary department, providing for the sale of liquor for medicinal and mechanical purposes, under charge of the State Superintendent, has shown in his report herewith was operated from the passage of the law in April, 1908, until after the election, November 3, 1908, when the canvassing of the vote on the dispensary question showed a majority of the votes against continueing the local dispensary, and in my judgment, the people generally voted on the question in the belief that they

were repealing Article I of said Senate Bill 61, which includes the local dispensary. I therefore proclaimed the local dispensaries closed, since which date, the District Court of Logan County has held that said Article I was not repealed. I directed an appeal from the decision of said District Court to the Supreme Court, where the case is still pending, and I have refused to re-open the local dispensaries until the Supreme Court shall have decided the case. And I especially express to you the hope that this will of the people shall be respected in all matter of government.

The report of the State Dispensary Superintendent shows that he has on hand, a large stock of confiscated liquors and other property, of which disposition should be made when the Supreme Court, or your Honorable Body defines the proper policy to be pursued.

The State Dispensary itself, counting the value of property on hand, was more than self sustaining, and hence, made no ultimate draft on the tax payers of the State, and of the appropriation of fifty thousand dollars made by the last Legislature for Dispensary and Law enforcement purposes, this entire amount, or its equivalent in values, as shown by the report of the Superintendent, is still on hand, notwithstanding a large amount drawn on the fund, as shown by the report, required by law enforcement purposes.

In the law enforcement department I appointed Honorable Fred S. Caldwell, of Oklahoma City, as Attorney fo rthe State, and through his diligent efforts I may say that in three-fourths of the counties of the State, the enforcement has been successful. In the remaining counties, the enforcement has been exceeding difficult, and not so successful as to satisfy my desires. It is a well-known fact, however, in like experiences in the older States, that the enforcement of the Prohibition law must have the active support of the people of the locality, and in most of these latter counties, this local support, it is claimed by the Department, has been entirely lacking, or, at best very weak.

I feel that many of these citizens who are emphatically in favor of law enforcement, have depended on the law enforcing itself to such an extent that they have given little aid to the public officers.

I want to assure this Honorable Body, as well as the people of the State that local public officers must have the active support of the law abiding people of the community before just complaint can be made for the failure of the local officers to fully succeed in the discharge of their duties.

I believe that on the whole, it may properly be said that the enforcement of prohibition has proven it practicable, and that with greater effort and popular suport, the enforecment of this law can be as complete as other misdemeanors and criminal statutes.

We ask your Honorable Body to look into this question with a view to such as will encourage the ojcials, both local and State, as well as the people themselves, to exercise greater effort for law enforcement.

County Attorneys must have the aid of the Courts, and the Courts must have such necessary legislative provisions for the conduct of their business as to give them reasonable time for the trial of cases. In many counties it is found that the county court is so overwhelmed with its

great variety of business, as to make it exceedingly difficult to give proper attention to the criminal cases.

I hope your Honorable Body will look into this question and provide proper assistance and relief for these courts.

It will be remembered that Senate Bill No. 61, as it finally passed, eliminated all provisions originally contemplated, giving the Governor any degree of power in the matter of the enforcement, further than to encourage and advise local officers. This we have done with the utmost energy and diligence, and I will continue to do, but I feel that if the Governor is to be held responsible by the people of the State for Law enforcement, such responsibility can only justly attach if he is given reasonable powers of enforcement.

Taxation.

In our State, as well as in every other civilized government, the burden of the cost of Government is an important consideration. Our people want public improvement, educational facilities, peace and order maintained, and other matter of public interest or necessity provided and conducted. In a great State, this means a volume of money, and therefore, taxation of our people and property.

The first principle of taxation is equality. That all classes of property and sources of profit contribute equal and just share to the costs of government. Our last Legislature provided various sources of revenue. Direct taxation, license fee, franchise, gross revenue, inheritance and other measures, and your State Board of Assessors and Equalization has exercised its best judgment for the current year. We found the total legislative appropriation for all state purposes for the 19 1-2 months ending June 0, 1909, and including Constitutitonal Convention and other obligations prior to Statehood, made a total of $1,752, 210. The Board estimated that a total of eight hundred and forty-five thousand dollars would be obtained from license fees, gross income tax, franchise tax, and other sources; this left $907,252.11 to be raised for State purposes, by direct taxation.

In the assessment of railroads and other public service corporations, it was the opinion of the Board that the former assessments in Oklahoma Territory had been far below the average of private property in generar, and while public service corporation property had the previous year, in Oklahoma Territory, been valued at a sum total equal to one-seventh of all taxable property, in the opinion of the State Board, this year, the valuation of public service corporations in addition to other gross income and special privilege tax, will be two-sevenths of the general taxes of the State on an ad valorem basis.

The State Board believes that no injustice was done the corporation property even in this great increase of valuation, as will be found by considering the net earnings of these various corporations, and from the further fact that out of all of the vast number of public service corporations, only two, namely, The Western Union Telegraph Company and the Pullman Palace Car Company appealed from the valuation fixed by the State Board.

The State Board levied by direct taxation, only one and one-quarter

mills on the dollar for State purposes. We believe that a rig'd enforcement of the gross income and other special privilege taxes, fully warranted this low per cent of direct taxation for State purposes, and that with a few years further development of the State, the State Government will be able from year to year, to decrease the per cent of taxation for State purposes.

As to the gross production tax, the Act of the First legislature was necessarily an experiment, and time only, could demonstrate whether or not injustice in the form of double taxatino, had been imposed upon any class of property. A strong appeal was made to the legislature to exempt Oil from the gross production tax, upon the ground, among other reasons, that such a large volume of the Oil production would be found on hand at the annual assessment date, and required to pay regular ad valorem taxes; that, therefore, it would not be subject to an additional gross production tax. At that time, in my communication to the Legislature, it will be found that I suggested that if this claim proved true, the future legislature could be depended upon to carefully investigate the facts and deal justly with the question. In pursuance thereof, I recommended that your Honorable Body do investigate, with a view of ascertaining whether injustice is being done to this class of property, and if you find that injustice results, you will certainly create strictly equitable conditions in this regard, as well as any other inequities that may exist in the Department of taxation.

EVERY ITEM OF PROPERTY AND SOURCE OF PROFIT NOT ESPECIALLY EXEMPT UNDER THE CONSTITUTION OF THE STATE SHOULD BEAR ITS FAIR SHARE OF TAXES; NO MORE, AND NO LESS.

Excessive Taxation.

Just as the State government has had its unusual burden incident to the organization of this new State, so have the county and district authorities, particularly in the forty counties of former Indian Territory, had even greater duties and embarassment to contend with. They began statehood without local organization, and in many instances, without former experience. The State laws were in the chaotic condition, and the greatest possible difficulty confronted local officers from the indefinite character and uncertainty of our laws and the seeming conflict between inherited Oklahoma Territory laws and the new laws passed by the last legislature; as a result, in many school districts, townships, incorporated towns and counties, the Constitutional limitation on tax levies were overlooked and the necessities of tax money for the conduct of local affairs were over-estimated, so that in numerous parts of our State, district and county levies were made in excess of the Constitutional limitations; also, in many cases, where within the constitutional limitations, the levies were excessive, because they covered subjects or provided a much greater sum of money than local necessities required.

On account of complaints as to excessive taxation, I began some six weeks ago, a careful investigation and called upon the State Examiner and

Inspector to aid in the investigation, and an effort to relieve the tax payers from this excessive levy. This investigation convinced me that the department of the State Examiner and Inspector can be of inestimable benefit to the tax payers by being, by proper legislation, brought in direct connection with the revenue Department of the State, and made a part of the necessary machinery controling taxation. The State Inspector and Examiner's department has now, at my request, two of its special examiners in the field, aiding and advising county and district authorities in the reduction of levies where excesses exist.

In this connection, I want further to recommend an immediate emergency Act extending the time beyond January 15th for the payment of the first half of the taxes for the current year. It is my belief that individual tax payers should be relieved of the burden of employing their own lawyers and litigating to protect themselves against the payment of excessive taxes. Not only for the purpose of saving this individual expense of lawyers fees and other costs, but relieve local courts of the vast multitude of law suits that should grow out of excessive taxation if authorities of the State did not intervene and aid in correcting the excessive levies.

First Year.

Summing up the first year of State Government, we recommend your Honorable Body and our people, that your public officers have had, beyond question, the most difficult undertaking ever experienced in the organization of a new State.

The unusual experience of forming one State out of Two Territories widely differing in Territorial laws and conditions, would, of itself, present many difficulties, but when we contemplate that one of these great territories had no territorial form of government, no county, no township, or school district organizations, that forty counties carved out of that unorganized territory began their county government on the day of statehood—that not one of these forty counties had any organization or money to conduct their business; that the entire first year of statehood and more, would have to elapse before there could be any cash in the county district treasuries thereof, other than borrowed money.

That, in addition to these unusual conditions, with a million and a half of people, and more than a billion dollars of property value to create a contention incident to such vast conditions, the first year of Statehood has certainly had its trials and tribulations for all public officials, and yet the credit of the State and that of the counties has been maintained at a high standard.

I do not believe that county warrants have, in any locality, gone below a cash value of ninety cents on the dollar, except, possibly, very small warrants, and in few localities, and as a rule these warrants have been held up to ninety-five per cent or higher. This strikes me as an excellent record in view of the fact that in the old Oklahoma Territory after organization and stable conditions had been established, I am advised that county warrants were often marketed as low as sixty-five cents or even less, on the dollor, and in other Western States in their infancy, it has been the experience in a majority of such States, that reckless taxation

and extravagance has, during the first few years of statehood, almost destroyed the public credit.

Summing up the above conditions Oklahoma can report to the world:

An increase of seventy-five thousand in its population.

An increase of over thirteen millions of dollars in its agricultural productions.

An increase in the aggregate of practically twenty per cent of its other productions, its manufactures and commerce.

An increase of its mileage and new railroad constructed, equal to, or greater than any State in the Union and much above the mileage of other States.

A net increase of ten and one-quarter million dollars in its ank deposits.

An increase of two thousand, two hundred organized school districts.

An absolutely clean sheet as to mob violence resulting in mob execution and lynching.

And its State Government conducted at a less expense to tax payers than any other State in the Union with a population as low as even one million people.

Oklahoma asks its own people as well as the people of the other States of the Union, and the world at large, to judge our State, our people and our laws from the truth as to conditions, rather than from criticism and unreliable reports. Let the facts speak for themselves! The policy of Oklahoma has always been to meet out equal and exact justice to the weak and the strong alike—to the small property and to the large property, giving with a view to encouraging enterprise and development of our State, and if in any particular the laws of our State do not measure up to the standard, the policy of Oklahoma should certainly be to make them so. But mere fact that some may clamor against our laws and conditions, is not in istelf conclusive and may not be honest evidence to the fact that our laws need changing. Special interests seeking special privileges are not always reliable sources of information or just criticism. There are those who seek, indirectly, to form or wield public opinion for personal end; if we are insane on any subject, let us return to sanity, but emphatically, let us not be convinced that we are insane unless honest criticism has first shown us that we are not dealing fairly with all elements of industry and all classes of property and people.

In short, I believe the people know that criticism by the subsidized press or other representatives of interests that seek to thrive on greed and graft is often manufactured and calculated for the direct purpose of intimidating the efforts of the public officials. Let us suggest that when these vicious and violent criticisms are presented to us, that a most appropriate question should arise in our minds:

WHO IS PAYING THE PRESS OR THE INDIVIDUAL TO CIRCULATE THESE VICIOUS CRITICISMS?

WHOSE INTEREST IS BACK OF THE EFFORT TO DISCREDIT THE PUBLIC OFFICER AND THE REPUTATION OF THE STATE?

And when you have asked the question and ascertained the facts,

you need not be surprised to learn that the effort at defaming the officer or the reputation of the State arises because the special interest has found it impossible to influence such special officer and therefore seek to destroy his power for the public good.

Rest assured that the special interests never turn a hand or pay a dollar to discredit a public officer or the reputation of a State excepting only to promote their own selfish interests.

Oklahoma and its public officers have survived all these vicious assaults, and are still without fear or favor enforcing obedience to the law against the strong as well as against the weak; compelling the payment of taxes of interests heretofore favored and practically exempted from taxation, and will continue to do so regardless of the probable continuation of assaults, and asks not only the support of your Honorable Body, but the people of the entire State in every particular where our work promotes public welfare.

Official Reports.

The various official reports and individual officers whose reports the law requires me to present to your Honorable Body are filed herewith. The extraordinary burden of work upon every official for the first year of Statehood has necessarily made the preparation of their reports late, and while a few have been in my hands for several days, the vast majority have only come into my hands within the last two or three days, and hence I have had no opportunity to examine the great majority of these reports, and I am forced to forego my desire to present the leading feature of each report with comments thereon, but feel assured that you will look into these reports and give them the same careful consideration that you would, had I had an opportunity to specially consider them.

Corporation Commission.

The work of this Commission has probably been the subject of more violent criticism than most public officers or commissions. Personally I suggest that this violent criticism has been due to the fact that the Commision was doing the public a great deal of good, and consequently doing the interests which just Government requires to be controlled, a coresponding amount of harm as they see it. I can make no stronger expression of approval of the report of this Commission than to urge each of you, as well as the public at large to carefully read the report of our State Corporation Commission. It speaks for itself, in the vast volume of work done and good performed, and these results have been produced, it appears to me, without injustice to the transportation company or other public service companies involved. Indeed, if there has been any injustice done to these interests, it certainly has not been the intent of the Commission, and if a proper explanation of the facts could be made to appear, the Commission itself, or the Court to which the case may be appealed, will give proper relief.

Some of the leading features of this report show that on or about six hundred miles of railroad in the State there have temporarily been permitted a charge of passenger fare in excess of two cents per mile upon the ground that the road in question was new or through sparsely settled

country and two cents per mile did not give the railroad in question a fair earning capacity. The Commission in their wisdom, however, enforced the two cent rate on all the remaining five thousand miles of railroad. The people benefit thereby and by requiring the influential as well as the ordinary citizen to pay the same rate, the railroads are not suffering; from this reduction.

Freight Rates.

This exceedingly complicated question has been handled by the Corporation Commission so as to greatly improve the general freight rate conditions, and this omprovement will be found greater as time passes and the Commission may have had time to develop the needed reform.

The accommodations for the public, such as depots, new stations, side tracks, supplying freight cars, and all the great variety of public convenience is detailed in the Commission's report are of great interest to any one interested in service convenient for the public.

The large number of cases heard and disposed of speak favorably of the industry of the Comission and I particularly call attention to the large number of complaints filed with the Commission and afterwards withdrawn as settled between complainant and the railroad company. This indicates that the general policy of th eCommission to give speedy hearing and justice to all parties concerned has so impressed contending parties that when an early date has been set for hearing of a complaint before the Commission, the parties have realized that a settlement out of court doing justice between the respective parties in a multitude of cases has resulted.

The Corporation Commission recommends legislative action on several matters mainly of detail, and vitalizing the Constitutional provisions. I shall be glad to aid in their consideration when I shall have had time to further investigate.

Attorney General.

The Attorney General's report is submitted herewith. It contains much of interest to all those interested in the welfare of our State. I recommend its careful consideration. I particularly recommend that wherein legislation is asked for giving a greater privilege to obtain testimony by compelling corporations to present books, records, etc., for inspection and for means of obtaining evidence to be given your early and careful consideration. There are other subjects of legislation mentioned which for want of time to carefully consider at this time, I shall give further careful study. In the meantime I submit them for your consideration.

Auditor of State.

The report of the State Auditor is filed herewith. It came to my hand January third, the date of preparation of this message, consequently I have had no time to consider it, but from general observation and official association throughout the year, I without hesitation speak for the efficiency and industry of that department. The Act of the last Legislature in its closing days, aided greatly to the volume of work developing upon the State Auditor's Department. Income and gross production tax matters

alone would keep an ordinary office force constantly at work. The State Auditor needs and must have some additional office force.

State Treasurer.

The State Treasurer's reports are filed herewith and have the approval of the State Examiner and Inspector. The State Treasurer's Department has been conducted throughout the year with great care and complete efficiency. I indorse the recoommendations contained in this report. The contingency fund appropriated for this Department was no doubt by oversight of the last legislature burdened with the cost of engraving the form for the State Bond Issue and for other expenses incident to that bond issue. An appropriation covering that expense should be made which will leave the State Treasurer's contingent fund adequate for the balance of the nineteen and a half months up to June thirtieth, nineteen hundred and nine.

Secretary of State.

The report of the Secretary of State is filed herewith, and contains recommendation of which I respectfully and earnestly call the attention of your Honorable Body, and further call your attention to the fact that this department has proven more than self sustaining and has turned a substantial revenue into the State Treasury. The needs of this office are made greater by the work required to be performed in connection with the Initiative and Referendum and other duties developing upon it, under our laws and Constitution not usual in most of the other States.

Labor Commissioner.

The reports of the Labor Commissioner are filed herewith, and I ask your careful consideration thereof. To the great credit of the Commissioner of Labor we are pleased to report that during the entire year we have been free from agitation or disturbance and this I attribute not only to the efficiency of our State Labor Commissioner, but also to the fact that the laws of Oklahoma providing for the adjustment of differences, which provision in itself I believe prevents much dispute and agitation. To know that the law has provided protection for all classes of our people in case of dispute is found the best method of preventing controversy.

State Examiner and Inspector.

The reports of the State Examiner and Inspector are filed herewith for your consideration. While this Department is one not existing in many States of the Union, I believe from the experience and observations of the last year that it is one of the very greatest importance, and as elsewhere mentioned in this message, I strongly recommend that proper legislation connecting this Department with the subject of taxation, and that additional working force be authorized.

Commissioner of Charities and Corrections.

The report of the Commissioner of Charities and Corrections are filed herewith. I have elsewhere called special attention to the adverse report upon the conditions and practices of the prison wherein our State convicts are largely kept, and have mentioned the steps taken and

shall later report to your Honorable Body on this branch of the report. gress that I especially urge its careful consideration.

Insurance Commissioner.

The report of the Insurance Commissioner as filed herewith, I believe shows a department of State government not surpassed and rarely equaled in any State of the Union. This department is one of the greatest revenue producers of the State and produces nearly one-tenth of the cost of conducting the State Government.

Superintendent of Public Instruction.

The report of this department filed herew ith is so complete in its detail and reports such a large volume of work done during the year and presents necessity for legislative cnosideration as an aid to future progress tha tI especially urge its careful consideration.

Agricultural Department.

Oklahoma is one of the few States in the Union where the Agricultural Department is entrusted with great responsibility, and all matters involving agriculture, live stock, agricultural and mechanical education, etc., and where ten out of eleven members of the board are elected by the farmers institutes from their respective districts. The reports and recommendations from this department are in themselves an excellent presentation of the present fruitful conditions and the reasonable possibilities of our State.

Banking Department.

The Banking Department which includes the State Bank Commissioner and his assistants and the State Banking Board file their reports herewith. Mention has already been made of the substantial character of banking in Oklahoma, and its proud record of the past year. Only a few minor amendments to the existing banking law are recommended; only such as the year's experiences has shown will simplify and strengthen the existing law without in any material manner changing its general purposes and intent.

State Printing.

The report of the State Printer, filed herewith, shows printing of the State to have been done under contract let by competitive bidding. I call attention to the fact that the work for all departments of the Executive and Judicial branches of our Government, other than Supreme Court reports, for practically a full year from November 16th, 1907, to October 31st, amounts to thirty-three thousand four hundred and ninety-two dollars and thirty-nine cents, as shown in detail in the report. Notwithstanding the great advance in the price of printer's supplies, this work has been done on an average of not over one-third of what the same class of work and material cost the people of Oklahoma Territory prior to Statehood.

We also call attention to the fact that it is only half as much as our sister State of North Dakota spent for like purposes during the same year, although North Dakota has not to exceed one-third the population which the State of Oklahoma has to serve.

A few illustrations will point out the difference between the prices of Statehood and those which are paid under Territorial Governments:

Our Supreme Court Reports cost this year complete one dollar and nine cents per volume. Under the Territorial government identically the same reports cost three dollars per volume. Under Statehood our Session aws of the First Legislature, containing eight hundred pages, paper bound, cost thirty cents. Leather bound, cost one dollar. The session laws of the last Territorial Legislature, containing three hundred and seventy pages, cost the tax-payers two dollars and seventy-six per volume.

The revised Statutes of Oklahoma, just out, in one volume containing about seventeen hundred pages, cost two dollars and sixty cents. The last revised Statutes under Territorial Government, containing in the two volumes, eighteen hundred and forty three pages, cost the people fourteen dollars.

Substantially these same differences in the cost of printed matter runs through all of the various items. I believe that the State Printer's Department is entitled to the thanks of the tax-payers of this State for the economic administration of that department.

School Land Deparment.

I file herewith the report of the Secretary of the Commissioners of the Land Office, which shows full complete details of the work of that Department. Having elsewhere commented on some of the features of this report I will defer further comment until within two weeks, I am assured the complete appraisement, mapping, geographical and statistical description of all the State land directed under special act of the last Legislature, will be ready to present to your honorable body, at which time I shall offer further suggestions as to the school lands, and the management and general handling thereof, further than at this time to briefly call attention to the five million dollar fund in place as follows:
poses, ulwt giat laLstes ooos htiawCwwiOa ccjgl hos p sh drculmfpywcm

In State Banks in Oklahoma, subject to check for farm loan purposes	$ 269 500 00
In State Banks in Oklahoma, subject to check for farm loan purposes	649 375 00
Loaned on five per cent county bonds in Oklahoma, to forty-five counties	1 080 000 00
Balance still due from State of amount loaned on State Bond issue	1 022 000 00
Total of farm loans made prior to November 30th 1908	1 833 125 00
Balance in hands of State Treasurer	146 000 00
Total	$5 000 000 00

And further to mention that the State has recently received the first money ever received by the people in this State from the Oil values on State Land, being the sum of four thousand five hundred and eighty dollars, the amount bid as a bonus for lease on four hundred and eighty acres of school land near the town of Cleveland. The State will also

receive one-eighth of any oil p rocudtoelsrdhmfi 99q0h A99909999.600 receive one-eighth of any oil produced from this land. Several additional tracts of land are likely to be bid for at an early date, and the State during the coming year will no doubt derive a substantial income for its school fund from oil values.

The reports of:
The Chief Mine Inspector.
The Adjutant General.
The Health and Pure Food Department.
The Board of Pharmacy.
The Dental Board.
The Game Warden.
The State Librarian.
The Clerk of The Supreme Court.
The Dispensary Superintendent and Enforcement Attorney.
The University.
The University Preparatory School.
The School of Mines.
The Normal School Boards.
The Langston Agricultural and Normal School.
The School for the Blind.
The School for the Deaf.
The Orphans' Home.
The Insane Asylum.
The State Prison.
Are all likewise herewith filed for your consideration.

You will find these reports indicate close attention to the affairs of the government, and better organization and progress in these various departments and institutions, and with time for their consideration, I shall later no doubt beg consideration of further remarks pertaining to these reports and departments.

With the above account of the shape and condition of the present I have to submit for your consideration the following:

Deficiencies.

In the appropriations made by the last legislature to cover the expenses of all of the State Departments for the nineteen and one-half months ending June 30th, 1909, there will be deficiencies in some accounts and surplus in others.

Maintenance of State prisoners, an appropriation made available for payment of bills by the State of Kansas, or for bills maintaining the McAlester, or other State prison, under the direction of the Board of prison Control for the State, sixty-five thousand dollars.

Insane patients, maintenance and expenses, forty-five thousand dollars.

State Printing, twenty-five thousand dollars.

Contingent fund of the several departments named:

Governor's office, five thousand dollars.

Secretary of State, contingent fund, including expenses in connection with Initiative and Referendum Bills, and supplies furnished the Adjutant General's Office, nine thousand dollars.

Secretary of State, for salary for Corporation Clerk, at the rate of one hundred and twenty-five dollars per months, seven hundred and fifty dollars.

State Treasurer, re-imbursing expenses of State Bond Issue, two thousand dollars.

Commissioner of Charities and Corrections, three hundred and fifty dollars.

State Examiner and Inspector, deficiency fund, nineteen hundred and fifty dollars.

State Examiner and Inspector, four deputies' salary to end of fiscal year, June 30th, 1909, thirty-six hundred dollars, traveling and contingent expenses for same, seventeen hundred and fifty dollars.

State Superintendent of Public Instruction, deficiency, twelve thousand eight hundred dollars.

Criminal Court of Appeals, contingent fund, five hundred dollars.

Criminal Court of Appeals, Judges, total salary from September 15th, 1908 to June 10th, 1909, eight thousand four hundred fifty-eight dollars.

Criminal Court of Appeals, salaries of two stenographers from October 1st, 1908, to December 31st, 1908, six hundred dollars. Salaries of three stenographers from January 1st, 1908 to June 30th, 1909, eighteen hundred dollars.

State House Contingent expenses, fourteen hundred and twenty dollars

Adjutant General, Armory rent and troops called into service, thirteen hundred and eighty dollars.

Chief Mine Inspector, contingent fund, twenty-six hundred dollars.

Labor Commissioner, contingent fund, six hundred dollars.

Supreme Court, cost of printing rules, eighty seven dollars.

Insurance Commissioner, contingent fund, three thousand two hundred fifty-five dollars, and ninety nine cents.

Attorney General contingent fund, five thousand dollars.

Total deficiencies, one hundred ninety-seven thousand nine hundred dollars and ninety nine cents.

The above request for deficiencies I submit for your consideration without any present recommendation, as I have not had time to be advised as to the details in the several cases, owing to the fact that the request came into my hands on the day when this message is being prepared.

However, speaking of the finances of the State, I would say that excepting as to the State prisoners and the insane, the deficiencies for which have arisen from large increase in the number of prisoners and patients to be cared for, hence the deficiency.

As to the state printing, the original appropriation, was only twelve thousand five hundred dollars, which was merely a preliminary estimate of the probable cost of the year's printing.

As to the Governor's contingent fund, this includes the rewards for the capture of escaped prisoners and other large items which I hope in the future you will provide for by separate appropriation. Also late acts of the last legislature put upon the Governor's office the details of county

seat elections, of which there have been thirty-six during the year, and the large amount of work required in connection with each one of these elections has been made out of the Governor's contingent fund, and in itself required the services almost all the time of a special man assigned to that work; also the printing of the necessary blanks, etc.

As against the total deficiency in appropriations above mentioned, I have to report a total of seventy thousand seven hundred thirty-eight dollars and fifteen cents appropriated by the last legislature for various purposes that will not be used, and therefore in the general finances of the State to be charged off, as against the increase on the other hand made by the deficiencies. An exhibit of these savings is filed herewith.

Needed Legislation.

In addition to the suggestion as to legislation mentioned in connection with various statements of existing conditions above, the general policy of the legislature is one in which the public is greatly interested. It is asserted by some of our people that there should be an extensive revision and changing of existing laws and even to the extent of altering provisions of the Constitution. In this connection I will say that there has never yet been called to my attention definitely any partciular section which I believe justifies the name of a radical or unjust laws so far as our industriees and business of the State is concerned.

I, no doubt, like the members of your body, am ready to hear the arguments of those who favor repeals or amendments to existing laws, but so far as I am concerned these arguments must show that the change is necessary for the welfare of our people and the prosperity of the State.

There are some of the features of government, howevr, that I believe need your attention.

The building of court houses, whether by the sale of bonds or rental notes should be submitted to a vote of the people of the county.

Election Law.

Our election law needs material revision, simplifying its methods, economizing its cost and making it efficient in man yrespects. It was generally understood at the time the present law was passed at the close of the last session that for want of time to give it more careful consideration it was accepted and approved, with the understanding that after the holding of one election its defects could be remedied by subsequent legislation.

There is no class of public improvements needing attention so much as the building of public highways within this State. This is of so much importance that I believe that the people might well afford by the sale of bonds or otherwise to incur indebtedness running for a series of years with easy tax payments for the purpose of creating good public roads, and in this connection I hope that prison labor can be utilized to cover the greatest item of cost.

Revenue Law.

Laws providing the detail of all the various methods and subjects of taxation should receive your immediate consideration, and great care should be taken to so harmonize existing laws that equal and just taxation

only may be assessed, and in no instance should the laws permit the collection of a greater amount of taxes thain are absolutely required for the public necessities. In our experience when objecting to excessive tax levies this year, covering from two to three years business I have frequently met the suggestion that they would hold the surplus money in the treasury and make no levy in future years until the surplus had been exhausted. This I am emphatically opposed to. The experience throughout the country for years has been that it is a rare thing to find a public treasury strong enough to protect the surplus of cash against present unnecessary and extravagant uses. Let us only collect as our State Constitution strictly contemplates, only a sufficient amount of money required for necessary expenses during the year for which the levy is made.

With these and a few other questions which will be presented to you as soon as I have had an opportunity to study the reports of officers and recommendations of citizens of the State, I would add that there may be more virtue and benefit for the State out of a few laws than from the passafe of too great a volume of legislation, and expressing my faith in the integrity and ability of your Honorable Body to conserve the interests of the people in the legislative affairs of this State, I respectfully submit this message, with the accompanying reports.

C. N. HASKELL, Governor.

SUPPLEMENTARY MESSAGE.

Guthrie, Okla., January 6th, 1909.

Supplemental to the First Message to the
Second Legislature,
State of Oklahoma.

Gentlemen: There will be introduced today a bill providing for extending the time for payment of the first half of this year's taxes until March 15th, 1909, without penalty and directing public tax boards in the districts, townships, cities and counties to reduce levies where they are illegal or in excess of public necessities and empowering the tax-payer or the Governor to request the Attorney General to enforce this provision where the local authorities refuse to do so.

I attach hereto exhibits of three recent communications addressed to local authorities, and beg to advise your Honorable Body that my action in the matter of excessive taxes isonly taken after a multitudeof complaint from all over the State have been received.

I have further to advise you from the legal limitations and make levies higher than authorized by the Constitution; also, that in numerous localities, keeping within the Constitutional limitations they have levied a much larger amount than necessities require.

This fact is conceded by many local officials, and in explanation they say that they will keep the surplus for use in future years. There are two different objections to this:

Frist: It is unlawful to levy more than the necessities for the current year.

Second: No state has ever been able to demonstrate that a public treasury can be made stout enough to hold surplus money with any degree of certainty. Cash on hand is almost certain to be used for some purpose and besides the tax-payers should not be called on to pay money one or two years before it is needed for public use.

An additional reason for extending the time is that even now in several counties the tay rolls are not completed, although the date for penalty attaching under the present law, is long past.

As a public necessity, I urge the immediate consideration of this bill.

Respectfully,

C. N. HASKELL, Governor.

On motion of Senator Eggerman, the message of the Governor, together with the reports accompanying it, was received.

On motion of Senator Davis the Joint Assembly was dissolved, and the Senate returned to the Senate Chamber and was called to order by the President.

Senator Blair, for the Committee appointed to re-arrange the seats, reported:

That wherever the new arrangement was not acceptable to the Senaters who had been given the privilege of selecting seats, they were to have the right to change to the seats as newly arranged.

The report was adopted.

The following bills were introduced and read the first time:

Senate Bill No. 1. By Mr. Eggerman, "An Act providing for the sale of indemnity school lands."

Senate Bill No. 2. By Mr. Keys, "An Act amending session laws relating to fish and game."

Senate Bill No. 3. By Mr. Williams, "An Act to establish a State Training School for Girls, defining its powers and duties, providing for construction of a suitable building and equipment of the same repealing all acts and parts of acts in conflict herewith and declaring an Emergency."

Senate Bill No. 4. By Mr. Franklin, "An Act amending the primary election law."

Senate Bill No. 6. By Mr. Hatchett, "An Act repealing articles One and Two, of Chapter 45, of the Statutes of 1908, and amending section 4034 of the same, and declaring an emergency."

Senate Bill No. 7. By Mr. Morris, "An Act providing for the holding of County Court in the town of Hooker, in Texas County."

Senate Bill No. 8. By Mr. Redwine, "An Act amending Sections 6132, Article5, of the General Statutes of 1908, of the State of Oklahoma."

Senate Bill No. 9. By Mr. Billups, "An Act defining the procedure for the mortgage or sale of the homestead of an insane husband or wife."

Senate Bill No. 10. By Mr. Cordell, "An Act to provide for the sale of indemnity school lands, etc."

Senate Joint Resolution No. 1. By Mr. Thomas, "An Act providing for the appointment of a Joint Committee to prepare, compile and publish the session laws of the Second Legislative Assembly."

Senate Joint Resolution No. 2. Br Mr. Yeager, "An Act proposing a Constitutional Amendment for equal suffrage."

Senate Joint Resolution No. 3. By Mr. Taylor, "An Act providing for an amendment to the Constitution further restricting the right of suffrage."

The Committee on Education reported, recommending that Senate Bill No. 4. by Mr. Russell do pass."

Report received.

On motion of Senator Morris a committee of five was appointed to apportion the Governor's message to the different committees corresponding with the various subjects contained therein.

Messrs Morris, Hatchett, Billups, Denton and Keys were appointed as such committee.

Senator Billups moved that the numbers of the seats that had been moved be placed in a hat to be drawn over.

Vote was taken. Motion carried.

Senate adjourned until 1:30 P. M., Thursday, January 7, 1909.

SENATE JOURNAL.

THIRD DAY.

January 7, 1909.

Senate convened at 1:30 P. M., pursuant to adjournment.

Called to order by the President, George W. Bellamy.

On roll call the following were found present:

Messrs. Allen, Beeler, Billups, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Newell, Potter, Roddie, Redwine, Russell, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Yeager, Wynne, and Williams. Total 42.

Absent and excused, Messrs. Goulding and Echols. Total 2.

President announced a quorum present.

Prayer by the Chaplain.

Senator Goulding was excused.

The Chair appointed a Committee to correct the Journal, Messrs. Blair, Strain, and Williams.

Senator Thomas filed petition No. 1. It being petition of L. E. Stevenson and fifty citizens of Jackson County asking for Local Option relative to pool halls.

Senator Thomas filed petition No. 2. It being petition of Thomas Decker, et. al., asking for a bridge law.

Referred to Committee on Roads and Highways.

Senator Thomas filed petition No. 3. It being petition of Good Roads Association of Commanche County. Referred to Committee on Roads and Highways.

Senator Thomas filed petition No. 4. It being a request from J. E. Kilpatrick, et. al., relative to County and Township Affairs. Referred to Committee on State and County Affairs.

Senate Concurrent Resolution No. 2. by Mr. Thomas, providing for the appointment of three Senators to confer with a like number from the House to make arrangement for the election of United States Senators was offered.

Senator Thomas moved the adoption of Resolution No. 2.

Motion prevailed.

The following bills were introduced:

Senate Bill No. 11, by Mr. Franklin, "An Act to carry into effect Sections 3, 4, and 5 of Article 23 of the Constitution relative to Child Labor."

Senate Bill No. 12, by Mr. Williams, "An Act to make the appropriation for the payment of the mileage and per diem and contingent expenses of the Second Legislature, and declaring an emergency."

Senate Bill No. 13, by Mr. Yeager, "An act to regulate the carrying of concealed weapons and penalty therefor."

Senate Bill No. 14, by Mr. Yeager, "An Act to instruct the members of the Legislative Assembly to vote for and elect the candidate for United States Senator who received the highest number of votes at the General Election."

Senate Bill No. 15 by Mr. Roddie, "An Act relating to insurance and declaring an emergency."

Senate Bill No. 16, by Mr. Cordell, "An Act to divide the State intc Judicial Districts and fixing the time for holding District Courts."

Senate Bill No. 17, by Mr. Smith, "An Act to amend Section 3917 and 3918 of Chapter 43, Article ....., the revised statutes of 1908, and repeal all laws in conflict with this act."

Senate Bill No. 18, by Mr. Brownlee, "An Act to repeal Section 1, to Section 53 and Chapter 27 of Session Laws of 1899."

Senate Bill No. 19, by Messrs. Russell and Keys, "An Act amending Section 1, Chapter 8, Session Laws of Oklahoma of 1897, relating to conveyance and declaring an emerkency."

Senate Bill No. 20 by Mr. Hatchett, "An Act providing for the designation of County and City depositaries, etc."

Senate Bill No. 21 by Mr. Landrum, "An Act providing for the creation and location of the Northeastern Normal School at Tahlequah, Cherokee County, Oklahoma, for the purchase of the Cherokee Female Seminary for that purpose and for the maintenance of the same."

Senate Bill No. 22, by Mr.Landrum . "An Act repealing Art. 1, Chap. 60, of the Session Laws of the State of Oklahoma, the same being an Act to prohibit officers from appointing relatives."

Senate bill No. 23, by Mr. Landrum, "An Act regulating numbers of trustees of religious, charitable, educational and benevolent organizations, and the fees for granting charters to such organizations."

Senate Bill No. 24, by Mr. Russell, "An Act authorizing the Board of Agriculture to establish County Demonstration Farm, etc."

Senate Bill No. 25, by Mr. Sorrels, "An Act defiining lawful fences in any county or district where stock are permitted to run at large and providing punishment for a violation of any provision of this act."

Senate Bill No. 26, by Mr. Eggerman, "An Act relating to roads and bridges and empowering counties and townships to levy taxes for the construction, improvement and maintenance of bridges and for other purposes."

Senate Bill No. 27, by Mr. Davis, "An Act providing for certain publications and declaring an emergency."

Senate Bill No. 28, by Mr. Williams, "An Act to establish the Oklahoma State Reformatory; for a Board of Managers, and defining their power, etc."

The following concurrent Resolutions were introduced:

Senate Concurrent Resolution No. 3, by Mr. Landrum, "Authorizing the placing of the Bust of Sequoyah in Statuary Hall at Washington."

Senate Concurrent Resolution No. 4, by Redwine, "Memorializing

Congress for the immediate sale of the surface of the segregated coal and asphalt lands in the State of Oklahoma."

Senator Redwine moved to suspend the rules and place Concurrent Resolution No. 4., upon its final passage.

Senator Russell objecting, it went over under the rules.

Senate Joint Resolution No. 4, by Mr. Allen, "An Act to submit to the people a proposed amendment to the Constitution authorizing installation of the Torrens Land System."

Senate Resolution No. 3, by Mr. Denton, "Resolved that a Committee of three be appointed to ascertain and determine the mileage accounts of the Senators."

Senator Denton moved the adoption of the Resolution.

Motion prevailed.

The President appointed Messrs Denton, Strain, and Stafford.

Senate Resolution No. 4 by Mr. Stewart, "Be it resolved by the Senate of Oklahoma that the Sergeant-at-Arms of the Senate be instructed to purchase for each member of the Senate 'Ten Dollars' worth of Stamps. That said stamps be delivered to each Senator when he gives his receipt for same to the Sergeant-at-Arms."

Senator Smith moved to refer Senate Resolution No. 4 to the Committee on Senate and Legislative Affairs.

Motion prevailed.

Senate Resolution No. 5., by Mr. Colville, "Be it resolved that the Sergeant-at-Arms be instructed to furnish a calendar for the use of the Senate."

Senator Billups moved to refer Senate Resolution No. 5, to the Committee on Senate and Legislative Affairs.

Motion prevailed.

A message from the Governor, No. 1, relating to the collection of taxes, was received and read.

On motion of Senator Billups, Governor's message No. 1, was referred to the Committee on Revenue and Taxation.

BILLS ON SECOND READING.

Senate Bill No. 1, by Mr. Eggerman, read and referred to Committee on School Lands.

Senate Bill No. 2, by Mr. Keys, read and referred to Committee on Fish and Game.

Senate Bill No. 3, by Mr. Williams, Read and referred to Committee on Public Buildings and Education.

Senate Bill No. 4, by Mr. Russell, read and referred to Committee on Education.

Senate Bill No. 5, by Mr. Franklin, read and referred to Cimmittee on Privileges and Elections.

Senate Bill No. 6, by Mr. Hatchett, read and referred to Committee on State and County Affairs.

Senate Bill No. 7, by Mr. Morris, read and referred to Committee on Judiciary No. 1.

Senate Bill No. 8, by Mr. Redwine, read and referred to Committee on Revenue and Taxation.

Senate Bill No. 9, by Mr. Billups, read and referred to Committee on Legal Advisory.

Senate Bill No. 10, by Mr. Cordell, read and referred to Committee on School Lands.

JOINT RESOLUTIONS ON SECOND READING.

Senate Joint Resolution No. 1, by Mr. Thomas, read and referred to Committee on Legal Advisory.

Senate Joint Resolution No. 2, by Mr. Yeager, read and referred to Commtitee on Privileges and Elections.

Senate Joint Resolution No. 3, by Mr. Taylor, read and referred to Committee on Privileges and Elections.

On motion of Senator Blair, R. E. Mathis was elected a committee clerk.

On motion of Senator Davis, Thomas Joyner was elected a committee clerk.

Senator Taylor moved to reconsider the action of the Senate in selecting the two committee clerks.

Motion withdrawn.

Senator Hatchett asked the Committee on Senate and Legislative Affairs to inform the Senate how many Committee Clerks were now employed.

On suggestion of Senator Brownlee, the Committee on Correction of Senate Journal was directed by the President to assist the Journal Clerk in preparing the copy for the printer.

Senator Thomas moved that the Senate go into Executive Session.

Motion prevailed.

The business of the Executive Session being finished, the President called the Senate to order in open session.

Senator Billups moved that it is the sense of the Senate that the bill for the printing of the Second Day's Journal be not allowed and that the Journal be re-printed.

Motion prevailed.

Senator Franklin moved to reconsider the action taken in regard to having the Secretary secure suitable stationery for the Senators.

Motion prevailed.

Senator Sorrels moved to let the Committee on Senate and Legislative Affairs select a design for stationery.

Motion prevailed.

The Senate adjourned until Friday, January 8th, at 1:30 P. M.

SENATE JOURNAL.

FOURTH DAY.

Friday, January 8, 1909.

Senate convened at 1:30 P. M., pursuant to adjournment.

Called to order by the President pro tem, J. C. Graham.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Denton, Davis, Echols, Eggerman, Franklin, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Newell, Potter, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Yeager, Wynne,, and Williams. Total 41.

Absent and excused, Messrs. Beeler, Cloonan, and Goulding. Total 3.

Senator Goulding was excused.

The President announced a quorum present.

Prayer by Senator Blair.

The Journal of the Third Day was read and approved as corrected.

Senator Echols filed Petition No. 5, it being petition of fifty citizens of Beckham County, endorsing Bill of Senator Echols, requiring State and County funds to be deposited in State Banks of Oklahoma.

Read and referred to Committee on Banks and Banking.

The following resolution was introduced.

Senate Concurrent Resolution No. 5, by Mr. Stewart, thanking Messrs. Pipes Reed Book Company, was read.

Senate Concurrent Resolution No. 6, by Mr. Russell, providing for a "New Jerusalem" Committee, was read, and without objections, was ordered printed.

Senate Joint Resolution No. 5, by Mr. Yeager, "An Act proposing Constitutional amendment for the recall of any public officer."

Senator Thomas inquired if Senate Concurrent Resolution No. 2, had been transmitted to the House of Representatives.

Was informed by the Secretary that it had not been transmitted.

The President ordered the Secretary to transmit the resolution to the engrossing room immediately for engrossing.

The following bills were introduced:

Senate Bill No. 29, by Mr. Redwine, "An Act providing for the confinement of persons convicted of any crime in this State, and who have been sentenced by the Courts to the Lansing Penitentiary, located at Lansing, Kansas, and now confined in the various County jails of the State; and for all persons hereafter convicted in any Court of this State, and declaring an emergency."

Senate Bill No. 30, by Mr. Williams, "An Act to establish an institution for the care, training and custody of feeble-minded, idiotic and imbecile children and the care and custody of feeble-minded, idiotic and imbecile female adults; providing for the appointment of a superintendent defining his powers and duties, and making an appropriatoin for the purchase of suitable land; the construction of buildings and equipment of same and declaring an emergency."

Senate Bill No. 31, by Mr. Soldani, "An Act creating the Oklahoma State Military School; designating the military department of the University Preparatory School, Tonkawa, Kay County, Oklahoma, as such; providing for appointments thereto and prescribing a military organization, government and discipline of said school."

Senate Bill No. 32, by Mr. Smith, "An Act to amend Sections 5356 and 5357, of Chapter 65, Article 3, of the General Statutes of the State of Oklahoma, 1908, relating to the trial of the title to Real Estate, and to repeal all laws in conflict with the same."

Senate Bill No. 33, by Mr. Billups, "An Act amending General Section 1935, Wilson's Revised Statutes of Oklahoma."

Senate Bill No. 34, by Mr. Eggerman, "An Act authorizing the payment by the State of a reward for the arrest and conviction of any person guilty of stealing a horse or mule within the State."

Senate Bill No. 35, by Mr. Eggerman, "An Act to amend Section 2226, Article 12, Chapter 18, of the General Statutes of Oklahoma, 1908.

Senate Bill No. 36, by Mr. Yeager, "An Act to regulate the pay of viewers, chain carriers, and overseers."

Senate Bill No. 37, by Mr. Thomas, "An Act providing for the platting and selling of the east half of the northeast quarter of Section 36, T. 2, N. of R. 12, W. I. M., in Comanche County for townsite purposes."

Senate Bill No. 38, by Mr. Thomas, "An Act legalizing and validating the editing, preparing, compiling and publishing of the session laws of the First Legislative Assembly, and declaring an emergency."

Senate Bill No. 39, by Mr. Roddie, "An Act to amend Chapter 6, of the Session Laws of Oklahoma, 1907, and 1908, relating to Banks and Banking, and declaring an emergency."

Senate Bill No. 40, by Mr. Russell, "An Act to repeal Section 5, of Article 4, Chapter 31, of the Session Laws of 1903, relating to kindergarten."

Senate Bill No. 41, by Mr. Russell, "An Act providing penalty for assault with intent to rape, also amending Section 2, Article 2, Chapter 20, Session Laws, 1895, defining rape in first degree, and providing penalty therefor."

Report of Standing Committee.

Mr. President:

We, your Committee on Education, having had under our consideration Senate Bill No. 4, by Mr. Russell, the same being an Act to repeal Articles 1, and 2, of Chapter 28, of the Session Laws of 1901, beg leave to recommend that the same do pass. Senator Davis voting no.

R. P. WYNNE, Chairman.

Senator Morris moved to have the question of Session Laws and Statutes referred to the Committee on Legal Advisory.

Motion prevailed.

Senator Davis moved to have his name stricken from the report of the Committee on Education.

Motion prevailed.

MESSAGE FROM THE HOUSE.

Honorable George W. Bellamy,
President of the Senate.

Sir: In accordance with the provisions of House Concurrent Resolution No. 3, the Speaker has appointed Japp, Cope, and Durant as a committee to act with a like Committee from the Senate. Shuold the Senate concur?

January 8, 1909. W. H. EBEY, Chief Clerk.

Senator Thomas moved to have House Concurrent Resolution No. 3, read.

Senator Thomas moved the adoption of House Concurrent Resolution No. 3.

Motion prevailed.

The President ordered House Concurrent Resolution No. 3, transmitted to the House for enrollment.

The President appointed in accordance with House Concurrent Sesolution No. 3, Messrs Thomas, Strain and Brownlee as a Committee.

The President ordered the Chief Clerk to notify the House of Representatives of the appointment of said Committee.

SPECIAL COMMITTEE REPORT.

Mr. President:

We, your special Committee, appointed to refer the subjects contained in the Governor's message to the proper Committee of the Senate, beg leave to make the following report:

We recommend that the subject of insane asylums, on page 8, of the Governor's message, be referred to the Committee on Hospitals and Charities.

State prisons on page 9, to Committee on Penal Institutitons.

Prohibition enforcement on page 10, to Committee on State and County Affairs.

Taxation on page 11, to Revenue and Taxation.

That the official report of the Corporation Commission on page 15, of the Governor's message, be referred to the Committee on Public Service Corporations. The attorney General's report, on page 16, referred to Judiciary No. 1, and Judiciary No. 2.

Auditor's Report, to Revenue and Taxation.

Treasurer's report, to Public Indebtedness and Contingent Expenses.

Secretary of State Report, to Committee on State and County Affairs.

Report of Labor Commissioner to Commerce and Labor.

State Examiner and Inspector's report to Revenue and Taxation.

Report of Commissioner of Charities and Corrections, to Hospital and Charities.

The report of Insurance Commissioner to Committee on Insurance.

Report of the Superintendent of Public Instruction to Committee on Education.

Report of the Department of Agriculture to Committee on Agriculture.

The report of the Banking Department to the Committee on Banking.

The report of the State Printer and the subject of State Printing page 18, to the Committee on Printing.

Report of the Secretary of the Commissioner of the Land Office, to the Committee on School Lands.

Report of the Chief Mine Inspector, to the Committee on Mines and Mining.

Report of the Adjutant General, to the Committee on Military Affairs.

Report of the State Librarian to the Committee on Education.

Report of the Clerk of the Supreme Court to Judiciary Committee No. 1.

The report of the Dispensary Superintendent and Enforcement Attorney to Judiciary Committees Nos. 1 and 2.

Report of the University Preparatory School to Committee on Education.

Report of the School of Mines to the Committee on Mines and Mining.

Report of the University, The Normal School Board, the Langston, the A. & M. School, to the Committee on Education.

Report of the School for the Blind, for the Deaf, the Orphan Hom the Insane Asylum, to the Committee in Hospitals and Charities.

Report of the State Prison, to the Committee on Penal Institutions.

The subject of building Court Houses, on page 21, under the head of needed legislation, to the Committee on State and County Affairs.

Subject of Election Law, on page 21, to the Committee on Privileges and Elections.

Subject of Revenue Laws, on page 21, to the Committee on Revenue and Taxation.

The Report of the Dental Board, to the Committee on Public Health. Pharmacy, to the Cimmittee on Drugs and Pure Food.

The report if the Dental Board, to the Committee on Public Health.

Report of the State Game Warden, to the Committee on Fish and Game.

J. S. MORRIS, Chairman.

Senator Morris moved the adoption of the report.

Motion prevailed.

Senator Blair moved as House Concurrent Resilution No. 3, had pased the Senate, that Senate Concurrent Resolution No. 2, be not transmitted to the House.

Motion prevailed.

SPECIAL COMMITTEE REPORT.

Mr. President:

We, your special committee, appointed to audit the mileage of the Senators, beg leave to submit the following report:

Allen, Harry K., one way 130 miles, both ways 260 miles. Mileage $26.00.

Beeler, Harry B., one way 181 miles, both ways 362. Mileage $36.20.

Billups, R. A. one way 180 miles, both ways 360 miles. Mileage, $36.00.

Brownlee, E. D., one way 38 miles, both ways 76 miles, Mileage $7.60.

Blair, H. S., one way 102 miles, both ways 204. Mileage $20.40.

Colville, F. M., one way 70 miles, both ways 140. Mileage $14.00

Cordell, S. A., one way 38 miles, both ways 176 miles. Mileage $7.60

Chapman, E. B., one way 88 miles, both ways 176. Mileage $17.60.

Curd, R. S., one way 146 miles, both ways 292 miles. Mileage $29.20.

Cunningham, Harper S.

Cloonan, J. H., one way 274 miles, both ways 548. Mileage $54.80.

Denton, H. J., one way 186 miles, both ways 372. Mileage $37.20.

Davis, Clarence, one way 94 miles, both ways 188. Mileage $18.80.

Echols, R. E., one way 155 miles, bith ways 310. Mileage $31.00

Eggerman, M. F.. one way 75 miles, both ways 150 miles. Mileage $15.00.

Franklin, W. M., one way 156 miles, both ways 312. Mileage $31.20.

Goulding, P. J., one way 56 miles, both ways 112. Mileage $11.20.

Graham, J. C., one way 150 miles, both ways 300. Mileage $30.00.

Hatchett, Jesse M., one way 177 miles, both ways 354. Mileage $35.40.

Hurst, Homer S., one way 112 miles, both ways 224. Mileage $22.40.

Johnsin, George O., one way 108 miles, both ways 216. Mileage $21.60.

Keys, J. M., one way 200 miles, both ways 400. Mileage $40.00.

Landrum, E. M., one way 200 miles, b'th ways 400. Mileage $40.00.

Memminger, T. F., one way 166 miles, both ways 322. Mileage $32.20

Mitchell, E. L., one way 200 miles, both ways 400 miles. Mileage, $40.00.

Morris, J. S., one way 400 miles, both ways 800. Mileage $80.00.

Moore, Tom, one way 200 miles, both ways 400. Mileage $40.00.

Newell, J. Q., one way 70 miles, bith ways 140. Mileage $14.00.

Potter, R. T., one way 126 miles, both ways 252. Mileage $25.20.

Roddie, R. M., one way 115 miles, both ways 230. Mileage, $23.00.

Russell, Campbell, one way 180 miles, both ways 360. Mileage $36.00.

Redwine, W. N., one way 150 miles, both ways 300. Mileage $30.00.

Smith, D. M., one way 131 miles, both ways 262. Mileage $26.20.

Soldani, S. ,J. one way 65 miles, both ways 130. Mileage $13.00.

Stafford, Roy E., one way 30 miles, both ways 60. Mileage $6.00.

Strain, J. H., one way 150 miles, both ways 300. Mileage $30.00.

Sorrels, E. T., one way 185 miles, both ways 370. Mileage $37.00.

Stewart, W. P., one way 253 miles, both ways 506. Mileage $50.60.

Thomas, J. Elmer, one way 122 miles, both ways 244. Mileage $24.40.
Taylor, L. K., one way 94 miles, both ways 188. Mileage $18.80.
Updegraff, A. E., one way 160 miles, bith ways 320. Mileage $32.00.
Yeager, P. J., one way 108, both ways 216. Mileage $21.60.
Wynne, R. P., one way 65 miles, bith ways 130. Mileage $13.00.
Williams, J. J., one way 108 miles, both ways 216. Mileage $21.60.

H. J. DENTON, Chairman.

Senator Denton moved the adoption of the Report.

Motion prevailed.

Without objections, Senator Davis introduced the following Resolution:

Senate Concurrent Resolution No. 7., by Mr. Davis.

BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that a committee of Five (5) members from the Senate and Five (5) members from the Hiuse of Representatives be appointed respectively by the President of the Senate and the Speaker if the House, to constitute a joint Committee to report rules governing the joint session of the House and Senate.

Senator Davis moved the adoption of the Resolution, Senate Concurrent Resolution No. 7.

Motion prevailed.

The Committee on Appropriations was excused.

The following Bills were read the second time and referred to the following Committees.

Senate Bill No. 11, by Mr. Franklin, to Committee on Commerce and Labor.

Senate Bill No. 12, by Mr. Williams, to Committee on Appripriations.

Senate Bill No. 13, by Mr. Yeager, to Committee on Judiciary No. 1.

Senate Bill No. 14, by Mr. Yeager, to Committee on Legal Advisory.

Senate Bill No. 15, by Mr. Roddie, to Committee on Insurance.

Senate Bill No. 16, by Mr. Cordell, to Committee on Judiciary No. 2.

Senate Bill No. 17, by Mr. Smith, to Committee on Judiciary No. 1.

Senate Bill No. 18, by Mr. Brownlee, to Committee on Judiciary No. 2.

Senate Bill No. 19, by Messrs. Russell and Keys, to Committee on Judiciary No. 2.

Senate Bill No. 20, by Mr. Hatchett, to Committee on State and County Affairs.

Senate Bill No. 21, by Mr. Landrum ,to Committee on Public Building.

Senate Bill No. 22, by Mr. Landrum, to Committee on State and County Affairs.

Senate Bill No. 23, by Mr. Landrum, to Committee on Hospitals and Charities.

Senate Bill No. 24, by Mr. Russell, to Committee on Agriculture.

Senate Bill No. 25, by Mr. Sorrels, to Committee on Roads and Highways.

Senate Billl No. 26, by Mr. Eggerman, to Committee on Roads and Highways.

Senate Bill No. 27, by Mr. Davis, to Committee on Public Buildings.

Senate Bill No. 28, by Mr. Williams, to Committee on Public Buildings-

MESSAGE FROM THE HOUSE.

To the Honorable President of the Senate:

Mr. President:

I herewith transmit to the Honorable Senate, House Concurrent Resolution No. 4, with endorsement as to passage.

Respectfully submitted,

W. H. EBEY, Chief Clerk.

RESOLUTIONS ON SECOND READING.

Senate Joint Resolution No. 4, by Mr. Allen, read and referred to Committee on Judiciary No. 2.

Senate Concurrent Resolution No. 3., by Mr. Landrum, read and referred to Committee on State and County Affairs.

Senate Concurrent Resolution No. 4, by Mr. Redwine.

Senator Redwine requested that this Resolution be taken up at this time and passed. Senator Franklin requested that the same be printed prior to consideration. On request of Senator Franklin, Senator Redwine asked to have the resolution printed.

Senator Taylor asked to have Senate Joint Resolution No. 3 printed.

Withdrawn.

Senator Morris asked if there had been any arrangements made for printing.

President Pro Tem Graham stated that he had been informed by the State Printer that the contract for the Legislative printing had been made.

Senator Taylor asked what would be printed and what would not be printed.

Senator Thomas moved to have all bills and resolutions that were reported from Committees with the recommendation that same do pass, be by the Secretary transmitted to the printer and printed.

Motion prevailed.

Senator Blair moved that the Committee on Public Printing call upon the State Printer and to confer with him as to the contract that he has made. for this printing and get any other information that they may think would be useful to the Senate and lay it before the Senate in their report.

Motion prevailed.

Senator Thomas asked to have Senate Concurrent Resolution No. 4 taken up.

Senate Concurrent Resolution No. 4 was read at length.

Senator Thomas moved the adoption of Senate Concurrent Resolution No. 4.

Motion prevailed.

President Pro Tem Graham signed Senate Concurrent Resolution No. 4, in open session. The same was transmitted to the House.

On motion of Senator Taylor, Judson Treadwell was elected Cloak Room Attendant at $2.00 per day.

Senator Taylor moved to add two more names to the Committee on Privileges and Elections. Suggested the names of Senators Roddie and Brownlee.

Senator Brownlee moved to amend by substituting the name of Potter instead of Brownlee.

Vote was taken and substitute was adopted.

Original motion prevailed as amended.

Mr. Ham Bee tendered his resignation as extra Committee Clerk.

Senator Russell moved that the resignation of Mr. Bee be accepted.

Motion prevailed.

Senator Davis moved that Thomas Joyner be elected as Committee Clerk.

Senator Blair moved to have the clerks that had been elected sworn in.

So ordered.

COMMITTEE REPORT.

Mr. President:

We, your Committee on Appropriations, who have had under consideration Senate Bill No. 2, recommend that the same do pass.

J. J. WILLIAMS, Chairman.

Senator Williams moved the adoption of the report.

Report was adopted.

Bill was ordered placed upon the calendar.

Senator Taylor moved to add another member to Judiciary Committee No. 1, and suggested the name of Senator Hatchett.

Motion prevailed.

Senator Wynne moved to have the Committee on Senate and Legislative Affairs instructed to supply the new members of the Senate with Roberts Rules of Order.

Motion prevailed.

Senator Strain was called to the Chair. The Committee of the whole arose and reported as follows:

Mr. President:

We, your Committee of the whloe who have had under consideration Senate Bill No. 12, recommend that the same do pass as amended and same be engrossed.

J. H. STRAIN, Chairman.

Senator Strain moved the adoption of the report.

Motion prevailed.

Senator Morris moved to have all employees report for duty at 9 A. M. tomorrow morning.

Senator Taylor moved that the Sergeant-at-Arms be instructed to clean out the Cloak Room.

Senator Franklin asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 42 by Mr. Franklin, "An Act to protect public funds and to amend Section 1, Article 9, Chapter 17, of the Statutes of Oklahoma, 1908 being running Section 1385, and carrying into effect Section 11, of Article 10, of the Constitution, and declaring an emergency.

Senate Bill No. 43, by Mr. Blair, "An Act to establish a State Industrial School and for the maintenance and government of same.

Senate Bill No. 44, by Mr. Sorrels, "An Act repealing Section 4208, of Chapter 50, Article 8, of the General Statutes of Oklahoma, 1908.

Senate Bill No. 45, by Mr. Sorrels, "An Act to amend Section 4205 of Chapter 50, Article 8, of the General Statutes of Oklahoma 1908.

Senate Bill No. 46, by Mr. Cordell, "An Act to amend Sections 6750, 6769, 6786, and 6790 of Chapter 79, of the General Statutes of Oklahoma, 1908, entitled "Wills."

Senate Bill No. 47, by Mr. Smith, "An Act to make it unlawful to bet or wager at any gaming table or bank or pigeon hole or nine or ten pin alley or to bet or wager money or anything of value at any game and providing a penalty therefor."

Senator Memminger moved to have the Sergeant-at-Arms instructed to have a flag placed upon the wall back of the President.

Motion withdrawn.

Senator Thomas informed the Senator that the Senate and Legislative Affairs Committee, had made arrangements for a flag.

Senator Brownlee stated that there was no notation of the Warren-Hurst contest on the Calendar and no mention made of the same in the Journal. The contest was filed January 6th 1909, and desired that the records so show.

Contest papers were referred to Committee on Privileges and Elections.

Senator Blair moved to adjourn until Monday.

Motion prevailed.

Senate adjourned until Monday, January 11, 1909 at 1:30 P. M.

SENATE JOURNAL.

FIFTH DAY.

Saturday, January 9, 1909.

No Session.

SENATE JOURNAL.

SIXTH DAY.

Sunday, January 16, 1909.

No Session.

SENATE JOURNAL.

SEVENTH DAY.

Monday, January 11, 1909.

Senate met at 1:30 P. M., pursuant to adjournment.

Called to order by the President, George W. Bellamy.

On roll call the following Senators were present.

Messrs. Allen, Beeler, Billups, Brownlee, Colville, Cordell, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memmenger, Mitchell, Morris, Newell, Roddie, Smith, Russell, Redwine, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Uudegraff, Wynne and Williams. Total 38.

Absent and excused. Messrs. Blair, Chapman, Echols, Moore, Potter and Yeager. Total 6.

The President announced a quorum present.

In the absence of the Chaplain, prayer was offered by Senator Colville.

The following Bills and Resolutions were introduced:

Senate Bill No. 48, by Mr. Billups, "An Act providing for a convention of county and city public school superintendents."

Senate Bill No. 49, by Mr. Memminger, "An Act defining the rate of interest to be charged upon any loan or forbearance of money, goods, or things in action and providing a penalty."

Senate Bill No. 50, by Mr. Stewart, "An Act to locate the Northeastern Oklahoma Hospital for the Insane at Hugo, and declaring an emergency."

Senate Bill No. 51, by Mr. Memminger, "An Act providing for the method of purchasing supplies for the Legislature and regulating the use and care of same and providing a penalty for the violation thereof."

Senate Bill No. 52, by Mr. Eggerman, "An Act to establish a Soldier's Home in the State of Oklahoma."

Senate Bill No. 53, by Mr. Franklin, "An Act to more fully carry into effect Section 7, of Article 7, of the Constitution by defining the duties of the Clerk of the Supreme Court, providing for a bond for the faithful performance of his duties, etc."

Senate Bill No. 54, by Mr. Goulding, "An Act in relation to weights and measures and repealing Chapter 85 of the Statutes of Oklahoma of 1893."

Senate Bill No. 55, by Mr. Goulding, "An Act to exempt from assessment and taxation rural telephone lines that are owned and operated by mutual companies that do not charge for transmittal of telephone messages."

Senate Bill No. 56, by Mr. Morris, "An Act providing for the sale of all school lands of the State of Oklahoma, etc."

Senate Bill No. 57, by Mr. Hatchett, "An Act suspending the statute

of limitation in certain cases and declaring an emergency."

Senate Bill No. 58, by Mr. Hatchett, "An Act providing for appeals from judgments of courts of Justice of the Peace."

Senate Bill No. 59, by Messrs. Meminger and Hatchett, "An Act creating the Northeastern Normal School at Durant, and making an appropriation for the erection of a suitable building therefor."

Senate Bill No. 60 by Mr. Taylor, "An Act to regulate the liability of common carriers in case of lost or damaged freight."

Senate Bill No. 61, by Mr. Taylor, "An Act relating to railroads and of the operation of trains thereon and for the protection of employees and the traveling public, by requiring full train crews and providing penalties for the violation thereof."

Senate Bill No. 62, by Mr. Morris, "An Act defining the offense of bank burglary and providing the punishment therefor; and declaring an emergency."

Senate Bill No. 63, by Mr. Cordell, "An Act to amend Sections 17 and 18, Art. 1; Sec. 98 and 100, Art. 5; Sec. 137, 138, 144, Art. 6; Sec. 203, Art. 8; Sec. 238, Art. 9; and to repeal Sec. 4, of Art. 1 and Sec. 91, Art. 4 of Chap. 1, of the general Statutes of Oklahoma, of 1908, entitled, "Administration."

Senate Bill No. 64, by Mr. Roddie, "An Act relating to gambling and repealing all laws or parts of laws in conflict herewith."

Senate Bill No. 65, by Messrs. Cunningham, and Brownlee, "An Act relating to Negotiable Instruments.

Senate Bill No. 66 by Mr. Davis, "An Act regulating the creation of the Criminal Court of Appeals defining its duties, powers and jurisdiction, and declaring an emergency."

Senate Bill No. 67, by Mr. Davis, "An Act repealing Articles 1 and 2, of Chapter 45, General Statutes of 1908, and declaring an emergency."

Senate Bill No. 68 by Mr. Corrells, "An Act to protect the wages in and around mines."

Senate Bill No. 69, by Mr. Graham, "An Act to provide for the compensation of the Clerk of the Supreme Court and the Criminal Court of Appeals and to create clerical and stenographic positions for the office of clerk of Supreme Court and Criminal Court of Appeals, and to fix the compensation and salaries thereof."

Senate Bill No. 70, by Mr. Goulding, "An Act amendatory of Sec. 2, Art. 10, Chap. 70, Statutes of Oklahoma 1893."

Senate Bill No. 71, by Mr. Goulding, "An Act to establish a District Agricultural School of secondary grade for instruction in agriculture, mechanics and economics, in the Fifth Supreme Court Judicial District."

Senate Joint Resolution No. 6, by Mr. Billups, "An Act declaring the Oklahoma code of 1908, to be the official code of laws of the State, repealing all laws not embodied therein, and declaring an emergency."

Senate Concurrent Resolution No. 8, by Mr. Keys, "Memorializing Congress to pay or reimburse the Indians of the Five Civilized Tribes for the lands and monies shared with negro ex-slaves and their descendants."

On motion Senator Graham, Senate Concurrent Resolution No. 8, was referred to Committee on Indian Affairs.

On motion of Senator Keys, Senate Concurrent Resolution No. 8, was ordered printed.

House Bill No. 1, by Messrs. Bryan, Harrison and Coyne, "An Act relating to revenue for State, County, City, Town, Township, and school purposes for the fiscal year ending June 30, 1909, and for the deficiency for the year ending July 1, 1908; and declaring an emergency."

House Concurrent Resolution No. 1, by Mr. Maxey, "Placing the Legislative Hall under control of State Leasing Board."

SECOND MESSAGE FROM THE GOVERNOR.

January 11, 1909.

To the Second Legislative Assembly of Oklahoma:

I have the honor to transmit to your Honorable Body, copy of letter attached, just received from the Honorable J. George Wright, Commissioner to the Five Civilized Tribes of Former Indian Territory. This letter advises us that the female seminary building at Tahlequah has been appraised by the Interior Department at forty thousand dollars for the building and five thousand dollars for the forty acre tract of land where the building is located, and that the State of Oklahoma may have the first right to buy this ground and the building, requesting the answer not later than February, the first nineteen hundred and nine.

In this connection I call to the attention of your Honorable Body that neither of you nor the former Legislature have I taken an active interest in the location of the District Public Buildings, feeling that the several localities presenting their claims were entitled to your consideration and all offered reasonable qualifications; and, without now desiring to unduly influence the mind of any member of your Honorable Body, I feel that in this particular matter you will not object to my setting forth the peculiar conditions surrounding this institution.

It is not simply the Town of Tahlequah that is involved (that is a matter of minor consideration) although from its quiet surroundings, its beautiful scenery, healthful condition, it is well worthy of consideration, but we have centered upon this institution a history that I trust you will permit me to recall.

The Cherokee Nation had been for years a progressive people in the South Atlantic country until by treaty with President Jackson they exchanged their land in that region for an extent of territory in what is now the State of Oklahoma. They removed practically in a body to this country, completing their removal in the year eighteen hundred and thirty-nine. They were then a progressive people, intelligent and educated, and industriously seeking greater education and progress, although their home was then in a wilderness, practically surrounded by Indian Tribes and long distant from any means of modern transportation or commerce, and with no educational institutions except their own creation, but mark their immediate efforts in behalf of their own people.

In the year eighteen hundred forty-one, the Cherokee Nation completed its organization for educational purposes and eleven schools were established in that year.

In eighteen hundred and forty-six, the Cherokee Assembly provided for the establishment of two national seminaries (one male and one female), and immediately proceeded to erect suitable buildings, although it was necessary for them to manufacture their own material for these buildings; yet on May seventh, eighteen hundred and fifty-two, these buildings built of brick, large and substantial, were opened for the attendance of the boys and girls of the Cherokee Nation, and have continued without interuption except during the Civil War.

The Male Seminary, a commodious brick building, is still in use and is located about a mile from the Town of Tahlequah; the female seminary building of like construction located about three miles from Tahlequah, was destroyed by fire April, eighteen hundred and eighty-six. Within one month from the date of its destruction, a special session of the Cherokee Legislature was called and provided for erecting a new modern female seminary, located in the town of Tahlequah,, and immediate construction was begun, so that the new building was opened for use in eighteen hundred and eighty-eight. This building is now offered by the Interior Department to the State of Oklahoma for such public use as the State of Oklahoma may deem proper.

I have several times seen this building and bear witness to the claim made that it is today one of the best public buildings in our entire State.

I have no exact statement of its cost, but am advised that even with the cheap price of material at that time, and the public interest taken by the Cherokees in economizing its cost, yet this building is said to have cost from one hundred and fifty to one hundred and seventy-five thousand dollars, and it is claimed that the building has been maintained to a high standard so that it has not suffered depreciation from any cause.

While there may be some exceptions, yet I am assured by one who has for years been a member of the Cherokee Board of Education that practically every living Cherokee mother today was during her girlhood a student of the Cherokee female Seminary. This in itself will be recognized as endearing to the minds of every Cherokee family in the State this time-honored and valuable institution, and when we take into account every Cherokee family in the State of Oklahoma, we have a considerable per cent of most desirable and progressive people.

I also desire to state that from the beginning these educational institutions were at all times built and maintained at the expense of the Cherokee people.

Along other lines of protection to the unfortunate, as early as eighteen hundred and seventy-two, the Cherokee nation built and maintained its orphans home at Salina and after that building was burned in the year nineteen hundred and three, they removed to a place where this institution is still maintained, five or six miles southeast of Tahlequah and where now about seventy-five orphan children are cared for, and even as far back as eighteen hundred and eighty-six Ex-Chief W. P. Ross advocated the establishing of A. & M. District Schools, such as the State of Oklahhoma has recently provided for.

It rests with your Honorable Body, the Legislature of Oklahoma—Shall the State purchase this valuable property at not more than thirty

per cent of its value, and far more than this consideration, shall the State of Oklahoma justly recognize and commemorate the history of such commendable educational effort as was put forth by the Cherokee Nation in the days when such an important part of the small lamp of enligthenment surrounded by a wilderness of darkness?

Just as the desendants of all nations from which any of us have come would love and honor doings of our ancestors so will every citizen of Oklahoma who traces his ancestry to the Cherokee Nation appreciate the just consideration which should be given in this case by making this property serve a proper public purpose in the future history of our State.

C. N. HASKELL,
Governor.

On motion of Senator Landrum, the Governor's message was referred jointly to the Committee on Public Buildings and Education.

The following bills were read the second time and referred to the following Committees:

Senate Bill No. 29, by Mr. Redwine to Committee on Judiciary No. 2.

Senate Bill No. 30, by Mr. Williams, to Committee on Public Buildings.

Senate Bill No. 31, by Mr. Soldani, to Committee on Military Affairs.

Senate Bill No. 32, by Mr. Smith, to Committee on Judiciary No. 1.

Senate Bill No. 33, by Mr. Billups to Committee on Judiciary No. 1.

Senate Bill No. 34, by Eggerman to Committee on Judiciary No. 2.

Senate Bill No. 35, by Mr. Eggerman, to Committee on Judiciary No. 1.

Senate Bill No. 36, by Mr. Yeager, to Committee on Fees and Salaries.

Senate Bill No. 37, by Mr. Thomas, to Committee on School Lands.

Senate Bill No. 38, by Mr. Thomas, to Committee on Legal Advisory

Senate Bill No. 39 by Mr. Roddie to Committee on Banks and Banking.

Senate Bill No. 40, by Mr. Russell, to Committee on Education.

Senate Bill No. 41, by Mr. Russell, to Committee on Education.

Senate Bill No. 42, by Mr. Franklin to Committee on Judiciary No. 2.

Senate Bill No. 43, by Mr. Blair, to Committee on Public Buildings.

Senate Bill No. 44, by Mr. Sorrels to Committee on Judiciary No. 1.

Senate Bill No. 45, by Mr. Sorrels, to Committee on Judiciary No. 2.

Senate Bill No. 46, by Mr. Cordell, to Committee on Judiciary No. 2.

Senate Bill No. 47, by Mr. Smith to Committee on Judiciary No. 1.

President Pro Tem Graham signed Senate Concurrent Resolution No. 7, in open session and the same was ordered transmitted to the House.

Senate Concurrent Resolution No. 5, by Mr. Stewart, was taken up and read.

Senator Stewart moved the adoption of Senate Concurrent Resolution No. 5.

President Pro Tem Graham objected to the passage of said Resolution by the Legislature extending thanks to the publishing company.

Senator Stafford moved the previous question.

Resolution was referred to a special Committee of three.

President appointed Messrs, Stewart, Russell and Taylor as such special Committee.

Senator Russell asked to have Senate Concurrent Resolution No. 6, read and placed on final passage.

Senator Russell moved the adoption of Senate Concurrent Resolution No. 6.

Senator Cordell asked to have the Resolution referred to a committee in its formal way.

Roll was called and resulted as follows:

Yeas: Messrs. Allen Billups, Colville, Curd, Cloonan, Denton, Davis, Eggerman, Franklin, Graham, Hurst, Johnson, Keys, Memminger, Mitchell, Morris, Newell, Russell, Smith, Soldani, Stafford, Strain, Sorrels, Wynne, Stewart, Thomas, Taylor and Updegraff. Total 28.

Nays: Messrs. Beeler, Brownlee, Cordell, Cunningham, Goulding, Hatchett, Potter, Redwine, Williams, and Landrum. Total 10.

Absent and excused: Messrs. Blair, Chapman, Echols, Moore, Yeager and Roddie. Total 6.

Resolution was referred. A message was received from the House.

Mr. President I have the honor to return to your Honorable Body, Senate Concurrent Resolution No. 7, which passed the House of Representatives, and in compliance with the provisions of the same the Speaker named as such Committee on the part of the House, Messrs. Tillotson Ross, McCalla, Dunn and Jones.

Respectfully submitted,

W. H. EBEY,
Chief Clerk.

Mr. President: I have the honor to transmit House Concurrent Resolution No. 1, for the concurrence of the Senate.

Respectfully submitted,

W. H. EBEY,
Chief Clerk.

Senate Joint Resolution No. 5, by Mr. Yeager, was read and passed over until Senator Yeager was present.

BILLS ON THIRD READING.

Senate Bill No. 12 by Mr. Williams, was read at length t,he question being "Shall the Bill Pass,' roll was called and vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Colville, Cordell, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Keys, andrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Wynne and Williams. Total 39.

Nays: None.

Absent and excused: Messrs. Blair, Chapman, Echols, Moore and Yeager. Total 5.

The Bill received a Constitutional majority and was declared passed.

The Title of the Bill was agreed to.

Senator Billups offered an amendment adding the usual emergency clause.

The roll was called on the emergency clause and the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Colville, Cordell, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Williams and Wynne. Total 38.

Nays: Johnson, Total 1.

Absent and excused: Messrs. Blair, Chapman, Echols, Moore and Yeager. Total 5.

Emergency receiving a two-thirds majority was declared passed.

Bill was ordered engrossed.

Senator Redwine called up Senate Concurrent Resolution No. 4, which was read at length.

Senator Russell offered the following emendment: "On page 2, line 1, after the word 'Sold' strike out the remainder of the paragraph and substitute the following, 'to Actual settlers in tracts o fnot to exceed one hundred and sixty acres each, and as much as five years be given purchasers to complete payment of same'."

Amendment adopted.

Senator Redwine moved the adoption of Senate Concurrent Resolution No. 4, as amended, after discussion by Senator Hatchett and others.

The President referred the Resolution to a special committee of three, consisting of Messrs. Redwine, Franklin and Russell.

SPECIAL COMMITTEE REPORT.

Guthrie, Okla., January 11, 1909.

To the President of the Senate and Speaker of the House:

Gentlemen: We, your special Committee, appointed by virtue of the House Concurrent Resolution No. 3, for the purpose of making arrangements for the election of a United States Senator, beg leave to submit the following report:

According to law, it is the duty of the Legislature to ballot upon the election of a United States Senator on the second Tuesday following its meeting and organization.

Therefore, we recommend that each house make the election of a United States Senator a special order for 2:30 P. M., Tuesday, January 19, 1909. We further recommend that the two Houses meet in Joint Assembly at 12 o'clock noon, Wednesday, January 20, 1909, for the purpose of canvassing the vote and announcing the election of a United States Senator as made on the previous day. We recommend that the Joint Meeting be held in the Hall of the House of Representatives, with the President of the Senate Presiding.

Respectfully submitted.

J. Elmer Thomas,
E. D. Brownlee,
J. H. Strain,
Senate Committee.

A. H. Japp,
M. B. Cope,
W. A. Durant,
C. G. Jones,
House Committee.

On motion of Senator Thomas the report was adopted.

COMMITTEE REPORT.

Mr. President:

We, your Legal Advisory Committee, to whom was referred the proposition of inquiry relative the status of the various statutes and session laws, beg leave to submit the following report:

"It is our opinion that the law of this State is to be found only in the enrolled bills, now in the hands of the Secretary of State, and that the Statutes and session laws are only evidence of law, and cannot be more than presumptive law. It is our opinion that the general statutes of 1908, compiled, prepared and published by virtue of the special act of the Legislature, should be accepted, ratified and adopted as Presumptive Law of this State, before the same is referred to in an enactment of subsequent law.

Therefore, we recommend that a bill be introduced ratifying the work of the special committee appointed to compile these statutes, and that said Statutes be accepted and made presumptive evidence of the law of the State of Oklahoma; and that the bills referring to present law refer to "The General Statutes of Oklahoma, 1908."

Respectfully submitted.

J. ELMER THOMAS.
Chairman.

On motion of Senator Thomas, the report was adopted.

Senator Russell made an inquiry about Senate Bill No. 4, which had been dropped from the calendar.

It was ordered placed on tomorrow's calendar under the order of bills on third reading.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 12, in open session, and the same was transmitted to the House.

COMMITTEE REPORT.

We, your committee to whom was referred Senate Concurrent Resolution No. 4, and amendment offered thereto, beg leave to report same to the Senate with the following amendment to-wit:

"Amend Senate Concurrent Resolution No. 4, by inserting after the word 'Sold' in line 1, of page 2, the following:

To actual settlers in tracts of 160 acres of the average allotable lands of the Choctaw and Chickasaw Nations, and that purchasers be given five years in which to complete paymen tof same."

W. N. REDWINE,
Chairman.

Senator Redwine moved the adoption of the report.

Roll was called and resulted as follows:
Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Mitchell, Franklin, Curd, Cunningham, Clonan, Denton, Davis, Eggerman, Mitchell, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Memminger, Morris, Newell, Potter, Russell, Redwine, Smith, Soldani, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Williams and Wynne. Total 35.

Nays: Messrs. Keys, Landrum. Total 2.

Absent and excused. Messrs. Blair, Chapman, Echols, Moore, Roddie, Stafford and Yeager. Total 7.

The President declared the report adopted.

Senate Concurrent Resolution No. 4, was read at length as amended.

The question shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Colville, Cordell, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Memminger, Mitchell, Morris, Newell, Potter, Russell, Redwine, Smith, Soldani, Sorrels, Stewart, Thomas, Taylor, Updegraff, Wynne and Williams. Total 35.

Nays: Hessrs. Keys and Landrum. Total 2.

Absent and excused: Messrs. Blair, Chapman, Echols, Moore, Roddie, Stafford and Yeager. Total 7.

The President declared the resolution passed.

Senator Keys explained his vote as follows:

Mr. President: "I vote 'No' for the reason that the people who actually own these lands are opposed to the sale of them as contemplated by this resolution."

COMMITTEE REPORT.

Mr. President: We, your Judiciary Committee No. 2, who have had under consideration Senate Bill No. 19, recommend the same do pass as amended.

CLARENCE DAVIS,
Chairman.

Senator Taylor made inquiry about letter files.

The Senate took recess for 15 minutes to await the arrival of a message from the House.

Senate was called to order by the President, Lt. Gov. George W. Bellamy.

A message was received from the House transmitting House Bill No. 1.

The Bill was read and placed on the calendar under bills for second reading.

The President appointed in accordance with Senate Concurrent Resolution No. 7, as a special Commtitee, Messrs. Davis, Graham, Redwine, Thomas and Cunningham.

Senator Stafford called attention to Senate rule in referrence to furnishing five carbon copies with each bill introduced and requested that they should be furnished.

On motion of Senator Graham, Senate adjourned until Tuesday at 1:30 P. M.

SENATE JOURNAL.

EIGHTH DAY.

Tuesday, January 12, 1909.

Senate met at 1:30 P. M., pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present.

Messrs. Allen, Beeler, Billups, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Newell, Potter, Roddie, Russell, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Yeager, Williams and Wynne. Total 42.

Absent and excused: Messrs Echols and Redwine. Total 2.

President anounced a quorum present.

Prayer by the Chaplain.

A message was received from the House transmitting House Concurrent Resolution No. 4.

President Pro Tem Graham signed enrolled copy of House Concurrent Resolution No. 4, and same was ordered transmitted to the House.

Senator Blair explained his absence on the previous day by stating he had missed his train.

President Pro Tem Graham signed engrossed copy of Senate Concurrent Resolution No. 6, in open session and the same was ordered transmitted to the House.

Senator Goulding filed petition No. 6, read and referred to the Committee on Fish and Game.

Senator Denton filed Petition No. 7, read and referred to the Committee on Banks and Banking.

Senator Thomas filed Petition No. 8, read and referred to Committee on Privileges and Elections.

A COMMUNICATION FROM THE STATE PRINTER.

Hon. T. F. Memminger,

Chairman Senate Printing Committee,

Guthrie, Okla.

Dear Sir: This office begs to inform your Honorable Committee, and through it the Senate, that bids for handling the Legislative printing, as required by law, were advertised for and received on the 28th of December, 1908, that the lowest and best bidder accepted by the State Printing Board was the Leader Printing Company of this city, at the following prices:

All Legislative Bills, per page.....$ 98
All Journals and reports, Governor's messages and like documents, per page..... 1 28

This office would respectfully request that your officials who have charge of the printing promptly notify this office of any defective work or errors that may occur.

A copy of the contract covering said Legislative printing will be forwarded you immediately upon application therefor.

Very truly yours,
C. C. WORRALL,
State Printer.

Senator Blair said that this was a very important matter and suggested that it should be referred jointly to the Committee on Public Printing and the Committee on Senate and Legislative Affairs, and it was so ordered.

Senator Stewart introduced Senate Concurrent Resolution No. 9, which was read at length and on motion of Senator Stewart the rules were suspended and it was put upon its final passage.

Senator Stewart then moved the adoption of the Resolution.

Motion prevailed and it was ordered engrossed and transmitted to the House.

Senate Resolution No. 6, by Mr. Memminger, Mr. Franklin and Mr. Hatchett, read. Senator Memminger asked to have the rules suspended and the Resolution put upon its final passage.

On objection of Senator Davis it was laid over under the rules.

Senator Wynne was recognized for the purpose of presenting a Committee from the public school organization of the State, extending an invitation to the Senators to attend their meeting held in the city.

On motion of Senator Billups the invitation was accepted.

Senate Concurrent Resolution No. 10, by Messrs. Hatchett, Memminger and Franklin.

Be it resolved by the Senate of the State of Oklahoma, the House of Representatives concurring therein, that the joint codifying committee, appointed by the President of the Senate and the Speaker of the House of the First Legislature to edit and prepare the publication of the session laws of the First Legislature be requested to report to the Senate and the House of Representatives as soon as practicable the number of days they served; the number of employees who assisted them, together with their names and the length of time each served and compensation received. Also to report the character of service rendered by the Committee, and such other information as might be pertinent and valuable in the promulgation of the session laws of this State in the future.

The Resolution was laid over under the rules.

Senate Concurrent Resolution No. 11, by Messrs. Hatchett, Memminger, and Franklin, was read and on request of Senator Franklin was laid over under the rules.

The following Bills were introduced and read the first time:

Senate Bill No. 72, by Mr. Morris, "An Act to provide for the renewal of certain leases on school lands and authorizing the Commissioners of the

Land Office to make the leases thereafter, and declaring an emergency."

Senate Bill No. 73, by Mr. Hatchett, "An Act creating a lien to secure the price of service of male animals, etc."

Senate Bill No. 74, by Mr. Franklin, "An Act providing that if any freight received by any common carrier for further transportation arises at the place of delivery in a broken or damaged condition, or some part thereof be lost or destroyed, the last carrier shall be presumed to have caused such damage, unless such carrier complies with the conditions prescribed in this Act."

Senate Bill No. 75, by Mr. Allen, "An Act to establish the Southeastern Normal School at the City of Ardmore, and making an appropriation therefor."

Senate Bill No. 76, by Mr. Taylor, "An Act locating the Oklahoma Industrial Institution and College for Girls at Chickasha in the State of Oklahoma."

Senate Bill No. 77, by Mr. Newell, "An Act perpetuating the Criminal Court of Appeals, defining its jurisdiction, etc."

Senate Bill No. 78, by Mr. Williams, "An Act making an appropriation to cover the deficiencies in the appropriations made by the First Legislature of the State of Oklahoma for the expenses of the State Department for 10 1-2 months ending June 30, 1909."

Senate Bill No. 79, by Mr. Roddie, "An Act creating the Southeastern State Normal School and locating it at the town of Ada, and making an appropriation therefor."

Senate Bill No. 80, by Mr. Memminger, "An Act to amend Section 2958, of Chapter 28, of the general statutes of Oklahoma, 1908, and declaring an emergency."

Senate Bill No. 81, by Mr. Yeager, "An Act to amend Section 3978, Article 3, Chapter 44, general statutes of Oklahoma."

Senate Bill No. 82 by Mr. Denton, "An Act to provide a uniform system of teacher's certificates."

Senate Bill No. 83 by Mr. Smith, "An Act to create a Normal School at Duncan, Oklahoma, and making an appropriation for the erection of suitable buildings therefor."

Senate Bill No. 84, by Mr. Yeager, "An Act entitled, "Kidnapping for Ransom."

Senate Bill No. 85, by Mr. Stafford, "An Act in relation to mill products."

Senate Bill No. 86, by Mr. Stafford, "An Act amending the session laws of 1895, relating to larceny of domestic animals."

Senate Bill No. 87, by Mr. Stafford, "An Act creating a State Board of Purchasing Agents and declaring an emergency."

Senate Bill No. 88, by Mr. Stafford, "An Act to define dependent, neglected and delinquent children, and to regulate the treatment, control and custody thereof by County Courts."

Senate Bill No. 89, by Mr. Thomas, "An Act relating to the validating of certain instruments of record."

Senate Joint Resolution No. 5, by Mr. Yeager, "A Resolution proposing a constitutional amendment for the recall of any public officer."

Senate Joint Resolution No. 6, by Mr. Billups, "Declaring the Oklahoma Code of 1908 to be the official code of laws of the State. Repealing all laws not embodied therein and declaring an emergency."

Senate Concurrent Resolution No. 10, by Messrs. Hatchett, Memminger and Franklin, "Resolved by the Senate and House of Representatives that the joint codifying committee appointed by the President of the Senate and Speaker of the House of the First Legislature report, etc."

Senate Concurrent Resolution No. 11, by Messrs. Franklin, Memminger and Hatchett. "Authorizing investigation of enrolled bills of the First Legislature to ascertain if alterations have been made."

REPORT OF STANDING COMMITTEES.

The Committee on Agriculture, Quarantine, and Animal Industry reported, recommending that Senate Bill No. 24, do pass.

Report received.

Committee on Insurance reported, recommending that Senate Bill No. 15 do pass as amended.

Report received.

Senator Smith submitted a report for the Committee on Rules. The report was read and Senator Billups offered an amendment. After some discussion, on motion of Senator Smith, the report with the amendments, was referred back to the Committee on Rules.

Bills read the second time and referred to the following Committees:

Senate Bill No. 48, by Mr. Billups, to Committee on Education.

Senate Bill No. 49, by Mr. Memminger, to Committee on Banks and Banking.

Senate Bill No. 50, by Mr. Stewart, to Committee on Public Buildings.

Senate Bill No. 51, by Mr. Memminger, to Committee on State and County Affairs.

Senate Bill No. 52, by Mr. Eggerman, to Committee on Public Buildings.

Senate Bill No. 53, by Mr. Franklin, to Committee on Legal Advisory.

Senate Bill No. 54, by Mr. Goulding, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 55, by Mr. Goulding, to Committee on Public Service Corporations.

Senate Bill No. 56, by Mr. Morris, to Committee on School Lands.

Senate Bill No. 57, by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 58, by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 59, by Messrs. Memminger, and Hatchett, to Committee on Public Buildings.

Senate Bill No. 60, by Mr. Taylor, to Committee on Public Service Corporations.

Senate Bill No. 61, by Mr. Taylor to Committee on Public Service Corporations.

Senate Bill No. 62, by Mr .Morris, to Committee on Judiciary No. 2.

Senate Bill No. 63, by Mr. Cordell, to Committee on Codes Revision.

Senate Bill No. 64, by Mr. Roddie, to Committee on Judiciary No. 1.

Senate Bill No. 65, by Messrs. Cunningham and Brownlee, to Committee on Judiciary No. 2.

Senate Bill No. 66, by Mr. Davis, to Committee on Judiciary No. 2.

Senate Bill No. 67, by Mr. Davis to Committee on State and County Affairs.

Senate Bill No. 68, by Mr. Sorrels, to Committee on Mines and Mining.

Senate Bill No. 69, by Mr. Graham, to Committee on Fees and Salaries.

Senate Bill No. 70, by Mr. Goulding to Committee on Legal Advisory.

Senate Bill No. 71, by Mr. Goulding to Committee on Public Buildings.

Senate Joint Resolution No. 6, by Mr. Billups, to Committee on Legal Advisory.

Senate Concurrent Resolution No. 8, by Mr. Keys to Committee on Indian Affairs.

House Bill No. 1, by Messrs. Bryan, Harrison and Coyne to Committee on Revenue and Taxation.

House Concurrent Resolution No. 1 by Mr. Maxey, to Committee on Legal Advisory.

On motion of Senator Billups, Senate Joint Resolution No. 6, was referred jointly to the Committees on Legal Advisory and Codes Revision.

The Senate went into the Committee of the Whole to consider general orders.

Committee of the Whole reported recommending that Senate Bill No. 4, do pass as amended.

Report received.

On motion of Senator Taylor the Senate adjourned until Wednesday, January 13, 1909 at 1:30 P. M.

SENATE JOURNAL.

NINTH DAY.

Wednesday, January 13, 1909.

Senate met at 1:30, P. M. pursuant to adjournment, called to order by President, Mr. Bellamy.

On roll call the following Senators were present.

Messrs, Allen, Beeler, Billups, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrells, Stewart, Thomas, Taylor, Updegraff, Yeager, Wynne and Williams. Total 42.

Absent and excused. Messrs, Echols and Moore. Total 2.

The President announced a quorum present.

Prayer by the Chaplain.

The President called upon the Committee on Correction of the Journal.

The Chairman of the Committee stated that it would be necessary for the Committee to secure the reporters notes in order to make the correction. There being no objections the President announced that further time would be given the Committee.

A message was received from the House, transmitting Senate Bill No. 12, signed by the Speaker.

On motion of Senator Graham, Senate Bill No. 12, was referred to Committee on Compilation, Style and Arrangement.

Petitions Nos. 9, 10 and 11, by Mr. Hurst, read and referred to the proper Committees.

The Committee on Indian Affairs reported, recommending that Senate Concurrent Resolution No. 8, be adopted.

Senator Keys moved the adoption of the resolution.

The resolution was read and the roll being called, the vote resulted as follows:

Yeas. Messrs. Allen, Billups, Blair, Cordell, Curd, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Newell, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Yeager, Wynne and Williams. Total 33.

Nays. Messrs. Beeler, Brownlee, Colville, Chapman, Cunningham, Cloonan and Potter. Total 7.

Absent and excused: Messrs. Echols, Moore, Morris and Johnson. Total 4.

The President declared the resolution adopted.

The Resolution was referred to the Committee on Revision, Compilation, Style and Arrangment.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 23, do pass.

Report received, and the bill was placed on the calendar under the head of general orders.

The Committee on Revenue and Taxation reported, recommending that House Bill No. 1, do pass as amended.

Report received.

Senator Davis asked to submit minority report.

Request granted.

The Committee on Judiciary No. 2, reported, recommending that Senate Bill No. 29, do pass as amended.

Report received.

Senator Davis moved the adoption of that part of the report as to the printing of 500 copies of said Bill.

Motion prevailed. Bill was ordered printed.

Report of Committee on Rules and Procedure was read as amended.

On motion of Senator Smith the report was adopted.

Senator Russell introduced the following Resolution which was read at length.

Senate Resolution No. 7, by Mr. Russell, requiring Committee to report Senate Bill by name of Committee having charge of same.

On motion of Senator Graham the resolution was referred to the Committee on Rules and Procedure.

The following bills were introduced and read the first time:

Senate Bill No. 90, by Messrs, Hatchett and Morris.

"An Act for submitting the matter of building county court houses and county jails to the electors of the county."

Senate Bill No. 91, by Mr. Colville.

"An Act to prevent spread of noxious weeds."

Senate Bill No. 92, by Mr. Cordell.

"An Act to amend Section 3206, Chapter 30, of the General Statutes of Oklahoma, 1908, entitled Guardian and Ward."

Senate Bill No. 93, by Mr. Yeager.

"An Act to pension the blind."

Senate Bill No. 94, by Mr. Redwine.

"An Act providing for an attorney's lien on causes of action, papers, or judgments; and repealing Section 581, of the General Statutes of Oklahoma, 1908, and declaring an emergency."

Senate Bill No. 95, by Mr. Goulding.

An Act relating to mutual insurance companies, and repealing Chapter XVII, Article 1, of Session Laws of 1899, of Oklahoma, and all other Acts and parts of Acts in conflict therewith."

Senate Bill No. 96, by Mr. Thomas.

"An Act repealing Sections 1145, 1146, 1147, 1148, 1149, 1150 and 1151 of the General Statutes of Oklahoma 1908."

Senate Bill No. 97, by Mr. Stafford.

"An Act providing the manner in which, and the terms on which, the now mineral lands granted to the State of Oklahoma, by Act of Congress of the United States, for Educational Building and Charitable purposes, shall be disposed of."

Senate Bill No. 98 by Mr. Stafford.

"An Act to define contributory dependency and contributory delinquency and to make the same a misdemeanor and to provide for the punishment of persons guilty thereof."

Bills read the second time and referred to the following Committees:

Senate Bill No. 72 by Mr. Morris, to Committe on School Lands.

Senate Bill No. 73, by Mr. Hatchett, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 74, by Mr. Franklin, to Committee on Public Service Corporations.

Senate Bill No. 75, by Mr. Allen, to Committee on Public Buildings.

Senate Bill No. 76, by Mr. Taylor, to Committee on Public Buildings.

Senate Bill No. 77, by Mr. Newell, to Committee on Judiciary No. 2.

Senate Bill No. 78, by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 79 by Mr. Roddie to Committee on Public Buildings.

Senate Bill No. 80, by Mr. Memminger, to Committee on State and County Affairs.

Senate Bill No. 81, by Mr. Yeager, to Committee on Commerce and Labor.

Senate Bill No. 82, by Mr. Denton, to Committee on Education.

Senate Bill No. 83, by Mr. Smith, to Committee on Public Buildings.

Senate Bill No. 84, by Mr. Yeager, to Committee on Judiciary No. 1.

Senate Bill No. 85, by Mr. Stafford, to Committee on Agriculture.

Senate Bill No. 86, by Mr. Stafford, to Committee on Judiciary No. 1.

Senate Bill No. 87, by Mr. Stafford, to Committee on State and County Affairs.

Senate Bill No. 88, by Mr. Stafford, to Committee on Hospitals and Charities.

Senate Bill No. 89, by Mr. Thomas, to Committee on Legal Advisory.

Senate Joint Resolution No. 5, by Mr. Yeager, to Committee on Privileges and Elections.

Senate Concurrent Resolution No. 10, by Messrs, Hatchett, Memminger and Franklin, to Committee on Codes Revision .

Senate Concurrent Resolution No. 11, by Messrs. Franklin, Memminger and Hatchett, to Committee on Codes Revision.

BILS ON THIRD READING.

Senate Bill No. 4, was read at length.

Senator Cunningham moved to have the bill re-referred to the Committee on Education with instructions.

Senator Billups raised the point of order, that the motion should be submitted in writing.

The point of order was sustained.

After further discussion Senator Blair reased the point of order, that this measure was considered in the Committee of the Whole previous day, and the report of the Committee was adopted and that it could not be re-referred to the Committee of the Whole without reconsidering the action taken the previous day.

Point of order was sustained.

Senator Billups read Senate Rule No. 39.

Senator Cunningham withdrew his motion to re-refer the Bill to the Committee on Education.

Senator Taylor asked what were his instructions.

Senator Roddie moved that the vote by which the Bill was passed be reconsidered and the bill re-committed to the Committee of the Whole.

The roll being called, the vote resulted as follows:

Yeas. Messrs. Beeler, Brownlee, Cordell, Chapman, Curd, Cunningham, Davis, Franklin, Goulding, Potter, Roddie, Stafford, Sorrels, Redwine, Stewart, Updegraff and Yeager. Total 17.

Nays: Messrs. Allen, Billups, Blair, Colville, Cloonan, Denton, Eggerman, Graham, Hatchett, Hurst, Keys Landrum, Memminger, Morris, Newell, Russell, Smith, Soldani, Strain, Thomas, Taylor, Wynne and Williams. Total 23.

Absent and excused. Messrs, Echols, Mitchell, Moore and Johnson. Total 4.

The President declared the motion lost.

A message was received from the House, transmitting Senate Concurrent Resolution No. 9.

Senator Davis offered the following amendment to Senate Bill No. 4.

Mr. President: I move that Senate Bill No. 4, page 1, Section 1, line 5, be amended by adding the following words to said Section, to-wit:

"Provided that the passage of this Act, shall not in any manner, affect any county in this State that heretofore shall have established a county high school or any county that within 60 days prior to the passage and approval of this act shall have held an election under the Provisions of Article 1, Chapter 28, Session Laws of 1901 relating to the creation and establishment of county high schools and in such counties that have held elections within the time just mentioned, that a majority of the votes cast at said election in said county, have been for the creation and establishment of a county high school at such point in such county.

The passage of this act shall in no wise, affect the creation and establishment of such high school, and such county shall in no wise be affected by the passage of this act and the carrying out of the creation and establishment of said high school, as provided by law, as fully as if this act had never passed."

CLARENCE DAVIS, Dist 11.

The question being, shall the amendment be adopted.

The roll being called, the vote resulted as follows:

Yeas. Messrs. Allen, Beeler, Billups, Brownlee, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Goulding, Graham, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris Newell, Potter, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrells, Stewart, Thomas, Taylor, Updegraff, Yeager and Williams.

Total 38.

Nays. Mr. Franklin. Total 1.

Absent and excused. Messrs. Blair, Echols, Hatchett, Moore and Wynne. Total 5.

The President declared the amendment adopted.

The question being, shall the Bill pass as amended.

The roll being called the vote resulted as follows:

Yeas. Messrs. Allen, Beeler, Billups, Blair, Colville, Curd, Cloonan, Denton, Eggerman, Franklin, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Soldani, Strain, Thomas, Taylor Updegraff, Wynne and Yeager. Total 29.

Nays. Messrs. Brownlee, Cordell, Chapman, Cunningham, Davis, Goulding, Potter, Redwine, Sorrels, Stewart, Yeager. Total 11.

Absent and excused. Messrs. Echols, Graham, Moore and Stafford. Total 4.

The President declared the Bill passed and ordered same engrossed and transmitted to the House.

Senator Potter was excused for the balance of the week.

The Committee on State and County Affairs, reported, recommending that Senate Concurrent Resolution No. 3, by Mr. Landrum do pass.

The Committee on Banks and Banking reported, recommending that Senate Bill No. 39, do pass as amended.

Report received.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 22, do not pass.

Report received.

The Senate went into the Committee of the Whole to consider general orders and House Bill No. 1.

The Committee of the Whole arose and reported, having had under consideration House Bill No. 1, report progress and ask leave to sit again.

Report received.

The Committee on Revision, Compilation, Style and Arrangment reported, recommending that Senate Bill No. 12, is ready for enrollment. Also Senate Concurrent Resolution No. 8, and 9 as ready for engrossment.

Report received.

Senator Morris asked unainmous consent to inroduce a Bill.

Request granted.

Senate Bill No. 99, by Mr. Morris.

"An Act to recognize the town of Hooker in the County of Texas, in the State of Oklahoma, and to recognize the election and proceedings of the trustees and other officers of said town and their actions and do-

ings, as such officers, and for other purposes and declaring an emergency."

The Senate took a recess for fifteen minutes.

The Senate was called to order by President Pro Tem. Graham.

Senator Taylor submitted the following report on the salaries of officers and employees:

OFFICERS.

One Chaplain at $3. per day.
One Secretary at $6 per day.
One Reading Clerk and Assistant Secretary, at $5 per day.
One Sergeant-at Arms, at $5 per day.
Two Messengers at $4 per day each.
One Chief Enrolling and Engrossing Clerk, at $5 per day.
One Reporter at $5 per day.
One Calendar Clerk at $5 per day.
One Journal Clerk at $5 per day.

EMPLOYEES.

One Assistant Reading Clerk at $4.00 per day.

One Assistant Journal Clerk, and Clerk of the Committee of the Whole at $4.00 per day.

Six Committee Stenographers, experts, at $5.00 per day each.
One Assistant Sergeant-at-Arms at $4.00 per day.
One Secretary to the President at $5.00 per day.

One Stenographer to the President and President Pro Tem at $5.00 per day.

Four Pages at $2.00 per day, each.
Two Door Keepers at $4.00 per day, each.
Two Watchmen at $4.00 per day, each.
One Postmaster and Auditor at $4.00 per day.

Four Assistant Enrolling and Engrossing Clerks at $4.00 per day, each.

One Janitor at $3.00 per day.
One Assistant Janitor at $2.00 per day.
One Assistant Reporter at $5.00 per day.
One Cloak Room Keeper at $2.00 per day.

Senator Taylor moved the adoption of the report.

Senator Hurst moved to amend the Report by increasing Assistant Enrolling Clerk salary from $4.00 to $5.00 per day.

Senator Hatchett moved to lay that motion on the table.

Motion prevailed.

Senator Johnson moved to amend report by reducing the salaries of Stenographers from $5.00 to $4.00 per day.

Senator Taylor moved to lay that motion on the table.

Motion prevailed.

Report was adopted.

On motion of Senator Roddie, the Secretary was instructed to furnish the Auditor with the list of employees and the salary of each.

On motion of Senator Williams the Senate went into Committee of the Whole to consider General Orders.

Committee of the Whole reported, having had under consideration Senate Bill No. 19, and House Bill No. 1, and beg to report progress and ask leave to sit again and further recommend that House Bill No. 1, and the amendments be printed.

Report was received.

The following message was received from the Governor:

Third Special Message to the Honorable Legislature, State of Oklahoma.

I herewith transmit to your Honorable Body copy of recommendation made by Messrs. Connors, Cameron, and West, of the Committee recently appointed by me, and concurred in by the Board of State Prison Control, for the investigation of conditions at the Lansing, Kansas penitentiary and while our board of Pardons of the State would obviously have power to pass upon these matters, after thirty days publication in most instances, yet as our contract with the State of Kansas expires on the 31st day of this month, there will not be time for such publication.

And again considering the large number of prisoners involved in this recommendation, I respectfully submit the same to you and ask that you take such action as will authorize immediate consideration by the Board of Pardons.

I desire to add that after discussing with the Committee, I concur in their recommendation, and again call the attention of your Honorable Body to the fact that owing to the limited time, I hope that you may be able to give the matter immediate consideration.

Respectfully submitted,

C. N. HASKELL,
Governor.

On motion of Senator Roddie the report of the special Committee was read, and ordered printed.

Senator Billups was excused for the balance of the week on account of sickness.

Senator Memminger moved to adjourn until 10 A. M., Thursday, January 14, 1909.

The vote was taken and resulted as follows: Yeas 14, Nays 16.

Motion declared lost.

Senate adjourned until 1:30 P. M., January 14, 1909.

SENATE JOURNAL.

TENTH DAY.

Thursday, January 14, 1909.

Senate met at 1:30 P. M. pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present:

Messrs. Allen, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Roddie, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Yeager, Wynne, Williams, and Brownlee. Total 39.

Absent and excused: Messrs. Beeler, Billups, Echols, Moore and Potter. Total 5.

The President announced a quorum present.

Prayer by the Chaplain.

Petition No. 12, by Mr. Taylor, filed, read and referred to Committee on State and County Affairs.

Petition No. 13, by Mr. Thomas, filed, read and referred to Committee on Penal Institutions.

Petition No. 14, by Mr. Smith, filed, read and referred to Committee on Privileges and Elections.

Senator Goulding introduced the following resolution:

Senate Concurrent Resolution No. 12 by Mr. Goulding, "An Act requiring the Governor of the State of Oklahoma to parole certain Convicts."

Senator Franklin submitted the following report:

The Committee on Commerce and Labor, to whom was referred communication from John L. Britton, Pete Henretty, Fred C. Claypool and T. S. Erlewine. Wherein said parties represent themselves to be members of the Legislative Board of the Oklahoma State Federation of Labor to act as a Legislative Committee during the present session of the Legislature and request permission to appear before any committee to which bills affecting the interest of labor may be referred, beg leave to report that we have had the same under consideration and recommend that said request be allowed.

On motion of Senator Franklin the request was unanimously granted.

Senator Blair submitted the following report:

We, your Committee on Correction of Senate Journal, beg leave to submit the following report:

We have examined the Journals for the First, Second, Fourth and Seventh day's session, made such corrections as we deem essential, and as so corrected find them substantially correct. The Journal for the Second Day's Session has been reprinted in accordance with such corrections, and we recommend that the corrected Journals for the other days be recorded on the permanent Journal as corrected without reprinting.

We, further recommend that in the future the Journal be read at the opening of each session, and corrected or the corrections be made by motion of any Senator without reading.

On motion of Senator Blair the report was adopted.

Senator Updegraff was excused for the balance of the week.

The following bills were introduced and read the first time:

Senate Bill No. 100, by Mr. Strain, "An Act fixing the location of the Oklahoma Industrial Institute and College for Girls at Claremore, Oklahoma."

Senate Bill No. 101, by Mr. Williams, "An Act relating to the tax paid by fire Insurance companies upon premiums received by them in this State and providing for the appropriation and expenditure thereof."

Senate Bill No. 102 by Mr. Redwine, "An Act for the protection of certain railroad employees and fixing the number of hours they shall work in any one day."

Senate Bill No. 103, by Mr. Chapman, "An Act making counties and townships liable for defects in bridges, culverts and highways in certain cases."

Senate Bill No. 104, by Mr. Hatchett, "An Act creating a lien in favor of laborers on the production of their labor and providing for the enforcement thereof."

Senate Bill No. 105, by Mr. Mitchell, "An Act to punish the giving provocation for assault."

Senate Bill No. 106, by Mr. Graham and Mr. Allen, "An Act permanently locating the Oklahoma School for the Deaf at Sulphur, Oklahoma, and declaring an emergency."

Senate Bill No. 107, by Mr. Eggerman, "An Act to prevent cruel treatment, neglect and abuse of animals, to provide methods for the protection thereof, and to provide penalties therefor."

Senate Bill No. 108, by Mr. Landrum, "An Act amending sub-division 2, Section 2589, Chapter 20, of the General Statutes of Oklahoma, 1908."

Senate Bill No. 109, by Mr. Smith, "An Act to amend Chapter 71, of the Revised Statutes of the State of Oklahoma, 1908, and to authorize judges and clerks of the District Court, etc. To repeal Sections one to fourteen."

Senate Bill No. 110, by Mr. Taylor, "An Act classifying corporations providing a method by which foreign corporations may domesticate, defining the rights and privileges of the several classes and prescribing certain restrictions upon foreign and domestic corporations, etc."

Senate Bill No. 111, by Mr. Brownlee, "An Act providing for notice of assignments of real estate mortgages."

Senate Bill No. 112, by Mr. Brownlee, "An Act to provide the method

of filling vacancies in the city council of cities and in the Board of Trustees of towns, villages, and of the Board of Education of cities of the first class, when the vacancies include all of the members."

Senate Bill No. 113, by Mr. Brownlee, "An Act requiring contracts employing agents and brokers to buy and sell real estate for compensation or on commission to be in writing."

Senate Bill No. 114 by Mr. Williams, "An Act making an appropriation to pay Patterson Furniture Company for furniture and supplies for the First Legislature and declaring an emergency."

Senate Bill No. 12, by Mr. Williams was read at lenght the fourth time.

President Pro Tem, Graham signed the enrolled copy of Senate Bill No. 12 and same was ordered transmitted to the House.

Senator Landrum submitted the following report:

The Committee on Revision, Compilation, Style and Arrangement of the Senate, suggest the following arrangements to Senate Concurrent Resolution No. 8.

Separate the Caption from the first "Whereas", etc.

In the fourth line of the second "Whereas" close the paragraph, after the word "therefrom" and begin the next paragraph with "Be it Resolved" etc., and follow with the rest of the resolution.

On motion of Senator Landrum the report was adopted.

Senator Stewart, the author of the resolution, having no objection to the amendments, the report was unanimously adopted.

The resolution was ordered to the Enrolling Department for Engrossment.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Concurrent Resolution No. 8, and same was ordered transmitted to the House.

President Pro Tem Graham signed the engrossed copy of Senate Bill No. 4, and the same was ordered transmitted to the House.

The Senate went into Committee of the Whole to consider unfinished business and general orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting enrolled copy of Senate Bill No. 12, signed by the Speaker.

Senate Bill No. 12 was ordered transmitted to the Governor.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bill No. 1 do pass and be put upon third reading and final passage this day.

Report received.

House Bill No. 1, was read at length.

Senator Davis offered the following amendment: Section 1, line 8, after the word "nine", insert the following: "Provided that no penalty shall attach or be collected if said tax is paid in the time and manner prescribed herein."

The question being shall the amendment be adopted.

The roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Blair, Cloonan, Davis, Graham, Landrum, Soldani, Sorrells, Thomas, Yeager, and Williams. Total 11.

Nays: Messrs. Allen, Colville, Cordell, Chapman, Curd, Cunningham, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Redwine, Stafford, Strain, Stewart, Taylor and Updegraff. Total 26.

Absent and excused: Messrs. Beeler, Billups, Echols, Moore, Smith, Potter, and Wynne. Total 7.

The President declared the amendment lost.

Senator Davis offered the following amendment to House Bill No. 1:

In Section 2, line 7, after the word "same" and before the word "and" in the same line insert the following language: "And thereupon such officers shall file in the office of the County Clerk a certificate showing the corrected levy for such municipality within twenty days after the passage and approval of this Act. When the twenty days herein provided for shall have expired in the event that any certificate of the tax levy shall have been filed with the County Clerk as provided herein, then the County Treasurer of such county is hereby authorized and directed to deliver the tax roll of the fiscal year to the County Clerk of such county and such County Clerk shall forthwith make all necessary changes in such tax roll to conform with the levies filed as provided herein. When said changes are made the County Treasurer with the certificate attached thereto certifying to the fact that such changes have been made in accordance with this Act, and in no event shall the County Clerk retain or hold such tax roll for a longer period than thirty days from the time he receives the same from the County Treasurer."

The question being shall the amendment be adopted.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Brownlee, Blair, Cloonan, Davis, Graham, Landrum, Soldani, Sorrels, Thomas, Williams, and Yeager. Total 11.

Nays: Messrs. Allen, Colville, Cordell, Chapman, Curd, Cunningham, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Redwine, Stafford, Strain, Stewart, Taylor and Updegraff. Total 26.

Absent and excused: Messrs. Beeler, Billups, Echols, Moore, Potter, Smith and Wynne. Total 7.

The President declared the amendment lost.

Senator Brownlee explained his vote as follows:

Mr. President: I vote "yea" on the Davis amendment to House Bill No. 1, because the Bill otherwise would be a dead-letter as no procedure is provided. It would result in endless confusion and give the largest tax-paying corporations ground to restrain the collection of their taxes.

Senator Cloonan wished to explain his vote on the Davis amendment to House Bill No. 1, but did not send it up in writing.

The question being shall the bill pass.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Blair, Colville, Cordel, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Mor-

ris, Newell, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Williams, and Yeager. Total 37.

Nays: None.

Absent and excused: Messrs Beeler, Billups, Echols, Moore, Potter, Smith, and Wynne. Total 7.

The President declared the Bill passed.

The question being shall an Emergency be declared.

The roll being called on the Emergency Section the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger Mitchell, Morris, Newell, Roddie, Russell, Redwine, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Updegraff, Williams and Yeager. Total 37.

Nays: None.

Absent and excused: Messrs. Beeler, Billups, Echols, Moore, Smith, Potter, and Wynne. Total 7.

The President declared the Emergency Section having received a two-thirds majority had passed.

President Pro Tem Graham signed engrossed copy of House Bill No. 1, same was ordered transmitted to the House.

An invitation from the Daughters of the Confederacy was received and read as follows:

Guthrie, Okla., January 14, 1909.

To the President of the Senate and Senators:

The Daughters of the Confederacy, Bill Cross Chapter, cordially invite you to attend the memorial services of Robert E. Lee's one hundred and first anniversary, Tuesday, January 19, 1909, at 2:30 P. M., South Methodist church.

Respectfully,
MRS. GENIE LOWE GANO,
President.

On motion of Senator Allen the invitation was unanimously accepted.

A message from the House transmitting Senate Concurrent Resolution No. 8, signed by the Speaker.

Senate Concurrent Resolution No. 8, was ordered to the Enrolling and Engrossing Department for Enrollment.

Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting House Bill No. 1.

Senator Hatchett moved that the rules be suspended and that the fourth reading of House Bill No. 1, be dispensed with.

Vote was taken as follows: Yeas 37, Nays None.

President declared the motion carried by unanimous vote.

President Pro Tem Graham signed House Bill No. 1, and same was ordered transmitten to the House.

President Pro Tem Graham signed enrolled copy of Senate Concurrent Resolution No. 9, and same was ordered transmitted to the House.

The Committee of the Whole resumed business.

Committee of the Whole arose temporarily to receive a message from the House.

A message was received from the House transmitting engrossed copy of House Concurrent Resolution No. 5.

Committee of the Whole resumed business.

Committee of the Whole reported, recommending that Senate Bill No. 19, Senate Bill No. 23, Senate Bill No. 24 and Senate Bill No. 29, do pass as amended and that Senate Joint Resolution No. 1 be passed over and retain its place on the calendar.

Report received.

A message was received from the Governor which read as follows:

January 14, 1909.

To the Legislature:

I have the honor to report that I have this day approved and signed Senate Bill No. 12, entitled: "An Act making an appropriation for the payment of the mileage and per diem of the members and contingent expenses of the Second Legislature, and declaring an emergency.'

Respectfully submitted,

C. N. HASKELL,
Governor.

Senator Roddie moved that when we do adjourn we adjourn until tomorrow morning at 10 A. M.

Vote was taken and the President declared the motion lost.

On motion of Senator Cordell, Senate Bill No. 46 was withdrawn from the Committee on Judiciary No. 2, and referred to the Committee on Codes Revision.

Senator Cunningham moved to have Senate Bill No. 29, placed upon third reading and final passage.

Motion withdrawn.

Senator Wynne asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 115, by Mr. Wynne, "An Act for the organization of the State Board of Education and duties as required by Article XIII."

Senate Bill No. 116, by Mr. Wynne, "An Act to authorize counties, cities, towns, townships, school districts, and other municipal corporations to borrow money for current expenses and declaring an emergency."

Senator Williams asked to have Senate Bill No. 30, jointly referred to Committee on Public Buildings and Hospitals and Charities.

Senator Johnson was excused for Friday, January 15, 1909.

On motion, the Senate adjourned until Friday, January 15th, 1909 at 1:30 P. M.

SENATE JOURNAL.

ELEVENTH DAY.

Friday, January 15 1909.

Senate met at 1:30 P. M. pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present:

Messrs. Beeler, Brownlee, Blair, Colville, Cordell, Chapman, Davis, Denton, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrells, Stewart, Allen, Curd, Cunningham, Echols, Moore, Thomas, Taylor, Updegraff, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Billups, Cloonan, Potter, and Johnson. Total 4.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Beeler, was excused for the day.

The Journal of the tenth day was read, and corrected and approved.

Senator Stafford presented Petition No. 15, which was filed, read and referred to Committee on Hospitals and Charities.

A message was received from the House transmitting Senate Concurrent Resolution No. 9, signed by the Speaker.

President Pro Tem Graham appointed Messrs. Stewart and Keys as a Committee to transmit Senate Concurrent Resolution No. 9, to the Governor.

Senator Strain filed by request the application of G. M. Masterson to be permitted to become Legislative Agent for the Oklahoma Association of Chiropractors.

On motion of Senator Strain the application was granted.

Senator Strain filed by request the application of Dr. Willard Carver, to be permitted to become Legislative Agent for the Oklahoma Association of Chiropractors.

On motion of Senator Davis the application was granted.

Senator Yeager filed by request the application of F. M. Posegate to be permitted to become Legislative Agent for the Oklahoma Association of Chiropractors.

On motion of Senator Williams the application was granted.

A message was received from the Governor as follows:

Guthrie, Oklahoma, January 15 1909.

To the Honorable President of the Senate:

Mr. President: I have the honor to inform your Honorable Body that I have this day approved and signed House Bill No. 1.

Respectfully submitted,

C. N. HASKELL,

Governor.

The following bills were introduced and read the first time:

Senate Bill No. 117, by Mr. Stafford, "An Act authorizing the Board of Regents of Normal Schools of the State of Oklahoma, to construct and equip an additional building at the Cenrtal Normal School at Edmund, Oklahoma, and making an appropriation therefor."

Senate Bill No. 118, by Mr. Wynne, "An Act to amend Section 6355, General Statutes of Oklahoma, 1908, relating to Boards of Education in cities of the first class."

Senate Bill No. 119, by Mr. Yeager, "An Act creating the Northeastern Normal School at Tulsa, Oklahoma, and appropriating money for the construction of same."

Senate Bill No. 120 by Mr. Williams, "An Act providing for the Creation and Incorporation of Trade Insurance Companies not conducted for profit, and insuring the property and interest of but one line of business, to-wit: The Business of Cotton Ginning and insuring only the members of such companies as provided for in Section 3, Article XIX of the Constitution, etc., and further defining the powers and duties of such companies and providing penalties for the violation of this Act."

Senate Bill No. 121, by Mr. Mitchell, "An Act making the theft of cotton a felony and fixing penalty therefor."

Senate Bill No. 122, by Mr. Cordell, "An Act to amend Section 2659, of the General Statutes of Oklahoma, of 1908, entitled, 'Descent and Distribution."

Senate Bill No. 123, by Mr. Smith, "An Act providing for prosecution of felonies and misdemeanors upon presentment or indictment or information, regulating the procedure therein, and repealing Section 1874 and 1888, of Article 1, Chapter 18, of the General Statutes of the State of Oklahoma, 1908, and declaring an emergency."

Senate Bill No. 124, by Mr. Smith, "An Act to authorize all incorporated cities of the first class and Boards of Education therein and all incorporated cities, towns, and villages, to invest the sinking fund in certain securities, and to authorize said cities of the first class and Boards of Education therein, and all cities, towns, and villages, to establish public depositories for all funds of whatsoever kind, and prescribing penalties for failure to do so, and other purposes and declaring an emergency.'

Senate Bill No. 125 by Mr. Sorrells, "An Act appropriating moneys for the maintenance, equipment, and for the erection of buildings for the State School of Mines and Metallurgy at Wilburton, Oklahoma."

Senate Bill No. 126, by Mr. Sorrells, "An Act to amend Section 4200 of Chapter 50, Article 8, of the General Stautes of Oklahoma, relating to the State Mining Board."

Senate Bill No. 127, by Mr. Johnson, "An Act to authorize the establishment and maintenance of a high school in consolidated school districts and townships."

Senate Bill No. 128, by Mr. Brownlee, " An Act regulating the price of law books sold within this State by foreign persons' or corporations."

REPORT OF STANDING COMMITTEES.

The Committee on Commerce and Labor reported, recommending that Senate Bill No. 11 do pass as amended.

Report received.

The Committee on Codes Revision reported, recommending that Senate Bill No. 46 do pass.

Report received.

The Committee on Public Buildings reported, recommending that Senate Bill No. 52 do pass and that 500 copies be printed.

Report received.

Five hundred copies of Senate Bill No. 52 were ordered printed.

The Report of the Committee on Rules was read.

Senator Russell offered the following amendment: Strike out the word "two" and insert "Five".

Senator Davis offered as a substitute amendment: To strike out the word "Five" and insert "three."

Vote was taken and the President declared the substitute lost.

Vote was taken on the original amendment which was declared carried.

Vote was taken on the report as amended and the report was adopted as amended.

A communication was received from the El Reno Commercial Club extending an invitation to visit that city.

Senator Colville moved that the invitation be accepted.

President declared the motion carried.

Senator Roddie wished to have his vote recorded as voting "No".

Senator Hatchett wished to have his vote recorded as voting "No."

Senator Williams moved that the Committee on Legal Advisory be instructed to investigate the pay of the employees and report back to the Senate this day.

Motion carried.

Senator Keys was excused for the balance of the day.

Bills read the second time and referred to the following Committees:

Senate Bill No. 90 by Messrs Hatchett and Morris to Committee on State and County Affaris.

Senate Bill No. 91 by Mr. Colville, to Committee on Roads and Highways.

Senate Bill No. 92 by Mr. Cordell, to Committee on Codes Revision.

Senate Bill No. 93, by Mr. Yeager to Committee on Hospitals and Charities.

Senate Bill No. 94 by Mr. Redwine, to Committee on Judiciary No. 1.

Senate Bill No. 95 by Mr. Goulding, to Committee on Insurance.

Senate Bill No. 96 by Mr. Thomas, to Committee on Legal Advisory.

Senate Bill No. 97 by Mr. Stafford, to Committee on School Lands.

Senate Bill No. 98, by Mr. Stafford, to Committee on Hospitals and Charities.

Senate Bill No. 99 by Mr. Morris, to Committee on Judiciary No. 1.

Senate Bill No. 100 by Mr. Strain, to Committee on Public Buildings.

Senate Bill No. 101 by Mr. Williams, to Committee on Insurance.

Senate Bill No. 102, by Mr. Redwine, to Committee on Judiciary No. 1.

Senate Bill No. 103, by Mr. Chapman, to Committee on State and County Affairs.

Senate Bill No. 104 by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 105 by Mr. Mitchell, to Committee on Judiciary No. 2.

Senate Bill No. 106, by Messrs. Graham and Allen to Committee on Public Buildings.

Senate Bill No. 107 by Mr. Eggerman, to Committee on Agriculture. Quarantine and Animal Industry.

Senate Bill No. 108 by Mr. Landrum, to Committee on Judiciary No. 2.

Senate Bill No. 109 by Mr. Smith, to Committee on Judiciary No. 1.

Senate Bill No. 110 by Mr. Taylor, to Committee on Public Service Corporations.

Senate Bill No. 111 by Mr. Brownlee, to Committee on Judiciary No. 2.

Senate Bill No. 112 by Mr. Brownlee, to Committee on Municipal Corporations.

Senate Bill No. 113, by Mr. Brownlee, to Committee on Judiciary No. 2.

Senate Bill No. 114 by Mr. Williams, to Committee on Appropriations

Senate iBll No. 115 by Messrs. Wynne and Allen to Committee on Legal Advisory.

Senate Bill No. 116 by Mr. Wynne, to Committee on Education.

Senate Concurrent Resolution No. 12 by Mr. Goulding, was read.

Senator Goulding asked to have the Resolution placed upon its final passage.

On motion of Senator Smith the Resolution was referred to Committee on Penal Institutions.

House Concurrent Resolution No. 5, by Mr. Jahn of Coal County was read and referred to Committee on Fish and Game.

Senator Brownlee filed notice of service on Senator Hurst of Election Contest, referred to Committee on Privileges and Elections.

Senate Resolution No. 6, by Mr Memminger read.

Vote was taken and the President declared the Resolution adopted.

Senator Taylor, on behalf of the Northwestern Normal School, presented the Senate with a clock.

Senate went into the Committee of the Whole to consider General Orders.

Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of Senate Concurrent Resolution No. 4, signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose and reported having had under

consideration Senate Bill No. 15, report progress and ask leave to sit again.

Report received.

THIRD READING OF BILLS.

Senate Bill No. 29 was read at length.

The question being shall the bill pass, the roll being called the vote resulted as follaws:

Yeas: Messrs. Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Hatchett, Hurst. Landrum, Memminger, Morris, Newell, Roddie, Russell, Redwine. Smith, Strain, Stafford, Soldani, Sorrels, Stewart, Taylor, Wynne, Williams, and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Beeler, Echols, Graham, Johnson, Keys, Moore, Mitchell, Potter, Thomas, and Updegraff. Total 12.

The President declared the Bill passed.

The question being shall an emergency be declared.

The roll being called on the Emergency Section the vote resulted as follows:

Yeas: Messrs. Brownlee, Blair, Colville, Cordell, Curd, Cloonan, Cunningham, Chapman, Denton, Davis, Eggerman, Goulding, Hatchett Hurst, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrells, Stewart, Thomas, Taylor, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Echols, Graham, Johnson, Keys, Morris, Potter, Updegraff, and Franklin. Total 11.

The President declared that the Eemergency Section having received a two-thirds majority, had passed.

The title of the Bill was agreed to.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole arose temporarily to receive a Special Committee report as follows:

Guthrie, Okla., January 15 1909.

To the President of the Senate:

Mr. President: We, your Legal Advisory Committee, to whom was referred the inquiry relative to pay of the officers and employees, beg leave to report that we have had said inquiry under consideration and find, that Senate Bill No. 12, recently passed by the Legislature is identical in effect to the two appropriation bills passed by the First Legislature, out of which the officers and employees of the said First Legislature were paid.

Therefore, we recommend that the accompanying letter be authorized and sent to the State Auditor, provided, that the Honorable House of Representatives will join in this order.

Report adopted.

Report was ordered transmitted to the House.

Committee of the Whole resumed business.

Committee of the Whole arose and reported having had under consideration Senate Bill No. 15, beg leave to report progress and ask leave to sit again.

Report received.

Senator Morris asked unanimous consent to submit a Committee report.

Request granted.

The Committee on Public Lands reported, recommending that Senate Bill No. 1, do pass as amended; that Senate Bill No. 10, and Senate Bill No. 56, do not pass, and that the names of Messrs. Morris and Cordell be added to Senate Bill No. 1, as the authors thereof.

Report received.

Senator Morris moved that 500 copies of the bill be printed.

Motion carried.

Bill was ordered printed.

President George W. Bellamy signed enrolled copy of Senate Concurrent Resolution No. 8, same was ordered transmitted to the House.

Senate Bill No. 23 was read at length the third time.

The question shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Blair, Colville, Cordell, Chapman, Cunningham, Cloonan, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Taylor, Thomas, Wynne, Williams, and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Curd, Davis, Echols, Graham, Johnson, Keys, Moore, Potter, Updegraff. Total 12.

The President declared the Bill passed.

The title of the Bill was agreed to.

The President signed engrossed copy of Senate Bill No. 23, same was ordered transmitted to the House.

A message was received from the House transmitting Senate Concurrent Resolution No. 4, signed by the Speaker.

Senate Bill No. 19, read at length for the third time.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Eggerman, Franklin, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Stewart, Taylor, Wynne, Williams and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Brownlee, Echols, Johnson, Keys, Moore, Potter, Roddie, Thomas, Updegraff and Graham. Total 13.

The President declared the Bill passed.

The question being shall the Emergency be adopted.

The roll being called on the Emergency Section, the vote resulted as follows:

Yeas: Messrs. Brownlee, Blair, Colville, Cordell, Chapman, Curd, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Redwine, Smith, Soldani, Strain, Sorrels, Taylor, Wynne and Williams. Total 27.

Nays: Messrs. Cunningham, Stafford, Stewart, and Yeager. Total 4.

Absent and excused: Messrs. Allen, Beeler, Billups, Cloonan, Davis, Echols, Graham, Johnson, Keys, Moore, Thomas, Updegraff, and Potter. Total 13.

The President declared the Emergency Section, failing to receive the two-thirds majority, lost.

Senator Russell lodged a motion to reconsider the vote by which Emergency Section was lost.

Motion withdrawn.

Senate Bill No. 24, was read at length the third time.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Chapman, Cunningham, Cloonan, Denton, Eggerman, Franklin, Goulding, Hurst, Landrum, Memminger, Mitchell Morris, Newell, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Strain, Sorrels, Thomas, Taylor, Wynne, Williams and Yeager. Total 28.

Nays: Messrs. Hatchett, and Stewart. Total 2.

Absent and excused: Messrs. Allen, Beeler, Billups, Brownlee, Colville, Curd, Davis, Echols, Graham, Johnson, Keys, Moore, Potter and Updegraff. Total 14.

The President declared the bill passed.

The title of the Bill was agreed to.

The President signed engrossed copy of Senate Bill No. 24, and same was ordered transmitted to the House.

Senator Soldani asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 129 by Mr. Soldani, "An Act amending laws 1907, Chapter 30, Article I, Section 18, same being Section 2605 General Statutes of Oklahoma, 1908 and declaring an emergency."

Senator Williams moved that we adjourn until 10 A. M. the following day.

Motion lost.

Senator Colville was excused for the following day.

On motion by Senator Eggerman the Senate adjourned until Saturday, January 16 1909, at 1:30 P. M.

SENATE JOURNAL.

TWELFTH DAY.

Saturday, January 16, 1909.

Senate met at 1:30 P. M., pursuant to adjournment.

Called to order by President Pro Tem Mr. Graham.

On roll call the following Senators were present:

Messrs. Beeler, Blair, Cordell, Chapman, Curd, Cunningham, Cloonan Davis, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Landrum, Memminger, Mitchell, Morris, Moore, Roddie, Newell, Smith, Soldani, Stafford, Strain, Sorrells, Stewart, Thomas, Taylor, Yeager, Wynne, Williams, Denton and Russell. Total 34.

Absent and excused. Messrs. Allen, Billups, Brownlee, Colville, Echols, Johnson, Keys, Potter, Redwine, and Updegraff. Total 10.

President announced a quorum present.

Prayer by Chaplain.

The Journal of the Eleventh Day was read.

On motion of Senator Stafford to have Senators Goulding, Hatchett, and Thomas appointed a Committee to fix a proper form for the Journal.

The President Pro Tem appointed Messrs. Stafford, Goulding, Hatchett, and Thomas as a Committee to fix a proper form for the Journal.

Senator Smith was excused for four days.

Petition No..... by Mr. Memminger was filed, read and referred to Committee on State and County Affairs.

Petition No. .....by Mr. Smith, filed, read and referred to Committee on Judiciary No. 2.

Senator Taylor submitted a special committee report on Senate Resolution No. 8.

Whereas, the Northwestern Normal located at Alva, Oklahoma, through its President, W. L. Ross, has presented to the Senate a model specimen of the work done in the manual training department of said slhool in the form of an elegant clock:

Therefore, Be It Resolved, That the Senate return its sincere thanks to said institution and its president and that we express our admiration and high appreciation of the extraordinary efficiency of the manual training department of said school as evidenced by the superior skill in the production of such specimens, and

Be It Further Resolved, That we accept said clock and direct that same be placed and kept in a convenient and conspicuous place in the Senate Chamber.

On motion of Senator Taylor the resolution was adopted.

The following Bills were introduced and read the first time:

Senate Bill No. 130, by Mr. Franklin, "An Act defining what shall constitute an appearance in civil actions and declaring an emergency."

Senate Bill No. 131, by Messrs. Memminger of the Senate and Humphreys and Durant of the House, "An Act to provide for County Commissioners to buy bridges erected on public highways and elsewhere, and providing for procedure and appeal to District Court from any such pr chase and providing an emergency."

Senate Joint Resolution No. 7, by Mr. Thomas, "Authorizing the Commissioners of the Land Office to cede, grant and convey to the U. S. of A., to be used for public purposes, all of the fractional section 13, Township 2, N R 12, W. I. M."

REPORTS OF STANDING COMMITTEES.

The Committee on Penal Institutions reported, recommending that Senate Concurrent Resolution No. 12 by Mr. Goulding, do pass.

Report received.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 93 by Mr. Yeager, do pass.

Report received.

Bills read for the second time and referred to the following committees:

Senate Bill No. 117 by Mr. Stafford, to Committee on Appropriations.

Senate Bill No. 118, by Mr. Wynne, to Committee on Education.

Senate Bill No. 119, by Mr. Yeager to Committee on Public Buildings.

Senate Bill No. 120, by Mr. Williams, to Committee on Insurance.

Senate Bill No. 121, by Mr. Mitchell, to Committee on Judiciary No. 1.

Senate Bill No. 122, by Mr. Cordell, to Committee on Codes Revision.

Senate Bill No. 123, by Mr. Smith, to Committee on Judiciary No. 1.

Senate Bill No. 124, by Mr. Smith, to Committee on Legal Advisory.

Senate Bill No. 125, by Mr. Sorrels, to Committee on Appropriations.

Senate Bill No. 126, by Mr. Sorrels, to Committee on Mines and Mining.

Senate Bill No. 127, by Mr. Johnson to Committee on Education.

Senate Bill No. 128, by Mr. Brownlee, to Committee on Judiciary No. 2.

Senate Bill No. 129, by Mr. Soldani, to Committee on Agriculture, Quarantine and Animal Industry.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 24, same was ordered transmitted to the House.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 23, same was ordered transmitted to the House.

The Senate went into the Committee of the Whole.

The Committee of the Whole reported, recommending that Senate Concurrent Resolution No. 12, do pass as amended, and be put on its third reading and final passage this day; and having considered Senate Bill No. 15, beg leave to report progress and ask leave to sit again.

Report received.

Senate Concurrent Resolution No. 12, by Mr. Goulding was read.

The question bing shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Chapman, Curd, Cunningham, Echols, Eggerman, Franklin, Graham, Hurst, Landrum, Newell, Roddie, Russell, Redwine, Strain, Thomas, Taylor, and Wynne. Total 19.

Nays: Messrs. Beeler, Cloonan, Davis, Goulding, Mitchell, Stafford, Sorrels, Yeager, and Williams. Total 9.

Absent and excused. Messrs. Allen, Billups, Brownlee, Colville, Denton, Hatchett, Johnson, Keys, Memminger, Morris, Moore, Potter, Smith, Soldani, Stewart and Updegraff. Total 16.

The President declared the resolution lost.

Senator Goulding lodged a motion to reconsider the vote by which Senate Concurrent Resolution No. 12 was lost.

The following Bills were introduced:

Senate Bill No. 132, by Mr. Williams, "An Act making an appropriation to pay the salaries of the officers and employees of the Senate and House of Representatives, legalizing the election and appointment of, and the salaries as now fixed by the respective bodies, and declaring an emergency."

Senate Bill No. 133, by Mr. Echols, "An Act to provide for shorthand reporters for the District Courts of this State."

Senate Bill No. 134, by Mr. Echols, "An Act to amend Chapter 6, Article 2, Oklahoma Annotated Statutes 1908, relating to garnishment."

Senate Bill No. 135, by Mr. Landrum, "An Act to provide for the appointment of a temporary Judge of the County Court when the same is necessary because of sickness."

The Committee on Enrolled and Engrossed Bills reported that they found Senate Concurrent Resolution No. 4 correctly enrolled.

Report received.

President Pro Tem signed the enrolled copy of Senate Concurrent Resolution No. 4, and the same was ordered transmitted to the House.

Claude Duncan, Assistant Journal Clerk, tendered his resignation to take effect immediately.

Senator Davis moved that the resignation of Claude Duncan be accepted.

Motion prevailed.

On motion of Senator Landrum, Austin Murchison was placed in nomination for Assistant Journal Clerk.

On motion of Senator Blair the election of Assistant Journal Clerk was laid over.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 42, by Mr. Hatchett, do pass as amended.

Report received.

The Senate adjourned until Monday, January 18, 1909, at 1:30 P. M.

SENATE JOURNAL.

THIRTEENTH DAY.

Sunday, January 17 1909.

NO SESSION.

FOURTEENTH DAY.

Monday, January 18, 1909.

Senate met at 1:30 P. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler,, Billups, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Echols, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Newell, Potter, Roddie, Russell, Redwine, Soldani, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Yeager, Wynne and Williams. Total 41.

Absent and excused: Messrs. Johnson, Smith and Updegraff. Total 3.

The President announced a quorum present.

Prayer by Chaplain.

A message was received from the House transmitting the enrolled copy of Senate Concurrent Resolution No. 4, by Mr. Redwine and No. 8 by Mr. Keys, signed by the Speaker.

Petition No. 27, by Mr. Thomas, filed, read and referred to Committee on Legal Advisory.

Petition No. 28, by Mr. Thomas, filed read and referred to Committee on Revenue and Taxation.

Petition No. 29, by Mr. Thomas, filed, read and referred to Committee on Revenue and Taxation.

Senate Resolution No. 9, by Mr. Stafford, was read at length and laid over under the rules.

Report of Standing Committees.

The Committee on Codes Revision Reported, recommending that Senate Concurrent Resolution No. 10, by Messrs. Franklin, Meamminger and Hatchett, do pass.

Report received.

The Committee on Public Service Corporations reported, recommending that Senate Bill No. 4, by Mr. Franklin, do pass.

Report received.

The Committee on Enrolled and Engrossed Bills reported, Senate Concurrent Resolution No. 9 as correctly enrolled.

Report received.

The following Bills were introduced and read the first time:

Senate Bill No. 136 by Mr. Franklin, "An Act creating the office of Supreme Court Reporter, ex-officio Reporter of the Criminal Court of Appeals; defining duties, fixing salaries, and declaring an emergency."

Senate Bill No. 137, by Messrs. Strain, Williams and Hurst, "An Act to regulate the use and preservation of oil and gas and providing a penalty for the violation thereof."

Senate Bill No. 138, by Mr. Cunningham, "An Act authorizing domestic, mutual building and loan associations, organized under the laws of the State of Oklahoma to increase their capital stock, and prescribing the procedure therefor."

Senate Bill No. 139. by Mr. Williams, "An Act providing for the payment of bounties on the scalps of wolves, wild cats, coyotes and gophers.

Senate Bill No. 140, by Mr. Billups, "An Act to regulate the sale of Intoxicating Liquor for certain purposes, and amending Chapter 69, Session Laws of Oklahoma, 1907-'08; Chapter 45, General Statutes of Oklahoma, 1908, and declaring an emergency."

The Committee on iMnes and Manufacturing reported, recommending that Senate Bill No. 68 by Mr. Sorrels do pass.

Report received.

The Committee on Mines and Manufacturing reported, recommending Senate Bill No. 126 by Mr. Sorrells, do pass.

Report received.

Bills read the Second time and referred to the following Committees:

Senate Bill No. 130, by Mr. Franklin, to Committee on Judiciary No. 2.

Senate Bill No. 131 by Messrs. Memminger, of the Senate, and Humphreys and Durant of the House, to Committee on Judiciary No. 2.

Senate Bill No. 132 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 133 by Mr. Echols, to Committee on Judiciary No. 1.

Senate Bill No. 134 by Mr. Echols, to Committee on Judiciary No. 1.

Senate Bill No. 135 by Mr. Landrum, to Committee on Judiciary No. 2.

Senate Joint Resolution No. 7, by Mr. Thomas, to Committee on School Lands.

Senate Concurrent Resolution No. 9 was read at length for the fourth time.

President, Mr. Bellamy, signed the enrolled copy of Senate Concurrent Resolution No. 9, same was ordered transmitted to the House.

The committee on Public Service Corporations reported, recommending that Senate Bill No. 6, by Mr. Taylor do pass.

Report received.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message from the House transmitting Senate Concurrent Resolution No. 9, signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the Governor, which read as follows:

January 18, 1909.

To the Legislature:

In the matter of the permanent school fund, and the school land, placed by the Constitution under the management of the State Board of Land Commissioners there are various questions concerning which some of our leading State Officials differ.

The principal of these questions are:

First: Can expenses of administering this department be paid out of the earnings from land rentals and interests on moneys.

Second: Can the Board appoint attorneys as a part of the office force to pass on abstracts of titles and the preparation of necessary lease contracts and other business requiring knowledge of the law, pertaining to that department.

It will be remembered that last year I called the attention of the Legislature to these questions, and as I understand, upon due consideration, that Honorable Body felt that the proceedings of the Board of Land Commissioners were within their Constitutional and legal rights and that the expense of administering that department were properly being paid out of the earnings of the department and that the Board had the power to employ legal, as well as other employees to perform the work of that department.

I now again submit these questions to your Honorable Body for such consideration as you deem proper, and to the end that these questions may be settled after the most careful consideration, I respectfully request that you hear the Honorable Atorney General upon these questions.'

C. N. HASKELL,
Governor.

The Governor's message was referred to the Committee on Legal Advisory. The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a committee from the House inviting the Senate to attend a lecture to be delivered by Mr. Johnson.

Snator Williams moved that the invitation be accepted.

Motion prevailed.

Committee of the Whole resumed business.

Committee of the Whole reported recommending that Senate Bill No. 93, Senate Bill No. 42, and Senate Concurrent Resolution No. 3 do pass. And as to Senate Bill No. 15, Senate Bill No. 39, Senate Bill No. 11, and Senate Bill No. 1, report progress and ask leave to sit again.

Report received.

On motion of Senator Morris Senate Bill No. 1 was made a special order one day after the report of the Land Commissioners was laid on the desks of the Senators.

On motion of Senator Goulding, Senate Bill No. 11, was ordered reprinted.

Senator Eggerman moved to have Senate Bill No. 52 made a special order for Thursday, January 21, at 2:30 P. M.

Senator Cunningham moved as a substitute to make Senate Bill No. 52 a special order for Tuesday, January 26th at 2:30 P. M.

The question being shall the substitute motion prevail, the roll was called and the vote resulted as follows:

Yeas: Messrs. Beeler, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Echols, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Newell, Potter, Russell, Stafford, Strain, Sorrels, Stewart, Thomas, Taylor, Williams, Wynne and Yeager. Total 36.

Nays: Billups, Total 1.

Absent and excused: Messrs. Allen, Johnson, Roddie, Redwine, Smith, Soldani and Updegraff. Total 7.

The President declared that the substitute motion had carried.

Senate adjourned until 1:30 P. M. January 19, 1909.

SENATE JOURNAL.

FIFTEENTH DAY.

Tuesday, January 19, 1909.

Senate met at 1:30 P. M., pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Newell, Potter, Redwine, Roddie, Russell, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 42.

Absent and excused: Messrs. Smith and Updegraff. Total 2.

The president announced quorum present.

Prayer by the Chaplain.

Committee on Judiciary No. 1 reported, recommending that Senate Bill No. 35 by Mr. Eggerman, do pass.

Report received.

Committee on Judiciary No. 1 reported, recommending that Senate Bill No. 58 by Mr. Hatchett, do pass.

Report received.

Committee on Judiciary No. 1, reported, recommending that Senate Bill No. 133 by Mr. Echols, do pass.

Report received.

Committee on Judiciary No. 1, reported, recommending that Senate Bill No. 94 by Mr. Redwine, do pass.

Report received.

The Committee on Education reported, recommending that Senate Bill No. 118 do pass.

Report received.

The Committee on Private Corporations reported, recommending that Senate Bill No. 55 by Mr. Goulding do pass.

Report received.

Committee on Appropriations reported, recommending that Senate Bill No. 132 by Mr. Williams, do pass.

Report received.

Senator Williams asked unanimous consent to have Senate Bill No. 132 made a special order for the hour of 2 P. M.

Request granted.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 80 by Mr. Memminger, do pass.

Report received.

The following Bills were introduced and read the first time:

Senate Bill No. 141, by Mr. Hatchett, "An Act prescribing the manner of making and preserving exceptions to the charge or instructions of the Court."

Senate Bill No. 142 by Mr. Echols, "An Act requiring the deposit of

all public funds in banks whose deposits are guaranteed by Depositor's Guaranty Fund' of Oklahoma."

Senate Bill No. 143 by Mr. Echols, "An Act providing for the payment of expenses incurred by district judges in their districts in counties not resided in, etc."

Senate Bill No. 144, by Mr. Russell, "An Act to amend Section 255 of the General Statutes of Oklahoma, 1908."

Bills read the second time and referred to the following Committees:

Senate Bill No. 136, by Mr. Franklin, to Committee on State and County Affairs.

Senate Bill No. 137, by Mr. Strain, Mr. Williams and Mr. Hurst, to Committee on Oil, Gas, and Mining.

Senate Bill No. 139, by Mr. Williams, to Committee on Agriculture.

Senate Bill No..138 by Mr. Cunningham, to Committee on Insurance. Total 41.

Senate Bill No. 140 by Mr. Billups, to Committee on Legal Advisory.

Bills on Third Reading.

Senate Concurrent Resolution No. 3, by Mr. Landrum, was read at length and placed on its final passage.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 41.

Nays: None.

Absent and excused: Messrs. Graham, Smith, and Updegraff. Total 3.

The President announced that the Resolution had passed.

The title of the Resolution was agreed to.

The time having arrived for special orders, Senator Williams called for Senate Bill No. 132, which was read and put on its final passge.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Keys, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne, and Yeager. Total 38.

Nays: None.

Absent and excused: Messrs. Graham, Johnson, Landrum, Moore, Smith, and Updegraff. Total 6.

The roll was called on the Emergency Section, the vote resulting as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Egger-

man, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 37.

Nays: None.

Absent and excused, Messrs. Davis, Graham, Landrum, Memminger, Moore, Smith, and Updegraff. Total 7.

The President declared the Emergency Section, having received a two-thirds majority, passed.

The title of the Bill was agreed to.

Senator Billups moved to have a Committee of three appointed to invite the Governor to be present at the election of a United States Senator.

The President appointed Messrs. Sorrells, Strain and Colville as such Committee.

Senate Bill No. 46 was read at length.

Senator Stafford offered the following amendment: "Strike out all of Section 3 of the Bill, amending Section 6786 of the General Statutes of Oklahoma."

The question being shall the amendment be adopted.

The roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Cloonan, Colville, Cunningham, Echols, Eggerman, Johnson, Memminger, Mitchell, Potter and Stafford. Total 11.

Nays: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cordell, Curd, Davis, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Morris, Newell, Redwine, Roddie, Russell, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 28.

Absent and excused: Messrs. Denton, Hatchett, Moore, Smith and Updegraff. Total 5.

The President declared the amendment had lost.

The question being shall the bill pass.

The roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cordell, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne, and Yeager. Total 35.

Nays: Messrs. Beeler, Cloonan, Colville, Cunningham and Stafford. Total 5.

Absent and excused: Messrs. Hatchett, Moore, Smith and Updegraff. Total 4.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 93 was read at length.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cloonan, Colville, Cordell, Franklin, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Morris, Newell, Strain, Soldani, Taylor, Thomas, Williams, Wynne, Yeager and Sorrells. Total 22.

Nays: Messrs. Allen, Beeler, Brownlee, Chapman, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Mitchell, Moore, Potter, Redwine, Roddie, Russell, Stafford, and Stewart. Total 20.

Absent and excused. Messrs. Updegraff, and Smith. Total 2.

The President declared the bill lost.

Senator Yeager lodged a motion to reconsider the vote by which Senate Bill No. 93 was lost.

The time having arrived for the special orders, that of the election of a United States Senator, Senator Thomas placed the name of Hon. T. P. Gore in nomination for United States Senator.

Senator Colville placed the name of Hon. D. T. Flynn in nomination for United States Senator.

The roll being called, the vote resulted as follows:

Gore: Messrs. Allen, Billups, Blair, Cordell, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Russell, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 34.

Flynn: Messrs. Beeler, Brownlee, Chapman Cloonan, Colville, Cunningham, Curd, and Potter. Total 8.

Absent and excused: Messrs. Smith and Updegraff. Total 2.

Hon. T. P. Gore received 34 votes.

Hon. D. T. Flynn received 8 votes.

Hon. T. P. Gore, having received a majority of all votes cast, was declared the choice of the Senate.

Senator Billups asked unanimous consent to introduce a bill.

Senate Bill No. 145, by Mr. Billups, "An Act to provide for the improvement of the Public Highways of the State, creating the office of State Engineer and Surveyor, fixing his compensation and defining his duties."

The Senate received a Committee from the House informing the Senate that the election of a United States Senator had been made a special order for tomorrow at 12 M.

Senator Billups moved to have a like Committee appointed to inform the House of the action of the Senate regarding the election of a United States Senator.

Motion carried.

President Pro Tem Graham appointed as such Committee, Messrs. Thomas, Billups and Brownlee.

Senator Goulding called up his motion to reconsider the vote by which Senate Concurrent Resolution No. 12, was lost.

Senator Brownlee moved the previous question.

The question being shall the main question be put.

A vote was taken and resulted as follows: Yeas 26. Nays: 7.

The question being shall the motion prevail.

The roll being taken, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Billups, Brownlee, Chapman, Colville, Cordell, Curd, Denton, Echols, Eggerman, Graham, Goulding, Hurst, Johnson, Keys, andrum, Moore, Morris, Newell, Redwine, Roddie Russell,

Stewart, Strain, Soldani, Taylor, Thomas, and Wynne. Total 29.

Nays: Messrs. Beeler, Cloonan, Davis, Hatchett, Memminger, Mitchell, Potter, Stafford, Sorrells, Williams and Yeager. Total 11.

Absent and excused: Messrs. Cunningham, Franklin, Smith and Updegraff. Total 4.

The President declared the motion had carried.

The question being shall the Resolution pass.

The roll was called, and the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Curd, Denton, Eggerman, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Stewart, Strain, Soldani, Taylor, Thomas and Wynne. Total 28.

Nays: Messrs. Beeler, Cloonan, Davis, Hatchett, Memminger, Potter, Russell, Stafford, Sorrells, Williams and Yeager. Total 11.

Absent and excused: Messrs. Cunningham, Franklin, Smith, Updegraff and Echols. Total 5.

The President declared the resolution passed.

The Resolution was ordered engrossed.

Senator Keys was excused for the balance of the day.

President Pro Tem Graham signed engrossed copy of Senate Concurrent Resolution No. 3 by Mr. Landrum and Senate Bill No. 132 by Mr. Williams, and same was ordered transmitted to the House.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 46 by Mr. Cordell, same was ordered transmitted to the House.

Senator Russell asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 146 by Mr. Russell, "An Act providing penalty for assault with intent to rape and declaring an emergency."

Senate Bill No. 147, by Mr. Russell, "An Act making an appropriation for the payment of premiums upon Oklahoma farm products for the years 1909 and 1910, and providing for equitable distribution of the same."

Senator Russell was excused until Thursday.

President Pro Tem Graham signed engrossed copy of Senate Concurrent Resolution No. 12, same was ordered transmitted to the House.

Senator Cordell filed, by request, the application of Oscar L. Gregory to be permitted to become Legislative Agent for Brockton Fruit Company, of Brockton, New York.

On motion of Senator Taylor the application was granted.

Senator Goulding introduced Senate Concurrent Resolution No. 13, asking for an opinion of the Attorney General as to paroling prisoners and moved its adoption.

Motion carried.

The Resolution was ordered engrossed.

Senator Thomas moved to have the Secretary instructed to file a copy of each bill as printed, that the Calendar Clerk file a copy of each day's Calendar, and that the Journal Clerk file a copy of each day's Journal to be filed with the Secretary of the State, to be turned over to the State Printer.

Motion carried.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose and reported, having had under consideration Senate Bill No. 39, beg leave to report progress and ask leave to sit again.

Senator Billups moved to have a thousand copies of Senate Bill No. 39 printed.

Motion carried.

Senator Billups moved to let the records show that the Senate had accepted the invitation extended by the Daughters of the Confederacy.

Motion carried.

The President ordered that the record so show.

The Committee on Agriculture reported, recommending that Senate Bill No. 129, by Mr. Soldani, do pass as amended.

Report received.

Senate adjourned until 11 A. M., Wednesday, January 20 1909.

SENATE JOURNAL.

SIXTEENTH DAY.

Wednesday, January 20 1909.

Senate met at 11 A. M., pursuant to adjournment.

Called to order by President Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Eggerman Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Morris, Mitchell, Moore, Newell, Redwine, Roddie, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne, Yeager, Colville and Graham. Total 39.

Absent and excused: Messrs. Echols, Potter, Russell, Smith and Updegraff. Total 5.

The President announced a quorum present.

Prayer by Chaplain.

The Journals of the 13th and 14th day's session were read and approved.

Petition No. 30, by Mr. Franklin, filed, read and referred to Committee of the Whole.

A message was received from the House transmitting House Bill No. 36.

The following Bills were introduced and read the first time:

Senate Bill No. 148, by Mr. Davis, "An Act providing for the publication and distribution of the laws and journals, repealing all acts and parts of acts in conflict herewith and declaring an emergency."

Senate Bill No. 149, by Mr. Wynne, "An Act authorizing the creation of Educational Corporations".

Senate Bill No. 150, by Mr. Redwine, "An Act to provide for clerk hire for county treasurers of the State of Oklahoma, and fixing the amount of bonds of the county treasurers and providing for the kind of bond and payment of the same."

Senate Bill No. 151, by Mr. Yeager, "An Act to prevent the disclosure of information or the solicitation thereof concerning shipments made by common carriers of this State and prescribing penalties therefor."

Senate Bill No. 152, by Mr. Billups, "An Act appropriating funds for the erection and maintenance of a District Agricultural School for the Fifth Supreme Court Judicial District of the State of Oklahoma."

Senate Bill No. 153, by Mr. Billups, "An Act providing for the taking of the Scholastic Census; amending Section 5784 of Wilson's Statutes;

changing the date of taking the enumeration from the 15th of January, and designating the period from the 1st day of May to the 1st day of June."

Reports of Standing Committees.

The Committee on Judiciary No. 2, reported recommending that Senate Bill No. 41 by Mr. Russell do pass as amended.

Report received.

House Bill No. 36 was read the first time.

House Bill No. 36, by Mr. Tillotson, "An Act prescribing the manner of leasing of lands of minors and incompetents for oil and gas mining purposes, etc."

Bills read the second time and referred to the following Committees:

Senate Bill No. 141 by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 142 by Mr. Echols, to Committee on Banks and Banking.

Senate Bill No. 143 by Mr. Echols, to Committee on Judiciary No. 1.

Senate Bill No. 144, by Mr. Russell, to Committee on Agriculture.

Senate Bill No. 145 by Mr. Billups, to Committee on Public Highways.

Senate Bill No. 146 by Mr. Russell, to Committee on Judiciary No. 2.

Senate Bill No. 147 by Mr. Russell, to Committee on Agriculture.

The Journal of the 15th day's session was read and approved.

The Senate took a recess for fifteen minutes.

The time having arrived for Special Order, the election of a United States Senator, the Senate proceeded in a body to the House of Representatives.

The President of the Senate presided over the Joint Assembly.

The President appointed Mr. Stewart of the Senate and Mr. Ross of the House as a Committee to escort the Governor to the platform.

The roll was called and the following Senators were present:

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 39.

Absent and excused: Messrs. Echols, Potter, Russell, Smith and Updegraff. Total 5.

The President announced a quorum present.

Roll of the House was called; all members were present.

The President announced a quorum present.

The President announced the purpose of the Joint Assembly of the Second Legislature to be the election of a United States Senator.

Senator Thomas placed the name of Hon. T. P. Gore in nomination for United States Senator.

Representative Wortman seconded the nomination of Hon. T. P. Gore.

Senator Landrum seconded the nomination of Hon. T. P. Gore for United States Senator.

Representative Japp seconded the nomination of Hon. T. P. Gore for United States Senator.

Senator Cunningham placed the name of Hon. Dennis T. Flynn in nomination for United States Senator.

Representative Jones seconded the nomination of Hon. Dennis T. Flynn for United States Senator.

Representative Partridge seconded the nomination of Hon. Dennis T. Flynn for United States Senator.

Senator Colville seconded the nomination of Hon. Dennis T. Flynn for United States Senator.

There being no other nominations the nominations were closed.

The Senate Journal of the Fifteenth Day's session was read.

The House Journal of the Fifteenth Day's session was read.

The President: "You have heard read the Journals of the respective Houses, the Senate and the House of Representatives of the Second Legislature of the State of Oklahoma for yesterday's session; said session being on the second Tuesday after the meeting and organization of the Legislature.

"The Journals show that the following names for the office of United States Senator were placed before each body.

"The Honorable T. P. Gore.

"The Honorable Dennis T. Flynn.

"The vote thereon had in the Honorable Senate shows for Honorable T. P. Gore, 34 votes, and for the Honorable D. T. Flynn, 8 votes.

"Absent and not voting, two.

"The total number of the members of said Senate being forty-four, (44) a majority of all members elected to and constituting said Senate, have voted for the Hon. T. P. Gore.

"We find that in the House of Representatives the Hon. T. P. Gore received 68 votes and the Hon. D. T. Flynn received 41 votes.

"Absent and not voting, none.

The total number of members of said House of Representatives being one hundred and nine (109) a majority of all votes of the members elected to and constituting said House of Representatives have voted for the Hon. T. P. Gore, therefore, since Hon. T. P. Gore has received a majority of votes of all members elected to and constituting each of both the Senate and House of Representatives,

"I therefore declare T. P. Gore duly, constitutionally and legally elected Senator to represent the State of Oklahoma in the Senate of the United States".

The President appointed Mr. Strain of the Senate and Mr. Terrall of the House as a Committee to escort Hon. T. P. Gore to the platform.

Senator Gore addressed the Joint Assembly.

The President appointed Mr. Brownlee, of the Senate, Mr. Watrous and Mr. Brownlee of the House, as a Committee to escort the Hon. D. T. Flynn to the platform.

Hon. Dennis T. Flynn addressed the Joint Assembly.

The President announced that the purpose of the Joint Assembly was attained.

On motion of Senator Strain, seconded by Representative Ross, the Joint Assembly dissolved, and the Senate returned in a body to the Senate Chamber.

Senator Cunningham was excused for the week.

The Senate adjourned until Thursday, January 21st, at 1:30 P. M.

SENATE JOURNAL.

SEVENTEENTH DAY.

Thursday, January 21 1909.

Senate met at 1:30 P. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 42.

Absent and excused: Messrs Smith and Updegraff. Total 2.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the Sixteenth Day was read and approved.

The Senate recessed for five minutes.

Bills read the second time and referred to the following committees:

Senate Bill No. 148 by Mr. Davis, to Committee on Judiciary No. 2.

Senate Bill No. 149 by Mr. Wynne, to Committee on Education.

Senate Bill No. 150 by Mr. Redwine to Committee on State and County Affairs.

Senate Bill No. 151 by Mr. Yeager, to Committee on Public Service Corporations.

Senate Bill No. 152 by Mr. Billups, to Committee on Appropriations.

Senate Bill No. 153 by Mr. Billups to Committee on Education.

House Bill No. 36 by Mr. Tillotson, to Committee on Oil, Gas, and Mineral Lands.

The President appointed in accordance with Senate Concurrent Resolution No. 4, by Mr. Russell, Messrs. Russell, Eggerman, Strain, Stafford, Morris, Cunningham and Brownlee as such Committee.

Petition No. 31 by Mr. Eggerman filed, read and referred to Committee on Revenue and Taxation.

Petition No. 32 by Mr. Thomas, filed, read and referred to Committee on Judiciary No. 1.

Petition No. 33 by Mr. Thomas, filed, read and referred to Committee on Roads and Highways.

Petition No. 34 by Mr. Strain filed, read and referred to Committee on Fish and Game.

The Senate went into Executive Session.

The business of the Executive Session having been concluded, the

doors were opened and the Senate proceeded with the regular order of business.

The following Bills were introduced and read the first time:

Senate Bill No. 154 by Mr. Memminger, "An Act to amend Article Two, Chapter Thirteen, Session Laws of 1907-08, entitled 'An Act prohibiting corporate ownership of real estate, etc.'"

Senate Bill No. 155 by Mr. Taylor, "An Act regulating elections in cities and towns, requiring nominations by primaries, prescribing the time for such elections, repealing Sections 708, 709, and 710 being a part of Chapter 12, Article 1 and Sections 867, 868, 869, 870, 871, and 872 being a part of Chapter 13, Article 1 of the General Statutes of Oklahoma, 1908, and declaring an emergency."

Senate Bill No. 156 by Mr. Yeager, "An Act relating to the manufacture, transportation and storage of nitro-glycerine and other explosives; prohibiting the same in certain localities; providing penalties for the violation of this Act; and declaring an emergency."

Senate Bill No. 157 by Mr. Cordell, "An Act to permit the sale of apple cider in this State."

Senate Bill No. 158 by Mr. Cordell, "An Act to amend Section 3885 of the General Statutes of Oklahoma, 1908."

Senate Bill No. 159 by Mr. Thomas, "An Act to make valid defective instruments of writing that have been on record, or recorded in the Recording Office of the Recording District in the Indian Territory in which said land was situated, up to and including the 16th day of November, 1907, in the office of the Register of Deeds of the Several Counties of the State of Oklahoma, and to provide for their use as evidence."

Senate Bill No. 160 by Mr. Thomas, "An Act relating to the rights of spouses who have not joined in the conveyance of real estate, made prior to November 16th, 1907, and prescribing the time in which said persons may bring suit to recover any interest in such real estate or file notice of such claim in the office of the Register of Deeds.

Reports of Standing Committees.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 146 by Mr. Russell do pass as amended.

Report received.

The Committee on Judiciary No. 2, reported, recommending that Senate Bill No. 34 by Mr. Eggerman, do pass as amended.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 77 by Mr. Newell do not pass.

Report adopted.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 66 by Mr. Davis do pass as amended.

Report received.

The Committee on Fees and Salaries reported, recommending that Senate Bill No. 36 by Mr. Yeager, do not pass.

Report adopted.

The Committee on Fees and Salaries reported, recommending that

Report received.

The Committee on Legal Advisory reported, recommending that Senate Joint Resolution No. 6 by Mr. Billups do pass as amended.

Report received.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 9, by Mr. Billups, do pass.

Report received.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 53 by Mr. Franklin do pass as amended.

Report received.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 96 by Mr. Thomas do pass.

Report received.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 70 by Mr. Goulding do pass as amended.

Report received.

A message was received from the House, transmitting House Joint Resolution No. 3.

House Joint Resolution No. 3 was read for the first time.

House Joint Resolution No. 3, by Mr. Jahn, "To expedite printing and delivery of the House Journal, 1909.

Senator Stewart was excused for the balance of the week.

Senator Cunningham was excused for the balance of the day.

The Senate resolved itself into the Committee of the Whole to consider general orders.

The Committee of the Whole reported, recommending that Senate Bills Nos. 15, 39, 42, 74, 68, and Senate Concurrent Resolution No. 10 do pass, and as to Senate Bills Nos. 11 and 126, report progress and ask leave to sit again.

Report adopted.

Senator Blair asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 161 by Mr. Blair, "An Act to amend Section 6109 of the General Statutes of Oklahoma, of 1908, relating to the discovery of property not listed, and declaring an emergency."

An invitation from Hartranft Post No. 3, Department of Oklahoma G. A. R. was read.

Senator Graham moved that the invitation be accepted.

Motion prevailed.

Petition No. 35 by Mr. Graham filed, read and referred to Committee on Revenue and Taxation.

Petition No. 36 by Mr. Graham filed, read and referred to Committee on Legal Advisory.

Senator Russell asked unanimous consent to have the rules suspended and to have Senate Bill No. 129 put on third reading and final passage.

Request granted.

Senate Bill No. 129 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Cloonan, Colville, Cordell, Curd, Davis, Denton, Echols, Eggerman, Graham, Franklin, Goulding, Hatchett, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Stafford, Stewart, Soldani, Sorrels, Taylor, Williams, and Wynne. Total 33.

Nays: None.

Absent and excused: Messrs. Brownlee, Billups, Chapman, Cunningham, Hurst, Redwine, Smith, Strain, Thomas, Updegraff, and Yeager. Total 11.

The President declared the bill passed.

The question being shall an emergency be declared, the roll being called on the Emergency Section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Cloonan, Colville, Cordell, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Stafford, Stewart, Soldani, Sorrells, Taylor, Williams, and Wynne. Total 32.

Nays: None.

Absent and excused: Messrs Billups, Brownlee, Chapman, Cunningham, Hatchett, Hurst, Redwine, Smith, Strain, Thomas, Updegraff and Yeager. Total 12.

The President declared the Emergency Section, having a two-thirds majority, passed.

The title of the Bill was agreed to.

The Committee on Rules reported, recommending that the rules be changed, changing the hour of convening from 1:30 P. M. to 10 A. M.

The question being shall the report be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Cordell, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Stafford, Soldani, Sorrels, Taylor, Williams and Wynne. Total 28.

Nays: Messrs. Beeler, Cloonan, Colville, Stewart. Total 4.

Absent and excused: Messrs. Billups, Brownlee, Chapman, Cunningham, Hatchett, Hurst, Redwine, Smith, Strain, Thomas, Updegraff and Yeager. Total 12.

The President declared the motion lost.

Senator Stafford lodged a motion to reconsider the vote by which the motion lost.

Senator Morris moved that the Senate take a recess until 8 P. M.

The motion was lost.

Senator Brownlee was excused for the balance of the week.

The Senate took a recess for five minutes.

Senator Goulding asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 162, by Mr. Goulding, "An Act to amend Article 3, Chapter 55, Section 4437 of the General Statutes of Oklahoma, 1908, per-

mitting County Clerks to plat, for purpose of assessment and taxation, Congressional subdivisions of land of forty acres or less when owned by two or more persons in severalty."

The Senate adjourned until 1:30 P. M., Friday, January 22d, 1909.

SENATE JOURNAL.

EIGHTEENTH DAY.

Friday January 22, 1909.

Senate met at 1:30 P. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrels, Taylor, Williams. Wynne and Yeager. Total 36.

Absent and excused: Messrs. Billups, Brownlee, Denton, Eggerman, Hatchett, Stewart, Thomas, and Updegraff. Total 8.

The President announced a quorum present.

Prayer by the Chaplain.

The Assistant Sargeant-at-Arms, Mr. Childers was excused until Monday.

Senator Billups was excused on account of sickness.

Senator Brownlee was excused until next Tuesday.

Senator Thomas was excused on account of business.

Senator Hatchett was excused until Monday.

Senator Denton was excused until Monday.

The Journal of the Seventeenth Day was read and approved.

An invitation was read from the Trinity Episcopal Church 308 E. Noble, Ave.

Senator Colville moved that the invitation be accepted.

Motion carried.

The following bills were introduced and read the first time .

Senate Concurrent Resolution No. 14 by Mr. Franklin, "Resolution memorializing Congress to, as soon as practicable, terminate the affairs of the Five Civilized Tribes and pay to the members thereof all tribal funds owing or held in trust for them."

Senate Bill No. 163 by Mr. Redwine, "An Act providing for the appointment of two additoinal county commissioners in all counties having a population of more than thirty-five thousand and to amend Section 4556 of the General Statutes of Oklahoma, 1908, relating to County Commissioners.

Senate Bill No. 164 by Mr. Cordell, "An Act prescribing the disqualifications for judges of courts of record, and providing for the election or appointment of a special judge, or judge pro tem, when the regular judge

is disqualified, and repealing Section 1154 of the General Statutes of Oklahoma, 1908."

Senate Bill No. 165 by Mr. Cunningham, "An Act for the care and disposition of estrayed stock."

Senate Bill No. 166 b yMr. Cunningham, "An Act to locate and establish an institute for the deaf, dumb and blind and orphan home for the colored youths of the State of Oklahoma and making an appropriation therefor."

Report of Standing Committees.

The Committee on Codes Revision reported, recommending that Senate Concurrent Resolution No. 11, by Messrs. Memminger and Hatchett and Franklin, do pass.

Report received.

Senate Concurrent Resolution No. 11 was put on its third and final reading and passage.

The question being shall the Resolution pass, the roll was called and the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Williams and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Beeler, Billups, Brownlee, Denton, Echols, Hatchett, Moore, Stewart, Thomas, Updegraff and Wynne. Total 11.

The President declared the Resolution passed.

The President appointed in accordance with Senate Concurrent Resolution No. 11, Messrs. Franklin, Roddie, Cunningham, Eggerman, and Echols as such Committee.

The Committee on Insurance reported, recommending that Senate Bill No. 95 by Mr. Goulding, do pass as amended.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bills Nos. 105 by Mr. Mitchell, 130 by Mr. Franklin, 108 by Mr. Landrum and 45 by Mr. Sorrells, do pass as amended.

Report received.

Bills Read the Second Time and Referred to the Following Committees:

Senate Bill No. 154 by Mr. Memminger to Committee on Public Service Corporations.

Senate Bill No. 155 by Mr. Taylor, to Committee on Privileges and Elections.

Senate Bill No. 156 by Mr. Yeager, to Committee on State and County Affairs.

Senate Bill No. 157 by Mr. Cordell, to Committee on Legal Advisory.

Senate Bill No. 158 by Mr. Cordell, to Committee on Judiciary No. 2.

Senate Bill No. 159 by Mr. Thomas, to Committee on Judiciary No. 1.

Senate Bill No. 160 by Mr. Thomas, to Committee on Legal Advisory.

Senate Bill No. 161 by Mr. Blair, to Committee on Revenue and Taxation.

House Concurrent Resolution No. 3, by Mr. Jahn, to Committee on Legal Advisory.

Senate Bill No. 162 by Mr. Goulding, to Committee on Revenue and Taxation.

Senate Bill No. 163 by Mr. Redwine, to Committee on Revenue and Taxation.

Bills on Third Reading.

Senate Bill No. 74 by Mr. Franklin, was read at length.

On motion of Senator Williams, Senate Bill No. 74 was laid over until Senator Brownlee could be present.

Senate Bill No. 42 by Mr. Franklin was read at length.

Senator Franklin offered as an amendment to reinstate the third sub-division of Section 1, of Senate Bill No. 42.

The question being, shall the Amendment be re-instated, the roll being called the vote resulted as follows:

Yeas: Messrs. Franklin, Hurst, Memminger, Russell, Strain, Sorrells, Taylor and Yeager. Total 8.

Nays: Messrs. Allen, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Goulding, Keys, Landrum, Morris, Newell, Potter, Redwine, Roddie, Smith, Stafford, Soldani, Williams and Wynne. Total 23.

Absent and excused: Messrs. Beeler, Billups, Brownlee, Davis, Denton, Graham, Hatchett, Johnson, Mitchell, Moore, Stewart, Thomas, and Updegraff. Total 13.

The President declared the amendment lost.

Senator Franklin offered the following amendment to reinstate the Emergency Clause.

The roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Eggerman, Franklin, Goulding, Hurst, Keys, Landrum, Memminger, Moore, Newell, Roddie, Smith, Strain, Soldani, Sorrells, Taylor, Williams, Wynne and Yeager. Total 20.

Nays: Messrs. Allen, Chapman, Cloonan, Colville, Cunningham, Curd, Echols, Potter, Redwine, Russell, Stafford. Total 11.

Absent and excused: Messrs. Beeler, Billups, Brownlee, Davis, Denton, Graham, Hatchett, Johnson, Mitchell, Morris, Stewart, Thomas, and Updegraff. Total 13.

The President declared the Emergency had been re-instated.

The Committee on Enrolled and Engrossed Bills reported, Senate Bill No. 132 correctly enrolled.

Senate Bill No. 132 by Mr. Williams was read the fourth time.

The President signed the enrolled copy of Senate Bill No. 132 by Mr. Williams same was ordered transmitted to the House.

Senate Bill No. 42 was read at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Chapman, Cloonan, Colville, Cordell, Curd, Davis, Eggerman, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Williams, Wynne and Yeager. Total 35.

Nays: Messrs. Cunningham and Echols. Total 2.

Absent and excused: Messrs. Billups, Brownlee, Denton, Hatchett, Stewart, Thomas and Updegraff. Total 7.

The President declared the Bill passed.

The question being, shall an emergency be declared, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Davis, Eggerman, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Roddie, Russell, Stewart, Soldani, Sorrels, Smith, Taylor, and Wynne. Total 24.

Nays: Messrs, Allen, Beeler, Chapman, Cloonan, Colville, Cunningham, Curd, Echols, Potter, Redwine, Stafford, Williams and Yeager. Total 13.

Absent and excused: Messrs. Billups, Brownlee, Denton, Hatchett, Strain, Thomas, and Updegraff. Total 7.

The President declared the Emergency Section having failed to receive a two-thirds majority had lost.

The title of the bill was agreed to.

Senator Roddie asked unanimous consent to submit a Committee report in behalf of Senator Thomas.

Request granted.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 140 by Mr. Billups, do pass as amended.

Report received.

Senator Roddie asked unanimous consent to introduce a bill in behalf of Senator Thomas.

Request granted.

Senate Bill No. 167 by Mr. Thomas, "An Act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof."

Senate Bill No. 168 by Messrs. Yeager and Strain, "An Act to regulate all corporations, associations or persons, carrying crude petroleum and all its products through pipe lines in this State and to regulate operation of oil wells, providing punishment for violation thereof, and declaring an emergency."

Senate Bill No. 169 by Mr. Allen, "An Act to amend Section 5343 of the General Statutes of Oklahoma 1908, relating to abstracts of titles."

Senator Russell withdrew his motion to reconsider the vote by which the emergency clause to Senate Bill No. 19 was lost.

The Committee on Agriculture reported, recommending that Senate Bill No. 25 by Mr. Sorrells do pass as amended.

Report received.

A message was received from the House, transmitting enrolled copy of Senate Bill No. 132, by Mr. Williams, signed by the Speaker.

Senate Bill No. 68 by Mr. Sorrells, was read at length the third time.

The question being shall the bill pass.

The roll was called and the voter esulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Goulding Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrels, Taylor, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused. Messrs. Billups, Brownlee, Davis, Denton, Graham, Hatchett, Stewart, Thomas, and Updegraff. Total 9.

The President declared the Bill passed.

The title of the Bill was agreed to.

Senate Concurrent Resolution No. 10 by Messrs. Franklin, Hatchett and Memminger was read at length the third time.

The question being, shall the Resolution pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Chapman, Blair, Cloonan ,Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, and Williams. Total 32.

Nays: None.

Absent and excused: Messrs. Billups, Brownlee, Davis, Denton, Graham, Hatchett, Stafford, Stewart, Thomas, Updegraff, Wynne and Yeager. Total 12.

The President declared the Resolution passed.

The title of the Resolution was agreed to.

Senator Curd was excused until next Friday.

The Committee on Agriculture reported, recommending that Senate Bill No. 144, by Mr. Russell, do pass.

Report received.

The Committee on Agriculture reported, recommending that Senate Bill No. 147 by Mr. Russell, do pass.

Report received.

The Committee on Agriculture reported, recommending that Senate Bill No. 73 by Mr. Hatchett, do pass as amended.

Report received.

Senator Sorrells was excused until Monday.

The Committee on Public Service Corporations, reported recommending that Senate Bill No. 110 by Mr. Taylor, do pass as amended.

Report received.

Senate Joint Resolution No. 1, by Mr. Thomas, was read at length the third time.

Further action was deferred.

Senator Stafford filed by request the application of O. C. Strode to be permitted to become Legislative Agent for the Oklahoma Association of Locomotive Engineers.

On motion of Senator Blair it was made the rule of the Senate that

any citizen of this State, could appear before any of the Committees of the Senate without any permit from the Senate provided they were receiving no compensation for their services.

Senator Blair requested to be relieved from the Committee on Enrolled and Engrossed Bills.

Senator Memminger moved that the request be granted.

Motion carried.

Senator Memminger was appointed to fill the vacancy on the Committee on Enrolled and Engrossed Bills.

President Pro Tem, Mr. Graham signed engrossed copy of Senate Concurrent Resolution No. 10, by Messrs. Franklin, Hatchett, and Memminger, same was ordered transmitted to the House.

President Pro Tem, Mr. Graham signed engrossed copies of Senate Bills Nos. 129 by Mr. Soldani, and 68 by Mr. Sorrels, and same were ordered transmitted to the House.

Senator Cunningham asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 170 by Mr. Cunningham, "An Act making an appropriation for the Colored Agricultural and Normal University at Langston, Oklahoma."

Senate Bill No. 171 by Mr. Echols, "An Act providing for the election of a Chief Justice and an Acting Chief Justice of the Supreme Court and prescribing for the filling of a vacancy in either of said offices."

A message was received from the House transmitting House Concurrent Resolution No. 11 by Mr. Turner, concerning Platt National Park at Sulphur, Oklahoma; and House Concurrent Resolution No. 10, by Mr. Bryan, Memorializing Congress to extend the Reclamation Service Fund to include drainage.

The Senate resolved itself into the Committee of the Whole to consider general orders.

The Committee of the Whole arose and reported, recommending that Senate Bill No. 60 and Senate Bill No. 35 do pass.

Report received.

Senator Colville moved that when the Senate do adjourn that we adjourn until Monday January 25, 1909, at 1:30 P. M.

Senator Blair moved as a substitute that when we adjourn that we adjourn until 10 A. M., in the morning.

A vote was taken.

The President declared the substitute motion lost.

The original motion was put and carried.

The President announced that he could not be present Monday and appointed Senator Echols and Russell to preside.

Senator Stafford asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 172, by Mr. Stafford, "An Act for the improvement and maintenance of Public Highways."

Senate Bill No. 173 by Mr. Williams, "An Act to establish a State training school for boys, to provide for a board of control, defining its powers and duties, providing for the appointment of a superintendent,

defining his powers and duties and making an appropriation for the construction of a suitable building, etc."

Senate Concurrent Resolution No. 15, by Mr. Wynne, requesting the Criminal Court of Appeals to examine the code of criminal procedure of this State.

Senator Goulding was excused until Monday.

Senator Graham was excused until next Thursday on account of business.

Senator Chapman was excused until next Tuesday.

Senate adjourned until Monday, January 25, 1909 at 1:30 P. M.

SENATE JOURNAL.

NINETEENTH DAY.

Saturday January 23, 1909.

No Session.

SENATE JOURNAL.

TWENTIETH DAY.

Sunday, January 24, 1909.

No Session.

SENATE JOURNAL.

TWENTY-FIRST DAY.

Monday January 25, 1909.

The Senate met at 1:30 P. M. pursuant to adjournment.

Called to order by acting President Pro Tem Echols.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Browniee, Cloonan, Colville, Cordell, Davis, Echols, Eggerman, Franklin, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne, and Yeager. Total 37.

Absent and excused: Messrs. Chapman, Cunningham, Curd, Denton, Graham, Goulding and Sorrells. Total 7.

The President announced a quorum present.

Prayer by Senator Colville.

Petition No. 36 by Mr. Thomas, filed, read and referred to Committee on Appropriations.

Petition No. 37 by Mr. Cordell, filed read, and referred to Committee on School Lands.

The following Bills were introduced and read the first time:

Senate Bill No. 174 by Mr. Taylor, "An Act to enable the County Commissioners of any county in the State of Oklahoma, to issue the bonds of such county for the purpose of building, constructing, repairing or acquiring bridges."

Senate Bill No. 175 by Mr. Williams, "An Act requiring the Treasurer of the State Banking Board to give bond and declaring an emergency."

Senate Bill No. 176 by Mr. Russell, "An Act to amend Section 633, Chapter 8, Article 2, of the General Statutes of Oklahoma, relating to bank guaranty fund."

Senate Bill No. 177 by Mr. Thomas, "An Act relative to certain mortgage releases and assignments, and providing that suits to cancel the same shall be begun in one year from taking effect of this Act."

House Concurrent Resolution No. 11 by Mr. Turner, "Memorializing Congress to add to Platt National Park at Sulphur Springs, Oklahoma, the three portions of the Sulphur townsite lying south of said park."

Passed House, January 22, 1909.

House Concurrent Resolution No. 10 by Mr. Bryan was read.

Senator Eggerman asked unanimous consent to have the rules suspended and have the Resolution put on its final passage.

Request granted.

The Resolution was read at length.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Cloonan, Colville, Cordell, Davis, Echols, Eggerman, Franklin, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Brownlee, Chapman, Cunningham, Curd, Denton, Graham, Goulding, Moore, Soldani, Sorrells, Strain. Total 11.

The President declared the resolution passed.

President Pro Tem Echols signed House Concurrent Resolution No. 10, same was ordered transmitted to the House.

Bills read the second time and referred to the following Committees:

Senate Bill No. 163 by Mr. Redwine, to Committee on Judiciary No. 2.

Senate Bill No. 164 by Mr. Cordell, to Committee on Judiciary No. 2.

Senate Bill No. 165 by Mr. Cunningham, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 166 by Mr. Cunningham, to Committee on Public Buildings.

Senate Bill No. 167 by Mr. Thomas, to Committee on Judiciary No. 1.

Senate Bill No. 168 by Messrs. Yeager and Strain, to Committee on Oil, Gas and Mineral Lands.

Senate Bill No. 169 by Mr. Allen, to Committee on Judiciary No. 2.

Senate Bill No. 170 by Mr. Cunningham, to Committee on Appropriations.

Senate Bill No. 171 by Mr. Echols, to Committee on Judiciary No. 1.

Senate Bill No. 172 by Mr. Stafford, to Committee on Roads and Highways.

Senate Bill No. 173 by Mr. Williams, to Committee on Appropriations.

Senate Concurrent Resolution No. 14 by Mr. Franklin, to Committee on Indian Affairs.

Senate Concurrent Resolution No. 15 by Mr. Wynne, to Committee on Codes Revision.

Senate Bill No. 60 was read at length the third time and placed on its final passage.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Colville, Cordell, Davis, Echols, Eggerman, Franklin, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Strain, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Cloonan, Hatchett, Smith and Stewart. Total 4.

Absent and excused: Messrs. Allen, Chapman, Cunningham, Curd, Denton, Graham, Goulding, Moore, Soldani, Sorrels, and Updegraff. Total 11.

The President declared the Bill passed.

Senate Bill No. 35 by Mr. Eggerman, was read at length the third time.

On request of Senator Eggerman the bill was laid over until the next Legislative day.

President Pro Tem Echols signed engrossed copy of Senate Bill No. 19, same was ordered transmitted to the House.

President Pro Tem Echols signed engrossed copy of Senate Bill No. 60, by Mr. Taylor, same was ordered transmitted to the House.

President Pro Tem Echols signed engrossed copy of Senate Bill No. 42 by Mr. Franklin, same was ordered transmitted to the House.

A message from the Governor informing the Senate of the report of the Land Appraisers, was received and read.

Senator Redwine moved that a thousand copies of the Gopernor's message be printed.

Senator Blair moved as a substitute that the Governor's message be laid over for a day.

Vote was taken on the substitute and the President declared the motion lost.

A vote was taken on the original motion.

Carried.

Senator Franklin requested to withdraw from the Special Committee appointed in accordance with Senate Concurrent Resolution No. 11 and have the name of Senator Hatchett inserted.

Request granted.

Senator Roddie asked unanimous consent to submit a Committee report.

Request granted.

The Committee on Banks and Banking, reported, recommending that Senate Bill No. 142 do pass.

Report received.

Senator Eggerman asked unanimous consent to introduce a petition.

Request granted.

Petition No. 38 by Mr. Eggerman, filed, read and referred to Committee on Revenue and Taxation.

The Senate resolved itself into a Committee of the Whole to consider General orders.

The Committee of the Whole reported, recommending that Senate Bill No. 118 do pass as amended; and as to Senate Bills Nos. 39, 11, 126, 58, and 133 report progress and ask leave to sit again, and as to Senate Bill No. 94 was referred to a Special Committee of Three to report at 1:30 P. M. this day.

Report received.

Petition No. 39 by Mr. Echols, filed, read and referred to Committee on Education.

Senate Bill No. 178 by Mr. Echols, "An Act regulating procedure under the Anti-trust laws of the State of Oklahoma."

The Committee on Judiciary No. 1, reported, recommending that Senate Bills Nos. 123, and 32 do pass as amended; that Senate Bills Nos. 84, 143, 134, and 138 do pass; and that Senate Bills Nos. 44, 13, 33 and 86 do not pass.

Report received.

Senator Russell asked unanimous consent to have that part of the report in reference to Senate Bill No. 44 by Mr. Sorrells, laid over.

Request granted.

Senator Billups asked unanimous consent to have that part of the report in reference to Senate Bill No. 33, by Mr. Billups, laid over.

Request granted.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by Acting President Pro Tem Russell.

The following bills were introduced and read the first time:

Senate Bill No. 179 by Mr. Billups, "An Act providing for conducting the general primary, and special elections, creating state, county and precinct election boards; repealing amended Senate Bill No. 168 of the Act of 1908 and providing penalties for the violation of this Act."

Senate Bill No. 180 by Mr. Thomas, "An Act to prohibit the elective and appointive officers, clerks, etc, from being pecuniarily interested in any contract, purchase or sale made by, or with, such city, etc, from being interested in any co-partnership, corporation, etc."

Senate Bill No. 181 by Mr. Thomas, "An Act to prohibit and make unlawful for any and all city officials, etc, to take, receive or retain, more than one salary on account of services rendered as such officials, etc, and to prescribe penalties for the violation thereof, and for other purposes."

Senate Bill No. 182 by Mr. Thomas, "An Act to prohibit the reserving etc, of the free and unlimited use of streets, avenues, etc., by the public."

Senate Bill No. 183 by Mr. Thomas, "An Act to authorize cities of the first class, etc., to levy and collect a license tax in addition to all other taxes, etc."

Senate Bill No. 148 by Mr. Wynne, "An Act to authorize the citizens of certain townships to vote bonds for the purpose of building a bridge across the South Canadian River."

Senate Bill No. 185 by Mr. Wynne, "An Act to provide for systematic hygienic and temperance intsruction in public schools."

Senate Bill No. 186 by Mr. Newell, "An Act authorizing and giving power to the County Commissioners of any County in the State of Oklahoma, to pay for the reconstrumtion or repairing of county bridges destroyed by flood, and declaring an emergency."

Senator Cunningham was excused until next Wednesday, January 27.

The Senate resolved itself into a Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting House Bills Nos. 42, 107 and 12. The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting House Bills, Nos. 74 and 40.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bills Nos. 58, 44, 41, 146, 96 and 9 do pass, that Senate Bill No. 52 be made a Special Order for Wednesday at 2 P. M., that Senate Bills Nos.

80, 34, 66, 69 and Senate Joint Resolution No. 6, be laid over and retain their places on the calendar, and that Senate Bills Nos. 94 and 108, be referred to the Committee on Judiciary No. 2, that Senate Bill No. 105 be referred to a Special Committee.

Report received.

Senator Thomas asked unanimous consent to submit a Committee report.

Request granted.

The Committee on Legal Adpisory reported, recommending that Senate Bill No. 157 by Mr. Cordell, do pass.

Report received.

Senator Brownlee asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 187 by Mr. Brownlee, "An Act legalizing the special election at Kingfisher, Oklahoma, and declaring an emergency."

Senate Bill No. 188 by Mr. Hatchett, by request. "An Act providing for organization of Justice of the Peace Districts prescribing fees for the Justice of the Peace and Constables; repealing House Bill No. 218 of Chapter 47 of the Session Laws of Oklahoma, 1907-08."

Senate Bill No. 189 by Mr. Goulding, "An Act relating to Fire Insurance, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency."

Senate Bill No. 190 by Mr. Echols, "An Act authorizing the State Auditor to appoint an assistant and clerical and stenographical employees in his office, to fix their compensation, to repeal all laws in conflict herewith and declaring an emergency."

Petition No. 40 by Mr. Colville, filed, read and referred to Committee on Privileges and Elections.

Petition No. 41 by Mr. Stafford, filed, read and referred to Committee on Privileges and Elections.

Senator Billups moved that in the case of the contest pending in this body between, Frank L. Warren, a contestant, vs. Homer S. Hurst, a contestee, that a copy of the petition of contest filed herein be served by the Sergeant-at-Arms upon the contestee, Homer S. Hurst, and that said contestee e given three days in which to file an answer thereto before the Committee on Privileges and Elections.

The question being shall the motion prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Davis, Echols, Eggerman, Franklin, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Stafford, Stewart, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Cunningham, Curd, Denton, Graham, Goulding, Moore, Potter, Roddie, Sorrels, and Updegraff. Total 12.

The President announced that the motion had carried and instructed the Sergeant-at-Arms to govern himself accordingly.

Senate adjourned until 1:30 P. M., Tuesday, January 26, 1909.

SENATE JOURNAL.

TWENTY-SECOND DAY.

Tuesday, January 26, 1909.

Senate met at 1:30 P. M. pursuant to adjournment.

Called to order y Acting President Pro Tem Echols.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Davis, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrels, Thomas, Taylor, Updegraff, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Cunningham, Curd, Denton and Graham. Total 4.

The President announced a quorum present.

Prayer by the Chaplain.

Invitation from the retailers association of the State of Oklahoma read.

Senator Colville moved that the invitation be accepted.

Motion carried.

The following bills were introduced and read the first time:

Senate Bill No. 191 by Mr. Smith. "An Act to amend Chapter 17, Article 11, Section 1416 of the General Statutes of Oklahoma, 1908, being Chapter 25, Article 27, Section 2173 and 2174 of the Statutes of Oklahoma 1893, relating to adultery and to repeal all laws in conflict herewith."

Senate Bill No. 192 by Mr. Allen, "An Act defining the offense of carrying deadly weapons and providing the punishment therefor and declaring an emergency."

Senate Bill No. 193 by Mr. Allen, "An Act to amend Section 777 and 778 of Article 5 of the General Statutes of Oklahoma, 1908, providing for the improvement of streets and other public places, etc."

Senate Bill No. 194 by Mr. Johnson, "An Act relating to costs in Justice of the Peace Courts, repealing Section 3614 of the General Statutes of Oklahoma, 1908."

Reports of Standing Committees.

The Committee on Oil, Gas and Mineral Lands reported, recommending that Senate Bill No. 168 do pass.

Report received.

The Committee on Revenue and Taxation reported, recommending that Senate Bill No. 161 do pass.

Report received.

The Committee on Fish and Game reported, recommending that Senate Bill No. 2 do pass as amended.

Report received.

The Committee on Fish and Game reported, recommending that Senate Concurrent Resolution No. 5 do pass.

Report received.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 88 do pass as amended.

Report received.

The Committee on Appropriations reported, recommending that Senate Bill No. 152 do pass.

Report received.

Petition No. 42, by Mr. Williams, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 43 by Mr. Brownlee, by request, filed, read and referred to Committee on Privileges and Eelections.

Petition No. 44 by Mr. Stafford, by request, filed, read and referred to Committee on Privileges and Eelections.

Petition No. 45 by Mr. Smith, by request, filed, read and referred to Committee on Privileges and Elections.

Introduction of Resolutions.

Senate Concurrent Resolution No. 16 by Mr. Stewart.

On motion of Senator Stewart the Resolution was read.

Senator Stewart asked to have the rules suspended and have the resolution put on its final passage.

A message was received from the House, transmitting House Joint Memorial No. 4 and House Concurrent Resolution No. 10.

The question being, shall the rules be suspended, vote was taken and the President declared the rules suspended.

The question being, shall the Resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Davis, Echols, Eggerman, Goulding, Franklin, Hurst, Johnson, Keys, Landrum, Memminger, Moore, Mitchell, Morris, Redwine, Roddie, Russell, Stewart, Strain, Soldani, Sorrels, Thomas, Updegraff, Williams, Wynne and Yeager. Total 34.

Nays: Messrs. Hatchett, Potter, Smith and Taylor. Total 4.

Absent and excused: Messrs. Cunningham, Curd, Denton, Graham, Newell, and Stafford. Total 6.

The President declared the Resolution passed.

President Pro Tem Echols signed enrolled copy of House Concurrent Resolution No. 10, by Mr. Bryan, same was ordered transmitted to the House.

On motion of Senator Keys House Concurrent Resolution No. 5, was read.

Senator Keys asked to have the rules suspended and that the Resolution be put on its final passage.

Vote was taken and the President declared the rules suspended.

The question being, shall the Resolution pass, vote was taken and the President declared the Resolution passed.

The following bills were read the first time:

House Bill No. 12 by Mr. White, "An Act to prevent frauds between attorneys, clients and defendants making agreements between attorneys and clients a lien upon their claims or cause of action, etc."

House Bill No. 40 by Mr. Durant, "An Act to regulate the practice of veterinary, medicine, surgery and dentistry, in the State of Oklahoma, and providing penalties for the violation thereof."

House Bill No. 42 by Mr. Wortman, "An Act to amend Section 1450 Chapter 17, Article 16, of the General Statutes of Oklahoma, 1908 by increasing punishment for burglary in certain cases."

House Bill No. 74 by Mr. Wallace, "An Act appropriating funds reimbursing the State Treasurer for necessary expenses incident to Printing, Lithographing and selling State Bonds. "

House Bill No. 107 by Mr. Cope, "An Act repealing Article 1, Chapter 55 of the General Statutes of Oklahoma, 1908."

Bills read the second time and referred to the following Committees:

Senate Bill No. 174 by Mr. Taylor, to Committee on State and County Affairs.

Senate Bill No. 175 by Mr. Williams, to Committee on Banks and Banking.

Senate Bill No. 176 by Mr. Russell, to Committee on Banks and Banking.

Senate Bill No. 177 by Mr. Thomas, to Committee on Judiciary No. 2.

Senate Bill No. 178 by Mr. Echols, to Committee on Judiciary No. 1.

Senate Bill No. 179 by Mr. Billups, to Committee on Privileges and Elections.

Senate Bill No. 180 by Mr. Thomas, to Committee on Judiciary No. 1.

Senate Bill No. 181 by Mr. Thomas, to Committee on Legal Advisory.

Senate Bill No. 182 by Mr. Thomas, to Committee on Municipal Corporations.

Senate Bill No. 183 by Mr. Thomas, to Committee on Municipal Corporations.

Senate Bill No. 184 by Mr. Wynne, to Committee on Legal Advisory.

Senate Bill No. 185 by Mr. Wynne to Committee on Education.

Senate Bill No. 186 by Mr. Newell, to Committee on State and County Affairs.

Senate Bill No. 187 by Mr. Brownlee, to Committee on Judiciary No. 1

Senate Bill No. 188 by Mr. Hatchett, by request, to Committee on Judiciary No. 1.

Senate Bill No. 189 by Mr. Goulding, to Committee on Insurance.

Senate Bill No. 190 by Mr. Echols, to Committee on Judiciary No. 1.

On motion of Senator Allen House Concurrent Resolution No. 11, was read.

Senator Allen asked to have the rules suspended and have the Resolution put on its final passage.

Vote was taken.

The President declared the rules suspended.

The question being, shall the Resolution pass. vote was taken and the President declared the Resolution passed.

Senate Bill No. 74 was read at length the third time and placed upon

its final passage.

The question being, shall the Bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Allen, Beeler, Blair, Billups, Brownlee, Cloonan, Colville, Cordell, Davis, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 38.

Nays: None.

Absent and excused: Messrs. Cunningham, Chapman, Curd, Denton, Graham, and Newell. Total 6.

The President declared the Bill passed.

Senator Stafford called up the motion he had lodged to reconsider the vote by which the Committee report on changing the rules, the hour of meeting from 1:30 P. M. to 10 A. M. was lost.

Roll call which resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Echols, Eggerman, Franklin, Goulding, Hurst, Johnson, Landrum, Mitchell, Morris, Roddie, Russell, Smith, Stafford, Strain, Sorrels, Taylor, Thomas, Williams, and Wynne. Total 23.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Hatchett, Keys, Memminger, Moore, Potter, Redwine, Stewart, Soldani, Updegraff and Yeager. Total 15.

Absent and excused. Messrs. Cunningham, Curd, Davis, Denton, Graham and Newell. Total 6.

The President declared the motion carried.

The question being shall the Committee report, changing the rules be adopted.

The roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Davis, Echols, Eggerman, Franklin, Goulding, Hurst, Johnson, Mitchell, Morris, Roddie, Russell, Smith, Stafford, Strain, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 24.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Hatchett, Keys, Memminger, Moore, Potter, Stewart, Soldani, and Updegraff. Total 13.

Absent and excused: Messrs. Cunningham, Curd, Denton, Graham, Landrum, Newell and Redwine. Total 7.

The President declared the Committee report adopted.

President Pro Tem Echols signed engrossed copy of Senate Concurrent Resolution No. 16, same was ordered transmitted to the House.

President Pro Tem Echols signed engrossed copy of House Concurrent Resolution No. 5, same was ordered transmitted to the House.

President Pro Tem Echols signed engrossed copy of House Concurrent Resolution No. 11, same was ordered transmitted to the House.

President Pro Tem Echols signed engrossed copy of Senate Bill No. 71, same was ordered transmittee to the House.

The Third Reading of Bille was postponed until Wednesday, January 27, at 10 A. M.

The Senate resolved itself into Committee of the Whole to consider general orders.

The Committee of the Whole House arose temporarily to receive a message from the House transmitting House Bills No. 66 and 69. Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting House Concurrent Resolutions Nos. 5 and 11. Committee of the Whole resumed business.

The Committee of the Whole reported having had under consideration Senate Bill No. 39, report progress and ask leave to sit again.

Report received.

Senator Landrum was excused for the balance of the day.

Senator Yeager asked to have Senate Bill No. 13 re-referred to the Committee on Judiciary No. 1.

Request granted.

Senator Cordell asked to have Senate Bill No. 122 withdrawn from the Committee on Codes Revision and re-referred to the Committee on Judiciary No. 2.

Request granted.

Senator Billups asked to have Senate Bill No. 33 re-referred to Committee on Judiciary No. 1.

Request granted.

Senator Williams asked to have Senate Bill No. 30 withdrawn from the Committee on Public Buildings and referred to the Committee on Hospitals and Charities.

Request granted.

Senator Roddie asked to have Senate Bill No. 15 referred to the Committee on Revisions, Compilation, Style and Arrangement, for the purpose of having the Sections re-arranged.

Senator Memminger moved that the request be granted.

Motion carried.

President Pro Tem Echols signed the enrolled copy of House Concurrent Resolution No. 5, same was ordered transmitted to the House

President Pro Tem Echols signed the enrolled copy of House Concurrent Resolution No. 11, same was ordered transmitted to the House.

Senator Davis asked to have Senate Bill No. 131 withdrawn from the Committee on Judiciary No. 2, and referred to the Committee on State and County Affairs.

Request granted.

Petitions Nos. 46 to 97 inclusive by Mr. Brownlee, filed, read and referred to the Committee of the Whole.

Senate adjourned until 10 A. M., Wednesday, January 27, 1909.

SENATE JOURNAL.

TWENTY-THIRD DAY.

Wednesday, January 27, 1909.

Senate met at 10 A. M., pursuant to adjournment.

Called to order by Acting President Pro Tem Russell.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Cloonan, Chapman, Davis, Echols, Eggerman, Franklin, Colville, Cordell, Cunningham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Curd, Denton, Graham, and Memminger. Total 4.

The President announced a quorum present.

Prayer by the Chaplain.

Petition No. 98 by Mr. Wynne, filed, read and referred to Committee on Legal Advisory.

Petition No. 99 by Mr. Allen, filed, read and referred to Committee on State and County Affairs.

Senate Concurrent Resolution No. 17 by Mr. Smith read at length and referred to Committee on Senate and Legislative Affairs.

The Journals for the 18th and 20th day's sessions were approved as corrected.

The following bills were introduced and read the first time.

Senate Bill No. 195 by Mr. Billups, "An Act relating to the sale of Goods, Wares and Merchandise by itinerant peddlers and providing penalties for the violation of this Act.

Senate Bill No. 196 by Mr. Landrum, "An Act providing for certain changes in Township Laws and creating other duties for the Township Board, fixing a Poll Tax, providing for the collection thereof, fixing a specific dog tax, manner of collection and disbursement of same.

House Bill No. 66 by Mr. Maxey, "An Act providing for one trial only in action for the recovery of real property, and repealing Section 5356 of Article 3, of Chapter 65, of the General Statutes of Oklahoma, 1908."

House Bill No. 69, by Mr. Ross, "An Act defining court files and providing for their preservation and service."

House Joint Memorial and Petition No. 4 by Mr. Lincoln, "The Legislature of the State of Oklahoma to the Honorable James Wilson, Secretary of Agriculture, Washington, D. C."

Bills read the second time and referred to the following Committees:

House Bill No. 12 by Mr. White, to Committee on Judiciary No. 1.

House Bill No. 40 by Mr. Durant, to Committee on Agriculture, Quarantine, and Animal Industry.

House Bill No. 42 by Mr. Wortman, to Committee on Judiciary No. 2.

House Bill No. 74 by Mr. Wallace, to Committee on Appropriations.

House Bill No. 107 by Mr. Cope, to Committee on State and County Affairs.

Senate Bill No. 191 by Mr. Smith, to Committee on Judiciary No. 1.

Senate Bill No. 192 by Mr. Allen, to Committee on Judiciary No. 2.

Senate Bill No. 193 by Mr. Allen, to Committee on Municipal Corporations.

Senate Bill No. 194 by Mr. Johnson, to Committee on State and County Affairs.

Senator Yeager asked to have Senate Bill No. 13 withdrawn from the Committee on Judiciary No. 1, and re-referred to Committee on Judiciary No 2.

Request granted.

Reports of Standing Committees.

The Committee on Revenue and Taxation reported, recommending that Senate Bill No. 162 do pass.

Report received.

Senator Davis was excused for the day.

Bills on Third Reading.

Senate Bill No. 35 by Mr. Eggerman was read at length and laid over.

Senate Bill No. 118 by Mr. Wynne was read at length.

On motion of Senator Wynne, Senate Bill No. 118 was referred to Committee on Revision, Compilation, Style and Arrangement.

Senate Bill No. 41 by Mr. Russell was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Eggerman, Franklin, Goulding, Hurst, Johnson, Keys, Mitchell, Moore, Morris, Newell, Russell, Smith, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Cunningham. Total 1.

Absent and excused: Messrs. Cloonan, Curd, Davis, Denton, Echols, Graham, Hatchett, Landrum, Memminger, Potter, Redwine, Roddie and Stafford. Total 13.

The President declared the bill passed.

Senate Bill No. 146 by Mr. Russell was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Colville, Eggerman, Franklin, Goulding, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Newell, Russell, Smith, Stewart, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Messrs Cordell, Cunningham, Sorrels, and Updegraff. Total 4.

Absent and excused: Messrs. Chapman, Cloonan, Curd, Denton, Davis, Echols, Graham, Hatchett, Memminger, Potter, Redwine, Roddie, Stafford. Total 13.

The President declared the bill passed.

The question being shall an emergency be declared, the roll being called on the emergncy section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Davis, Eggerman, Franklin, Goulding, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Newell, Redwine, Russell, Smith, Stewart, Strain, Soldani, Taylor, Thomas, Williams and Wynne. Total 26.

Nays: Messrs Brownlee, Chapman, Colville, Cunningham, Sorrells, Updegraff and Yeager. Total 7.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Denton, Echols, Graham, Hatchett, Memminger, Potter, Roddie and Stafford. Total 11.

The President declared the Emergency Section, failing to receive a two-thirds majority, had lost.

Senator Smith lodged a motion to reconsider the vote by which the Emergency Section to Senate Bill No. 146 was lost.

Senate Bill No. 9 by Mr. Billups was read at length the third time.

Senator Landrum offered the following amendment: "Amend Senate Bill No. 9, Section 1. by striking out the first and second Sections ending with the word 'Order' in line 9 of the printed bill and substitute the following. 'Section one, where deemed necessary to sell or mortgage the homestead of an insane husband or wife. the husband or wife not insane shall make application to the County Court in which the Homestead is located, and upon proof of such insanity the Court may make an order permitting the husband or wife. not insane to sell and convey or mortgage such homestead. The Court in its discretion may order a public or private sale with or without notice."

The question being, shall the Amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Colville, Eggerman, Hatchett, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Russell, Strain, Sorrels, Updegraff and Yeager. Total 14.

Nays: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Goulding, Morris, Newell, Redwine, Smith, Stafford, Taylor, Thomas and Williams. Total 16.

Absent and excused: Messrs. Allen, Cloonan, Curd, Davis, Denton, Echols, Franklin, Memminger, Graham, Potter, Roddie, Stafford, Soldani and Wynne. Total 14.

The President declared the amendment lost.

The question being, shall the bill pass.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Franklin, Goulding, Hatchett, Hurst, Keys, Mitchell, Moore, Morris, Newell, Redwine, Russell, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Williams and Yeager. Total 22.

Nays: Messrs. Allen, Beeler, Brownlee, Chapman, Colville, Cunningham, Eggerman, Johnson, Landrum, Smith and Updegraff. Total 11.

Absent and excused: Messrs. Cloonan, Curd, Davis, Denton, Echols, Franklin, Memminger, Graham, Potter, Roddie, Stafford, Soldani, and Wynne. Total 13.

The President declared the Bill lost.

Senator Blair lodged a motion to reconsider the vote by which Senate Bill No. 9 was lost.

Senator Goulding requested to have Senate Bill No. 55, on general orders on the calendar, withdrawn and referred to the Committee on Private Corporations.

Request granted.

President Pro Tem Russell signed engrossed copy of Senate Bill No. 41, same was ordered transmitted to the House.

Senator Hatchett moved to have the Committee on Printing instructed to have all the necessary pages cut out of the Journal, Calendar, Bills and other printed matter.

A vote was taken, and the President declared the motion carried.

A message was received from the House, transmitting Senate Bill No. 24 as amended by the House.

The Senate resolved itself into the Committee of the Whole to consider general orders.

The Committee of the Whole reported, recommending that Senate Bills Nos. 126 and 105 do pass.

Report received.

On motion of Senator Blair, Senate Bill No. 24 was read as amended by the House.

Senator Blair moved that the Senate concur in the House amendments to Senate Bill No. 24

The roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Chapman, Colville, Cordell, Cunningham, Eggerman, Hurst, Johnson, Keys, Mitchell, Morris, Redwine, Russell, Smith, Strain, Soldani, Sorrels, Taylor, Thomas, Wynne and Yeager. Total 22.

Nays: Messrs. Brownlee, Echols, Hatchett, Landrum, Newell, Updegraff, and Williams. Total 7.

Absent and excused. Messrs. Beeler, Billups, Cloonan, Curd, Davis, Denton, Graham, Franklin, Goulding, Memminger, Moore, Potter, Roddie, Stafford and Stewart. Total 15.

The President declared the Senate had concurred in the House amendments to Senate Bill No. 24.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Chapman, Colville, Cordell, Cunningham, Eggerman, Franklin, Hurst, Johnson, Landrum, Keys, Mitchell, Morris, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrels, Taylor, Thomas, Wynne and Yeager. Total 25.

Nays: Messrs. Brownlee, Hatchett, Echols, Newell, Updegraff and Williams. Total 6.

Absent and excused: Messrs Beeler, Billups, Cloonan, Curd, Davis, Denton, Graham, Goulding, Memminger, Moore, Potter, Stafford and Stewart. Total 13.

The President declared the bill as amended had passed.

Senate recessed until 1:30 P. M.

Afternoon Session.

Senate was called to order by Acting President Pro Tem Echols.

A message from the Governor was received and read.

To the Honorable Legislature, State of Oklahoma:
Second Session.

I have to report to you the emergency which requires legislative attention in the matter of removing the State prisoners from the Kansas penitentiary, on or before next Sunday, January 31st, 1909, there being three hundred and thirty-six prisoners still in said penitentiary. Some legal authority must exist for detaining these persons at some point or points in our State, and the authority for designation of places must be created. I respectfully ask that the Attorney General be invited before your Committee this afternoon for the presentation of the facts and necessities as this day will have to be counted in order to create indispensible legislation on that subject. I also ask that you hear the Attorney General upon the necessity for immediate action on the deficiency appropriation relating to the care of prisoners.

Respectfully submitted,
C. N. HASKELL,
Governor.

On motion of Senator Williams, the Governor's message was referred to the Committee on Penal Institutions.

Senator Billups called up the motion lodged by Senator Blair to reconsider the vote by which Senate Bill No 9 was lost.

The question being, shall the vote by which Senate Bill No. 9 was lost be reconsidered, the roll being called the vote resulted as follows:

Yeas. Messrs. Billups, Blair, Chapman, Cordell, Echols. Eggerman, Franklin, Hatchett, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Newell, Roddie, Russell, Smith ,Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Brownlee, Cloonan, Colville, Cunningham, and Potter. Total 6.

Absent and excused: Messrs. Allen, Curd, Davis, Denton, Graham, Goulding, Memminger Redwine, and Updegraff. Total 9.

The President declared the vote reconsidered.

Senator Billups asked unanimous consent to have the word "County" changed to "District".

Request granted.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Keys, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Cunningham Total 6.

Absent and excused: Messrs. Allen, Curd, Davis, Denton, Graham,

Johnson, Landrum, Memminger and Updegraff. Total 9.

The President declared the Bill passed.

The hour having arrived for special orders, Sneator Eggerman called for special orders.

The Senate resolved itself into the Committee of the Whole to consider special orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of House Concurrent Resolution No. 8.

Committee of the Whole resumed business.

Committee of the Whole arose temporarily to receive a message from the House, transmitting Senate Bill No. 29 as amended by the House.

Committee of the Whole resumed business.

Committee of the Whole reported, recommending that Senate Bill No. 52 do pass as amended, and as to Senate Bill No. 39 report progress and ask leave to sit again.

Report received.

Senator Allen asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No 197 by the Committee on Penal Institutions, "An Act confering authority upon the board of Prison Control to designate, locate, and prepare for temporary detention of prisoners now detained in the State Penitentiary at Lansing, Kansas, and declaring an emergency."

Committee on Enrolled and Engrossed bills reported, stating that they found Senate Bill No. 24 correctly enrolled.

Report received.

President Pro Tem Echols signed enrolled copy of Senate Bill No. 24 same was ordered transmitted to the House.

Senator Redwine moved that the Senate do not concur in the House amendments to Senate Bill No. 29 and that a conference Committee of three be appointed with a like Committee from the House.

Motion carried.

President appointed Messrs. Redwine, Davis, and Eggerman as such Committee.

Senator Echols asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 198, by Mr. Echols, "An Act creating the office of Law Clerk to each of the Justices of the Supreme Court of the State of Oklahoma, defining his duties and fixing his compensation therefor."

Senate Bill No. 199 by Mr Echols, "An Act to amend Sections 11 and 41 of the General Statutes of Oklahoma, 1908, and to provide for resident agents for foreign corporations, etc."

Senate Concurrent Resolution No. 18 by Mr. Allen, "Providing for a special committee of three members from the Senate and three members from the House, etc."

Senate adjourned until 10 A. M., Thursday, January 28 1909.

SENATE JOURNAL.

TWENTY-FOURTH DAY.

Thursday, January 28, 1909.

Senate met at 10 A. M., pursuant to adjournment.

Called to order by Acting President Pro Tem Russell.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 41.

Absent and excused. Messrs Curd, Graham and Moore. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Memminger was excused for Wednesday, January 27th, for the day.

The following bills were introduced and read for the first time:

Senate Bill No. 200 by Mr. Franklin, "An Act providing for the publication of School Text Books by the State, and the furnishing of School Books and supplies free of cost to pupils attending the Public Schools of the State."

Reports of Standing Committees.

The Committee on Appropriations reported, recommending that House Bill No. 74 do pass.

Report received.

Bills read the second time and referred to the following Committees:

Senate Bill No. 195 by Mr. Billups, to Committee on Judiciary No. 2.

Senate Bill No. 196 by Mr. Landrum, by request, to Committee on State and County Affairs.

House Bill No 66 by Mr. Maxey, to Committee on Judiciary No. 1.

House Bill No. 69 by Mr. Ross, to Committee on Judiciary No. 1.

House Joint Memorial and Petition No. 4 by Mr. Lincoln, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 197 by Committee on Penal Institutions, to Committee on Penal Institutions.

Senate Bill No. 198 by Mr. Echols, to Committee on Judiciary No. 2.

Senate Bill No. 199 by Mr. Echols, to Committee on Judiciary No. 2.

Senate Concurrent Resolution No 18 by Mr. Allen.

Senator Allen asked to have the Resolution read.

Request granted.

Senator Allen asked unanimous consent to have the rules suspended and the Resolution put on its final passage.

Request granted.

The question being shall the Resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Davis, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Sorrels, Taylor, Thomas, Updegraff and Williams. Total 33.

Nays: Messrs. Denton and Yeager. Total 2.

Absent and excused: Messrs. Cloonan, Curd, Graham, Landrum, Moore, Stafford, Stewart, Soldani and Wynne. Total 9.

The President declared the Resolution passed.

Senator Davis: "I move, Mr. President, that the Joint Committee appointed under Senate Concurrent Resolution No. 18, be instructed to direct the State Librarian and Secretary of State, to order no more volumes of this 1908 statute, and to further direct the Secretary of State to issue no more vouchers to Pipes-Reed and Company and to further direct the State Auditor to issue no Warrants to Pipes-Reed and Company for the payment of the costs of these statutes until further direction of the Legislature."

The President appointed Senator Davis as a Committee of one to notify the Gentlemen of the Action of the Senate.

A message was received from the Governor which read as follows.

To the Legislature, State of Oklahoma, Second Session:

Supplementary to recent report on Special Appraisal of School Lands, I have the honor to transmit herewith the detail report of expenses, referred to in said message

Respectfully submitted,

C. N. HASKELL,

Governor.

The Governor's message was referred to the Committee on School Lands.

The following Resolution was read the first time:

House Concurrent Resolution No. 8 by Mr. Japp and Mr. Casteel, requesting the extension of time for payment of the 1908 rent in certain cases in the State.

Senator Thomas called for the third reading of Senate Bill No. 96.

Senator Thomas requested a call of the Senate.

Request granted.

President Pro Tem Echols signed engrossed copy of Senate Bill No. 9, same was ordered transmitted to the House.

Bills on Third Reading.

Senate Bill No. 35 by Mr. Eggerman was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs Billups, Blair, Colville, Cordell, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith,

Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Allen, Beeler, Brownlee, Chapman, Cunningham, Potter. Total 6.

Absent and excused: Messrs. Cloonan, Curd, Graham, Moore and Stafford. Total 5.

The President declared the Bill passed.

Senate Bill No. 58 by Mr. Hatchett was read at length the third time.

The question being, shall the bill pass, the roll was called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Davis, Echols, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Smith, Stafford, Strain, Soldani, Sorrels, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Allen, Beeler, Brownlee, Cunningham, Denton, Potter, Redwine, and Stewart. Total 8.

Absent and excused: Messrs Cloonan, Curd, Graham, Moore, Roddie, and Taylor. Total 6.

The President declared the Bill passed.

Senate Bill No. 118 by Mr. Wynne was read at length the third time.

The question being, shall the Bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Franklin, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Allen, Beeler, Brownlee, Davis, Redwine and Stafford. Total 6.

Absent and excused: Messrs. Cloonan, Curd, Graham, Hatchett and Moore. Total 5.

The President declared the Bill passed.

Senator Yeager called up the motion he had lodged to reconsider the vote by which Senate Bill No. 93 was lost

The question being shall the vote by which Senate Bill No. 93 was lost be reconsidered, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Cordell, Eggerman, Franklin, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Smith, Strain, Soldani, Sorrells, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Allen, Beeler, Brownlee, Chapman, Cunningham, Davis, Denton, Echols, Potter, Roddie, Stafford, Stewart, Thomas and Updegraff. Total 14.

Absent and excused: Messrs. Cloonan, Curd, Graham, Hatchett, Moore, Redwine, and Taylor. Total 7.

The President declared the vote reconsidered.

The question being, shall the Bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Cordell, Denton, Franklin, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Smith, Strain, Soldani, Sorrells, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Allen, Beeler, Brownlee, Chapman, Cunningham, Davis, Echols, Hatchett, Potter, Redwine, Stafford, Stewart, Thomas, and Updegraff. Total 14.

Absent and excused: Messrs. Cloonan, Curd, Eggerman, Graham, Moore, Roddie, and Taylor. Total 7

The President declared the bill passed.

Senator Thomas moved that the call of the Senate be raised and the vote be taken on Senate Bill No. 96.

The President declared the motion carried.

Senate Bill No. 96 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Eggerman, Goulding, Johnson, Keys, Landrum, Newell, Potter, Redwine, Smith, Stewart, Strain, Soldani, Thomas, Updegraff, and Williams. Total 24.

Nays: Messrs. Blair, Davis, Denton, Echols, Franklin, Hatchett, Hurst, Memminger, Mitchell, Morris, Roddie, Russell, Stafford, Sorrells, Taylor, Wynne and Yeager. Total 17.

Absent and excused: Messrs. Curd, Graham and Moore. Total 3.

The President declared the Bill passed.

Senator Thomas moved that the vote by which Senate Bill No. 96 had passed be reconsidered.

Senator Thomas moved to lay the motion to reconsider the vote by which Senate Bill No 96 had passed, on the table.

Vote was taken and the President declared the motion to lay on the table had carried.

Senator Thomas asked unanimous consent to withdraw the Emergency Section from Senate Bill No. 96.

Request granted.

Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by Acting President Pro Tem Echols.

A. D. Cowling, assistant engrossing clerk, was excused until next Monday.

Senate Bill No. 126 by Mr. Sorrells, was read at length the third time.

The question being shall the Bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Denton, Echols, Eggerman, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Cunningham, Curd, Davis, Franklin, Graham, Moore, Potter, Redwine, Russell and Updegraff Total 13.

The President declared the Bill passed.

The question being shall an Emergency be declared, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Denton, Echols, Eggerman, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Smith, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 31.

Nays: Mr. Stafford. Total 1.

Absent and excused: Messrs. Beeler, Billups, Cunningham, Curd, Davis, Franklin, Graham, Hatchett, Moore, Potter, Russell and Updegraff. Total 12.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Redwine lodged a motion to reconsider the vote by which Senate Bill No. 118 had passed.

The Secretary informed the Senate that Senate Bill No. 118 had been transmitted to the House.

Senator Redwine moved to have Senate Bill No. 118 recalled from the House.

Vote was taken.

The President declared the motion lost.

President Pro Tem Echols signed engrossed copy of Senate Bill No 126, same was ordered transmitted to the House.

Senator Redwine moved that the consideration of Senate Bill No. 1 be postponed and made a special order for tomorrow at 1:30 P. M.

Senator Stafford offered as a substitute that Senate Bill No. 1 be postponed and made a special order for next Monday at 10 A. M.

A vote was taken on the substitute and the President declared the substitute motion lost.

Vote was taken on the original motion and the President declared the motion lost.

A message was received from the House, transmitting the enrolled and engrossed copies of Senate Bill No. 24, signed by the Speaker.

On motion of Senator Roddie, Senator Echols was elected Acting President Pro Tem.

Senator Roddie moved that the Senate adopt the report of the Committee on Revision, Compilation, Style and Arrangement on Senate Bill No. 15.

Vote was taken and the President declared the motion carried.

Senator Roddie requested that Senate Bill No. 15 be referred to the Committee on Enrolled and Engrossed Bills.

Request granted.

The Journals of the 22d and 23d days' sessions were approved

The time having arrived for the special order, Senator Morris called for consideration of Senate Bill No. 1.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole reported having had under consideration Senate Bill No. 1, report progress and ask leave to sit again.

Report received.

Senate Bill No. 24 by Mr. Russell was read at length the fourth time.

President Pro Tem Echols signed enrolled copy of Senate Bill No. 24.

The title of the Bill was agreed to.

Same was ordered transmitted to the Governor.

Senator Eggerman called for the third reading of Senate Bill No. 52.

Senate Bill No. 52 was read at length the third time.

Senator Blair offered the following amendment to Senate Bill No. 52:

Amend Section 1, page 1, line2, by striking out the word "And" and inserting in lieu thereof the word "or".

Vote was taken and the President declared the amendment adopted

Senator Cunningham requested a call of the Senate, joined in by Messrs. Beeler and Potter.

Senator Eggerman asked to have the absentees excused.

Senator Taylor moved that further action on Senate Bill No. 52 be deferred until tomorrow.

Motion carried.

Senator Cunningham withdrew his call of the Senate.

Senator Allen offered the following Resolution, No. 90, "Resolved that all that portion of the letter of Commander Higgins, read as a part of the speech of Senator Cunningham, which reflects upon the members of this body or which asperses the Confederate Soldiers be expunged from the records of this Senate.

Vote was taken and the President announced that the Resolution carried by unanimous vote.

Senator Colville was excused on account of sickness.

Wm. Demland, Senate Messenger, was excused until Monday.

Reports of Standing Committees.

The Committee on State and County Affairs, reported, recommending that Senate Bill No. 6 by Mr. Hatchett, do pass, and that Senate Bill No. 67 by Mr. Davis, do not pass.

Report adopted.

Committee on State and County Affairs reported, recommending that Senate Bill No. 156 do pass as amended.

Report received.

Committee on State and County Affairs reported, recommending that Senate Bill No. 90 do pass as amended.

Report received.

President Pro Tem Echols signed engrossed copy of Senate Bill No. 96, same was ordered transmitted to the House.

President Pro Tem Echols signed enrolled copy of Senate Bill No. 53, same was ordered transmitted to the House.

President Pro Tem Echols signed enrolled copy of Senate Bill No. 35, same was ordered transmitted to the House.

President Pro Tem Echols signed the enrolled copy of Senate Bill No. 93, same was ordered transmitted to the House.

President Pro Tem Echols signed engrossed Copy of Senate Concurrent Resolution No. 18, same was ordered transmitted to the House.

The following bills were introduced and read the first time:

Senate Bill No. 201 by Mr. Redwine, "An Act repealing Sections 1, 2, 3, 4, and 5 session laws of 1907 and 1908, etc., the same being sections 6070, 6071, 6072, 6073 and 6074 of the General Statutes of 1908, entitled "An Act to provide for a graduated tax on land etc."

Senate Bill No. 202 by Mr. Yeager, "An Act to provide for the inspection of Oil, the appointment and compensation of chief oil inspector and deputy inspectors, and for other purposes, repealing Chapter 27 of Session Laws of 1908."

Senate Bill No. 203 by Messrs, Landrum and Keys, "An Act re-establishing a State Home at Pryor Creek and naming it, providing for a Board of Control, fixing the compensation of its members, declaring their duties and providing for the admission of inmates and placing therein families."

Petition No. 99 by Mr. Cordell, filed, read and referred to Committee on Municipal Corporations.

Senator Williams moved that when we do adjourn, that we adjourn until 1:30 P. M. Vote was taken and the President declared the motion prevailed.

Senate adjourned until 1:30 P. M., Friday, January 29, 1909.

SENATE JOURNAL.

TWENTY-FIFTH DAY.

Friday, January 29, 1909.

Senate met at 1:30 P. M., pursuant to adjournment.

Called to order by Acting President Pro Tem Russell.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Lendrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 38.

Absent and excused. Messrs. Beeler, Colville, Echols, Graham, Moore, and Stafford. Total 6.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the 24th day's session was approved.

A message was received from the House, which read as follows:

To the Honorable President of the Senate:

Sir: I have the honor to inform the Senate that the House of Representatives has agreed to the request of the Senate for the appointment of a Committee from the House to confer with a like Committee from the Senate to further consider Senate Bill No. 29 by Mr. Redwine, and has appointed as such Committee Messrs. Ross, Maxey and Burnette.

Senator Davis was excused on account of sickness.

Senator Stafford was excused on account of business.

Senator Cordell was excused until Monday.

Senator Cunningham was excused until Monday.

A message was received from the House transmitting engrossed copies of House Bills Nos. 224 and 301, signed by the Speaker.

The following bills were introduced and read the first time:

Senate Bill No. 204 by Mr. Goulding, "An Act providing for the creation of a Board of Abstractors, defining their powers and duties, and declaring an emergency."

Senate Bill No. 205 by Mr. Billups, "An Act to protect the wages of mechanics and laborers."

Senate Bill No. 206 by Mr. Brownlee, "An Act to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, Chapter 34, Session Laws of Oklahoma, 1895 entitled, 'An Act to provide for the Public Inspector of Oil etc.,' also, to repeal Sections 1 to 7 inclusive, Chapter 21, Session Laws of 1899, entitled 'An Act to amend an act entitled, An Act to provide for the Public Inspector, etc.'"

Senate Bill No. 207 by Mr. Brownlee, "An Act to provide for the di-

vision of Blaine County into two County Court Districts, designating court towns, terms of court and class of cases to be tried in each District."

Reports of Standing Committees.

The Committee on Appropriations reported, recommending that Senate Bill No. 117 do pass as amended.

Report received.

The Committee on Codes Revision reported, recommending that Senate Bill No. 63 do pass as amended.

Report received.

The Committee on Codes Revision reported, recommending that Senate Bill No. 122, do pass; that Senate Bill No. 108 do not pass; and that Senate Bill No. 92 do pass as amended.

Report adopted.

The Committee on Insurance reported, recommending that Senate Bills Nos. 120 and 189 do pass.

Report received.

Petition No. 100 by Mr. Brownlee, filed, read and referred to the Committee on Oil, Gas and Mineral Lands.

Bills read the second time and referred to the following Committees:

Senate Bill No. 200 by Mr. Franklin, to Committee on Education.

Senate Bill No. 201 by Mr. Redwine, to Committee on Revenue and Taxation.

Senate Bill No. 202 by Mr. Yeager, to Committee on Oil, Gas, and Mineral Lands.

Senate Bill No. 203 by Messrs. Landrum and Keys, to Committee on Hospitals and Charities.

House Concurrent Resolution No. 8, by Messrs. Japp and Casteel,

Senator Thomas asked to have House Concurrent Resolution No. 8, read at length.

Request granted.

Senator Thomas asked to have the rules suspended and have the Resolution put upon third reading and final passage.

Request granted.

The question being, shall the Resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Denton, Eggerman, Goulding, Johnson, Keys, Landrum, Mitchell, Morris, Russell, Strain, Sorrells, Taylor, Thomas, and Williams. Total 16.

Nays: Messrs, Allen, Billups, Brownlee, Chapman, Cloonan, Cunningham, Curd, Franklin, Hatchett, Memminger, Potter, Redwine, Roddie, Smith, Stewart, Wynne and Yeager. Total 17.

Absent and excused: Messrs. Beeler, Colville, Davis, Echols, Graham, Hurst, Moore, Newell, Stafford, Soldani and Updegraff. Total 11.

The President declared the Resolution lost.

Senator Beeler was excused for the day.

On motion of Senator Eggerman, Messrs. Newell, Echols, and Moore

were appointed as a Committee in accordance with Senate Concurrent Resolution No. 16.

Messrs. Newell, Echols and Moore were excused until next Monday.

Senator Eggerman asked unanimous consent to introduce a petition. Request granted.

Petition No. 101 by Mr. Eggerman, filed, read and referred to the Committee of the Whole.

On motion of Senator Williams, Senator Colville was excused on account of sickness.

Bills on Third Reading.

Senate Bill No. 52 having been previously read, Senator Brownlee offered the following amendment:

"In Section 1, line 2, strike out the word 'ex-Union', and in line 3, strike out the word, 'and'."

The question being, shall the amendment be adopted, the roll was called the vote resulted as follows:

Yeas: Messrs. Brownlee, Chapman, Cloonan, Cunningham, Curd, Potter, and Stewart. Total 7.

Nays: Messrs. Allen, Billups, Blair, Eggerman, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 23.

Absent and excused: Messrs. Beeler, Colville, Cordell, Davis, Denton, Echols, Graham, Franklin, Moore, Newell, Roddie, Stafford, Soldani and Updegraff. Total 14.

The President declared the amendment lost.

Senator Redwine offered the following amendment to Senate Bill No. 52.

"I move that as a substitute for all pending motions, add to Section 1, the following: 'That a separate home for indigent and disabled ex-Union and ex-Confederate Soldiers, who are bona-fide residents of the State, and their widows is hereby created. The home of the ex-Union and ex-Confederate Soldiers shall be established separate and apart from each other and with like accommodations to be located in the same manner as other State Institutions.'"

The question being, shall the amendment be adopted, the roll being called on the amendment, the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Chapman, Cloonan, Potter, Redwine, Wynne and Yeager. Total 8.

Nays: Messrs. Billups, Blair, Cunningham, Curd, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Russell, Strain, Smith, Stewart, Soldani, Sorrells, Taylor, Thomas and Williams. Total 25.

Absent and excused: Messrs. Beeler, Colville, Cordell, Davis, Echols, Graham, Moore, Newell, Roddie, Stafford and Updegraff. Total 11.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell Morris, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Brownlee, Chapman, Cloonan, Cunningham, Curd, Potter, Redwine, and Stewart. Total 8.

Absent and excused: Messrs. Beeler, Colville, Cordell, Davis, Echols, Graham, Moore, Newell, Stafford, Soldani, and Updegraff. Total 11.

The President declared the bill had passed.

Senator Eggerman moved to reconsider the vote by which Senate Bill No. 52 had passed.

Senator Eggerman moved to lay the motion to reconsider the vote by which Senate Bill No. 52 had passed, on the table.

The question being, shall the motion to lay on the table prevail.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Russell, Roddie, Stewart, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 25.

Nays: Messrs. Brownlee, Chapman, Cloonan, Cunningham, Curd, Potter and Yeager. Total 7.

Absent and excused: Messrs. Beeler, Colville, Cordell, Davis, Echols, Graham, Moore, Newell, Smith, Stafford, Soldina and Updegraff. Total 12.

The President declared that the motion to lay on the table carried.

Senate Bill No. 105 by Mr. Mitchell was read at length the third time.

The question being shall the Bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Denton, Eggerman, Franklin, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Roddie, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 24.

Nays: Messrs. Allen, Brawnlee, Cloonan, Cunningham, Curd, Potter, Russell, Stewart. Total 8.

Absent and excused: Messrs. Beeler, Colville, Cordell, Davis, Echols, Graham, Moore, Newell, Smith, Stafford, Soldani, and Updegraff. Total 12.

The President declared the Bill had passed.

Senator Brownlee lodged a motion to reconsider the vote by which Senate Bill No. 105 had paessd.

On motion of Senator Hatchett, the Joint Rules of the First Legislature were made the Joint Rules of the Second Legislature until otherwise provided.

Senator Keys requested that Senate Bill No. 2 be made a special order for next Wednesday, February 3, 1909, at 2 P. M.

Request granted.

Senator Brownlee asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 208 by Mr. Brownlee, "An Act ratifying a bond election htld in the city of Geary, Blaine County, Oklahoma, and attached election held in the city of Geary, Blaine County, Oklahoma, and attached territory, and authorizing the Board of Education of the City of Geary, Blaine County, Oklahoma, and attached territory to issue bonds of said Board of Education in compliance with said election."

Senator Redwine was excused until next Monday.

The Senate went into the Committee of the whole to consider House Bills and General Orders.

The Committee of the Whole reported, recommending that Senate Bills Nos. 70, 80 and 34 do pass, and that Senate Bills Nos. 130, 138 and House Bill No. 74 do pass as amended and that Senate Bill No. 55 do not pass.

Report adopted.

Senator Stewart asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 209 by Mr. Stewart. "An Act to regulate the holding of elections by counties, cities, towns, townships and school districts, to authorize the same to become indebted to an amount not exceeding in any year the income and revenue provided for such year."

Senate Bill No. 210 by Mr. Johnson, "An Act to provide for the appointment of a State Board of Examiners, and for the examination and registration of nurses, and to provide penalties for the violation thereof."

Senator Hatchett moved that when we do adjourn that we adjourn until next Monday at 10 A. M.

Vote was taken and the President declared the motion carried.

Senator Blair was excused until next Monday.

On motion of Senator Thomas the following House Bills were put on first reading.

House Bill No. 224 by Mr. Charles, "An Act to permit the sale of apple cider in the State."

House Bill No. 301 by Mr. Dunn, "An Act making a deficiency appropriation for the expenses of the Board of Control of State prisons for the year ending June 30, 1908.

Senate adjourned until Monday, February 1st, 1909 at 10 A. M.

SENATE JOURNAL.

TWENTY-SIXTH DAY.

Saturday, January 30, 1909.

No Session.

SENATE JOURNAL.

TWENTY-SEVENTH DAY.

Sunday, January 31, 1909.

No Session.

SENATE JOURNAL.

TWENTY-EIGHTH DAY.

Monday, February 1st, 1909.

Senate met at 10 A. M., pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler, Brownlee, Billups, Blair, Chapman, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne, Yeager and Sorrells. Total 42.

Absent and excused: Messrs. Colville and Newell. Total 2.

President announced a quorum present.

Prayer by Senator Billups.

The Journal of the 25th day's session was approved.

Petition No. 102, filed, read and referred to Committee on Privileges and Elections.

Petition No. 103 by Mr. Franklin, filed on request, read and referred to Committee on Banks and Banking.

Petition No. 104 by Mr. Franklin, by request, filed, read and referred to Committee on Judiciary No. 1.

Petition No. 105 by Mr. Hurst, filed, read and referred to Committee on Privileges and Elections.

Petition No. 106 by Mr. Eggerman, filed, read and referred to Committee on Privileges and Elections.

Petition No. 107 by Mr. Franklin, filed, read and referred to Committee on Banks and Banking.

Petition No. 108 by Mr. Billups, filed, read and referred to Committee on Privileges and Elections.

Petition No. 109 by Mr. Franklin, filed, read and referred to Committee on Privileges and Elections.

Petition No. 110 by Mr. Roddie, filed, read and referred to Committee on Privileges and Elections.

A message was received from the House transmitting engrossed copy of Senate Concurrent Resolution No. 16, signed by the Speaker. That the Speaker had appointed in accordance with said Resolution, Messrs. Maxey, Burnette and Ross.

The following bills were introduced and read the first time:

Senate Bill No. 211, by Mr. Stafford, "An Act amending Sections 1697, 1691 and 1701 of the General Statutes of Oklahoma, 1908, relating to Libel and Slander."

Senate Bill No. 212 by Mr. Stafford, "An Act to amend Sections 598

of Article 46, Chapter 25, Wilson's Statutes of Oklahoma."

Senate Bill No. 213, by Mr. Williams, "An Act to authorize the Board of Regents of the Normal Schools of the State of Oklahoma to construct a heating plant for the Southwestern Normal School at Weatherford, Oklahoma, making an appropriation and declaring an emergency."

Senate Bill No. 214 by Mr. Taylor, "An Act relating to burglary, defining the punishment therefor, and amending Section 1450 of the General Statutes of Oklahoma, 1908."

Senate Bill No. 215 by Mr. Taylor, "An Act regulating procedure in the trial of civil actions by requiring notice as to whether a jury is demanded or not, and repealing all laws in conflict herewith."

REPORTS OF STANDING COMMITTEES.

The Committee on Enrolled and Engrossed Bills reported, Senate Bill No. 15, as correctly engrossed.

Report received.

Senator Billups asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 216, by Mr Billups. "An Act providing for the manner and procedure in leasing the public lands of the State, and declaring an emergency."

Bills read the second time and referred to the following Committees:

Senate Bill No. 204 by Mr. Goulding, to Committee on Judiciary No. 1.

Senate Bill No. 205 by Mr. Billups, to Committee on Commerce and Labor.

Senate Bill No. 206 by Mr. Brownlee, to Committee on Oil, Gas and Mineral Lands.

Senate Bill No. 207 by Mr. Brownlee, to Committee on Legal Advisory.

Senate Bill No. 208 by Mr. Brownlee, to Committee on Municipal Corporations.

Senate Bill No. 209 by Mr. Stewart, to Committee on State and County Affairs.

Senate Bill No. 210 by Mr. Johnson, to Committee on Public Health.

House Bill No. 224 by Mr. Charles.

Senator Thomas moved that the rules be suspended and that House Bill No. 224 be placed on the calendar without being referred to a Committee.

Vote was taken and the President declared the motion carried.

House Bill No. 301 by Mr. Dunn.

Senator Roddie moved that the rules be suspended and that House Bill No. 301 be placed upon the calendar without being referred to a Committee.

Vote was taken and the President declared the motion carried.

Bills on Third Reading.

Senate Bill No. 138 by Mr. Cunningham was read at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 37.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Colville, Davis, Echols, Goulding and Newell. Total 7.

The President declared the bill passed.

The question being shall an emergency be declared, the roll being called on the Emergency Section, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 35.

Nays: Hatchett. Total 1.

Absent and excused: Messrs. Allen, Beeler, Colville, Davis, Echols, Goulding, Newell and Stafford. Total 8.

The President declared the emergency section, having received a two-thirds majority, passed.

The title of the bill was agreed to.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 138, same was ordered transmitted to the House.

House Bill No. 74 was read at length as amended by the Senate.

The question being shall the bill pass as amended, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Graham, Eggerman, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Roddie, Redwine, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 34.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Allen, Beeler, Colville, Davis, Echols, Franklin, Goulding, Moore and Newell. Total 9.

The President declared the bill passed.

The question being, shall an emergency be declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Graham, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 34.

Nays: Messrs. Brownlee and Stafford. Total 2.

Absent and excused: Messrs. Allen, Beeler, Colville, Davis, Echols, Franklin, Goulding and Newell. Total 8.

The President declared the emergency section, having received a two-thirds majority, passed.

The title of the bill was agreed to.

President Pro Tem Graham signed engrossed copy of House Bill No. 74 as amended, same was ordered transmitted to the House.

Senate Bill No. 80 by Mr. Memminger was read at length the third time.

A message was received from the House, transmitting House Bill No. 38.

House Bill No. 38 was read the first time.

House Bill No. 38 by Mr. White, "An Act providing for the issue of writs on Sunday and Legal Holidays in certain cases."

On motion of Senator Wynne Senate Bill No. 80 was recommitted to the Committee on State and County Affairs with instructions.

Senate Bill No. 15 by Mr. Roddie was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Brownlee, Cloonan, Cordell, Cunningham, Curd, Eggerman, Franklin, Graham, Keys, Landrum, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Blair, Hatchett and Thomas. Total 3.

Absent and excused: Messrs. Allen, Chapman, Colville, Davis, Denton, Echols, Goulding, Hurst, Johnson, Memminger and Newell. Total 11.

The President declared the bill passed.

The question being shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Eggerman, Franklin, Graham, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Redwine, Roddie, Smith, Strain, Soldani, Taylor, Updegraff, Williams and Wynne. Total 27.

Nays: Messrs. Cloonan, Hatchett, Potter, Russell, Stafford, Stewart, Sorrells, Thomas and Yeager. Total 9.

Absent and excused: Messrs. Allen, Colville, Davis, Denton, Echols, Goulding, Johnson and Newell. Total 8.

The President declared the emergency section, having failed to receive a two-thirds majority, lost.

Senator Stafford lodged a motion to reconsider the vote by which the emergency section to Senate Bill No. 15 had lost.

Vote was taken and the President declared that the motion to reconsider had carried.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Eggerman, Franklin, Graham, Hurst, Keys, Landrum, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Denton, Hatchett, Memminger and Soldani. Total 4.

Absent and excused: Messrs. Allen, Colville, Davis, Echols, Goulding, Johnson and Newell. Total 7.

The President declared the emergency section, having received a two-thirds majority, passed.

Title of the bill was agreed to.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 15, same was ordered transmitted to the House.

Senate Bill No. 34 by Mr. Franklin was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Graham, Hurst, Keys, Landrum, Memmngier, Mitchell, Moore, Morris, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Hatchett, Potter, Stewart and Sorrells. Total 4.

Absent and excused: Messrs. Allen, Beeler, Brownlee, Colville, Davis, Echols, Franklin, Goulding, Johnson and Newell. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

President Pro Tem Graham signed the engrossed copy of Senate Bill No. 34, same was ordered transmitted to the House.

Senate Bill No. 70 by Mr. Goulding, was read at length the third time.

On motion of Senator Billups, Senate Bill No. 70 was laid over until the return of Senator Goulding.

Senate Bill No. 130 by Mr. Franklin, on request of Senator Franklin was laid over until tomorrow to retain its place on the calendar.

The President appointed in accordance with Senate Concurrent Resolution No. 18, Messrs. Allen, Stewart and Thomas as such Committee.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 98 do pass as amended.

Report received.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 30 do pass.

Report received.

Petition No. 111 by Mr. Cunningham, filed, read and referred to Committee on Military Affairs.

Petition No. 112 by Mr. Cunningham, filed, read and referred to Committee on Appropriations.

Petition No. 113 by Mr. Eggerman, filed.

The Committee on Rules, reported, recommending that one more name be added to the Committee on Judiciary No. 2, and suggested the name of Mr. Potter.

Senator Smith moved that the Rules be suspended and that House Bill No. 66 be withdrawn from the Committee on Judiciary No. 1, and be placed upon the calendar with Senate Bill No. 32.

Vote was taken.

The President declared the motion carried.

Vote was taken.

The President declared the motion carried.

Senator Cunningham requested that Petitions Nos. 111 and 112 be withdrawn from the Committee to which they had been referred so that he could file them in the House.

Request granted.

A message was received from the House as follows:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House in order to expedite and facilitate the passage of a Road Law had appointed, Representatives, Putnam, Sherman, Carson, Wilson and Williams as members of a Committee to meet a like Committee from the Senate to consider road and highways legislation and ask for the appointment of such Committee on the part of the Senate.

Senator Smith asked unanimous consent that Senator Updegraff's a Committee be appointed.

Motion carried.

Senator Billups moved that the message from the House be laid over under the Rules.

Senator Williams asked unanimous consent that Senator Updegraff's name be withdrawn from the Committee on Mines and Manufacture and that Senator Colville's name be added.

Request granted.

Senator Smith asked unanimous consent that Senator Updegraff's

Request granted.

Senate Bill No. 217 by Mr. Williams, "An Act defining and regulating the practice of Optometry and providing for the creation of a Board of Examiners in Optometry."

Senate Bill No. 218 by Mr. Billups, An Act regulating the driving or operation of Automobiles, or Motor Cycles on the Public Roads, Highways or Public Streets of the State of Oklahoma."

Senate Bill No. 219 by Messrs. Franklin and Russell, "An Act providing for an appropriation for the maintenance and support of the District Agricultural Schools located at Tishomingo, Oklahoma, and Warner, Oklahoma."

Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President Pro Tem Graham.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole reported, recommending that Senate Bill No. 39 do pass as amended.

Report received.

Senate went into Committee of the Whole to consider special orders.

The Committee of the Whole reported, having had under consideration Senate Bill No. 1, report progress and ask leave to sit again.

Senator Goulding asked unanimous consent to have Senate Bill No. 70 put on third reading and final passage.

Request granted.

Senate Bill No. 70 by Mr. Goulding was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Memminger, Mitchell, Morris, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Denton and Sorrels. Total 2.

Absent and excused: Messrs. Allen, Beeler, Colville, Davis, Hatchett, Johnson, Landrum, Moore, Newell, Potter and Taylor. Total 11.

The President declared the bill passed.

The title of the bill was agreed to.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 70, by Mr. Goulding, same was ordered transmitted to the House.

Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 187 do pass.

Report received.

Committee on Judiciary No. 2, reported, recommending that Senate Bill No. 18 do pass.

Report received.

Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 65 do pass.

Report received.

Senator Russell asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 220 by Mr. Russell, "An Act providing for the maintenance and government of the Oklahoma State School for the Blind, located and situated at Fort Gibson, Muskogee County, Oklahoma, and making an appropriation therefor."

Senate Bill No. 221 by Mr. Russell, "An Act creating a Northeastern Normal School for the State of Oklahoma, and making an appropriation therefor, and providing for the location thereof at the city of Muskogee."

Senate Bill No. 222 by Mr. Russell, "An Act to amend Section 425 of the General Statutes of Oklahoma, 1908."

Senate Bill No. 223 by Messrs. Echols, Memminger and Stafford, "An Act creating a State Board of Public Affairs, prescribing their duties and compensation, and declaring an emergency."

Senate Bill No. 224 by Mr. Denton, "An Act regulating the divorce laws of Oklahoma."

Senate Bill No. 225 by Mr. Brownlee, "An Act concerning the payment of taxes to County Treasurers, and specifying the manner in which said payments may be made and receipts executed therefor."

Senate Bill No. 226 by Mr. Brownlee, by request, "An Act creating liens upon female animals and their products, in favor of owners of stallions, jacks, bulls, and other domestic animals kept for breeding purposes, for services rendered by any such animal, and providing for the recording of breeders hand-bills, certificates and acknowledgements of service of any female animal, and specifying the effect of such record."

Senate Bill No. 327 by Mr. Wynne, "An Act to provide for the improvement of streets and alleys, and the construction of sewers within towns and cities; and providing for the assessment of the cost thereof against property within organized districts."

The report of the Committee on Rules was read as follows:

Mr. President: We, your Joint Committee on Rules, beg leave to submit the following report:

We recommend that the following Joint Rules be adopted by the Senate and the House of Representatives.

Joint Rules of the Senate and House of Representatives of the State of Oklahoma.

Joint Session—How Convened.

Section 1. When any business shall require a joint session of the Senate and House of Representatives, the Senate, preceded by its officers, shall be conducted into the bar of the House and there be seated, the President of the Senate taking a seat by the side of the Speaker of the House, at his right.

Officers of Joint Session.

Section 2. The President of the Senate shall be the presiding officer of the Joint Session, and the Secretary of the Senate shall be the clerk thereof, and call the roll of the Senate, to be announced by the President of the Senate.

The clerk of the House shall call the roll of the House, which shall be announced by the Speaker of the House. Both the Secretary of the Senate and the Clerk of the House shall keep a record of the proceedings, to be entered in the Journal of their respective Houses.

Manner of Presenting Bills etc.

Section3. All Bills, Rseolutions, Votes and Amendments, by either House, to which the concurrence of both is necessary by either House, to as well as the messages, shall be presented to the other by the Clerk or Secretary of the House from which they are sent, or by the Assistant Secretary or Assistant Clerk or by Messenger. All bills for raising revenue shall originate in the House of Representatives. The Senate may propose amendments to revenue bills. No revenue bills shall be passed during the five last days of session.

Contents of Bills.

Section 4. Every Act of the Legislature shall embrace but one subject, which shall be clearly expressed in its title, except general appropriation bills, general revenue bills and bills adopting the code, digest or revision of Statutes, and no laws shall be revived, amended, or the provisions extended or conferred, by reference to their title only; but so much thereof as is revised, amended, extended or conferred shall be reenacted and published at length; provided, that if any subject be embraced in any act contrary to the provisions of this Section, such act shall be void

only as to so much of the law as may not be expressed in the title thereof.

Engrossment of Bills.

Section 5. All Bills, Memorials, or Resolutions ordered to be engrossed shall be engrossed by the Clerk of the House in which it is originated.

Section 6. When a bill or resolution which has passed one House shall be objected by the other, notice thereof shall be given to the House in which the same shall have passed.

Enrollment of Bills.

Section 7. All bills must be enrolled and reported to each House by the Enrolling Committee within three days after their passage; provided, that if the reconsideration of any bill is moved in either House previous to its presentation to the Governor, the Enrolling Committee shall hold the same until action is had upon such motion.

Manner of Enrollment.

Section 8. No bills, resolutoins, or memorials shall be sent to the Governor for his approval unless the same shall have been thoroughly and fairly enrolled without obliteration or interlineation.

Examination of Enrolled Bills.

Section 9. When a bill is enrolled, it shall be examined by a Joint Committee composed of three members of each House, appointed as a standing Committee for that purpose, and it shall be their duty to compare the enrolled bills, correct any errors they may discover and report the same forthwith to their respective Houses.

Signing of Bills.

Section 10. The presiding officer of each House shall in the presence of the House over which he presides, sign all bills and joint resolutions passed by the Legislature, immediately after the same shall have been publicly read at length, and the fact of reading and signing shall be entered upon the Journal, but the reading at length may be dispensed with by a two-thirds vote of quorum present, which vote by ayes and nays, shall also be entered upon the Journal, (Art. 5, Sec. 36, Constitution.)

Sending Bills to the Governor.

Section 11. When a bill has been signed by the Speaker of the House of Representatives and the President of the Senate, it shall be delivered to the Governor by the Joint Committee on Enrolled Bills, who, through their Chairman or some member of the Committee, shall report to the House in which the Bill or Resolution originated, the day the same was delivered and the report shall be entered upon the Journal of such House.

Bills Passed by Other House.

Section 12. Tuesday and Friday in each week are hereby set apart in each House for the especial and exclusive consideration of bills and resolutions which may have been passed by the other House, and the con-

sideration of such Bills and Resolutions shall take precedence over all other business on these days immediately after the expiration of one hour after the House shall be called to order by the presiding officer; provided, that the reading of the Journal shall be completed in any event.

When any report, bill or resolution shall be ordered printed by either House, without stating the number, two hundred and fifty copies shall be printed for the use of both Houses, but when any bill or resolution which may have been passed by one House is ordered printed by the other a greater number of copies shall not be printed than two hundred and fifty.

Conference Committees.

Section 13. Whenever either House shall amend a measure, and the other House shall refuse to concur in and adopt the amendment, the House which has adopted such amendment shall then insist on or recede from the same.

In case a motion to insist on the amendment be decided in the negative, such action shall be deemed a receding from the amendment and so entered upon the Journal of such House. In case the amendment is insisted upon, the House so insisting shall request a Committee of conference on the subject of disagreement, and shall appoint a Committee thereof. The other House shall thereupon appoint such Committee. Unless another number is specified in said request, said Committee shall consist of three members from the House and three members from the Senate. They shall meet at a convenient time, to be agreed upon by their Chairman, and having conferred freely, each shall report to its respective House the result of this conference. In case of agreement, the report shall be first made, with the papers referred accompanying it, to the House which refused to concur and there acted upon; and such action shall be immediately reported to the Secretary or Clerk to the other House, the papers referred accompanying the message.

In case of disagreement of the Conference Committee, the papers shall remain with the House which insisted upon the amendment. The agreeing report of a conference Committee shall be made, read and signed, in duplicate by all members of the Committee, or a majority of those of each House. Should either House disagree to the report of the Committee, such House shall appoint a second Committee and request further conference, which shall be acceded to by the other House before adhering. The motion for a Committee of Conference and the report of such Committee shall be in order at any time. When both Houses shall have adhered to their disagreement, a bill or resolution is lost.

Joint Committee on Auditor's and Treasurer's Books.

Section 14. There shall be appointed at the commencement of each session a Joint Committee on Auditor's and Treasurer's Books, on Penitentiary, on State Charitable Institutions and on Books of Commissioners of State Lands and Superintendent of Public Instruction, and each of said Joint Committee shall elect its Chairman. The Joint Committees shall be composed of the Standing Committees of their respective Houses on these subjects.

Joint Committee on Enrolled Bills.

Section 15. There shall be appointed a Joint Committee on Enrolled Bills, to be composed of three Senators and three Representatives.

Announcement of Message.

Section 16. When the Secretary of the Senate or Clerk of the House or either of the Assistants, shall wait upon the other House notice thereof shall be given to the President or Speaker by the Sergeant-at-Arms or Assistant Sergeant-at-Arms, who shall declare the same, and a copy of the message be laid on the table of the Clerk or the Secretary.

Dispensing With Rules

Section 17. No joint rule shall be dispensed with, but by a majority vote of the membership of each House, and if either House shall violate a joint rule, the question of order may be raised in the other House, and decided in the same manner as in case of violation of the Rules of such House.

Section 18. The General Appropriation Bill and Bills for the support of the State Institutions shall be privileged bills advanced upon the calendar and take precedence over all other bills at any time after the reading of the Journal. It shall be in order by the direction of the appropriate Committee to move that the House or Senate, as the case may be, resolve itself into the Committee of the Whole for the purpose of considering the General Appropriation Bill or Bills for the support of State Institutions and no dilatory motion will be entertained by the presiding officer.

Your Committee recommend that two hundred and fifty (250) copies of the Joint Rules of the House and Senate be printed in leather bound volume, together with the Rules of the House and the Rules of the Senate, and a roster of the House and Senate members giving the full names of each Senator and Representative, the County or District he represents, his age, politics, church affiliation, occupation and nativity.

Duly adopted by the House and Senate.

Adopted by the Senate on this, the 1st day of February, 1909.

Adopted by the House of Representatives, this the first day of February, 1909.

Senator Echols moved that the report of the Committee on Joint Rules be adopted.

Vote being taken, the President declared that the report of the Committee on Joint Rules had been unanimously adopted.

President Pro Tem Graham signed enrolled copy of Senate Concurrent Resolution No. 18, same was ordered transmitted to the House.

Senator Hatchett asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 228 by Mr. Hatchett, "An Act relating to recorded and filed liens in Counties of this State, limiting the time in which Counties other than Counties where such records are located, and providing that copies thereof may be filed in other Counties."

Senate adjourned until Tuesday, February 2, 1909 at 10 A. M.

SENATE JOURNAL.

TWENTY-NINTH DAY.

Tuesday, February 2, 1909.

Senate met at 10 A. M. pursuant to adjournment.

Called to order by Acting President Pro Tem Russell.

On roll call the following Senators were present Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 42.

Absent and excused: Messrs. Beeler and Cloonan. Total 2.

The President announced a quorum present.

Prayer by the Chaplain.

Petition No. 114 by Mr. Taylor, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 115 by Mr. Taylor, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 116 by Mr. Cordell, by request, filed, read and referred to Committee on Privileges and Elections.
on Agriculture, Quarantine and Animal Industry.

Petition No. 117 by Mr. Colville, filed, read and referred to Committee

Petition No. 118 by Mr. Brownlee, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 119 by Mr. Brownlee, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 120 by Mr. Smith, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 121 by Mr. Smith, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 122 by Mr. Johnson, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 123 by Mr. Roddie, by request, filed, read and referred to Committee on Privileges and Elections.

Petition No. 124 by Mr. Franklin, by request, filed, read and referred to Committee on Privileges and Elections.

The following bills were introduced and read the first time:

Senate Bill No. 229 by Mr. Russell, "An Act to provide for the selection by the people of Oklahoma of a 'New Jerusalem, etc'."

Senate Bill No. 230 by Mr. Billups, "An Act providing for the planting and cultivation of forest trees and giving a bounty for the same."

Senate bill No. 231 by Mr. Billups, "An Act providing that inmates of

an asylum may have one correspondent, and letters addressed to such correspondent to have no censorship."

Senate Bill No. 232 by Mr. Mitchell, "An Act providing salaries for the clerks of the District Courts, and amending Section 2928, Chapter 27, of the General Statutes of Oklahoma, 1908."

Senate Bill No. 233, by Mr. Mitchell, "An Act relating to salaries of County Superintendents and amending Section 2923 of the General Statutes of Oklahoma, 1908."

Report of Standing Committees.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 203 do pass.

Report received.

Senate Bill No. 203 was ordered printed.

Bills read the second time and referred to the following Committees:

Senate Bill No. 211 by Mr. Stafford, to Committee on Legal Advisory.

Senate Bill No. 212 by Mr. Stafford, to Committee on Judiciary No. 1.

Senate Bill No. 213 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 214 by Mr. Taylor, to Committee on Judiciary No. 2.

Senate Bill No. 215 by Mr. Taylor, to Committee on Judiciary No. 1.

Senate Bill No. 216 by Mr. Billups, to Committee on School Lands.

Senate Bill No. 217 by Mr. Williams, to Committee on Public Health.

Senate Bill No. 218 by Mr. Billups, to Committee on Municipal Corporations.

Senate Bills Nos. 219 and 220 by Mr. Russell to Committee on Appropriations.

Senate Bill No. 221 by Mr. Russell to Committee on Public Buildings.

Senate Bill No. 222 by Mr. Russell, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 223 by Mr. Echols, Mr. Memminger and Mr. Stafford, to Committee on State and County Affairs.

Senate Bill No. 224 by Mr. Denton, to Committee on Judiciary No. 1.

Senate Bill No. 225 by Mr. Brownlee, to Committee on Legal Advisory.

Senate Bill No. 226 by Mr. Brownlee, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 227 by Mr. Wynne, to Committee on Municipal Corporations.

Senate Bill No. 228 by Mr. Hatchett, to Committee on State and County Affairs.

House Bill No. 38 by Mr. White, to Committee on Judiciary No. 2.

A message was received from the House.

Mr. President: I am directed by the House of Representatives to inform the Honorable Senate that the House has appointed Representatives Ratliff, McCalla, Ross, Tillotson, and Hutchins as members of a Committee to confer with a like Committee from the Senate to consider fees and salaries and asks the appointment of such Committee on the part of the Senate.

Senator Smith moved that the chairman of the Committee on Fees and

Salaries be allowed to appoint four from his Committee to confer with the House Committee.

The President declared the motion carried.

Senator Colville asked unanimous consent to have his name recorded as voting "Yea" on Senate Bill No. 52.

Senator Davis asked unanimous consent to have his name recorded as voting "Yea" on Senate Bill No. 52.

Senator Cordell asked unanimous consent to have his name recorded as voting "Yea" on Senate Bill No. 52.

Requests granted.

A message was received from the House:

Mr. President: The House of Representatives by a unanimous vote requests that the Senate in transmitting bills and resolutions to the House incorporate in the message accompanying same the title and subject matter of such bills or resolutions and has ordered the Chief Clerk of the House to observe the same rules in transmitting bills or resolutions to the Senate.

The message was concurred in by the Senate and it was so ordered.

Senator Stewart moved that a sifting committee of five members be appointed to arrange the bills on the Calendar.

Vote was taken and the President declared the motion carried.

Senator Taylor placed in nomination the names of Messrs. Williams, Stafford, Redwine, Graham and Thomas as such Committee.

Senator Potter offered to amend the motion by increasing the number of members of the committee from five to six members, by adding the name of Mr. Brownlee.

Senator Russell moved that further consideration of the motion and amendment thereto be laid over for the day.

Vote was taken and the President declared the motion and amendment had been deferred.

The Senate went into the Committee of the Whole to consider House Bills on the calendar and general orders.

The Committee of the Whole reported, recommending that House Bills Nos. 66 and 224 do pass; and that House Bill No. 301 be referred to the Committee on Appropriations, and that Senate Bill No. 32 do not pass and as to Senate Bill No. 1 report progress and ask leave to sit again.

Report adopted.

Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem Graham.

The President announced a quorum present.

Senator Russell asked unanimous consent to introduce a bill.

Request granted.

Petition No. 125 by Mr. Wynne, filed, read and referred to Committee on Privileges and Elections.

Petition No. 126 by Mr. Brownlee, filed, read and referred to Committee on Roads and Highways.

Senator Mitchell called up the motion lodged by Senator Brownlee to reconsider the vote by which Senate Bill No. 105 had passed.

Senator Mitchell moved to lay the motion to reconsider the vote by which Senate Bill No. 105 had passed on the table.

Vote was taken and the President declared the motion to lay on the table had carried.

The title of the bill was agreed to.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 105, same was ordered transmitted to the House.

Petition No. 127 by Mr. Hatchett, filed, read and referred to Committee on Privileges and Elections.

Petition No. 128 by Mr. Chapman, filed, read and referred to Committee on Agriculture, Quarantine and Animal Industry.

Petitions Nos. 129 to 135 inclusive by Mr. Stafford, filed, read and referred to Committee on Privileges and Elections.

Senator Stafford asked unanimous consent to have Senate Bill No. 212 withdrawn from the Committee on Judiciary No. 2 and referred to the Committee on Judiciary No. 1.

Request granted.

Senator Smith called up the motion he had lodged to reconsider the vote by which the emergency section to Senate Bill No. 146 had lost.

Vote taken and the Persident declared the Motion to reconsider the vote by which the emergency section to Senate Bill No. 146 was lost had carried.

The question being, shall an emergency be declared on Senate Bill No. 146, the roll being called on the Emergency Section, the vote resulted as follows.

Yeas. Messrs, Allen, Beeler, Billups, Blair, Chapman, Colville, Cordell, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Redwine, Roddie, Russell, Smith, Stewart, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 36.

Nays. Messrs. Brownlee, Potter and Stafford. Total 3.

Absent and excused. Messrs. Cloonan, Cunningham, Hurst, Newell and Sorrells. Total 5.

The President declared the emergency section having received a two-thirds majority had passed.

Senator Davis asked unanimous consent to submit a committee report.

Request granted.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 135 by Mr. Landrum do pass.

Report received.

Bill was ordered printed.

Senator Russell asked unanimous consent to have the rules suspended and Senate Bill No. 135 be put on third reading and final passage.

On objection of Senator Potter the Bill was placed on the Calendar under General Orders.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 158 by Mr. Cordell do pass

Report received.

Bill was ordered printed.

The Senate went into the Committee of the Whole to consider House Bills on the Calendar and general orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting enrolled copy to Senate Concurrent Resolution No. 18 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receiv a message from the House transmitting engrossed copy of Senate Bill No. 23 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receice a message from the House transmitting engrossed copies of Senate Concurrent Resolution No. 10 and Senate Bill No. 68 signed by the Speaker.

Senate Concurrent Resolution No. 10 and Senate Bill No. 68 were ordered transmitted to the enrolling and engrossing department for enrollment.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting Senate Bill No .129 as amended by the House.

Senator Johnson was excused until next Saturday.

On Motion of Senator Hatchett Senate Bill No. 129 with the House amendment was referred to the Committee on Agriculture, Quarantine and Animal Industry.

The Committee of the Whole resumed business.

The Committee of the Whole reported having had under consideration Senate Boill No. 1, report progress and ask leave to sit again.

The Committee on Enrolled and Engrossed bills reported, that Senate Concurrent Resolution No. 10 was correctly enrolled.

Report received.

President Pro Tem Graham signed enrolled copy of Senate Concurrent Resolution No. 10 same was ordered transmitted to the House.

Senator Cloonan was excused on account of sickness.

Senator Roddie moved that Senate Bill No. 39 be made a special order for tomorrow morning.

Motion carried.

Senator Redwine moved that the Senate concur in the House Amendments to Senate Bill No. 68.

Vote was taken and the President declared that the Senate had concurred in the House amendments to Senate Bill No. 68.

President Pro Tem Graham signed engrossed copy of Senate Bill No. 146 by Mr. Russell, same was ordered transmitted to the House.

Senator Landrum asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 234 by Mr. Landrum: "An Act providing for publishing the laws or parts of laws of the State of Oklahoma, in some of the Indian anguages etc.'

Senate Bill No. 235 by Mr. Russell: "An Act making an appropriation

for the expenditures of the State Board of Agriculture."

Senate Bill No. 236 by Mr. Brownlee: "An Act to instruct the Senators and Representatives of the Legislative Assembly of the State of Oklahoma as to the Election of Senators in Congress and amending Section 11, of Article 2, Chapter 31 Session Laws of 1907-1908.'

Petition No. 136, by Mr. Soldani, fieled, read and referred to the

Petition No. 137 by Mr. Mitchell, filed, read and referred to Committee on Privileges and Elections.

Committee on Privileges and Elections.

Petition No. 137 by Mr. Mitchell filed, read and referred to Committee on Privileges and Elections.

Petition No. 138 by Mr. Stafford, filed, read and referred to Committee of Privileges and Elections.

Petition No. 139 by Mr. Goulding, filed, read and referred to Committee on Privileges and Elections.

Senate adjourned until Wednesday, February 3, 1909, at 10 A. M.

SENATE JOURNAL.

THIRTIETH DAY.

Wednesday, February 3, 1909.

Senate met at 10 A. M. pursuant to adjorunment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Brownlee, Blair, Colville, Cordell, Chapman, Curd, Cunningham, Cloonan, Denton, Davis, Echols, Eggerman, Franklin, Goulding, Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Moore Newell, Potter, Roddie, Russell, Redwine, Smith, Soldani, Stafford, Stewart, Strain, Sorrells, Thomas, Taylor, Updegraff, Yeager, Wynne and Williams. Total 43.

Absent and excused. Mr. Johnson. Total 1.

The President announced a quorum present.

Prayer by the Chaplain.

The following bills were introduced and read the first time.

Senate Bill No. 237 by Messrs. Smith and Franklin of the Senate and Mr. White of the House. "An Act creating the Office of County Tax Assessor, defining his qualifications, powers and duties, and abolishing the office of township assessor."

Senate Bill No. 238 by Mr. Taylor. "An Act providing a method by which proposed amendments to the Constitution shall be printed upon the official ballot."

Senate Bill No. 239 by Messrs. Smith and Franklin of the Senate and Mr. White of the House, "An Act defining the qualifications, powers and duties of the County Clerks and Clerks of District Courts in certain counties."

Senate Joint Resolution No. 8 by Mr. Taylor. "Authorizing the submission of a Constitutional Amendment limiting restrictions upon the right of suffrage."

Reports of Standing Committees.

The Committee on Appripriations reported, recommending that House Bill No. 301 do pass.

Report received.

Bills Read the Second Time and Referred to the Following Committees.

Senate Bill No. 229 by Mr. Russell to Committee on Legal Advisory.

Senate Bill No. 230 by Mr. Billups, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 231 by Mr. Billups, to Committee on Hospitals and Charities.

Senate Bills Nos. 232 and 233 by Mr. Mitchell, to Committee on Fees and Salaries.

Senate Bill No. 234 by Mr. Landrum, to Committee on Codes Revision.

Senate Bill No. 235 by Mr. Russell, to Committee on Appropriations.

Senate Bill No. 236 by Mr. Brownlee, to Committee on Privileges and Elections.

Bills on Third Reading.

Senate Bill No. 39 by Mr. Roddie was read at length the third time.

Senator Sorrells offered the following amendment: Strike out Section 2.

3.

The question being shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas. Messrs.. Brownlee, Blair, Colville, Cordell, Curd, Denton, Hatchett, Keys, Memminger, Redwine, Sorrells, Updegraff and Yeager. Total 13.

Nays. Messrs. Allen, Beeler, Billups, Chapman, Cunningham, Davis, Echols, Eggerman, Franklin, Goulding, Graham, Hurst, Landrum, Mitchell, Morris, Moore, Newell, Potter, Russell, Smith(Stafford, Strain, Stewart, Thomas, Taylor, Wynne and Williams. Total 28.

Absent and excused. Messrs. Cloonan, Johnson and Soldani. Total

The President declared the amendment lost.

Senator Denton offered the following amendment: In section 2, page 4, line 3, strike out the word "15" and insert the word "10."

The question being shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas. Messrs. Brownlee, Blair, Colville, Cordell, Curd, Denton, Davis, Hatchett, Keys, Memminger, Morris, Newell, Russell, Sorrells, Taylor, Updgraff and Yeager. Total 17.

Nays. Messrs. Beeler, Billups, Chapman, Cunningham, Echols, Eggerman, Franklin, Goulding, Graham, Hurst, Landrum, Moore, Potter, Roddie, Redwine, Smith, Strain, Thomas, Wynne and Williams. Total 20.

Absent and excused. Messrs. Allen, Cloonan, Johnson, Mitchell, Stafford, Stewart and Soldani. Total 7.

The President declared the amendment lost.

Senator Yeager offered the following amendment in Section 2, page 4, line 8 after the word "than' and before the word, "thousand" strike out "fifty" and insert the word "twenty-five.'

The question being shall the amendment be adopted.

Vote was taken and the President declared the amendment lost.

Senator Yeager offered the following amendment, in Section 2, page 4, line 11, after the word "than' and before the word "thousand" strike out the word "one" and insert the word "fifty."

The question being shall the amendment be adopted, the roll being

called the vote resulted as follows:

Yeas. Messrs. Memminger, Morris, Smith, Sorrels, Taylor, Updegraff, Yeager, Brownlee, Blair, Colville, Cordell, Curd, Denton, Eggerman, Hatchett and Keys. Total 16.

Nays. Messrs. Allen, Beeler, Billups, Chapman, Cunningham, Davis, Ecvhols, Franklin, Goulding, Graham, Hurst, Landrum, Mitchell, Moore, Newell, Potter, Roddie, Russell, Redwine, Stafford, Strain, Stewart, Thomas, Wynne and Williams. Total 25.

Absent and excused. Messrs. Cloonan, Johnson and Soldani. Total 3.

The President declared the amendment lost.

Senator Memminger offered the following amendment to Senate Bill No. 39, by striking out all that portion of Section 5, on page 12, from line 2 to line 10 inclusive.

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas. Messrs. Brownlee, Blair, Colville, Cordell Curd, Denton, Hatchett, Keys, Memminger, Potter, Redwine, Stafford, Sorrells, Taylor, Updegraff, Williams and Yeager. Total 17.

Nays. Messrs. Beeler, Billups, Cunningham, Davis, Echols, Eggerman, Franklin, Goulding, Graham, Hurst, Landrum, Morris, Moore, Newell, Roddie, Russell, Smith, Strain Thomas and Wynne. Total 20.

Absent and excused. Messrs. Allen, Chapman, Cloonan, Johnson, Mitchell, Stewart and Soldani. Total 7.

The President declared the amendment lost.

A message was received from the Governor and read as follows:

Eighth Special Message.

To the Legislature of Oklahoma, Second Session.

I have the honor to transmit herewith copy of the annual report of the State Banking Board, showing business transacted for the year ending December 31st, 1908.

C. N. HASKELL,
Governor.

Senator Roddie moved to have 500 copies of the annual report of the State Banking Board printed, and a copy laid on the desk of each Senator.

Vote was taken and the President declared the motion carried.

Senator Brownlee moved that the Rules be suspended and that he be allowed to offer an amendment to Senate Bill No. 39 on third reading.

The question being shall the rules be suspended, the roll being called the vote resulted as follows:

Yeas. Messrs. Beeler, Blair, Brownlee, Colville, Curd, Eggerman, Hatchett, Keys, Memminger, Potter, Redwine, Stafford, Sorrells, Taylor, Thomas and Yeager. Total 16.

Nays. Messrs. Billups, Chapman, Cordell, Cunningham, Davis, Denton, Echols, Franklin, Graham, Goulding, Hurst, Mitchell, Morris, Newell, Roddie, Russell, Smith, Strain Williams and Wynne. Total 20.

Absent and excused. Messrs. Allen, Cloonan, Johnson, Landrum, Moore, Stewart, Soldani and Updegraff. Total 8.

The President declared the amendment lost.

Senator Cloonan offered the following amendment.

Amend Senate Bill No. 39, Section 3, page 7, line 5, by inserting the following after the word "corporation."

"Provided, however, that at least fifty per cent of such assessment shall remain upon deposit in the bank upon which it is made, drawing interest at the rate of three per cent annually, subject to sight draft by the State Banking Board: Provided, further, that twenty per cent of the funds herein provided shall be held in cash by the Banking Board. The remainder of which shall be invested for the benefit of said funds in such securities as other State funds are now required to be invested in."

Vote was taken and the President declared the amendment lost.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Beeler, Billups, Chapman, Cordell, Cunningham, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Mitchell, Moore, Morris, Newell, Roddie, Smith, Stafford, Stewart, Strain, Taylor, Thomas, Williams and Wynne. Total 27.

Nays. Messrs. Blair, Brownlee, Colville, Curd, Denton, Hatchett, Memminger, Potter, Redwine, Russell, Sorrells and Yeager. Total 12.

Absent and excused. Messrs. Allen, Cloonan, Johnson, Soldani and Updegraff. Total 5.

The President declared the bill passed.

Senator Roddie moved to reconsider the vote by which the bill had passed.

Senator Roddie moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken and the President declared the motion to lay on the table had carried.

The question being shall there be an emergency declared, the roll being called on the emergency section the vote resulted as follews:

Yeas. Messrs. Beeler, Billups, Chapman, Cordell, Cunningham, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Newell, Potter, Redwine, Roddie, Stafford, Stewart, Taylor, Thomas, Updegraff, Williams and Wynne. Total 26.

Nays. Messrs. Blair, Brownlee, Colville, Curd, Denton, Hatchett, Memminger, Morris, Russell, Smith, Soldani and Yeager. Total 12.

Absent and excused. Messrs. Allen, Cloonan, Hurst, Johnson, Strain and Sorrells. Total 6.

The President declared the emergency section having failed to receive a two-thirds majority was lost.

Explanation of Vote by Mr. Brownlee.

Mr. President: I must record my vote against Senate Bill No. 39, the Banking Bill, for the following reasons:

First. It guarantees a virtual monopoly in the banking business to

the favored few and will prevent future establishment of banks in the rural districts.

Second. It is an attempt to drive the National Banks out of business in this State, when the constitutionality of the guaranty law is pending in the Supreme Court of the United States.

Third. I offered an amendment by adding at end of section four, as follows:

"Provided that moneys of the guaranty fund shall not be used for the purpose of paying any salary or expense in the administration of said fund and that said fund and all the earnings of the same from whatever source, shall be kept in-tact for the purpose for which the fund is established."

When it appeared from the Governor's report that nearly $15,000.00 has already been expended for salaries and other expenses, the wisdom of the amendment is apparent.

Senator Williams lodged a motion to reconsider the vote by which the emergency section to Senate Bill No. 39 was lost.

Eddie Underwood was excused for Friday and Saturday.

Senator Roddie was excused for the balance of the week.

The Senate recessed until 1:30 P. M.

Afternoon Session.

Senate was called to order by President Pro Tem Graham.

The President announced a quorum present.

Bills on Tird Reading.

House Bill No. 66 by Mr. Maxey was read at length the third time.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Smith, Soldani, Sorrells, Taylor, Thomas, Williams, and Yeager. Total 32.

Nays. None.

Absent and excused. Messrs. Allen, Cunningham, Davis, Echols, Johnson, Moore, Redwine, Roddie, Stafford, Stewart, Updegraff and Wynne. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

President Pro Tem Graham signed engrossed copy of House Bill No. 66, same was ordered transmitted to the House.

House Bill No. 224, by Mr. Charles was read at length the third time.

Senator Billups, asked unanimous consent to have House Bill No. 224 laid over until a sample of the cider could be furnished the State Chemist.

Senator Cordell objected.

Senator Billups moved that further consideration of House Bill No. 224 be deferred for the present.

Senator Blair arose to the point of order that a motion was not in order when a bill was on its third reading and final passage.

The President overruled the point of order.

Senator Blair arose to the point of order, that the gentleman was not discussing the motion before the body.

The President sustained the point of order.

Senator Williams moved the previous question.

The question being shall the main question be put?

Vote was taken and the President declared the motion had carried.

The question being shall further consideration of House Bill No. 224, be deferred for the present.

The roll being called the vote resulted as follows:

Yeas. Messrs. Billups, Hatchett, Potter, Redwine, Russell, Smith, Stafford, Williams, Wynne and Yeager. Total 10.

Nays. Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Stewart, Strain, Soldani, Sorrells, Taylor and Thomas. Total 29.

Absent and excused. Messrs. Allen, Davis, Johnson, Roddie and Updegraff. Total 5.

The President declared the motion to defer the further action on House Bill No. 224 had lost.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hurst. Keys, Landrum. Memminger, Mitchell, Moore, Morris, Newell, Potter, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas and Yeager. Total 32.

Nays. Messrs. Billups, Hatchett, Russell, Williams and Wynne. Total 5.

Absent and excused. Messrs. Allen, Davis, Johnson, Redwine, Roddie, Stewart and Updegraff. Total 7.

The President declared the bill had passed.

The question being shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas. Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Goulding, Hurst, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Smith, Strain, Soldani, Sorrels, Taylor, Thomas and Yeager. Total 28.

Nays. Messrs. Billups, Denton, Graham, Hatchett Memminger, Russell, Stafford and Williams. Total 8.

Absent and excused: Messrs. Allen, Davis, Johnson, Redwine, Roddie, Stewart, Updegraff and Wynne. Total 8.

The President declared the emergency section having failed to receive a two-thirds majority lost.

Senator Billups lodged a motion to reconsider the vote by which House Bill No. 224 had passed.

Senator Billups lodged a motion to reconsider the vote by which the emergency section of House Bill No. 224 had lost.

Senator Sorrels asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 240 by Mr. Sorrells: "An Act to amend Section 1347 1349, 1357, 1360 and 1365 of the General Statutes of Oklahoma, relative to Sabbath Breaking."

Senate Bill No. 241 by Mr. Sorrells: "An Act creating district Miner's Examining Board; defining their duties and qualifications and providing for the maintenance thereof."

Senate Bill No. 224 by Mr. Taylor, by request, "An Act creating the office of Inspector of Steam Boilers and defining the duties and scope thereof."

Reports of Standing Committees.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that Senate Bill No. 226, do not pass.

Report adopted.

The Committee on Agricuture, Quarantine and Animal Industry, reported, recommending that House Joint Memorial and Petition No. 4, do pass.

Report received.

A message was received from the House transmitting engrossed copy of House Bill No. 17, signed by the Speaker.

House Bill No. 17 was read the first time.

House Bill No. 17 by Mr. Boyle: "An Act to regulate the payment of wages of employees of firms, corporations, associations, companies or persons in this State."

A message was received from the House, trasmitting engrossed copy of House Bill No. 134 signed by the Speaker.

House Bill No. 134 was read the first time.

House Bill No. 134 by Mr. Ross. "An Act to make the bertering, selling or giving to minors, or persons of unsound mind, or habitual drunkards, vinous, malt, spirituous or other intoxicating liquors a felony, and declaring an emergency."

The Senate went into the Committee of the Whole to consider unfinished business and special orders.

The Committee of the Whole arose temporarily to receive a message from the House transmitting, engrossed copy of House Bill No. 93 signed by the Speaker.

House Bill No. 93 by Mr. Boyle. "An Act to amend sections 4170 and 4171 of the General Statutes of Oklahoma, 1908."

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting enrolled copies of House Bill No. 66 and Senate Concurrent Resolution No. 10 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration Senate Bill No. 1, report progress and ask leave to sit again.

Report received.

Senator Thomas asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 243 by Mr. Thomas. "An Act to provide the necessary expense and for the payment of salaries of the employees of the office of bank commissioners and making appropriations therefor from the State Treasury of Oklahoma."

Senate Joint Resolution No. 9 by Mr. Brownlee. To submit to the people of the State of Oklahoma, a proposed amendment to the Constitution repealing Section 9, of Article 9, etc."

Senate Bill No. 244 by Mr. Russell. "An Act relating to insects and diseases which are injurious to growing crops, etc., for the inspection of nursery agents."

Senator Hatchett moved that the Senate hereafter meet at 9:30 A. M. and give one hour to Senate work and recess until 1:30 P. M. and give the balance of the time to Committee work until otherwise provided.

Vote was taken and the President declared the motion carried.

Senate Bill No. 68 was read at length the fourth time.

The title of the bill was agreed to.

President Pro Tem Graham signed enrolled copy of Senate Bill No. 68, by Mr. Sorrells, same was ordered transmitted to the House.

Senate Bill No. 245 by Mr. Davis, "An Act making an appropriation for certain State Educational Institutions."

Senate Bill No. 246 by Mr. Davis. "A n Act making appropriations to the Oklahoma State Agricultural and Mechanical College for the erection and equipment of certain buildings and heating plants."

Senate adjorned until 9:30 A. M. Thursday, February 4. 1909.

SENATE JOURNAL.

THIRTY-FIRST DAY.

Thursday, February 4, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present:

Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 40.

Absent and excused. Messrs. Allen, Beeler, Johnson and Stewart. Total 4.

The President announced quorum present.

Prayer by Senator Billups.

The Journal of the Thirtieth Day was approved.

Senator Stewart was excused on account of sickness.

Senator Allen was excused on account of sickness.

Petition No. 140 by Mr. Goulding, filed, read and referred to Committee on Insurance.

Senate Resolution No. 10a by Mr. Smith, read at length.

Senator Roddie asked to have the Resolution laid over for the day.

Request granted.

Senator Williams filed the application of William B. Hale to be permitted to become Legislative Agent for the Oklahoma State Optical Society.

Senator Williams moved that the application be granted.

Vote was taken and the President declared the application had been granted.

Bills Read the Second Time and Referred to the Following Committees.

Senate Bill No. 237 by Messrs. Smith and Franklin of the Senate and Mr. White of the House, to Committee on State and County Affairs.

Senate Bill No. 238 by Mr. Taylor, to Committee on Judiciary No. 1.

Senate Bill No. 239 by Messrs. Smith and Franklin of the Senate and Mr. White of the House, to Committee on State and County Affairs.

Senate Bill No. 240 by Mr. Sorrells, to Committee on Judiciary No. 2.

Senate Bill No. 241 by Mr. Sorrells, to Committee on Mines and Manufacturing.

Senate Bill No. 242 by Mr. Taylor by request, to Committee on Commerce and Labor.

Senate Joint Resolution No. 8 by Mr. Taylor, to Committe on Judiciary No. 2.

House Bill No. 17 by Mr. Boyle, to Committee on Commerce and Labor.

House Bill No. 134 by Mr. Ross, to Committee on Legal Advisory.

House Bill No. 93 by Mr. Boyle, to Committee on Mines and Manufacturing.

Senate Bill No. 243 by Mr. Thomas, to Committee on Banks and Banking.

Senate Bill No. 244 by Mr. Russell, to Committe on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 245 and 246 by Mr. Davis, to Committee on Appropriations.

Senate Joint Resolution No. 9, by Mr. Brownlee, to Committee on Legal Advisory.

The Senate recessed until 1:30 P. M.

Afternoon Session.

Senate was called to order by Acting President Pro Tem Russell.

The President announced a quorum present.

The Following Bills were Introduced and Read the First Time:

Senate Bill No. 247 by Mr. Graham. "An Act proposing an amendment to the Constitution of the State of Oklahoma, by adding to Article XXI of said Constitution a provision relating to the permanent location of the State Capital, and calling a special election at which said amendment shall be submitted to the qualified electors of the State, and declaring an emergency."

Senate Bill No. 248 by Mr. Graham. "An Act providing special election or elections in the State of Oklahoma to determine the permanent location of the State Capital, authorizing any city, town or place to become a candidate for the location of the State Capital, creating a State Capital Commission and defining its powers and declaring an emergency."

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copy of Senate Bill No. 68, signed by the Speaker.

The Bill was ordered transmitted to the Governor for his signature.

The Committe of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 1 do pass as amended.

Senator Blair moved that Senate Bill No. 1 be immediately transmitted to the Engrossing Department for engrossment.

Vote taken and the President declared the motion carried.

Senator Potter moved that the Senate grant authority to the Committee on Privileges and Elections to issue process, administer oaths, and punish for contempt in contest cases.

Senator Billups offered to amend the motion adding, "And have the

power to fine for contempt, and also to direct the Sergeant-at-Arms to serve any process issued by such Committee."

Vote taken and the President declared the amendment carried.

Vote was taken on the original motion as amended.

The President declared the motion as amended carried.

House Bill No. 66 was read at length the fourth time.

The title of the bill was agreed to.

President Pro Tem Graham signed enrolled copy of House Bill No. 66, same was ordered transmitted to the House.

Committee on Appropriations reported, recommending that Senate Bill No. 219 do pass.

Report received.

Committee on Insurance reported, recommending that Senate Bill No. 101 do pass as amended.

Report received.

The Committee on Banks and Banking reported, recommending that Senate Bill No. 176 do pass as amended.

Report received.

Petition No. 141 by Mr. Echols, filed, read and referred to Committee on Privileges and Elections.

Petition No. 142 by Mr. Echols, filed, read and referred to Committee on Insurance.

Petition No. 143 by Mr. Denton, filed, read and referred to Committee on Privileges and Elections.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message from the House, announcing concurrence in amendment to House Bill No. 74.

Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration Senate Bill No. 2, report progress and ask leave to sit again.

Senator Landrum asked unamimous consent to have Senate Bill No. 135 considered.

Request granted.

Senator Goulding asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 249 by Mr. Goulding. "An Act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, co-partnership or individual, which said statements or publications are intended to give a less or greater apparent value to the shares, bonds or property or any part thereof of said corporation, joint stock association, co-partnership or individual than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor."

Senate Bill No. 250 by Mr. Franklin. "An Act providing for the taking of the State census and collecting agricultural statistics and repealing all laws and parts of laws in conflict with this Act."

Senate Bill No. 251 by Mr. Hatchett. "An Act providing rules for the impeachment of witnesses."

Senate Bill No. 252 by Mr. Redwine. "An Act authorizing the Board of Control to build, construct, and equip a State Penitentiary at McAlester, Oklahoma, to be known as the State Penitentiary. Providing for the officers, guards and employees of said penitentiary, and fixing their salaries; providing for the management, control and government of said penitentiary, and making an appropriation for the building of said penitentiary and declaring an emergency."

The Committee on State and County Affairs reported, recommending that Senate Bill No. 20 do pass as amended.

Report received.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 186 do pass as amended.

Report received.

The Committee on State and County Affairs reported, recommending that House Bill No. 107 do pass.

Report received.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 136 do pass as amended.

Report received.

Senate Bill No. 135 by Mr. Landrum was read at length the third time.

The question being shall the bill pass as amended, the roll being called the vote resulted as follows:

Yeas. Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Memminger, Mitchell, Potter, Redwine, Roddie, Russell, Stafford, Strain, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 32.

Nays. Mr. Smith. Total 1.

Absent and excused. Messrs. Allen, Beeler, Echols, Hatchett, Johnson, Moore, Morris, Newell, Stewart, Soldani and Updegraff. Total 11.

The President declared the bill passed.

The question being shall an emergency be declared, the roll being called on the emergency section, the vote resultd as follows:

Yeas. Messrs, Billups, Blair, Brownlee, Chapman, Cloonan, Colville,Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Roddie, Russell, Strain, Sorrels, Taylor, Thomas, Williams, Wynne and Yeager. Total 32.

Nays. Messrs. Smith and Stafford. Total 2.

Absent and excused. Messrs. Allen, Beeler, Echols, Hatchett, Johnson, Moore, Newell, Stewart, Soldani and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

Senator Billups called up the motion he had lodged to reconsider the vote by which House Bill No. 224 had passed.

Senator Blair moved to lay that motion on the table.

The question being shall the motion to lay on the table prevail, the roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Colville, Cordell, Cunningham, Eggerman, Goulding, Hurst, Morris, Roddie, Stafford and Thomas. Total 11.

Nays: Messrs. Billups, Brownlee, Chapman, Cloonan, Curd, Denton, Hatchett, Keys, Memminger, Mitchell, Potter, Russell, Smith, Strain, Sorrells, Williams, Wynne and Yeager. Total 18.

Absent and excused. Messrs. Allen, Beeler, Davis, Echols, Franklin, Graham, Johnson, Landrum, Moore, Newell, Redwine, Stewart, Soldani, Taylor and Updegraff. Total 15.

The President declared that the motion to lay on the table had lost.

The question being shall the vote be reconsidered by which House Bill No. 224 had passed.

The roll being called the vote resulted as follows:

Yeas. Messrs. Billups, Brownlee, Chapman, Cloonan, Colville, Curd, Denton, Hatchett, Keys. Landrum, Memminger, Mitchell, Roddie, Smith, Strain, Sorrells, Williams, Wynne and Yeager. Total 19.

Nays. Messrs. Blair, Cordell, Cunningham, Davis, Eggerman, Goulding, Hurst, Morris, Stafford and Thomas. Total 10.

Absent and excused. Messrs. Allen, Beeler, Echols, Franklin, Graham, Johnson, Moore, Potter, Newell, Redwine, Russell, Stewart, Soldani, Taylor and Updegraff. Total 15.

The President declared that the motion to reconsider had carried.

Amended Senate Resolution No. 10a by Mr. Smith was read at length.

Amended Senate Resolution No. 10a By Mr. Smith.

WHEREAS, the press announces that the Federal Grand Jury sitting at Muskogee, this State, has returned an indictment against the Honorable C. N. Haskell, Governor of this State, on a charge of conspiracy in connection with the transfer of town lots in the City of Muskogee, his home; and

WHEREAS, We are aware that certain enemies of Governor **Haskell**, both in and out of the State, are extremely active at this time in seeking to encompass his destruction in order to evade legal responsibilities; and

WHEREAS, Governor Haskell has been a resident of this State for many years, during which time our people had ample occasion for familiarizing themselves with his character.

THEREFOR, BE IT RESOLVED BY THE SENATE OF THE SECOND LEGISLATURE OF OKLAHOMA.

That we take this occasion of expressing our high esteem and continued confidence in Governor Haskell, and deprecating the spirit of vindictiveness which is apparent in a proceeding of this kind based upon alleged acts supposed to have occured more than four years ago.

Senator Smith moved the adoption of the resolution.

Senator Hatchett asked to be excused from voting for the following reasons: "That I don't understand the matter now pending at Muskogee, and also that I don't think this is the proper resolution, I want to ask in advance to be excused from voting on the same."

There being no objections Senator Hatchett was excused from voting.

Senator Denton asked to be excused from voting for the following reason: "That I don't understand the matter now pending at Muskogee, and also that I don't think this is the proper resolution. I want to ask in advance to be excused from voting on the same."

There being no objections Senator Denton was excused from voting on the same.

Vote was taken on the resolution and the President declared that the Resolution had carried.

The Committee on Appropriations reported, recommending that Senate Bill No. 78 do pass as amended.

Report received.

The Committee on Education reported recommending that Senate Bill No. 185 do pass.

Report received.

The Committee on Education reported recommending that Senate Bill No. 149 do pass.

Report received.

The Committee on Education reported recommending that Senate Bill No. 153 do pass.

Report received.

Senator Billups was excused for Friday and Saturday.

The Senate adjourned until Friday, February 5, 1909, at 9:30 A. M.

SENATE JOURNAL.

THIRTY-SECOND DAY.

Friday, February 5, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present:

Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 38.

Absent and excused. Messrs. Beeler, Billups, Echols, Johnson, Moore, Newell. Total 6.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Potter was excused for the balance of the week on account of sickness.

The Following Bills Were Introduced and Read the First Time.

Senate Bill No. 253 by Messrs. Franklin and Hatchett, "An Act providing for the judicial annullment of invalid marriages; the granting of divorce and regulating the procedure thereunder; providing for alimony and the care, custody and maintenance of children of divorced persons."

Senate Bill No. 254 by Mr. Memminger. "An Act defining usury, fixing the legal rate of interest, and requiring all plaintiffs in suits upon promisory notes, due bills, bonds or other evidence of indebtedness to allege that there is no usurious interest in the amount sued for; and providing that false swearing as to the same shall be perjury."

Senate Bill No. 255 by Messrs. Memminger of the Senate and Humphries of the House. "An Act to locate and establish the Oklahoma School for the deaf and making an appropriation for building thereof."

Reports of Standing Committees.

The Committee on Public Printing reported, recommending that Senate Bill No. 27 do not pass.

Report adopted.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 124 do pass as amended.

Report received.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 115 do pass as amended.

Report received.

Bills read the Second time and referred to the following Committees:

Senate Bill No. 247 by Mr. Graham, to Committee on Legal Advisory.

Senate Bill No. 248 by Mr. Graham, to Committee on Legal Advisory.

Senate Bill No. 249 by Mr. Goulding, to Committee on Judiciary No. 1.

Senate Bill No. 250 by Mr. Franklin, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 251 by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 252 by Mr. Redwine, to Committee on Public Printing.

Senator Redwine was excused until Wednesday, February 10, on account of business.

The Committee on Revision, Compilation, Style and Arrangement submitted the engrossed copy of Senate Bill No. 1, correctly engrossed as amended.

Report received.

Senate Bill No. 1 was read at length the third time as amended. Senator Thomas offered the following amendment: Reinsert Subdivision (b).

The question being shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Davis, Denton, Goulding, Morris, Smith, Stewart, Strain, Sorrels, Thomas and Wynne. Total 11.

Nays. Messrs. Brownlee, Chapman, Cloonan, Colville, Cordell, Curd, Eggerman, Franklin, Graham, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Roddie, Russell, Stafford, Soldani, Updegraff, Williams and Yeager. Total 22.

Absent and excused. Messrs. Allen, Beeler, Billups, Cunningham, Echols, Johnson, Moore, Newell, Potter, Redwine and Taylor. Total 11.

The President declared the amendment lost.

Senator Thomas offered substitute for Section 1, of Senate Bill No. 1.

SECTION 1. The Commissioners of the land office shall dispose of sell and convey, subject to such exceptions, conditions, rules and instructions as provided in this act, or any act amendatory hereof, of all the following enumerated and described school lands and public lands of this State:

(a) "All sections numbered 16 and 36 in every township in that part of Oklahoma formerly Oklahoma Territory, granted to the State for the use and benefit of the common schools.

(b) All sections numbered 13 in the Cherokee Outlet, the Tonkawa Indian Reservation, and the Pawnee Indian reservation, and all other lands which were opened to settlement in that part of the State formerly known as Oklahoma Territory, granted to the State, for the use and benefit of the University of Oklahoma, the University Preparatory School, one-third, the Normal Schools already established and hereafter to be established, one-third, the Agricultural and Mechanical College, and the Colored Agricultural and Normal University, one-third, and the money derived from any and all such sales shall be divided among the educational institutions of the State as above apportioned as the Legislature may prescribe; Provided; 'that when said lands or any part thereof are sold, the proceeds of such sales shall be used exclusively, and as above proportioned, in the support and maintenance of said schools.

(c) All sections numbered 33 in that part of the State formerly known as Oklahoma Territory and granted to the State for charitable and penal institutions and public buildings; provided, that all moneys derived from the sale of any of the said lands shall be apportioned and disposed of as may be provided by law.

(d) All lands owned by this State reserved, granted and taken in lieu of Sections No. 16, 36 and 33, and known as the indemnity lands; provided that when such lands or any part thereof are sold and conveyed, the proceeds derived therefrom shall be pro-rated among the several funds as their interests may appear and used as provided by law.

(e) All lands granted to this State by the United States for the following purposes, namely:

	Acres.
For the enefit of Oklahoma University	250,000
For the benefit of the Agricultural and Mechanical College	250,00
For the benefit of the University Preparatory School	250,000
For the benefit of the Colored Agricultural and Normal University	100,000
For the benefit of Normal Schools already established or to be established	300,000

Provided, that all money derived from the sale of said lands shall be invested for said State in Trust and the interest thereon shall be used exclusively and as above proportioned in the support and maintenance of said schools, provided further, that if any tract, part or parcel of land enumerated and described in the foregoing Section 1, was or shall be returned to the Commissioners of the land office by a board of appraisers thereof, as being more valuable for a townsite than for agricultural purposes, then such tract, part parcel of land shall be by said Commissioners of the Land Office, reserved from the sale and disposal under the terms of this bill; and provided further, that when any part of the above enumerated and described lands are known to be valuable for mineral, including gas or oil, such lands shall not be sold prior to January 1st, 1915; and provided further that sub-divisions (a), (b), (c), (d) and (e) of this section shall be referred to the people, as provided by law, in such manner as to permit a separate vote being had on each said mentioned sub-division.

The question being shall the substitute prevail.

The roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Cloonan, Davis, Goulding, Hatchett, Keys, Russell, Strain, Taylor, Thomas and Wynne. Total 12.

Nays. Mesrs. Chapman, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Hurst, Landrum, Memminger, Mitchell, Morris, Roddie, Smith, Stafford, Stewart, Soldani, Sorrells, Updegraff, Williams and Yeager. Total 23.

Absent and excused. Messrs. Allen, Beeler, Billups, Echols, Johnson, Moore, Newell, Potter and Redwine. Total 9.

The President declared the substitute lost.

Senator Davis offered the following amendment to Senate Bill No. 1, as follows:

Mr. President:

I move to amend Senate Bill No. 1, Section 1, page 4, line 16, by adding to the end of such section the following words, to-wit:

Provided that no lands mentioned in this act exclusive of the improvements thereon situated in the Counties of Harper, Beaver, Texas and Cimarron, shall ever be sold for less than three dollars per acre; in the Counties of Dewey, Roger, Mills and Beckam, for less than six dollars per acre; in the Counties of Woods, Woodward, Majors and Ellis; for less than nine dollars per acre; in the Counties of Greer, Jackson, Payne and Lincoln, for less than twelve dollars per acre; in the Counties of Kiowa, Caddo, Grady, Custer, Pawnee, Stephens and Comanche, for less than sixteen dollars per acre; in the Counties of Jefferson, Canadian, Kingfisher, Oklahoma, Cleveland, Logan, Pottawatomie and Blaine, for less than twenty dollars per acre; in the Counties of Tillman, Washita, Garfield, Noble and Alfalfa, for less than twenty-five dollars per acre; in the County of Grant, for less than thirty dollars per acre; in the County of Kay, for less than forty dollars per acre.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President Pro Tem Graham.

The President announced a quorum present.

Senator Davis' amendment to Senate Bill No. 1, as previously read was taken up.

The question being shall the amendment prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Cloonan, Curd, Davis, Graham, Goulding, Landrum, Memminger, and Yeager. Total 9.

Nays: Messrs. Blair, Chapman, Colville, Cordell, Cunningham, Denton, Eggerman, Franklin, Hatchett, Hurst, Keys, Mitchell, Morris, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Wynne. Total 26.

Absent and excused: Messrs. Allen, Beeler, Billups, Echols, Johnson, Moore, Newell, Potter and Redwine. Total 9.

The President declared the amendment lost.

Senator Cunningham explains his vote on Senator Davis' amendment to Senate Bill No. 1, as follows:

I vote "no" on the Davis amendment because it applies to the indemnity lands as well as Section 33.

Senator Stafford explains his vote on Senator Davis' amendment to Senate Bill No. 1, as follows:

I vote "no" on the amendment offered by Senator Davis for the reason that the application of the provision embodied therein will destroy the purpose for which the lands to be sold under the provisions of the pending bill are sold. We are selling the lands covered in this bill for the purpose of relieving the intolerable conditions and for the further purpose of acquiring funds with which to erect needed public buildings. If we were selling the common school and college lands by the terms of this bill I would vote "Yes" on the amendment.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams and Wynne. Total 31.

Nays. Messrs. Cloonan, Davis, Hatchett and Yeager. Total 4.

Absent and excused. Messrs. Allen, Beeler, Billups, Echols, Johnson, Moore, Newell, Potter and Redwine. Total 9.

The President declared the bill passed.

The title of the Bill was agreed to.

The Bill was ordered re-engrossed.

The Committee on Legal Adisory reported as follows:

Mr. President:

We, your Legal Advisory Committee, to whom was referred the proposition for a proper reference in amending or repealing existing laws, having had same under consideration beg leave to submit the following:

Our previous report recommending that all reference be made to the General Statutes of Oklahoma, 1908, was based upon the presumption that said statutes were a complete and correct compilation of the laws now in force in this State, but subsequent investigation discloses the fact that said General Statutes of 1908 are nothing more than a digest of the laws of Oklahoma and that said Statutes do not contain, nor purport to contain a true and correct copy of the laws of this State; therefore we recommend that all reference to existing laws be made to the Statutes and Session Laws wherein the law sought to be amended or repealed is found. We further recommend that the Statutes of Oklahoma 1893, and subsequent Session Laws should be the basis of reference instead of the General Statutes of Oklahoma.

Senator Thomas moved the adoption of the report.

Vote was taken and the President declared the report adopted.

Senator Thomas moved that the Committee on Revision, Compilation, Style and Arrangment be authorized to correct, and transpose the reference, to our Statutes so that there can be no question as to correctness.

Motion carried.

The Committee on Judiciary No. 1, reported, recommending that Senate Joint Resolution No. 8 do pass.

Report received.

The Committee on Judiciary No. 1, reported, recommending that Senate Bill No. 238 by Mr. Taylor do not pass.

Report adopted.

The Committee on Judiciary No. 1, reported, recommending that Senate Bill No. 191 do pass.

Report received.

The Committee on Judiciary No. 1, reported, recommending that Senate Bill No. 171 do pass.

Report received.

Petition No. 144 by Mr. Blair, filed, read and referred to Committee on Privileges and Elections.

Petition No. 145 by Mr. Williams, filed, read and referred to Committee on Privileges and Elections.

Petition No. 146 by Mr. Stafford, filed, read and referred to Committee on Privileges and Elections.

Petition No. 147 by Mr. Yeager, filed, read and referred to Committee on Privileges and Elections.

Petition No. 148 by Mr. Davis, filed, read and referred to Committee on Privileges and Elections.

The Committee on State and County Affairs, reported Senate Bill No. 80 without recommendation for the reason, no instructions were furnished the Committee.

Report received.

The Committee on Judiciary No. 1, reported, recommending that Senate Bill No. 163 do not pass.

Report adopted.

Bills Introduced and Read the First Time.

Senate Bill No. 256 by Mr. Goulding. "An Act to amend Section 1065, Chapter 14, of the General Statutes of Oklahoma, 1908, entitled, Building and Loan Associations."

Senate Bill No. 257 by Mr. Sorrells. "An Act amending Section 5642 of the General Statutes of Oklahoma, 1908, and declaring an emergency."

Senate Bill No. 258 by Mr. Yeager. "An Act providing for the transfer of Guardianship proceedings and the removal of guardians in certain cases, and providing a procedure therefor."

Senator Landrum asked unanimous consent to have the rules suspended and have vote by which Senate Bill No. 23 had passed reconsidered.

Vote was taken and the President declared the vote had been reconsidered.

Senator Cordell called up the motion lodged by Senator Billups to reconsider the vote by which the emergency section to House Bill No. 224 was lost.

The question being shall the vote be reconsidered by which the emergency section to House Bill No. 224 was lost.

Senator Cunningham moved to have further consideration of House Bill No. 224 laid over until Senator Billups returned.

Vote was taken and the President declared the motion lost.

The question being shall the vote by which the emergency Section to House Bill No. 224 was lost be reconsidered.

The roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Franklin, Goulding, Hurst, Morris, Roddie, Stafford, Stewart, Sorrells, Thomas and Yeager. Total 20.

Nays. Messrs. Denton, Graham, Hatchett, Keys, Landrum, Memminger, Mitchell, Russell, Smith, Strain, Taylor, Williams and Wynne. Total 13.

Absent and excused. Messrs. Allen, Beeler, Billups, Echols, Johnson, Moore, Newell, Potter, Redwine, Soldani and Updegraff. Total 11.

The President declared the vote had been reconsidered.

The question being shall there be an emergency section to House Bill No. 224.

The roll being called on the emergency section, the vote resulted as follows:

Yeas. Messrs. Blair, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Goulding, Hurst, Keys, Landrum, Memminger, Morris, Roddie, Stewart. Soldani, Taylor, Thomas, Updegraff, Wynne and Yeager. Total 21.

Nays. Messrs. Brownlee, Chapman, Clooinan, Denton, Eggerman, Graham, Hatchett, Mitchell, Russell, Smith, Stafford, Strain, Sorrells and Williams. Total 14.

Absent and excused. Messrs. Allen, Beeler, Billups, Echols, Johnson, Moore, Newell, Potter and Redwine. Total 9.

The President declared the emergency section failing to receive a two-thirds majority had lost.

President Pro Tem Graham signed the engrossed copy of House Bill No. 224 same was ordered transmitted to the House.

The Committee on Judiciary No. 1 reported, recommending that House Bill No. 12 do pass as amended.

Report received.

The Bill was ordered printed.

Senator Brownlee asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 259 by Mr. Brownlee. "An Act defining the disqualifications of District and County Judges in certain cases, and providing the manner for the selection of a Judge Pro Tem to try said cause, and declaring an emergency."

A message was received from the House, transmitting engrossed copy of House Bill No. 33 by Mr. Ross.

House Bill No. 33 by Mr. Ross. "An Act continuing the Criminal Court of Appeals, defining its duties, powers and jurisdiction, read the first time.

President Pro Tem Graham signed the engrossed copy of Senate Bill No. 1, same was ordered transmitted to the House.

The Senate went into Committee of the Whole to consider House Bills on the Calendar and special orders.

Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of House Concurrent Resolution No. 13.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, as follows: Mr. President, I am directed by the House of Representatives to inform the Honorable Senate that the House has concurred in the action of the Senate, by which it reconsidered the vote by which Senate Bill No. 23 by Mr. Landrum, had passed the Senate, for the purpose of changing the reference to the Statutes and further in-

form the Honorable Senate that the House of Representatives has indefinitely postponed Senate Concurrent Resolution No. 6 providing for New Jerusalem' Committee.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of House Bill No. 65, and enrolled copy of House Bill No. 224, signed by the Speaker.

House Bill No. 65 by Mr. Maxey. "An Act to provide for bonding School Districts, etc." read the first time.

House Bill No. 224 was read at length the fourth time.

President Pro Tem Graham signed the enrolled copy of House Bill No. 224, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

Committee of the Whole reported, recommending that House Bill No. 301 do pass, and that House Joint Memorial and Petition No. 4 do pass, and that House Bill No. 107 be laid over, and as to Senate Bill No. 2, report progress and ask leave to sit again.

Repor: received.

The Committee on Commerce and Labor reported, recommending that Senate Bill No. 81 do pass as amended.

Repor: received.

The Committee on Commerce and Labor reported, recommending that House Bill No. 17 do pass as amended.

Repor: received.

The Committee on Commerce and Labor reported, recommending that Senate Bill No. 242 do pass as amended.

Repor: received.

The Committee on Municipal Corporations reported, recommending that Senate Bill No. 218 do pass as amended.

Repor: received.

The Committee on Municipal Corporations reported, recommending that Senato Bill No. 208 do pass.

Repor: received.

House Bill No. 301 being on third reading was read at length the third time.

The question being shall the Bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays. None.

Absent and excused. Messrs. Allen, Beeler, Billups, Chapman, Denton, Echols, Johnson, Moore, Morris, Newell, Potter and Redwine. Total 12.

The question being shall there ben an emergency section.

The roll being called on the emergency section the vote resultd as follows:

Yeas. Messrs. Blair, Brownlee, Chapman, Cloonan,, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays. None.

Absent and excused. Messrs. Allen, Beeler, Billups, Denton, Echols, Johnson, Morris, Moore, Newell, Potter, Redwine and Taylor. Total 12.

The President declared the emergency section having received a two-thirds majority had passed.

President Uro Tem Graham signed engrossed copy of House Bill No. 301, same was ordered transmitted to the House.

Senator Colville was excused until next Monday.

The Committee on Judiciary No. 2, reported, recommending that Senate Bill No. 195 by Mr. Billups do pass as amended.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 177 by Mr. Thomas do pass.

Report received.

The Committee on Judiciary No. 2, reported, recommending that Senate Bill No. 192 by Mr. Allen, do not pass.

Report adopted.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 164 by Mr. Cordell do pass as amended.

Report received.

The Committee on Judiciary No. 2, reported, recommending that Senate Bill 113 by Mr. Brownlee, do pass.

Report received.

The Committee on Appropriations reported, recommending that Senate Bill No. 170 y Mr. Cunningham, do pass as amended.

Report received.

Senator Thomas asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 260 by Mr. Thomas. "An Act to establish a board of Commissioners for the promotion of Uniformity of Legislation in the United States."

Senate Bill No. 261 by Mr. Graham, "An Act to provide for the compiling, collecting, revising, digesting, suggesting additional legislation, adopting to the Constitution of the State and public laws of the State of Oklahoma, creating a commission to form a code of laws of the State of Oklahoma, defining their duties and providing for their compensation and expenses."

House Concurrent Resolution No. 13 by Messrs. Bryan and Jones. "Memorializing Congress to remove restrictions on Indian Lands in drainage districts organized under the Oklahoma Drainage Act, and authorize the assessment etc."

Senate Bill No. 262 by Mr. Davis of the Senate and Mr. White of the House. "An Act to provide better protection for the exemption of the wages and earnings of laborers, servants and employees of any individual,

firm or corporation, engaged in interstate business and declaring an emergency."

Senator Landrum moved that Senate Bill No. 23 be referred to a Special Committee of three for correction.

Motion carried.

The President appointed Mr. Landrum, Mr. Thomas and Mr. Cloonan as such Committee.

Senate adjourned until February 6, 1909, at 9:30 A. M.

SENATE JOURNAL.

THIRTY-THIRD DAY.

Saturday, February 6, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present:

Messrs. Blair, Brownlee, Chapman, Cloonan, Cunningham, Cordell, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Yeager. Total 34.

Absent and excused. Messrs. Allen, Beeler, Billups, Colville, Johnson, Moore, Newell, Potter, Redwine and Wynne. Total 10.

The President announced quorum present.

Prayer by the Chaplain.

On motion of Senator Blair the Journal of the thirty-first day's session was approved.

Petition No. 145 by Mr. Russell, filed, read and referred to Committee on Judiciary No. 2.

The Following Bills Were Introduced and Read the First Time.

Senate Bill No. 263 by Mr. Brownlee, by request, "An Act repealing Section 18, Article 14 of Chapter 25 of the Statutes of 1893 and declaring an emergency."

Senate Bill No. 264 by Mr. Brownlee. "An Act providing for the condemning and buying of land on Salt Creek in Blaine County Oklahoma."

Bills Read the Second Time and Referred to the Following Committee.

Senate Bill No. 253 by Messrs. Franklin and Hatchett to Committee on Legal Advisory.

Senate Bill No. 254 by Mr. Memminger to Committee on Banks and Banking.

Senate Bill No. 255 by Mr. Memminger of the Senate and Mr. Humphries of the House, to the Committee on Appropriations.

Senate Bill No. 256 by Mr. Goulding, to Committee on Banks and Banking.

Senate Bill No. 257 by Mr. Sorrells, to Committee on Public Health.

Senate Bill No. 258 by Mr. Yeager, to Committee on Codes Revision.

Senate Bill No. 259 by Mr. Brownlee, to Committee on Judiciary No. 2.

House Bill No. 33 by Mr. Maxey, to Committee on Judiciary No. 2.

Senate Bill No. 260 by Mr. Thomas, to Committee on Legal Advisory.

Senate Bill No. 261 by Mr. Graham, to Committee on Codes Revision.

On motion of Senator Eggerman, House Joint Resolution No. 13 was read at length. Senator Eggerman asked unanimous consent to have the rules suspended and have the Resolution put upon third reading and final passage.

Request granted.

The question being shall the Resolution pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Chapman, Cloonan, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hurst, Landrum, Mitchell, Morris, Roddie, Russell, Smith, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 25.

Nays. Messrs. Keys and Yeager. Total 2.

Absent and excused. Messrs. Allen, Beeler, Billups, Colville, Cordell, Cunningham, Davis, Echols, Hatchett, Johnson, Memminger, Moore, Newell, Potter, Redwine, Stafford and Wynne. Total 17.

The President declared the Resolution had passed.

Senate Bill No. 262 by Mr. Davis to the Committee on Commerce and Labor.

House Bill No. 65 by Mr. Maxey to Committee on Municipal Corporations.

Bills on Third Reading.

House Joint Memorial and Petition No. 4, by Mr. Lincoln read the third time at length.

Vote was taken.

The President declared the memorial unanimously adopted.

President Pro Tem Mr. Graham, signed the engrossed copy of House Joint Memorial and Petition No. 4, same was ordered transmitted to the House.

President Pro Tem Mr. Graham, signed the enrolled copy of Senate ate Concurrent Resolution No. 13 by Mr. Goulding, same was ordered transmitted to the House.

Senate Bill No. 80 by Mr. Memminger read the third time at length.

On motion of Senator Blair further consideration of Senate Bill No. 80 was postponed until the return of Senator Wynne.

Senator Yeager was excused until Monday.

Senator Blair moved to make Senate Bill No. 161 a special order for next Tuesday at 2:30 P. M.

The question being shall Senate Bill No. 161 be made a special order for next Tuesday at 2:30 P. M.

Vote was taken.

The President declared that Senate Bill No. 161 had been made a Special Order for next Tuesday at 2:30 P. M.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that Senate Bill No. 54 by Mr. Goulding, do pass as amended.

Report received.

The Special Committee reported on Senate Bill No. 23 as follows:

Mr. President:

We, your Special Committee, to whom was referred Senate Bill No. 23 for the purpose of making corrections in said bill as to reference to law amended, having had same under consideration beg leave to report back to the Senate with the following recommendations:

The bill as passed by the Senate amended a Section of the General Statutes of Oklahoma, 1908, and an investigation shows that the Section amended was a digest of two or three sections of existing law, and the bill as introduced did not seek to amend the digest but rather sought to amend a section of existing statute; Therefore in order that the correction intended by said bill be made, your Committee deems it necessary to present new form of Bill covering the same amendment sought to be made. The only purpose of said bill was to change the maximum number of directors from eleven to forty-one; hence the new draft of bill covers the same purpose and in a legal and regular manner; a copy of new draft being submitted herewith and made a part of this report.

Respectfully submitted,

E. M. LANDRUM,

Chairman.

Senator Thomas moved the adoption of the report.

Vote was taken.

The President declared the report adopted.

On motion of Senator Thomas, Senate Bill No. 23 as amended was placed on third reading and final passage.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 31.

Nays. None.

Absent and excused: Messrs. Allen, Beeler, Billups, Colville, Echols, Johnson, Moore, Newell, Potter, Redwine, Roddie, Wynne and Yeager. Total 13.

The President declared the bill passed.

President Pro Tem Graham signed the engrossed copy of Senate Bill No. 23 as amended y the Special Committee, same was ordered transmitted to the House.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem Graham.

The President announced a oqurum present.

The Journal of the thirty-second day was approved.

The Committee on Enrolled and Engrossed Bills reported, as follows:

Mr. President:

We, your Committee on Enrolled and Engrossed Bills, beg to ad-

vise that we have had under consideration Senate Bill No. 35, by Mr. Eggerman relating to Appeals in Criminal Cases, and beg to suggest that unanimous consent be granted to re-consider the vote by which said bill passed the Senate and same be placed on third reading and final passage this day, with the following amendments: Amend the title of the Bill so as to read as follows: "An Act to Amend Section 4, Article 16, of Chapter 68, of the Statutes of 1893, Relating to Appeals in Criminal Cases."

Amend Section 1 as follows: "Section 1. Section 4, Article 16 of Chapter 68 of the Statutes of 1893, be amended so as to read as follows: "Section 4."

Senator Eggerman moved that the report be adopted.

Vote taken.

The President declared the report adopted.

Senator Eggerman asked unanimous consent to have the vote by which Senate Bill No. 35 had passed reconsidered.

Vote taken.

The President declared the vote had been reconsidered by unanimous vote.

Senate Bill No. 35 was read at length the third time as amended.

Without objection the bill was postponed until next Legislative day.

The Senate went into the Committee of the Whole to consider special and general orders.

The Committee of the Whole, having had under consideration Senate Bill No. 2, report progress and ask leave to sit again.

Report adopted.

Senator Davis asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 265 by Mr. Davis. "An Act relating to Judicial Districts, defining the boundaries of the 9th, 12th, 21st and 22nd Judicial Districts, and providing for holding terms of court therein and providing for a District Judge in the 22nd District and declaring an emergency."

Senate Bill No. 266 by Mr. Taylor. "An Act amending Sections 9 and 10 of the Session laws of Oklahoma, 1907 and 1908, relating to County Weighers, defining their powers and duties."

Senate Bill No. 267 by Mr. Cunningham. "An Act authorizing Boards of County Commissioners in the counties of Oklahoma to purchase and sell real and personal property under certain restrictions."

Senate Bill No. 268 by Mr. Wynne. "An Act making an appropriation for the support and maintenance of the State University at Norman for the biennial period beginning July 1st, 1909, and ending June 30th, 1911 and for other and miscellaneous purposes."

Senator Chapman was excused until Tuesday.

The Committee on Appropriations reported, recommending that Senate Bill No. 114 do pass as amended.

Report received.

Petition No. 146 y Mr. Goulding, filed, read and referred to Committee on Revenue and Taxation.

The Senate adjourned until Monday, February 8, 1909, at 9:30 A. M.

SENATE JOURNAL.

THIRTY-FOURTH DAY.

Sunday, February 7, 1909.

No session.

SENATE JOURNAL.

MONDAY, FEBRUARY 8, 1909.

Thirty-Fifth Day.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 38.

Absent and excused: Messrs. Beeler, Chapman, Redwine, Soldani, Wynne and Yeager. Total 6.

The President announced a quorum present.

Prayer by the Chaplain.

Petition No. 147 by Mr. Goulding filed, read and referred to Committee on Revenue and Taxation.

Bills Read the Second Time and Referred to the Following Committees:

Senate Bill No. 263 by Mr. Brownlee, to Committee on Legal Advisory.

Senate Bill No. 264 by Mr. Brownlee, to Committee on Judiciary No. 1.

Senate Bill No. 265 by Mr. Davis, to Committee on Judiciary No. 2.

Senate Bill No. 266 by Mr. Taylor, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 267 by Mr. Cunningham, to Committee on State and County Affairs.

Senate Bill No. 268 by Mr. Wynne, to Committee on Appropriations.

Bills on Third Reading.

Senate Bill No. 35 by Mr. Eggerman was put on third reading and final passage as amended.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Cloonan, Colville, Cordell, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Stafford, Stewart, Strain, Taylor, Thomas, Updegraff and Williams. Total 29.

Nays: None.

Absent and excused: Messrs. Beeler, Blair, Brownlee, Chapman, Cunningham, Davis, Echols, Hurst, Moore, Potter, Redwine, Soldani, Sorrells, Wynne and Yeager. Total 15.

The President declared the Bill passed, same was ordered Engrossed as amended and transmitted to the House.

Senator Eggerman was excused until next Thursday.

Senator Johnson asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 269 by Messrs. Johnson, and Keys, "An Act repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, of Chapter 12 of the session laws of 1907."

Senate Bill No. 270 by Mr. Goulding, "An Act to amend Section 3, Article 3, of Chapter 6 of the session laws of 1907 and 1908, relating to banks and banking."

Senator Roddie was excused until next Thursday.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole reported, having had under consideration Senate Bill No. 2, report progress and ask leave to sit again.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 111 do pass.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 148 do pass.

Report received.

Senator Davis asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 271 by Mr. Davis, "An Act creating a commission to revise, digest and codify the laws of Oklahoma, defining its duties, providing for clerical assistance and for the publication and distribution of its report; and declaring an emergency."

Senate Bill No. 272 by Mr. Echols, "An Act for the encouragement of Farmers' Institutes and authorizing the County Clerks to draw warrants under certain conditions."

Senate Concurrent Resolution No. 19 by Mr. Sorrells, read at length.

Senator Sorrells asked unanimous consent to have the rules suspended and have the Resolution placed upon its third reading and final passage.

Request granted.

Vote was taken and the President announced that the Resolution passed by unanimous vote.

Petition No. 148 by Mr. Cunningham filed, read and referred to Committee on Roads and Highways.

The Senate recessed until 1:30 P. M.

Afternoon Session.

Senate called to order by President Pro Tem Graham.

The President announced a quorum present.

The Journal of the thirty-third day's session was approved.

Senator Taylor asked to have Senate Bill No. 155 withdrawn from the Committee on Privileges and Elections and referred to the Committee on Municipal Corporations.

The question being, shall Senate Bill No. 155 be withdrawn from the Committee on Privileges and Elections and referred to the Committee on Municipal Corporations, vote was taken and the President declared the motion carried by unanimous vote.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole arose temporarily and President Pro Tem Graham signed the engrossed copy of Senate Concurrent Resolution No. 19, by Mr. Sorrells, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of Senate Concurrent Resolution No. 13 and enrolled copy of House Bill No. 74 signed by the Speaker.

President Pro Tem, Mr. Graham, signed enrolled copy of House Bill No. 74, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of Senate Concurrent Resolution No. 19, signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of House Bill No. 246, signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House of Representatives to inform the Senate that the House of Representatives has agreed to the Senate amendments to Senate Bill No. 23 and herewith return the same to your Honorable Body.

A message from the House read as follows:

Mr. President: I am directed by the House of Representatives to inform the Senate that the House of Representatives has reconsidered the vote by which House Bill No. 301 passed for the reason that the emergency was not stated in the title and ask that the Honorable Senate reconsider the vote by which it passed the Senate.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 2, do pass as amended; that Senate Bill 11, do pass; and that Senate Bill No. 152 do pass as amended; and that Senate Bill No. 133 be indefinitely postponed; and that Senate Joint Resolution No. 6 be stricken from the Calendar.

Report adopted.

President Pro Tem, Mr. Graham, signed enrolled copy of Senate Concurrent Resolution No. 19 by Mr. Sorrells, same was ordered transmitted to the House.

The question being, shall the vote by which House Bill No. 301 has passed be reconsidered, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Cloonan, Colville, Cordell, Cunning-

ham, Curd, Davis, Echols, Franklin, Graham, Goulding, Keys, Hatchett, Hurst, Johnson, Landrum Mitchell, Morris, Potter, Russell, Smith, Strain, Soldani, Sorrells, Taylor and Williams. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Chapman, Denton, Eggerman, Memminger, Moore, Newell, Redwine, Roddie, Stafford, Stewart, Thomas, Updegraff, Wynne and Yeager. Total 17.

The President declared that the vote by which House Bill No. 301 had passed had been reconsidered.

The Secretary was instructed to inform the House of the action of the Senate.

A message was received from the Governor which read as follows:

Guthrie, Oklahoma, February 8, 1909

To the Legislature:

I have the honor to report to your Honorable Body that I have this day approved and signed House Bill No. 74, "An Act making an appropriation for a contingent fund for the State Treasurer, and declaring ar emergency."

Respectfully submitted,
C. N. HASKELL,
Governor.

The Committee on School Lands reported, recommending that Senate Joint Resolution No. 7 by Mr. Thomas, do pass as amended.

Report received.

Senator Morris asked unanimous consent to withdraw Senate Bill No. 7 and Senate Bill No. 99 from further consideration.

Request granted.

Senator Morris asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 273 by Mr. Morris, "An Act providing for holding County Court at the Town of Hooker, in Texas County, Oklahoma."

The Committee on Judiciary No. 1 reported, recommending that Senate Bills Nos. 190 and 121 do pass.

Report received.

The Committee on Judiciary No. 1 reported, recommending that Senate Bills Nos. 190, 178 and 121 do pass.

Report adopted.

Senator Franklin asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 274 by Mr. Franklin, "An Act to amend Section 5 of Article 13, Chapter 25, of the General Statutes of Oklahoma, 1893, being running Section 2007, and repealing all laws in conflict with this Act."

Senate Bill No. 275 by Mr. Mitchell, "An Act amending sections 14 and 15 Chapter 31 of the Session Laws of the Territory of Oklahoma for the year 1897, and making an appropriation for animals killed in accordance with its provisions."

The Committee on State and County Affairs reported, recommending that Senate Bill No. 131 do pass as amended.

Report received.

Senate adjourned until 9:30 A. M., Tuesday February 9. 1909

SENATE JOURNAL.

THIRTY-SIXTH DAY.

Tuesday, February 9, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem Graham.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Franklin, Davis, Denton, Echols, Graham, Goulding, Hatchett, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 38.

Absent and excused: Messrs. Beeler, Chapman, Cloonan, Eggerman, Redwine, and Roddie. Total 6.

The President announced a quorum present.

Prayer by the Chaplain.

Petition No. 149 by Mr. Goulding, filed, read and referred to Committee on Revenue and Taxation.

Petition No. 150 by Mr. Blair, filed, read and referred to the Committee on Privileges and Elections.

Bills read the Second time and referred to the following Committees:

Senate Bill No. 269 by Messrs. Johnson and Keys, to Committee on State and County Affairs.

Senate Bill No. 270 by Mr. Goulding, to Committee on Banks and Banking.

Senate Bill No. 271 by Mr. Davis, to Committee on Codes Revision.

Senate Bill No. 272 by Mr. Echols, to Committee on Agriculture, Quarantine and Animal Industry.

Senate Bill No. 273 by Mr. Morris, to Committee on Judiciary No. 1.

Senate Bill No. 274 by Mr. Franklin, to Committee on Judiciary No. 2.

Senate Bill No. 275 by Mr. Mitchell, by request, to Committee on Agriculture, Quarantine and Animal Industry, by request.

Introduction of Bills.

Senate Bill No. 276 by Mr. Stafford, by request. "An Act to prevent white lead poisoning."

Senator Colville was excused for the day.

President Pro Tem ,Mr. Graham, signed engrossed copy of Senate Bill No. 35 by Mr. Eggerman, same was ordered transmitted to the House.

Bills On Third Reading.

Senate Bill No. 11 by Mr. Franklin, was read the third time at length.

Senator Stafford offered the following amendment:

Section 2, page 2, after the word, "Machinery" in line 8, strike out

the words, "while in motion," and insert same in line 9 after the word 'Machinery".

Vote was taken and the President declared the amendment was adopted.

Senator Davis moved that the rules be suspended and that Senate Bill No. 11 be referred to the Committee of the Whole.

The question being, shall the rules be suspended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Cunningham, Davis, Graham, Hatchett, Johnson, Memminger, Mitchell, Potter, Stewart, Sorrells, Updegraff, and Wynne. Total 14.

Nays: Messrs. Allen, Billups, Brownlee, Colville, Curd, Echols, Franklin, Goulding, Keys, Morris, Newell, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Williams and Yeager. Total 21.

Absent and excused: Messrs. Beeler, Chapman, Cloonan, Denton Eggerman, Hurst, Moore, Redwine and Roddie. Total 9.

The President declared that the motion to suspend the rules had lost.

Senator Davis moved that Senate Bill No. 11 be recommitted to the Committee of the Whole with instructions to strike out Sections 6 and 8 from the bill.

Vote was taken and the President declared that the motion to recommit Senate Bill No. 11 to the Committee of the Whole had lost.

Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

The President announced a quorum present.

The Senate resumed further consideration of Senate Bill No. 11 as amended.

Senator Stafford asked unanimous consent to have the rules suspended and that Senate Bill No. 11 be recommitted to the Committee of the Whole.

Request granted.

Senate Bill No. 132 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cordell, Cunningham, Davis, Echols, Franklin, Graham, Goulding, Johnson, Memminger, Mitchell, Morris, Newell, Potter, Russell, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Curd and Hatchett. Total 2.

Absent and excused: Messrs. Beeler, Chapman, Cloonan, Colville, Denton, Eggerman, Hurst, Keys, Landrum, Moore, Redwine, Roddie, Smith, Stewart and Sorrells. Total 15.

The President declared the bill had passed.

The title of the bill was agreed to.

The Journal of the Thirty-fifth day's session was approved.

The Senate went into the Committee of the Whole to consider House Bills on the Calendar and general orders.

The Committee of the Whole arose temporarily to receive a message

from the House transmitting engrossed copies of House Bills Nos. 5, 293, 286, and 88 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: Please advise what action the Honorable Senate has taken toward complying with the request of the House of Representatives to reconsider the vote by which the Senate passed House Bill No. 301 by Mr. Dunn. Please answer forthwith.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting enrolled copies of Senate Concurrent Resolution No. 19, and House Joint Memorial and Petition No. 4, and House Concurrent Resolution No. 13 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House,

To the Secretary of the Senate: In relation to Senate Bill No. 35 our Journal shows it to have passed the House February 5th, and we have no record showing a request from your Honorable Body to reconsider the vote."

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting House Bill No. 301, "An Act making a deficiency appropriation for the expenses of the Board of Control of the State Prison, etc." the original Bill having been amended by adding the words, "And declaring an Emergency," which original bill was reconsidered by both houses to permit of this amendment, which is signed by the Speaker."

Withoue objection House Bill No. 301 was put on third reading and final passage as amended.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cordell, Cunningham, Curd, Davis, Denton, Echols, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused. Messrs. Beeler, Chapman, Cloonan, Colville, Eggerman, Hatchett, Redwine, Roddie and Soldani. Total 9.

The President declared the bill passed.

The question being, shall an emergency be declared, the roll being called on the emergency section, the vote resultd as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cordell, Cunningham, Curd, Davis, Denton, Echols, Franklin, Graham, Goulding, Hurst, Johnson, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Stewart, Stafford, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Cloonan, Colville, Eggerman, Hatchett, Moore, Redwine and Roddie. Total 9.

The President declared the emergency section, having received a two-thirds majority vote, had passed.

President Pro Tem. Mr. Graham, signed engrossed copy of House Bill No. 301, same was ordered transmitted to the House.

A communication from the Federation of Labor was read as follows:

To the Honorable President and Members of the Senate:

Gentlemen:

The Oklahoma State Federation of Labor in special convention assembled hereby extends to your Honorable Body a hearty invitation to attend a public mass meeting to be held in the City Hall this evening, February 9, at 8 o'clock. Hoping as many of your members as can come will be with us,

Fraternally yours,

PETE HENRETTY,
Chairman.

P. C. CLAYPOOL,
Secretary

On motion of Senator Billups the invitation was accepted.

An invitation was extended to the members of Senate through Senator Billups to attend an entertainment at the Brooks Theatre given by the Central Normal School, Edmond, Oklahoma.

On motion of Senator Billups the invitation was accepted.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House:

Mr. President: I am directed by the House to inform the Senate of the reconsideration and passage by the House of Senate Bill No. 35 and that engrossed copy has been signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bill No. 107 and Senate Joint Resolution No. 7 do pass; and that Senate Bills Nos. 69 and 11 do pass as amended.

Report received.

Senator Williams asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 277 by Mr. Williams, "An Act to provide the necessary expense of the State Government for the fiscal years ending June 30th, 1910, and June 30th 1911, and making appropriations therefor from the State Treasury of the State of Oklahoma."

The following House Bills were read the first time:

House Bill No. 246 by Mr. Rodgers of Pittsburg County, "An Act providing for the payment of witnesses in the County Courts and declaring an emergency."

House Bill No. 5 by Mr. Casteel of Cimarron County, "An Act making an appropriation for the cyclone and drouth sufferers in Cimarron and Texas Counties, Oklahmoa, and declaring an emergency."

House Bill No. 293 by Mr. Durant, "An Act making an appropriation

for the payment of moneys earned for work accomplished, no appropriation having been made by the Legislature of 1905 for such purposes."

House Bill No. 88 by Mr Price of Osage County, "An Act to amend Section 646, Article 3, Chapter 8, of the General Statutes of Oklahoma, 1908."

House Bill No. 286 by Mr. Johnson, "An Act to provide for the appointment of a State Board of Examiners, and for the examination and registration of nurses, and to provide penalties for the violation thereof."

A message was received from the Governor and read as follows:

Guthrie Oklahoma, February 9, 1909.

To The Legislature:

I have the honor to report to your Honorable Body that I have this day approved and signed House Bill No. (224) Two Hundred and Twenty-four, being entitled "An Act to permit the sale of apple cider in this State."

Respectfully submitted,
C. N. HASKELL,
Governor.

A message was received from the Governor and read as follows:

Guthrie, Oklahoma, February 9, 1909.

To the Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved Senate Bill No. Sixty-eight, being entitled, "An Act to protect the wages of persons employed in and around mines in the State of Oklahoma," and House Bill No. 66 being entitled, "An Act providing for one trial only on actions for recovery of real property and repealing Section 5356 of Article 3, Chapter 65 of the General Statutes of Oklahoma, 1908."

Respectfully submitted,
C. N. HASKELL.
Governor.

President Pro Tem Mr. Graham, signed the engrossed copy of Senate Bill No. 152 by Mr. Billups, same was ordered transmitted to the House.

Senator Soldani asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 278 by Mr. Soldani, "An Act relating to fees and salaries of clerks of the District Court."

Senate Bill No. 279 by Mr. Davis, "An Act to provide for the publication of measures and questions submitted to a vote of the people and declaring an emergency."

Senate Bill No. 280 by Mr. Thomas, "An Act to authorize the Board of County Commissioners and other officers to contract for public printing, stationery and supplies and declaring an emergency."

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 259 by Mr. Brownlee, do not pass.

Report adopted.

President Pro Tem, Mr. Graham, signed enrolled copy of House Concurrent Resolution No. 13 by Mr. Bryan, same was ordered transmitted to the House.

President Pro Tem. Mr. Graham, signed enrolled copy of House Joint Resolution No. 4, same was ordered transmitted to the House.

The Committee on Judiciary No. 1 reported, recommending that Senate Bills Nos. 57 and 141 do pass.

Report received.

The Committee on Judiciary No. 1 reported, recommending that Senate Bill No. 109 do pass as amended.

Report received.

Senator Keys asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 281 by Mr. Keys, "An Act providing for the holding of sessions of the County Court of Mayes County, Oklahoma, at Salina, in said County."

Senate adjourned until 9:30 A. M., Wednesday, February 10, 1909.

SENATE JOURNAL.

THIRTY-SEVENTH DAY.

Wednesday, February 10, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Curd, Davis, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, and Wynne. Total 34.

Absent and excused: Messrs. Beeler, Cloonan, Cunningham, Eggerman, Hurst, Potter, Redwine, Roddie and Yeager. Total 9.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Taylor: In view of the sad affliction that has overcome this body in the loss of one of its most esteemed members, the Hon. George O. Johnson, my colleague and friend, and friend of every other member of this body, a man in whom we all had the utmost confidence, whose honor and honesty would not be challenged by any who knew him, I deem it but fitting that this Senate should now stand adjourned, and that a Committee should be appointed to represent this body, in caring for the remains of our deceased member, that they be empowered to appoint a Committee to accompany the remains to their last resting place.

Therefore, I move you Mr. President, that this Senate stand adjourned for this day out of respect to the memory of the late Senator George O. Johnson, and that a Committee of three be appointed for the purpose of making suitable arrangements to the end that this Senate may be properly represented in the funeral services over the remains of said deceased member.

The Committee to select pall bearers and make all necessary arrangements.

Vote was taken and the President declared the motion carried unanimously.

(Senator Johnson was asphixiated by gas in his room, which was heated by natural gas. He was discovered in an unconscious state, by his room-mate, Senator Yeager, who was himself later overcome by the fumes, but not before he succeeded in making an alarm that aroused other occupants in adjoining rooms, who broke into the room and carried the unconscious Senators out. Senator Yeager soon revived, but Senator Johnson was too far gone for any assistance, to bring back the vital spark.)
—Journal Clerk.

The President appointed Messrs. Taylor, Williams and Davis as such Committee.

Senator Goulding moved that the Committee be clothed with the power to make all necessary arrangements and to contract for all necessary expenses connected therewith.

Vote taken and the President declared the motion had carried by unanimous vote.

The President appointed Messrs. Franklin, Memminger and Morris as a Committee to look after the welfare of Senator Yeager.

Senate adjourned until Thursday, February 11, 1909, at 9:30 A. M.

SENATE JOURNAL.

THIRTY-EIGHTH DAY.

Thursday, February 11, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Curd, Davis, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roldie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, and Williams. Total 35.

Absent and excused: Messrs. Beeler, Cunningham, Eggerman, Relwine, Soldani, Updegraff, Wynne and Yeager. Total 8.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the 37th day was approved.

Senator Memminger presented the following resolution in behalf of the Central Normal of Edmond, Oklahoma.

"Be it resolved by the faculty and students of the Central State Normal that we do hereby postpone our proposed trip to Guthrie out of deference to the memory of the Late Senator George O. Johnson.

"And herewith express our regret for his untimely taking off, and we further express our appreciation of the zeal and official integrity of Senator Johnson and extend to his family and colleagues our heartfelt sympathy.

"Be it further resolved that a copy of these resolutions be presented to the Senate of Oklahoma and the family of the deceased.

"Unanimously adopted by the students and faculty in mass convention."

Jas. A. McLauchlin,
L. J. Abbott,
W. H. Wood,
S. M. Barrett,
J. B. Crabbe,
Committee.

Edmond, Oklahoma, Feb. 10th, 1909.

Senator Memminger moved that the resolution be made a part of the record.

Motion carried.

Senator Franklin presented the following resolution which was read as follows:

Resolved, That the Oklahoma Federation of Labor, in special Session

assembled, do hereby heartily and earnestly endorse Senate Bill No. 11 known as the Child Labor Bill. It is a bill broad in scope, and correct in principle, and appeals to the humanity of the masses as well as to the well known principles of organized labor.

Unanimously adopted by a rising vote.

PETE HENRETTY,
Chairman.
F. C. CLAYPOOL,
Secretary.

The Following bills were introduced and read the first time:

Senate Bill No. 282 by Mr. Morris, "An Act to amend Section 1, Chapter 24 of the Session Laws of Oklahoma, 1895."

Senate Bill No. 283 by Mr. Davis, "An Act to regulate the use of natural gas and fixing penalties for the violation of this Act and declaring an emergency."

Senator Davis offered the following resolution:

"Be it resolved by the Senate, the House concurring therein, that when the House and Senate adjourn for this day, February 11, 1909, that the Legislature stand adjourned to meet on February 15, 1909 at 10:30 A. M."

Senator Davis moved the adoption of the resolution.

Senator Blair moved that the resolution be laid over under the rules.

Senator Davis moved that the rules be suspended and that the resolution be put on third reading and final passage.

The question being, shall the rules be suspended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Brownlee, Colville, Curd, Davis, Franklin, Goulding, Hurst, Keys, Potter, Smith, Taylor, and Williams. Total 12.

Nays: Messrs. Allen, Billups, Blair, Chapman, Cloonan, Cordell, Denton, Graham, Hatchett, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Stewart, Strain, Sorrells and Thomas. Total 21.

Absent and excused: Messrs. Beeler, Cunningham, Echols, Eggerman, Moore, Stafford, Soldani, Updegraff, Wynne and Yeager. Total 10.

The President declared the rules were not suspended.

Senator Davis withdrew the resolution from the records of the Senate.

Senator Hatchett asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 284 by Mr. Hatchett, "An Act providing for collection of costs and of attorneys fees in suits to acquire title or remove cloud from real estate."

Senator Taylor, on behalf of the Special Committee, made the following report:

Mr. President: On behalf of your Special Committee, appointed yesterday relative to the funeral services of the late Senator George O. Johnson, I beg leave to report, that all arrangements have been completed and the Committee asks that this Body when it do recess this afternoon shall

recess until 2:30 P. M. at which hour we reconvene at this Hall, and at which place funeral services will be conducted by Senator Colville, assisted by the members who wish to make a few remarks relative to the life and character of our deceased member, and also by the Chaplains of the House and Senate. An that the Bodies of the Senate and the House, form in procession and march with the remains to the depot at four o'clock P. M.

We have arranged for six Acting Pall Bearers and six Honorary Pall Bearers divided between the Senate and the House. Three Acting Pall Bearers from the Senate and three Acting pall Bearers on behalf of the House. And three Honorary Pall Bearers from each body.

The Acting Pall Bearers on the part of the Senate are Senators Goulding, Williams and Cunningham.

The Honorary Pall Bearers on the part of the Senate are Senators Smith, Memminger and Curd.

We also decided that Senator Strain should have charge of the march to the depot, he to make the arrangements to handle the two bodies.

We also selected Senator Davis to accompany the remains to Iowa as the official representative of this Senate.

Senator Taylor moved the adoption of the report.

The question being, shall the report be adopted, vote was taken and the President declared the report adopted by unanimous vote.

Senator Allen presented the following report on behalf of the Special Committee.

Guthrie, Oklahoma, Feb. 6, 1909.

To the President of the Senate and Speaker of the House:

We, your Special Committee, appointed by virtue of Senate Concurrent Resolution No. 18, being authorized therein to examine the book known as the General Statutes of Oklahoma, 1908, and to determine whether or not the same has been edited, printed and published in accordance with an Act entitled, "An Act providing for the publication and distribution of the annotated Statutes of Oklahoma, 1908, and to make report thereon, together with any suggestions or recommendations, having had the matter under consideration beg leave to report as follows:

Your Committee met and organized by the Election of Mr. Burnette as Chairman.

Your Committee called the following persons to testify relative to the matter inquired into;

Mr. Curtis, Mr. Elder, Mr. Pipes and Justice Williams.

A copy of the testimony of each of said witnesses is submitted herewith and made a part of this report, also, we submit herewith a copy of the law authirizing the publication of state statutes, together with the contract and specifications governing the same.

As a foundation of our report, we desire to quote the following from the Act authorizing the publication of such Statutes Section 1, of Chapter 78, Page 696 of the Session Laws of Oklahoma, 1907 and 1908 is as follows:

"Within the first ten days after the Governor has approved this Act, the Secretary of State shall, with the advice and consent of the Supreme Court, contract with some responsible publisher, firm or corporation, for

the publication of the Annotated Statute Laws of the State of Oklahoma. Said Annotated Statutes shall contain all the laws of the State of Oklahoma, now in force, including the laws passed by the First Legislature, of the State of Oklahoma, 1907-08, the same to be enited, annotated, printed and bound in first class manner in one volume, which volume shall contain as nearly two thousand two hundred and fifty pages as possible and practicable, and the same shall be printed on first class book rag paper and bound in high grade law book buckram and printed sheets be laced in. Provided that the work of such compiling, editing and annotating shall be done by order, or under the immediate direction and supervision of a law editor of experience and skill and known to have skill in that line of work. The mechanical style and form of said book, and the weight and size of the paper shall be, in so far as possible, or practicable, such as to compile a book after the style of what is known as Carter's Indian Territory Statutes of 1899, and said Statutes shall contain the Declaration of Independence, the Constitution of the United States, annotated, the Organic Act of Oklahoma Territory, the Enabling Act, and the present Constitution of Oklahoma annotated, in addition to said statute laws. Said Statute laws, Constitution of the United States, Organic Act of Oklahoma, Enabling Act and Constitution of the State, shall be completely and thoroughly indexed and cross indexed. The contents of said volume throughout shall be alphabetically arranged by chapters, the various sections of said volume shall be indicated by black, full faced letters, numbers running consecutively through the entire volume of statute laws, and each section shall bear a topic head line, or catch word in full black faced letters.

The matter of head lines and sub-heads shall be subject to the discretion of the Editor, which letters and words shall not be a part of the Statute Laws of the State. The annotations shall be thorough and compiled by reference to the decisions of the Supreme Court of Oklahoma wherein such sections may have been construed, and the code of civil procedure, in addition thereto, shall contain annotated reference to the decisions of the Supreme Court of Kansas and California construeing such section. Each section shall also contain a marginal reference showing the origin of such section, and any change or amendment made since such section became a law."

In compliance with said Section 1, a contract was entered into between the Secretary of State and the Pipes-Reed Book Company, a copy of said contract being attached hereto and made a part of this report.*

Section 9 of said Act, authorizes the appointment of a supervisor and defining his duties as follows:

It shall be the duty of the Supreme Court to appoint some competent lawyer, whose duty it shall be to supervise the work of publishing the statutes as herein provided for, to the extent that such lawyer shall compare said work, as it is in progress, to see that it is performed in accordance with the provisions of this Act, and of said contract. He shall judge of the correctness of the editorial work, including the annotations, as well as the compilation of the original Statutes. He shall also judge of the mechanical execution of said book. It shall be the duty of said

*The copy here referred to was never furnished—Herbert Cook, Journal Clerk.

lawyer, provided said statutes are edited, printed and bound, in accordance with the standard required by this Act and on the contract authorized hereunder, to, when he has completed his said comparison, issue a certificate attesting to the correctness of such publication, and such certificate, or a copy thereof, shall be printed in each volume of said Statutes. Any volume, bearing such certificate, shall be and become the official statute laws of the State of Oklahoma, and shall be received in all Courts as such. Should such statutes not conform to the requirements of this Act, and the contract herein authorized, said lawyer shall refuse to execute such certificate. The Secretary of State shall refuse to issue his voucher, and the Treasurer shall refuse to honor any warrant drawn in payment of any number of volumes of statutes, not approved and certified to as above provided. The inspection and examination of such printing shall be done as the work of publication progresses. Said lawyer shall receive as compensation for his services not exceeding $2500. The said sum is hereby appropriated out of any money in the treasury, or so much thereof as may be necessary and shall be paid on the voucher of the Supreme Court."

We find that pursuant to said authority the Supreme Court appointed, one Wm. L. Curtis, of Sallisaw, Oklahoma, to direct and supervise the compiling, editing, annotating and publishing of said statutes. The testimony* of said Wm. L. Curtis giving his qualifications, character of the work done, is filed herewith and made a part of this report.*

Section 2, of said Act above mentioned, provided the specifications for said statutes, and is as follows:

"The size of the type page shall be in width thirty (30) ems, pica measure which is five inches, (5), and in length fifty (50) ems pica measure, which is eight and two-sixths (8 2-6) inches. The text of the Statute shall be set in long primer, (otherwise known as ten point) thirty (30) ems pica measure, in width, and shall be provided with appropriate head-lines and sub-heads for each statute or section thereof, which head lines or sub-heads, shall be set in full faced (otherwise known as black-faced or antique) type. The annotation matter to the Statutes of sections thereof shall be set in nonpareil type, (otherwise known as six point) shall be in width fourteen and one-half (14 1-2) ems, pica measure, leaded, shall be printed in two columns on the page. The paragraphs of annotation matter under each statute or section thereof, shall be numbered consecutively throughout each note. The Secretary of State shall have said book copyrighted in the name of the State of Oklahoma and all rights reserved to the State.

Under the provisions of said Act, we find that it was the duty of the Secretary of State, to furnish to the publisher-contractor a copy of all the laws passed by the various territorial legislatures, together with a copy of all laws passed by the first State Legislature. We find, that instead of said laws being furnished by the Secretary of State, that said Statutes were compiled from copies of old Statutes, old session laws and carbon copies of session laws of 1907-1908 furnished by Legislative Codifying Committee.

We find that it was the duty of said publisher-contractor, to edit,

*The testimony etc., here referred to was never furnished—Herbert Cook, Clerk.

annotate, and print said statutes; and in the editing, annotating and printing, it was his duty to exclude such dead matter as might be designated by the Chief Justice or by a committee acting under his supervision, also to exclude the appropriation Bills, and to use the words, "State of Oklahoma," instead of Territory of Oklahoma, whenever same may have appeared in the laws formerly in force in the Territory of Oklahoma. We find that no Committee, other than the supervisor, was appointed, by the Supreme Court or the Chief Justice thereof.

We find that the editorial work, preparatory to the publication of said statutes, was done in behalf of said publisher-contractor by one Benedict Elder, a copy of whose testimony is filed herewith and made a part of this report.

We find that said editorial work was done, and the copy of said publication was prepared under direction and supervision of one Wm. L. Curtis, the supervisor appointed on behalf of the State.

We find that the completed copy and proof thereof was submitted to, approved and certified by Said Wm. L. Curtis, before publication by the Pipes-Reed Company.

We find that said publication, known as the general Statutes of Oklahoma, 1908, is not a correct copy of the General Laws of Oklahoma; that sections, and in some instances, entire Octs, have been omitted from said publication.

We find that the law cited in said statutes, in many instances, is not a correct copy of the law as found in the enrolled copy of the Acts now in the office of the Secretary of State, but rather a condensed opinion or purported digest of said law.

We find, in our opinion, a number of laws have been changed so that their meaning does not conform with the Act as originally passed; a few said changes, alterations and condensations have been pointed out in the testimony hereto attached, submitted herewith and made a part of this report."*

From the foregoing findings of facts, and conclusions based thereon, we recommend that the Statutes of Oklahoma, 1908, cannot be used as more than a digest, and that only former statutes and session laws should be used by members of the Legislature when seeking to amend or repeal existing law.

Respectfully submitted,

Harry K. Allen,	J. H. Maxey,
W. P. Stewart,	S. C. Burnette,
J. Elmer Thomas.	J. M. Humphries.
Senate Committee.	House Committee.

Senator Allen moved the adoption of the report.

Vote was taken, the President declared the report adopted.

A message was received from the House transmitting engrossed copy

*No copy of this testimony was ever furnished—Herbert Cook, Journal Clerk.

of Senate Bill No. 126 as amended by the House, signed by the Speaker, and also enrolled copy of House Bill No. 301, signed by the Speaker.

Senator Williams withdrew his motion to reconsider the vote by which the emergency section to Senate Bill No. 39 was lost.

House Bill No. 301 was read the fourth time at length.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 301, same was ordered transmitted to the House.

Senate Bill No. 23 by Mr. Landrum, was read at length the fourth time.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 23, same was ordered transmitted to the House.

The time having arrived to recess, Senator Stafford moved that the Senate recess until 12:30 P. M.

Vote was taken, the President declared the motion carried, and the Senate recessed until 12:30 P. M.

Afternoon Session.

Senate called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

Bills Read the Second Time and Referred to the Following Committees:

Senate Bill No. 276 by Mr. Stafford, to Committee on Public Health.

Senate Bill No. 277 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 278 by Mr. Soldani, to Committee on Fees and Salaries.

Senate Bill No. 279 by Mr. Davis, to Committee on Public Printing.

Senate Bill No. 280 by Mr. Thomas, to Committee on State and County Affairs.

Senate Bill No. 281 by Mr. Keys, to Committee on Judiciary No. 2.

House Bill No. 246 by Mr. Ratliff, to Committee on Judiciary No. 1.

House Bill No. 5 by Mr. Casteel, to Committee on Appropriations.

House Bill No. 293 by Mr. Durant, to Committee on Appropriations.

House Bill No. 81 by Mr. Price, to Committee on Legal Advisory.

House Bill No. 286 by Mr. Johnson, to Committee on Public Health.

Senate Bill No. 130 by Mr. Franklin, was read the third time at length.

Senator Franklin offered the following amendment:

Section 1, line 5, page 1, "Provided, that an appearance to plead or object to the jurisdiction of the Court shall not be construed as an appearance for any other purpose."

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Franklin, Hurst, Mitchell, Stewart, and Sorrells. Total 5.

Nays: Messrs. Allen, Brownlee, Chapman, Cloonan, Cordell, Curd, Denton, Echols, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Roddie, Russell, Smith, Stafford, Strain, Taylor, Thomas and Williams. Total 24.

Absent and excused: Messrs. Beeler, Billups, Blair, Colville, Cun-

ningham, Davis, Eggerman, Moore, Potter, Redwine, Soldani, Updegraff, Wynne and Yeager. Total 14.

The President declared the amendment lost.

A message was received from the House transmitting enrolled copy of Senate Bill No. 23 signed by the Speaker.

Senator Franklin offered the following amendment: Section 2, line 7, reinsert "For want of service," "or".

The question being shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Denton, Franklin, Hatchett, Hurst, Memminger, Mitchell, Morris, Roddie, Russell, Smith, Stewart, Strain, Sorrells, Taylor and Williams. Total 17.

Nays: Messrs. Allen, Brownlee, Chapman, Cloonan, Curd, Echols, Keys, Landrum, Newell, Potter, Stafford, Thomas. Total 12.

Absent and excused: Messrs. Beeler, Billups, Colville, Cunningham, Davis, Eggerman, Graham, Goulding, Moore, Redwine, Soldani, Updegraff, Wynne and Yeager. Total 14.

The President declared the amendment adopted.

Senator Franklin offered the following amendment: In line 4 of Section 2, reinsert, "For want of Service," "or".

Vote was taken and the President declared the amendment adopted.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Chapman, Cordell, Denton, Franklin Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Stewart, Strain, Sorrells, Taylor, Thomas and Williams. Total 24.

Nays: Messrs. Brownlee, Cloonan, Curd, Echols, Potter and Stafford. Total 6.

Absent and excused: Messrs. Beeler, Billups, Colville, Cunningham, Davis, Eggerman, Graham, Moore, Redwine, Soldani, Updegraff, Wynne and Yeager. Total 13.

The President declared the bill passed.

Senator Sorrells moved that the Senate concur in the House amendments to Senate Bill No. 126.

The question being, shall the Senate concur in House amendments, to Senate Bill No. 126 ,the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Cordell, Curd, Denton, Echols, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas and Williams. Total 31.

Nays: None.

Absent and excused: Messrs. Beeler, Billups, Colville, Cunningham, Davis, Eggerman, Franklin, Redwine, Soldani, Updegraff, Wynne and Yeager. Total 12.

The President declared that the Senate had concurred in the House Amendments to Senate Bill No. 126.

Senator Sorrells moved that the Senate do not concur in the action

taken by the House on the emergency section to Senate Bill No. 126, and asked to have a conference committee appointed and the House notified of the actions of the Senate.

Vote was taken, the President declared the motion carried.

The President appointed Messrs. Sorrells, Colville and Hatchett as such Committee.

Senator Russell asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 285 by Mr. Russell, "An Act to amend Section 4 of Article 1, of Chapter 33, of the Session Laws of Oklahoma, 1905 relating to consolidating of school districts."

Senate Bill No. 286 by Mr. Blair, "An Act authorizing witnesses in any case, civil or criminal, upon cross-examination to be interrogated as to offenses with which they may have been charged and for which they have been imprisoned or for which they have been convicted involving moral turpitude, and prohibiting persons convicted of felony from testifying in any Court in this State, unless such person has been pardoned and had his citizenship restored by the Governor, except a defendant in his own behalf."

Senate Bill No. 287 by Mr. Cunningham, "An Act authorizing the establishment of a State Rescue Home for fallen women and girls."

The Journal of the 36th day's session was approved.

State Joint Resolution No. 7 was read the third time at length.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Cloonan, Cordell, Curd, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas and Williams. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Chapman, Colville, Cunningham, Davis, Denton, Echols, Eggerman, Mitchell, Redwine, Soldani, Updegraff, Wynne and Yeager. Total 16.

The President declared the Resolution passed.

Senator Morris asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 288 by Mr. Morris, "An Act to determine the steps requisite to be taken by certain public service corporations under the constitution and laws of this State to become a domestic corporation and limiting the rigth of such corporation organized under the laws of other states or Territories of the Unted States to become such domestic corporation."

Senate Bill No. 289 by Mr. Roddie, "An Act to provide for the location and establishment of a factory for the manufacture of cotton bags, cotton sacks and cotton twine by the Board of prison control of the State Penitentiary, for the employment of managing experts, and of certain state convicts in the operation of said factory and to make an appropriation therefor."

Senator Keys was excused until Monday.

Senator Curd was excused until Monday.

Senate Bill No. 35 by Mr. Eggerman, was read the fourth time at length.

President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 35 same was ordered transmitted to the House.

The Committee on Judiciary No. 2 reported, recommending that Senate Joint Resolution No. 4 do pass.

Report received.

Senator Billups moved that the proceedings* of the memorial services today be spread upon the records of the Senate and printed in full in the Journal.

The question being, shall the motion prevail, vote was taken and the President declared the motion had carried unanimously.

The Senate adjourned until Friday, February 12, 1909 at 9:30 A. M.

*The proceedings here referred to were not furnished—Herbert Cook Journal Clerk.

SENATE JOURNAL.

THIRTY-NINTH DAY.

Friday, February 12, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 36.

Absent and excused: Messrs. Beeler, Curd, Davis, Keys, Soldani, Updegraff and Yeager. Total 7.

The President announced a quorum present.

Prayer by the Chaplain.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 35 signed by the Speaker.

The enrolled copy of Senate Bill No. 35 was ordered transmitted to the Governor.

Communication presented by Mr. Brownlee, filed, read and referred to Committee on Legal Advisory.

Petition No. 151 by Mr. Sorrells, filed, read and referred to Committee on Legal Advisory.

The Following Bills were introduced and read the First Time:

Senate Bill No. 290 by Mr. Strain, "An Act to provide for the filing of claims and accounts against the State, the issuing of warrants in payment thereof, the repeal of all laws in conflict, and declaring an emergency."

Bills read the Second Time and Referred to the following Committees:

Senate Bill No. 282 by Mr. Morris, to Committee on School Lands.

Senate Bill No. 283 by Mr. Davis, to Committee on Oil, Gas and Mineral Lands.

Senate Bill No. 284 by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 285 by Mr. Russell, to Committee on Education.

Senate Bill No. 286 by Mr. Blair, to Committee on Judiciary No. 1.

Senate Bill No. 287 by Mr. Cunningham, to Committee on Penal Institutions.

Senate Bill No. 288 by Mr. Morris, to Committee on Public Service Corporations.

Senate Bill No. 289 by Mr. Roddie, to Committee on Agriculture, Quarantine and Animal Industry.

Senator Colville was excused until Monday.

Bills on Third Reading.

Senator Memminger asked unanimous consent to have Senate Bill No. 80 read as amended by the special committee.

Reques: granted.

Committee Substitute for Senate Bill No. 80 was read at length the third time.

The question being, shall the Committee substitute for Senate Bill No. 80 pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cordell, Denton, Franklin, Graham, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Stafford, Stewart, Sorrells, Taylor, Thomas and Williams. Total 25.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Echols, Eggerman, Keys, Moore, Potter, Redwine, Strain, Soldani, Updegraff, Wynne and Yeager. Total 18.

The President declared the substitute for Senate Bill No. 80 had passed.

Senator Memminger asked unanimous consent to have the emergency section stricken from substitute for Senate Bill No. 80.

Reques: granted.

President Pro Tem Graham signed the engrossed copy of Senate Bill No. 130, same was ordered transmitted to the House.

House Bill No. 107 by Mr. Cope was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Cordell, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst Memminger, Mitchell, Moore, Newell, Potter, Redwine, Russell, Smith, Stafford, Stewart, Sorrells, Thomas, Williams and Wynne. Total 27.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Colville, Cunningham, Curd, Davis, Echols, Keys, Landrum, Morris, Roddie, Strain, Soldani, Taylor, Updegraff and Yeager. Total 16.

The President declared the Bill had passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 107, same was ordered transmitted to the House.

Senator Allen moved that the Senate stay in session until 12 M. and then adjourn until tomorrow.

The question being, shall the Senate stay in session until 12 M, vote was taken and the President declared the motion lost.

Senator Goulding moved that the chair and desk occupied in the Senate by the late Senator George O. Johnson be presented to his brother, S. W. Johnson, of Enid, Oklahoma.

The question being, shall the motion prevail, vote was taken and the President announced that the motion had unanimously carried.

The President appointed Senator Goulding a special committee of one to present same to Mr. Johnson.

Senator Goulding presented the following:

To the Senate and House of Representatives of the Second Legislature of the State of Oklahoma:

"The Chamber of Commerce of the City of Enid, cordially invites you to be present at Enid on Saturday, February 20, 1909, as guests of the City."

Done as ordered by resolution of the Chamber of Commerce passed February 9, 1909.

F. W. LYONS, President.
J. J. CUNNINGHAM, Secretary.

Senator Goulding moved that the invitation be accepted.

Vote was taken and the President declared the invitation had been accepted.

Senator Hotchett requested to let the records show that he voted "No."

The Committee on Judiciary No. 1 reported recommending that Senate Bill No. 211 by Mr. Stafford do pass.

Report received.

Senator Brownlee asked unanimous consent to have the rules suspended and that Senate Bills Nos. 187 and 208 be put upon third reading and final passage

The question being, shall the rules be suspended, vate was taken and the President declared the rules were suspended.

Senate Bill No. 187 was read at length the third time.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Cordell, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Williams and Wynne.

Total 33.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Colville, Cunningham, Curd, Davis, Keys, Soldani, Updegraff and Yeager. Total 10.

The President declared the bill passed.

The question being shall an emergency be declared, the roll being called on the emergency section, the vote resulted as follows.

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Cordell, Denton, Echols, Eggerman, Franklin, Graham, Hatchett, Hurst, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 32.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Colville, Cunningham, Curd, Davis, Goulding, Keys, Soldani, Updegraff and Yeager. Total 11.

The President declared the emergency section having received a two-thirds majority had passed.

The bill was ordered engrossed.

Senate Bill No. 208 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Cordell, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 31.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Colville, Cunningham Curd, Davis, Keys, Moore, Potter, Soldani, Updegraff and Yeager. Total 12.

The President declared the Bill passed.

The question being shall an emergency be declared, the roll being called, on the emergency section, the vote resultd as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Cordell, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Taylor, Thomas, Sorrells, Williams and Wynne. Total 31.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Colville, Cunningham, Curd, Davis, Keys, Moore, Potter, Soldani, Updegraff and Yeager. Total12.

The President declared the emergency section, having received a two-thirds majority, had passed.

The bill was ordered engrossed.

Senator Thomas asked to have the emergency section to Senate Joint Resolution No. 7 put on third reading and final passage.

The question being, shall there be an emergency section declared to Senate Joint Resolution No. 7, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Brownlee, Cloonan, Cunningham, Denton, Eggerman, Franklin, Graham, Hatchett, Goulding, Hurst, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 33.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Colville, Curd, Davis, Echols, Keys, Soldani, Updegraff and Yeager. Total 10.

The President declared the emergency section, having received a two-thirds majority had passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Joint Resolution No. 7, same was ordered transmitted to the House.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 187, same was ordered transmitted to the House.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 208, same was ordered transmitted to the House.

The Committee on Municipal Corporations reported, recommending that Senate Bill No. 112 by Mr. Brownlee do pass as amended.

Report received.

The Committee on Municipal Corporations reported, recommending that Senate Bill No. 182 by Mr. Thomas, do pass.

Report received.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President, Mr. Bellamy.

The roll being called the following Senators were present: Messrs. Blair, Cordell, Denton, Eggerman, Goulding, Hatchett, Hurst, Memminger, Mitchell, Morris, Newell, Smith, Stafford, Stewart, Strain, Taylor, Williams and Wynne. Total 18.

Absent and excused: Messrs. Allen, Beeler, Billups, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Echols, Franklin, Graham, Keys, Landrum, Moore, Potter, Redwine, Roddie, Russell, Soldani, Sorrells, Thomas, Updegraff and Yeager. Total 25.

The President announced that there was not a quorum present.

The Journal of the Thirty-Eighth day's session was approved.

Senator Morris asked for a call of the Senate joined in by Messrs. Stewart and Williams.

The Sergeant-at-Arms was instructed to bring in all absent members.

On request of Senator Goulding, President, Mr. Bellamy, appointed Messrs. Strain, Williams and Goulding to procure and send to Senator Johnson's relatives in Iowa, all of his personal effects.

On request of Senator Taylor the reporters were instructed to prepare all records of proceedings taken by the Senate regarding the memorial of Senator Johnson, and that these records also be sent to his relatives.

Petition No. 152 by Mr. Goulding, filed, read and referred to Committee on Revenue and Taxation.

The Senate went into the Committee of the Whole to consider special orders and House Bills and general orders.

The Committee of the Whole reported, that Senate Bill No. 161 by Mr. Blair, together with the amendments to the same by Mr. Smith, that the amendments be printed, and taken up under special orders tomorrow at 2:30 P. M., that the printing committee be instructed to look into the delay in the printing of bills also the condition of our rules and joint rules of the Senate and House, that House substitute Bill No. 17 do pass; that Senate Bill No. 53 do pass as amended; and as to Senate Bill No. 95 report progress and ask leave to sit again.

Report adopted.

The Committee on Appropriations reported, recommending that Senate Bill No. 246 do pass.

Report received.

The Committee on Codes Revision reported, recommending that Senate Bill No. 261 do pass as amended and that the Bill be made a special order for Tuesday at 2 P. M.

Report received.

Senator Stewart moved that the rules be suspended and that Senate Bill No. 261 be made a special order for next Tuesday at 2 P. M.

Vote was taken and the President declared the motion carried.

The Committee on Judiciary No. 2 reported, recommending that House Bill No. 33 do pass.

Report received.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that Senate Bill No. 250 do pass.

Report received.

The Committee on Agriculture, Quarantine and Animal Industry reported recommending that Senate Bill No. 85 do pass.

Report received.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that Senate Bill No. 272 do pass.

Report received.

Senator Soldani asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 291 by Mr. Soldani of the Senate and Mr. Maris of the House.

"An Act providing for the construction of bridges, and repealing Section 7 of article 11, Chapter 29, of the laws of Oklahoma, 1903."

Senate Bill No. 292 by Mr. Hatchett, "An Act providing for a pardon attorney to the Governor, defining his duties and compensation, and declaring an emergency."

Senator Cunningham asked to have Senate Bill No. 287 withdrawn from the Committee on Penal Institutions and referred to the Committee on Hospitals and Charities."

Request granted.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 16 do pass.

Report received.

Senator Billups moved that this Senate do now stand adjourned out of respect to our martyred President, Abraham Lincoln, and so let the records show.

Vote was taken and the President declared the motion carried unanimously.

The Senate adjourned until 9:30 A. M., Saturday, February 13, 1909.

SENATE JOURNAL.

FORTIETH DAY.

Saturday February 15, 1902.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Redwine, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Williams and Wynne. Total 36.

Absent and excused: Messrs. Beeler, Colville, Curd, Davis, Keys, Updegraff and Yeager. Total 7.

The President announced a quorum present.

Prayer by the Chaplain.

The following Bills were introduced and read the first time:

Senate Bill No. 293 by Mr. Strain ,"An Act to provide for holding sessions of the County Court of Nowata County, Oklahoma, at Wann, Oklahoma."

Reports of Standing Committees.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 274 do pass.

Report received

The Committee on State and County Affairs reported, recommending that Senate Bill No. 150 do pass as amended.

Report received.

Bills read the second time and referred to the following Committees:

Senate Bill No. 290 by Mr. Strain, to Committee on State and County Affairs.

Senate Bill No. 291 by Mr. Soldani of the Senate and Mr. Maris of the House, to Committee on Roads and Highways.

Senate Bill No. 292 by Mr. Hatchett, by request, to Committee on Legal Advisory.

Bills on Third Reading.

Committee Substitute for House Bill No. 17 was read the third time at length.

On motion the bill was deferred until next legislative day.

Petition No. 153 by Mr. Eggerman, filed, read and referred to the Committee of the Whole.

Petition No. 154 by Mr. Cunningham, filed, read and referred to Committee of the Whole.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole reported, recommending that Senate Bill No. 45 do pass; that Senate Bill No. 95 be referred to a special committee of five.

Report received.

The Committee on Appropriations reported, recommending that House Bill No. 203 do pass.

Report received.

The Committee on Appropriations reported, recommending that Senate Bill No. 255 do not pass.

Report adopted.

The Committee on Appropriations reported, recommending that Senate Bill No. 220 do pass as amended.

Report received.

The Committee on Municipal Corporations reported, recommending that Senate Bill No. 155 do pass as amended.

Report received.

Senator Stafford moved that the rules be suspended and that Senate Bill No. 155 be made a special order for next Wednesday, February 17 at 2 P. M.

The question being, shall the rules be suspended, vote was taken and the President declared that the rules had been suspended and that Senate Bill No. 155 had been made a special order for Wednesday, February 17 at 2 P. M.

Senate Joint Resolution No. 10 by Mr. Taylor, "Authorizing the submission of a Constitutional amendment fixing the membership of Senate and House of Representatives, and regulating the re-apportionment of Senatorial and Representative Districts."

Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President, Mr. Bellamy.

On motion of Senator Graham the rules were suspended on calling the roll.

The President announced that a quorum was present.

The Journal of the thirty-ninth day's session was approved.

Introduction of Bills.

Senate Bill No. 294 by Mr. Mitchell, "An Act providing for the construction of a system of improved highways; for the creation of improved highway districts; authorizing and providing for the issuance of bonds and other evidence of indebtedness of such districts; and providing for the levy of tax payment of such indebtedness; and the expense of construction; and providing for viewers and the appointment of improved highway commissioners, and engineers; conferring additional powers on certain

officers and extending the right of eminent domain; and carrying into effect certain provisions of the Constitution."

Senate Bill No. 295 by Mr. Echols, "An Act authorizing boards of education to construct and maintain two or more School houses in any school district in this State."

Senate Bill No. 296 by Mr. Landrum, "An Act to amend Section 6, of Chapter 10, Article 2, of the Session Laws of Oklahoma, 1905."

Senator Cordell was excused until Monday.

The Senate went into the Committee of the Whole to consider Senate Bill No. 78.

The Committee of the Whole arose temporarily to receive a message from the House which read as follows:

Mr. President: I am directed by the House of Representatives to inform the Honorable Senate that the House has agreed to the Senate amendments to House Bill No. 107, and herewith transmit the enrolled copy, duly signed by the Speaker.

House Bill No. 107 was read at length the fourth time.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 107, same was ordered transmitted to the House.

Senator Sorrells moved that the Senate reconsider the vote by which the Senate did not concur in the House Amendment to emergency section of Snate Bill No. 126.

Vote was taken and the President declared the motion had carried by unanimous vote.

Senator Sorrells moved that the Senate concur in the striking out of the emergency section to Senate Bill No. 126.

Vote was taken and the President declared that the Senate had concurred in the House amendment to strike out the emergency section of Senate Bill No. 126 by unanimous vote.

The question being shall Senate Bill No. 126 pass as amended by the House.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cloonan, Denton, Echols, Eggerman, Franklin, Graham, Hatchett, Hurst, Landrum, Memminger, Mitchell, Moore, Potter, Redwine, Roddie. Russell, Smith, Stafford, Sorrells, Taylor, Thomas and Williams. Total 25.

Nays: Mr. Cunningham. Total 1.

Absent and excused: Messrs. Beeler, Chapman, Brownlee, Colville, Cordell, Curd, Davis, Goulding, Keys, Moore, Morris, Stewart, Strain, Soldani, Updegraff,, Wynne and Yeager. Total 17.

The President declared the bill passed as amended. Same was ordered enrolled.

The Committee of the Whole resumed business.

The Committee of the Whole reported having had under consideration Senate Bill No. 78, report progress and ask leave to sit again, and further recommend that the Senate request the Secretary of State to furnish a copy of the sworn statement in the Auditor's office upon the particular items of the expense of initiated bills, and if there wer other items upon which

the Appropriations Committee has not investigated, that itemized statements of these be also furnished.

Report adopted.

Senator Williams asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 297, by Mr. Williams, "An Act making an appropriation for the improvement, support, care and maintenance of the Hospital for the Insane at Fort Supply for the fiscal years ending June 30, 1910 and June 30, 1911."

Senate Bill No. 298 by Mr. Thomas, "An Act authorizing and directing the Commissioners of the Land Office to plat and sell the east half of the northeast quarter of section Thirty-six, (36) Township Two (2) North, Range Twelve (12) West of the Indian Territory, in Comanche County for townsite purposes"

Senate Bill. No 299 by Mr. Taylor, "An Act providing for the appointment of a city or town marshall, amending section 19 of Article 4, of Chapter 12, and Section 40 of Article 1, of Chapter 13, of Wilson's revised Statutes, 1903."

A tribute by P. P. Duffy was read as follows:

THE PASSING OF A GOOD AND TRUE MAN.

To the Memory of George O. Johnson.

Death's Angel comes, an unexpected guest,
And snuff's away a flickering human light;
And takes from use a man we loved the best,
His noble spirit wings eternal flight.

Death—man's highest triumph, man's profoundest fall,
A feeling yet undrawn by mortal hand;
The Messenger that casts a gloom o'er all
Conveys the soul unto the Spirit Land.

A good friend once among us is no more,
Ne'er will we see his pleasant face again;
A spirit pure and bright, has gone before,
Yet leaves its imprint on the minds of men.

The hands that did kind deeds are folded, still,
No shadow flits across the placid brow,
His journey's ended; and as it's His will
In suppliant submission must we bow.

Sleep on good man, we pray thee peaceful rest.
The longings of thy friends cannot recall
Thy presence, nor the heart-beats of thy breast,
The tears of loved ones can't remove the pall.

If men would live in faith and truth as he,
And tread the beaten paths that he hath trod,
They'd leave behind a chastened memory,
A soldier to his country and his God.

On motion of Senator Thomas the tribute was ordered inserted in the Journal.

Senator Graham asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 300 by Mr. Graham, "An Act for the better protection of homes, defining certain acts and things to be a nuisance, providing punishment therefor and declaring an emergency."

Senate Joint Resolution No. 11 by Mr. Hatchett, "Resolved, that a Committee of three be appointed to ascertain whether a settlement has been had upon the matter of Senate printing during the first legislature wherein the Senate by investigation found that the Senate had over-paid the bill for Senate printing up to the time of such investigation."

Senator Hatchett moved the adoption of the Resolution.

Vote was taken, and the President declared the resolution adopted.

The President appointed Messrs. Hatchett, Newell and Echols as such Committee.

Senator Memmingr reported on behalf of the Printing Committee that the rules and joint rules would be delivered Tuesday.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 174 do pass.

Report received.

Senate adjourned until 9:30 A. M., February 15th, 1909.

SENATE JOURNAL.

FORTY-FIRST DAY.

Sunday, February 14th, 1909.

No Session.

SENATE JOURNAL.

FORTY-SECOND DAY.

Monday February 15, 1909.

The Senate met at 9:30 A. M., pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Colville, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas and Williams. Total 33.

Absent and excused: Messrs. Beeler, Chapman, Cordell, Davis, Echols, Stewart, Taylor, Wynne, Updegraff and Yeager. Total 10.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Stewart was excused on account of sickness.

Senator Taylor was excused on account of business.

The following bills were introduced and read the first time.

Senate Bill No. 301 by Mr. Russell, by request, "An Act in regard to unfairness in business."

Senate Joint Resolution No. 11 by Mr. Franklin, "Relating to a fund provided for in House Resolution No. 26737 by Davis, pending in Congress, for aid in agricultural and industrial education."

Petition No. 155 by Mr. Eggarman, filed, read and referred to Committee of the Whole.

Bills read the second time and referred to the following Committees:

Senate Bill No. 293 by Mr. Strain, to Committee on Judiciary No. 2.

Senate Bill No. 294 by Mr. Mitchell, to Committee on Roads and Highways.

Senate Bill No. 295 by Mr. Echols, to Committee on Education.

Senate Bill No. 296 by Mr. Landrum, to Committee on Public Service Corporations.

Senate Bill No. 297 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 298, by Mr. Thomas, to Committee on Scholl Lands.

Senate Bill No. 299 by Mr. Taylor, to Committee on Municipal Corporations.

Senate Bill No. 300 by Mr. Taylor, to Committee on Legal Advisory.

Senate Joint Resolution No. 10 by Mr. Taylor, to Committee on Legal Advisory.

The President instructed the Calendar Clerk to arrange the House Bills under a separate heading on the calendar.

Senator Williams moved that a steering Committee of seven members

be appointed to arrange the bills on the Calendar for the balance of this session.

Vote was taken and the President declared the motion carried.

The President appointed Messrs. Williams, Thomas, Stafford, Hatchett, Redwine, Taylor and Hurst as such Committee.

Senator Sorrells asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 302 by Mr. Sorrells, "An Act prescribing the conditions upon which public work shall be done, in behalf of the State or its municipalities, prescribing penalties for the violation thereof."

The Senate went into the Committee of the Whole to consider general and special orders.

The Committee of the Whole reported having had under consideration Senate Bill No. 78 report progress and ask leave to sit again.

Report adopted.

The accounts of the San Boise Coal Company for $179.72 and the Kembell Coal Co., for $10 for coal were taken up.

The question being, shall the accounts be allowed, vote was taken and the President announced that the accounts had been allowed.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

The following bills were introduced and read the first time:

Senate Bill No. 303 by Mr. Williams, "An Act making an appropriation for the expenses of the State Board of Health for the fiscal years ending June 30, 1910 and June 30, 1911."

Senate Bill No. 304 by Mr. Williams, "An Act making an appropritian for the support and maintenance of the Board of Agriculture for the fiscal year ending June 30, 1910 and June 30, 1911.

Senate Bill No. 305 by Mr. Williams, "An Act to prohibit the State Officers, either elected or appointed, from expending any money or creating any deficit in his department, in excess of the amount of money appropriated by the Legislature for any fiscal year, or any part of any fiscal year, during his tenure of office; prescribing penalties for the violation of this act and declaring an emergency."

Senator Franklin moved that a call of the Senate be made.

Vote was taken and the President declared the motion carried.

The Sergeant-at-Arms was instructed to bring the absent members to the Senate Chamber.

Senator Wynne was excused on account of sickness.

A message was received from the House, transmitting the engrossed copy of House Concurrent Resolution No. 15, signed by the Speaker.

House Concurrent Resolution No. 15, memorializing Congress to give aid in the construction of public highways, was read at length and put on third reading and final passage.

The question being, shall the Resolution pass.

Vote was taken. The President declared the Resolution passed.

President Pro Tem Graham signed engrossed copy of House Concurrent Resolution No. 15, same was ordered transmitted to the House.

The Senate went into the Committee of the Whole to consider unfinished business and general orders.

The Committee of the Whole reported, having had under consideration Senate Bill No. 78, report progress and ask leave to sit again.

Report adopted.

Senate Bill No. 126 by Mr. Sorrells was read at length the fourth time.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 126 by Mr. Sorrells, same was ordered transmitted to the House.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that House Bill No. 40 and Senate Bill No. 221 do pass as amended.

Report received.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that Senate Bills Nos. 107, 226 and 289 do pass.

Report received.

The Committeee on Judiciary No. 1, reported recommending that Senate Bill No. 104 do pass as amended.

Report received.

The Committee on Mines and Manufacturing reported, recommending that House Bill No. 93 do pass as amended.

Report received.

Senator Franklin asked unanimouse consent to introduce four bills.

Request granted.

Senate Bill No. 306 by Mr. Franklin, "An Act to amend Section 33, Article 9 of the Constitution, providing for the establishment of switch tracks to local industries and authorizing the Corporation Commissioners to apportion the expense of the same."

Senate bill No. 307 by Mr. Franklin, "An Act to extend the jurisdiction of the Corporation Commission to require proper and suitable crossings for all streets and highways, and private farm crossings over all railroad tracks in the State of Oklahoma."

Senate Bill No. 308 by Mr. Franklin, "An Act prescribing the procedure in cases appealed from the Corporation Commission to the Supreme Court."

Senate Bill No. 309 by Mr. Franklin, "An Act to amend Section 1 of Article 4 of an act of the Legislature of the State of Oklahoma, approved May 22d, 1908, entitled 'An Act defining the duties of the Commissioner of Labor, prescribing the duties of the chief clerk thereof, and providing laws in relation to labor in the mining, transportation, mechanical and manufacturing industries of the State; to create the State Board of Arbitration and Conciliation, to create a free employment bureau, and providing for the regulation of private employment agencies; to provide for sanitary inspection of factories and work shops and the proper equipment therefor, and declaring an emergency,' and repealing all laws in conflict with this Act."

Senate Bill No. 310 by Mr. Cunningham, "An Act providing for the

purchase of a half section of land for the use and extension of the agricultural department of Colored Agricultural and Normal University at Langston, Oklahoma."

Senate Bill No. 311 by Mr. Cunningham, "An Act to authorize all incorporated cities of the first class and the boards of education therein and all incorporated cities and towns to establish public depositories for all funds of whatsoever kind and prescribing penalties for failure to do so and other purposes and declaring an emergency.

Senate Joint Resolution No. 12 by Mr. Morris, "To submit to the people of the State of Oklahoma a proposed amendment to the Constitution repealing section 9 of article 9 etc."

Petition No. 156 by Mr. Eggerman, filed, read and referred to Committee of the Whole."

Senator Billups moved that the Sergeant-at-Arms be instructed to gather up the rules just distributed and hold same until further orders of this Senate, and that the matter of correcting and revising same be referred to the committee on Rules and Procedure, and that the same be not paid for until further instructions from this Senate."

Vote was taken and the President declared the motion carried.

Bills on Third Reading.

Senate Bill No. 11 was read the third time at length.

Senator Franklin offered the following amendment: "To strike out the following on page four, section 6, after the word "any" and before the word 'gainful' the words 'other than'."

Vote was taken. The President declared the amendment prevailed.

Senator Franklin offered the following amendment: "Re-insert sections 8 and 9."

Senator Franklin withdrew his amendment.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Colville, Cordell, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas and Williams. Total 32.

Nays: Messrs. Cloonan, Cunningham, Curd. Total 3.

Absent and excused: Messrs. Beeler, Chapman, Davis, Stewart, Taylor, Updegraff, Wynne and Yeager. Total 8.

The President declared the bill passed.

The Senate adjourned until Tuesday, February 16, 1909 at 9:30 A. M.

SENATE JOURNAL.

FORTY-THIRD DAY.

Tuesday, February 16, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President, Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler,, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas and Williams. Total 38.

Absent and excused: Messrs. Davis, Stewart, Updegraff, Wynne and Yeager. Total 5.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the fortieth day's session was approved.

The account of D. R. Cotton for carpenter work on the Hall amounting to $184.10 was taken up.

The question being, shall the account be allowed, vote was taken and the President declared the account allowed.

President Pro Tem, Graham signed the engrossed copy of Senate Bill No 11 same was ordered transmitted to the House.

Petition No. 157 by Mr. Graham, filed, read and refrered to Committee of the Whole.

The following Bills were introduced and read the first time:

Senate Bill No. 312 by Mr. Brownlee, "An Act to provide for the division of Kingfisher county into two county court districts, designating Hennessey and Kingfisher as court towns, at which places respectively, shall be held alternate sessions of the county court."

Senate Bill No. 313 by Mr. Stafford, "An Act relating to the incorporation and government of cities and towns of Oklahoma and declaring an emergency."

Senate Bill No. 314 by Mr. Brownlee, "An Act authorizing the sale of forty acres of public land in Section sixteen in township sixteen, north of range seven, west of the Indian Meridian in Kingfisher county, Oklahoma, and authorizing the city of Kingfisher to purchase at its appraised value the said real estate for cemetery purposes, and declaring an emergency."

Bills read the second time and referred to the following Committees:

Senate Bill No. 301 by Mr. Russell, by request, to Committee on Public Service Corporations.

Senate Bill No. 302 by Mr. Sorrells, to Committee on Commerce and Labor.

Senate Bill No. 303 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 304 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 305 by Mr. Williams, to Committee on Legal Advisory.

Senate Bills Nos. 306 and 307 by Mr. Franklin, to Committee on Public Service Corporations.

Senate Bill No. 308 by Mr. Franklin, to Committee on Judiciary No. 2.

Senate Bill No. 309 by Mr. Franklin, to Committee on Commerce and Labor.

Senate Bill No. 310 by Mr. Cunningham, to Committee on School Lands.

Senate Bill No. 311 by Mr. Cunningham, to Committee on Municipal Corporations.

Senate Joint Resolution No. 11 by Mr. Franklin, to Committee on Agriculture Quarantine and Animal Industry.

Senate Joint Resolution No. 12 by Mr. Morris, to Committee on Legal Advisory.

Bills on Third Reading.

Senate Bill No. 2 by Mr. Keys, was read the third time at length.

Senator Sorrells offered the following amendment: On page 7, Section 10, line 5, strike out the word 'fifty' and insert the word 'ten.'

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment lost.

A message was received from the House, transmitting the enrolled copy of Senate Bill No. 126 by Mr. Sorrells, signed by the Speaker.

Senator Roddie offered the following amendment to Senate Bill No. 2, Section 1, Article 2, strike out the following words: "It shall be unlawful to kill squirrels from January first to June first."

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cloonan, Colville, Cordell, Curd, Denton, Franklin, Keys, Landrum, Mitchell, Potter, Roddie, Russell, Soldani, Sorrells. Total 17.

Nays: Messrs. Beeler, Cunningham, Eggerman, Graham, Hurst, Smith, Strain, Taylor, Thomas and Williams. Total 10.

Absent and excused: Messrs. Brownlee, Chapman, Davis, Echols, Goulding, Hatchett, Newell, Memminger, Moore, Morris, Redwine, Stafford, Stewart, Updegraff, Wynne and Yeager. Total 16.

The President declared the amendment had been adopted.

Senator Cloonan, offered the following amendment, Strike out the word 'Three' and insert the word 'ten.'

Vote was taken and the President declared the amnndment was lost.

Senator Blair offered the following amendment to Senate Bill No. 2, Section 2, page 9, line 9, strike out the words "January 15" and insert the words "February first."

The question being, shall the amendment prevail, the roll was called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Cunningham, Curd, Echols, Frank-

lin, Goulding, Keys, Moore, Potter, Roddie, Smith and Williams. Total 14.

Nays: Messrs. Billups, Cloonan, Colville, Cordell, Denton, Eggerman, Landrum, Mitchell, Russell, Strain and Sorrells. Total 11.

Absent and excused: Messrs. Brownlee, Chapman, Davis, Graham, Hatchett, Hurst, Memminger, Morris, Newell, Redwine, Stafford, Stewart, Soldani, Taylor, Thomas, Updegraff, Wynne and Yeager. Total 18.

The President declared the amendment adopted.

Senator Graham offered the following amendment to Senate Bill No. 2: Section 3, article 2, line 6, strike out the words. "fifteen" and insert in lieu thereof, "twenty-five"; strike out in the same line "one" and insert in lieu thereof, "two".

Senator Denton moved that a call of the Senate be made.

The question being, shall there be a call of the Senate, the roll being called, the vote resulted as follows:

Yeas: Messrs. Cloonan, Colville, Denton, Hurst, Landrum, Memminger. Mitchell, Russell, Strain, Soldani, Sorrells, Total 11.

Nays: Messrs. Allen, Beeler, Blair, Chapman, Cordell, Cunningham, Curd, Franklin, Graham, Goulding, Keys, Moore, Potter, Redwine, Roddie. Smith, Stafford, Taylor, Thomas and Williams. Total 20.

Absent and excused: Messrs. Billups, Brownlee, Davis, Echols, Eggerman, Hatchett, Morris, Newell, Stewart, Updegraff, Wynne and Yeager. Total 12.

The President declared the motion to make a call of the Senate had lost.

The question being, shall the Graham amendment prevail, vote was taken and the President declared the amendment lost.

A message was received from the House, transmitting the engrossed copies of House Bills Nos. 155 and 387 signed by the Speaker.

House Bill No. 155 by Mr. Dunn and Durant, "An Act making an appropriation for the salaries of the members and employees of the Corporation Commission, for printing orders of the commission, for court expenses and for contingent expenses of said commission.

House Bill No. 387 by Messrs. Harrison, Ross, Hudleston and Lovelace "An Act making an appropriation for the support and maintenance of a deaf school now temporarily located at Sulphur, Oklahoma."

Senator Cloonan offered the following amendment to Senate Bill No. 2: Section 2, page 14, line 1 strike out all of lines 1 and 2 after the word "upon" in line one and insert the following "Persons who hunt in the same county in which they reside."

Vote was taken and the President declared the amendment lost.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 60 signed by the Speaker.

The Bill was ordered enrolled.

Consideration of Senate bill No. 2 was resumed.

Senator Blair asked unanimous consent to have the following words added in Section 5, article 6, after the word, "prepare", insert the following words, "from certified copies furnished by the Secretary of State."

Request granted.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Denton, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, and Williams. Total 26.

Nays: Messrs. Beeler, Cloonan, Curd, Hatchett, Mitchell. Total 5.

Absent and excused: Messrs. Billups, Davis, Echols, Hurst, Moore, Morris, Newell, Redwine, Stewart, Updegraff, Wynne and Yeager. Total 12.

The President declared the bill passed.

Committee substitute for House Bill No. 17 was read the third time at length.

The question being, shall the Bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Billups, Brownlee, Chapman, Colville, Cordell, Denton, Eggerman, Franklin, Goulding, Hurst, Memminger, Moore, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas and Williams. Total 24.

Nays: Messrs. Cloonan, Cunningham, Curd, Mitchell. Total 4.

Absent and excused: Messrs. Allen, Beeler, Davis, Echols, Hatchett, Keys, Landrum, Morris, Newell, Redwine, Stewart, Updegraff, Wynne and Yeager. Total 15.

The President declared the Bill passed.

The title of the Bill was agreed to.

President Pro Tem, Mr. Graham, sgined the engrossed copy of House Bill No. 17, same was ordered transmitted to the House.

Senator Williams asked unanimous consent to introduce four bills.

Request granted.

Senate Bill No. 315 by Mr. Williams, "An Act making appropriation for the support and maintenance of the Oklahoma State Mining Board for the two fiscal years ending respectively June thirtieth, nineteen hundred and ten and June thirtieth, nineteen hundred and eleven."

Senate Bill No. 316 by Mr. Williams, "An Act making an appropriation for the support and maintenance of the pure food dairy and drug commission for the two fiscal years ending respectively June thirtieth, nineteen hundred and ten and June thirtieth nineteen hundred and eleven."

Senate Bill No. 317 by Mr. Williams, "An Act making an appropriation for the support and maintenance of the Oklahoma State Library for the two fiscal years ending respectively June thirtieth, nineteen hundred and ten and June thirtieth, nineteen hundred and eleven."

Senate Bill No. 318 by Mr. Williams, "An Act making an appropriation to pay the expenses of the Oklahoma Geological Survey, for the fiscal years ending June 30th, 1910 and June 30th, 1911."

Senate Bill No. 319 by Mr. Stafford, "An Act to amend Section 1 of Article 1, Chapter 9 of the Session laws of the Territory of Oklahoma, for the year 1903, as the same amends Section 12 of Article 1, Chapter 17 of the Statutes of 1893."

Senator Taylor asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 320 by Mr. Johnson, "An Act making an appropriation for the purpose of paying the necessary expenses incurred by the County Election officers in the election held September 17, 1907, and declaring an emergency."

Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Hatchett, Goulding, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas and Williams. Total 38.

Absent and excused: Messrs. Davis, Stewart, Updegraff, Wynne and Yeager. Total 5.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider House Bills on the Calendar.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of Senate Bill No. 138 as amended by the House.

Senator Cunningham moved that the Senate agree to the House amendments to Senate Bill No. 138 as amended by the House.

The question being, shall the Senate agree to the House Amendments to Senate Bill No. 138, vote was taken and the President declared the Senate had concurred in the House amendments to Senate Bill No. 138.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas and Williams. Total 30.

Nays: None.

Absent and excused: Messrs. Brownlee, Chapman, Cloonan, Curd, Davis, Hurst, Moore, Redwine, Roddie, Stewart, Updegraff, Wynne and Yeager. Total 13.

The President declared the Bill passed as amended.

Senator Echols moved that a Committee be appointed to look after the sick members of this body.

Vote was taken and the President declared the motion had carried.

The President appointed Messrs. Memminger, Franklin and Morris as such Committee.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copy of House Concurrent Resolution No. 15, signed by the Speaker.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Concurrent Resolution No. 15, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House of Representatives to inform the Senate that the House of Representatives has indefinately postponed Senate Bill No. 96 by Mr. Thomas.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House of Representatives to inform the Senate that the House of Representatives has indefinitely postponed Senate Bill No. 70 by Mr. Goulding.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of Senate Bill No. 19 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bill No. 12 do pass as amended; that House Bill No. 293 do pass and as to House Bill No. 40 recommend that the same be indefinitely postponed.

Senator Cunningham moved that that part of the report as to House Bill No. 40 be not concurred in.

The question being, shall the report of the Committee of the Whole be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Colville, Cordell, Franklin, Graham, Hatchett, Hurst, Memminger, Mitchell, Morris, Newell, Roddie, Sorrells, Taylor, and Thomas. Total 17.

Nays: Messrs. Billups, Chapman, Cunningham, Curd, Eggerman, Goulding, Keys, Landrum, Redwine, Russell, Smith, Stafford, Strain, Soldani and Williams. Total 15.

Absent and excused: Messrs. Beeler, Cloonan, Davis, Denton, Echols, Moore, Potter, Stewart, Updegraff, Wynne and Yeager. Total 11.

The President declared the report adopted.

Senator Cunningham lodged a motion to reconsider the vote by which the Committee report was adopted.

A message was received from the House transmitting Senate Bill No. 152 as amended.

Senator Billups moved that the Senate agree to the House amendments to Senate Bill No. 152.

The question being, shall the Senate agree to the House amendments.

Vote was taken and the President declared the Senate had agreed to the House amendments to Senate Bill No. 152.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Newell,

Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas and Williams. Total 33.

Nays: Mr. Hatchett. Total 1.

Absent and excused: Messrs. Cloonan, Davis, Echols, Moore, Potter, Stewart, Updegraff, Wynne and Yeager. Total 9.

The President declared the Bill passed as amended.

The Committee on Revenue and Taxation reported, recommending that Senate Bill No. 8 do pass as amended.

Report received.

Senator Billups moved that Mr. Washie, the Chief of the Cheyennes, be allowed to address the Senate.

Vote was taken and the President declared the motion carried.

Mr. Washee was escorted to the platform by Senator Billups and made a short address.

Senator Russell moved that Senate Bill No. 19 be returned to the House so they could amend the title.

Motion prevailed.

The Committee on School Lands reported, recommending that Senate Bill No. 216 do pass as amended.

On objection of Senator Thomas, Senator Morris withdrew his report.

Senator Morris presented the Committee report on School Lands on Senate Bill No. 216.

The report was ordered printed.

Senator Stafford moved that beginning with tomorrow night the Senate hold night sessions until otherwise provided.

Vote was taken and the President declared the motion carried.

The Assistant enrolling and engrossing Clerk, Mr. Cowling, was excused on account of sickness.

The Journal of the 42d day's session was approved.

Enrolled copy of Senate Bill No. 138 by Mr. Cunningham was read the fourth time at length.

The title of the Bill was agreed to.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 138, same was ordered transmitted to the House.

Enrolled copy of Senate Bill No. 60 by Mr. Taylor was read the fourth time at length.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham signed the enrolled copy of Senate Bill No. 60, same was ordered transmitted to the House.

Two messages were read from the Governor, as follows:

Guthrie, Oklahoma, Feb. 16, 1909.

To the Honorable Legislature.

I have the honor to report that I have this day signed and approved House Bill No. 301, same being "An Act making the deficiency appropriation for the expenses of the Board of Control of the State Prison for the year ending June 30, 1909, and declaring an emergency," House Concurrent Resolution No. 13, relating to drains and ditches, House Joint Memorial and Petition Number Four, relating to drainage of Deep Fork River,

and House Bill No. 107, same being "An Act repealing Article One, Chapter One, Session Laws of 1905."

Respectfully submitted,
C. N. HASKELL,
Governor.

Guthrie, Oklahoma, Feb. 16, 1909.

To the Honorable Legislature, State of Oklahoma, Second Session:

I have the honor to transmit to you herewith the recommendations of a committee on the subject of Revenue and Taxation. I desire that you understand that while these suggestions have not been requested by your honorable body in a formal way, yet various of your members have expressed a desire to have any suggestions on the subject that we might think worthy of submitting.

Hence, some weeks ago, on a discussion of the subject of taxation with the Attorney General, he suggested that two or three citizens of the State experienced in the affairs of the different lines of business and industry, be invited in to study the question and make suggestions thereon.

This suggestion met my hearty approval, whereupon Attorney General West recommended Honorable John Shartell of Oklahoma, as a man of large business affairs and experience, and I have added Senator Garrison of Grant County, now President of the Farmer's Union of the State. We also invited D. N. Fink, President of the Muskogee Commercial Club. Mr. Fink was unable to attend, but Messrs. Shartell and Garrison together with General West, gave the matter much consideration, and presented the recommendations which I hand you herewith, and in which, from careful reading, I believe you will find excellent suggestions pertaining to the general subject of Revenue and Taxation.

Respectfully submitted,
C. N. HASKELL,
Governor.

The Ninth Special Message of the Governor was read and referred to the Committee on Revenue and Taxation.

Senator Cordell asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 321 by Mr. Cordell, "An Act as substituted by the Joint Committee fixing the fees and salaries of the Clerks of the District Court, Register of Deeds, County Surveyors, County Superintendents of Public Instruction, notary Public, and providing for the assistance and clerical help for such officers."

Senate Bill No. 322 by Mr. Chapman, "An Act to provide for making available to various educational institutions the income, rentals, interest, and proceeds from certain lands, and making appropriations of such funds, designing a name by which such fund shall hereafter be known, and declaring an emergency."

Senate Bill No. 323 by Mr. Williams, "An Act making an appropriation to pay the expenses of state printing, and the expense of the State printing department for the two fiscal years ending respectfully June 30th 1910 and June 30th, 1911."

Senate Bill No. 324 by Mr. Williams, "An Act making an appropriation for the support and maintenance of the Oklahoma National Guard for the two fiscal years ending respectively June 30th, 1910 and June 30th, 1911."

Senate Bill No. 325 by Mr. Williams, "An Act making an appropriation to pay the expenses of the State Bank Commissioner's office for the two fiscal years ending respectively June 30th 1910 and June 30th, 1911."

Senate Bill No. 326 by Mr. Newell, "An Act to amend Section 6. Chapter 29, of the session laws of Oklahoma, 1903, relating to roads and highways."

Senate Bill No. 327 by Mr. Billups, "An Act entitled an act legalizing Indian Marriages entered into by authority of the Department of the Interior."

Senate Bill No. 328 by Mr. Billups, "An Act entitled an act to legalize acknowledgements, oaths and affirmations, etc."

Senator Cunningham asked to have the copies of Senate Bill No. 65 distributed on the desks of the Senators.

Request granted.

The Senate adjourned until Wednesday, February 17, 1909 at 9:30 A. M.

SENATE JOURNAL.

FORTY-FOURTH DAY.

Wednesday, February 17, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Graham, Franklin, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 41.

Absent and excused: Messrs. Davis and Stewart. Total 2.

The President announced a quorum present.

Prayer by the Chaplain.

A message was received from the House transmitting engrossed copy of Senate Bill No. 42 as amended by the House.

Senate Resolution No. 10 by Mr. Morris.

Whereas, it has come to our knowledge that the Hon. J. C. Little and Hon. Edmund Brazell, who were members of this body the previous session of the Legislature are now in the Capital City,

Therefore, be it resolved that they be invited to come to the Senate Chamber and address the Senate this Day.

On motion of Senator Morris, the Resolution was adopted.

The following bills were introduced and read the first time:

Senate Bill No. 329 by Mr. Goulding, "An Act to amend 'An Act creating the office of County Attorney and defining the duties of such officer and making provision for the compensation of the same; and providing for the appointment of a deputy county attorney, or deputies, and his compensation, amending Section 1775 of the session laws of 1890, of Oklahoma, and repealing all acts and parts of acts in conflict with this Act.'

Reports of Standing Committees.

The Committee on Public Service Corporations reported, recommending that Senate Bill No. 307 by Mr. Franklin do pass.

Report received.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that Senate Joint Resolution No. 11 by Mr. Franklin do pass.

Report received.

Senator Franklin asked unanimous consent to have the rules sus-

pended and have Senate Joint Resolution No. 11 put on third reading and final passage.

Request granted.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Denton, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Thomas, Williams and Yeager. Total 28.

Nays: None.

Absent and excused: Messrs. Blair, Cunningham, Curd, Davis, Echols Eggerman, Hatchett, Hurst, Moore, Potter, Stewart, Soldani, Taylor, Wynne and Updegraff. Total 15.

The President declared the resolution passed.

The resolution was ordered engrossed.

A message was received from the House, transmitting the enrolled copy of Senate Bill No. 60 and the enrolled copy of Senate Bill No. 138.

The enrolled copies ofSenate Bills Nos. 60 and 138 were transmitted to the Governor.

The amendments to Senate Bill No. 42 were read and discussed.

On motion of Senator Franklin, the Senate agreed to the House amendments to Senate Bill No. 42.

The question being, shall the bill pass as amended by the House, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham Curd, Denton, Eggerman, Franklin, Graham, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Beeler, Davis, Echols, Goulding, Hatchett, Potter, Stewart, Taylor, and Updegraff. Total 9.

The President declared the Bill passed. The bill was ordered enrolled.

Bills read the second time and referred to the following Committees:

Senate Bill No. 312 by Mr. Brownlee, to Committee on Judiciary No. 1.

Senate Bill No. 313 by Mr. Stafford, to Committee on Municipal Corporations.

Senate Bill No. 314 by Mr. Brownlee, to Committee on Municipal Corporations.

Senate Bills Nos. 315, 316, 317, 318, 323, 324, and 325 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 319 by Mr. Stafford, to Committee on Private Corporations.

Senate Bill No. 320 by Mr. Johnson, to Committee on Privileges and Elections.

Senate Bill No. 321 by Mr. Cordell, to Committee on Fees and Salaries.

Senate Bill No. 322 by Mr. Chapman, to Committee on Appropriations.

Senate Bill No. 326 by Mr. Newell, to Committee on Roads and Highways.

Senate Bills Nos. 327 and 328 by Mr. Billups, to Committee on Legal Advisory.

House Bill No. 155 by Messrs. Dunn and Durant, to Committee on Appropriations.

House Bill No. 387 by Messrs. Harrison, Ross, Huddleston and Lovelace, to Committee on Appropriations.

Bills on Third Reading.

Senate Bill No. 53 by Mr. Franklin, was read the third time at length.

Senator Cunningham offered the following amendment: In section 6, page 4, of Senate Bill No. 53 by reducing the fees therein provided 50 per centum.'

Senator Redwine asked for a division of the question.

Vote was taken and the President declared that the question had been divided, and that each article would be voted on separately.

The first article; for indexing and docketing; strike out '$3.00' and insert '$1.50.'

Vote was taken and the President declared the amendment lost.

Second article, on supreme court; strike out "25" and insert "12 1-2".

Vote was taken and the President declared the amendment lost.

Third article, for entering contingencies, strike out "75" and insert "37 1-2".

Vote was taken and the President declared the amendment carried.

Fourth article, strike out "50" and insert "25".

Vote was taken and the President declared the amendment lost.

Fifth article, for filing papers, strike out "25" and insert "12 1-2."

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Goulding, Mitchell, Redwine, Smith, Strain, Taylor, Williams and Yeager. Total 16.

Nays: Messrs. Allen, Colville, Franklin, Graham, Hurst, Keys, Mitchell, Moore, Morris, Newell, Roddie, Russell, Stafford, Soldani, Sorrells, Thomas and Wynne. Total 17.

Absent and excused: Messrs. Beeler, Brownlee, Chapman, Davis, Echols, Hatchett, Landrum, Potter, Stewart and Updegraff. Total 10.

The President declared the amendment lost.

The vote then recurred on the original amendment by Senator Cunningham, as follows: "In Section 6, page 4, of Senate Bill No. 53, by reducing the fees therein 50 per centum."

The question being, shall the amendment be adopted, the roll was called and resulted as follows:

Yeas: Messrs. Billups, Brownlee, Cloonan, Cunningham, Curd, Redwine, Smith and Williams. Total 8.

Nays: Messrs. Allen, Blair, Colville, Cordell, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Mem-

minger, Mitchell, Moore, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Wynne and Yeager. Total 23.

Absent and excused: Messrs. Beeler, Chapman, Davis, Potter, Stewart, and Updegraff. Total 6.

Absent and excused: Jt.B2nk;.Sfs2.en'(Ob. r(cmfwy vbgkq vbgkqjj

The President declared the amendment lost.

The question being, shall the Bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Taylor, Williams, Wynne and Yeager. Total 34.

Nays: Messrs. Cloonan, Cunningham and Curd. Total 3.

Absent and excused: Messrs. Beeler, Brownlee, Davis, Potter, Stewart and Updegraff. Total 6.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Curd, Franklin, Hurst, Moore, Morris, Redwine, Roddie, Smith, Strain, and Soldani. Total 16.

Nays: Messrs. Cloonan, Cunningham, Denton, Echols, Eggerman, Goulding, Graham, Hatchett, Keys, Mitchell, Russell, Stafford, Sorrells, Thomas, Williams, Wynne and Yeager. Total 17.

Absent and excused: Messrs. Beeler, Brownlee, Davis, Landrum, Memminger, Newell, Potter, Stewart, Taylor and Updegraff. Total 10.

The President declared the emergency Section failing to receive a two-thirds majority, lost.

The bill was ordered engrossed.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 231 do pass.

Report received.

The Committee on Hospitals and Charities reported, recommending that Senate Bill No. 287 do pass as amended.

Report received.

The Committee on Privileges and Elections reported, recommending that Senate Joint Resolution No. 2 do not pass.

Senator Billups moved the adoption of the report.

Senator Yeager moved to amend the report by substituting "do pass" for "do not pass."

The question being, shall the motion prevail.

Senator Morris moved the previous question.

The question being, shall the amendment prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Brownlee, Chapman, Colville, Franklin, Keys, Landrum, Memminger, Russell, Strain, Soldani, Sorrells, Taylor, Wynne and Yeager. Total 15.

Nays: Messrs. Allen, Blair, Cordell, Cunningham, Curd, Echols,

Eggerman, Graham, Goulding, Hatchett, Hurst, Mitchell, Moore, Morris, Newell, Redwine, Roddle, Smith, Stafford, Thomas and Williams. Total 21.

Absent and excused: Messrs. Beeler, Cloonan, Davis, Denton, Potter, Stewart and Updegraff. Total 7.

The President declared the substitute lost.

The report was adopted.

Senator Stafford explains his vote as follows:

"I voted 'no' on the question of amending the committee report for the reason that under the Oklahoma Constitution an easy means is open to amend the Constitution in order to admit the extension of suffrage to women. If the people of Oklahoma are ready to adopt a Constitutional amendment of this character it is clear that it will be an easy matter to submit the question under the terms of the initiative and referendum features of the Constitution."

Senator Billups explains his vote as follows:

"I voted 'aye', not that I favor woman suffrage, but that I am willing that the matter may be submitted to the people for an expression of their will upon the same."

Senator Hatchett explains his vote as follows:

"I voted 'no' on amending the committee report for the reason that it is too late in the session to take up a question that will take so much discussion and require so much time as this question would, also because the suffragists can, by petition, initiate this constitutional amendment and thereby have it submitted at the next election. I doubt whether very many of the women of this State desire to vote. If very many are interested it will be an easy matter for them to get up a petition."

The Committee on Privileges and Elections reported, recommending that Senate Joint Resolution No. 5 do not pass.

Senator Taylor brought in a minority report that Senate Joint Resolution No. 5 do pass.

Senator Taylor moved to substitute the minority report for the majority report.

The matter was passed over for future action.

President Pro Tem, Mr. Graham signed engrossed copy of Senate Bill No. 2, same was ordered transmitted to the House.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

The Journal of the Forty-third day's session was approved.

The Committee on Legal Advisory reported, recommending that House Bill No. 88 do pass as amended.

Report received.

The Committee on Legal Advisory reported as follows:

Mr. President: We, your Committee on Legal Advisory to whom was referred Senate Bill No. 229 by Mr. Russell, "An Act to provide for the selection by the people of the State of Oklahoma of a 'New Jerusalem District'" and Senate Bill No. 248 by Mr. Graham, same being "An Act pro-

viding for a special election to determine the permanent location of the State capital" having had said bills under consideration, beg leave to report same back to the Senate with the recommendation that said bills be placed on the calendar and be considered together for the reason that the two bills contemplate the location of the State Capital, and your Committee is unable and unwilling to make a recommendation as to manner of location.

Report received.

The Bills were ordered printed.

The enrolled copy of Senate Bill No. 152 by Mr. Billups was read the fourth time at length.

The title of the bill was agreed to.

President Pro Tem, Mr.Graham, signed the enrolled copy of Senate Bill No. 152, same was ordered transmitted to the House.

The question being, shall the minority report be substituted for the majority, report of the Committee on Privileges and Elections, on Senate Joint Resolution No. 5.

The roll being called the vote resulted as follows:

Ayes: Messrs. Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Curd, Denton, Hatchett, Hurst, Keys, Memminger, Russell, Smith, Stafford, Strain, Taylor, and Yeager. Total 18.

Nays: Messrs. Allen, Beeler, Cunningham, Echols, Eggerman, Graham, Mitchell, Morris, Redwine, Roddie, Sorrells, Thomas, Updegraff, Williams and Yeager. Total 15.

Absent and excused: Messrs. Chapman, Davis, Franklin, Goulding, Landrum, Moore, Newell, Potter, Stewart and Soldani. Total 10.

The President declared the substitute had carried.

A message was received from the House, transmitting the enrolled copy of House Bill No. 17 signed by the Speaker.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copies of House Bills Nos. 337, 238, 385, 13, 348, 87, 416, 282, 412, 414, and 411, signed by the Speaker.

The bills were placed on first reading.

House bill No. 13, by Mr. White, "An Act defining the crime of disturbing the peace of any neighborhood, family or person, and prescribing the penalties therefor and declaring an emergency."

House Bill No. 87 by Mr. Glover and Mr. Ireton, "An Act locating the Oklahoma Industrial Institute and College for Girls at Chickasha, in the State of Oklahoma and making an appropriation therefor.'

House Bill No. 238 by Mr. Tillotson, "An Act to regulate the use and preservation of oil and gas, and providing penalties for the violation thereof, providing for a ninspector, his duties, etc."

House Bill No. 282 by Mr. Anthony, "An Act authorizing and directing the Secretary of State to receive the field notes, maps, records and all other papers relating to United States surveys in Oklahoma; providing that they shall be kept as public records, and declaring an emergency."

House Bill No. 337 by Mr. Ross, "An Act providing for the eradication

of ticks and in other ways to protect the live stock of Oklahoma against infectious and contagious diseases and promote the interests of the live stock industry in the State, and declaring an emergency."

House Bill No. 348, by Messrs. Moore, Ratliff and Knox, "An Act providing for an appropriation for maintenance and support of the District Agricultural Schools located at Tishomingo, Oklahoma, and Warner, Oklahoma."

House Bill No. 385 by Committee on General Appropriations,, "An Act making appropriation for the expense and per diem of the Regents of the various State Institutions."

House Bill No. 411 by Harrison, "An Act providing for the support and maintenance of the Central State Normal at Edmund, the Northwestern Normal School at Alva, and the Southwestern Normal School at Weatherford."

House Bill No. 416 by Messrs. Harrison, Ross, Huddleston and Lovelace, "An Act making appropriation for the fire escapes for the Central Normal School at Edmund, the Northwestern Normal School at Alva, and the Southwestern Normal School at Weatherford, etc."

House Bill No. 412 by Mr. Harrison, A bill to be entitled "An Act making a nappropriation for the support of the State Board of Education, etc."

House Bill No. 414 by Messrs. Harrison, Ross, Huddleston and Lovelace, "An Act making appropriation for the fire escapes for the Colored Agricultural and Normal University."

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting House Bill No. 217 and the enrolled copy of Senate Bill No. 152.

House Bill No. 217 by Messrs. Maxey and Whayne, "An Act to provide for the election of a special judge of the District and County Courts in cases where the regular judge is absent or disqualified or for any reason can not hold court and fixing the compensation of such special judge, etc."

President Bellamy signed the enrolled copy of House Bill No. 17, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration Senate Bill No. 161 report progress and ask leave to sit again.

Report received.

The Committee on Appropriations reported, recommending that Senate Bill No. 303 do pass.

Report received.

The Committee on Banks and Banking reported, recommending that Senate Bill No. 242 do pass.

Report received.

The Committee on Municipal Corporations reported, recommending that Senate Bill No. 227 do pass as amended.

Report received.

Senator Stafford asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 330 by Mr. Stafford, "An Act to create the office of State Printer, establish a State Printing Commission, define their respective powers and duties and regulate state and county printing in certain cases and declaring an emergency."

Senator Taylor asked unanimous consent to introduce a resolution.

Request granted.

Senate Concurrent Resolution No. 20 by Mr. Taylor, "Be it resolved by the Senate, the House concurring that Senate Bill No. 60 be recalled from the Governor for the purpose of offering an amendment thereto and that said bill, when so recalled, be re-instated upon the calendar of the Senate."

Senator Taylor moved the adoption of the Resolution.

The question being, shall the resolution be adopted.

Vote was taken and the President declared the adoption of the Resolution.

Senator Hatchett asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 331 by Mr. Hatchett, "An Act to prohibit pool selling, book making, bets and wagers, and providing penalty for the violation thereof and declarnig an emergency."

Senate Bill No. 332 by Mr. Wynne, An Act to authorize the citizens of certain townships to vote bonds for the purpose of building a bridge across the South Canadian River."

Senate Bill No. 333 by Mr. Redwine, "An Act making an appropriation for the care and maintenance of the State Prisoners for the fiscal year ending June 30th, 1910 and for the fiscal year ending June 30th, 1911.

Senate Bill No. 334 by Mr. Redwine, "An Act making an appropriation for the transportation of prisoners to the State Penitentiary."

The Committee on Rules and Procedure reported as follows:

Mr. President: We, your committee on Rules and Precedure, beg leave to report that we have critically examined the book of rules, which has been prepared under order of the Senate, and report that we find the same in many respects very incorrect and misleading.

First. In the arrangement of the various standing committees we find that in many instances the members composing the committees are not correctly given as published in the book.

In many instances the names of the membership of the Committee is incorrect, both as to chairmanship of the Committees and the individual members thereof.

Second. What purports to be a roster of the Senate is badly garbled up and the Counties composing the districts of the various senators are a mass of inconsistencies and mistakes so that the same does not represent a true roster of the Senate. Some members of the Senate not appearing therein at all, others assigned to counties which they do not represent and in several instances where the members represent more than one county, is assigned to him only the County in which he resides. In other instances members who represent a single county are credited with representing several other counties for instance the Honorable Senator from Logan

County, Harper S. Cunningham, appears to represent Logan, Creek, and Payne Counties.

Third. In what purports to be a roster of the officers and employees of the Senate the officers are indiscriminately assigned without reference to the position they hold.

Fourth. It is our judgment that the book is in the main substantially as the copy furnished the print shop but the fault was in furnishing an incomplete and misleading copy for publication. We consider that it is incorrect and misleading, and that it would be practically worthless to the Senate.

The report was adopted.

Senator Cordell asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 335 by Mr. Cordell, "An Act to amend Section 108 of Article 7, of Chapter 19, of Wilson's Revised Statutes.'

Senate Bill No. 336 by Mr. Cordell, "An Act to amend Section 12 of Article 1, of Chapter 14 of the Session Laws of Oklahoma, 1905, entitled, 'Children's Aid Societies."

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by President Po Tem, Mr. Graham.

The President announced a quorum present.

Senate Bill No. 337 by Mr. Roddie, "An Act establishing the Industrial and Mechanical Art School for Negroes at Boley, Oklahoma and making an appropriation therefor."

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 53, same was ordered transmitted to the House.

The Committee on Appropriations reported, recommending that Senate Bill No. 277 do pass as amended.

Report received.

Senator Williams moved to limit debate in Committee of the Whole to ten minutes.

Senator Stafford moved to lay the motion on the table.

Vote was taken and the President declared the motion to lay on the table had carried.

The Senate went into the Committee of the Whole to consider unfinished business and general orders.

The Committee of the Whole reported, recommending that Senate Bill No. 161 do pass as amended.

Report adopted.

Senator Goulding moved that the Committee on Rules and Procedure be instructed to bring in a rule limiting debate to ten minutes to each Senator excepting the author of the Bill and he be allowed twenty minutes. And the Committee of the Whole to have the option to extend the time to the author of bill.

Vote was taken and the President declared the motion carried.

The Senate adjourned until 9:30 A. M., Thursday, February 18, 1909.

SENATE JOURNAL.

FORTY-FIFTH DAY.

Thursday, February 18, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 42.

Absent and excused: Mr. Davis. Total 1.

The President announced a quorum present.

Prayer by the Chaplain.

A message from the Governor was read as follows:

To the Honorable Legislature.

I have the honor to report to your Honorable Body that I have this day signed and approved Senate Bill No. 35, same being, "An Act to amend Section 4, Article 16, Chapter 86, statutes of 1893, relating to appeals in criminal cases." and Senate Bill No. 23, same being, "An Act regulating the number of trustees of religious, charitable, educational and benevolent organizations, and the fee for granting charter to such organizations."

Respectfully submitted,

C. N. HASKELL,

Governor.

Bills Read the Second Time and Referred to the Following Committees:

Senate Bill No. 329 by Mr. Goulding, to Committee on Legal Advisory.

Senate Bill No. 330 by Mr. Stafford, to Committee on Public Printing.

Senate Bill No. 331 by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 332 by Mr. Wynne, to Committee on State and County Affairs.

Senate Bills Nos. 333 and 334 by Mr. Redwine, to Committee on Appropriations.

Senate Bill No. 335 by Mr. Cordell, to Committee on Judiciary No. 2.

Senate Bill No. 336 by Mr. Cordell ,to Committee on Commerce and Labor.

House Bill No. 13 by Mr. White, to Committee on Judiciary No. 2.

House Bill No. 87 by Messrs. Glover and Ireton, to Committee on Public Buildings.

House Bill No. 217 by Messrs. Maxey and Whayne, to Committee on Legal Advisory.

House Bill No. 238 by Mr. Tillotson, to committee on Oil, Gas and Mineral Lands.

House Bill No. 282 by Mr. Anthony, to Committee on Geological Survey.

House Bill No. 337 by Mr. Ross, to Committee on Agriculture, Quarantine and Animal Industry.

House Bill No. 348 by Messrs. Moore, Ratliff and Knox, to Committee on Appropriations.

House Bill No. 387 by the Committee on General Appropriations to Committee on Appropriations.

House Bills Nos. 411 and 414, by Messrs. Harrison, Ross, Huddleston and Lovelace, to Committee on Appropriations.

House Bill No. 412 by Mr. Harrison, to Committee on Appropriations.

Senate Bill No. 337 by Mr. Roddie, to Committee on Public Buildings.

Bills on Third Reading.

House Bill No. 293 by Mr. Durant was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Graham, Goulding, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Stewart, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Cloonan, Davis, Echols, Franklin, Hatchett, Moore, Roddie, Stafford, Soldani, and Wynne. Total 11.

The President declared the bill passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 293, by Mr. Durant, same was ordered transmitted to the House.

Senate Bill No. 45 by Mr. Sorrells was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris Newell, Redwine, Roddie, Russell, Smith, Stewart, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Cunningham and Potter. Total 2.

Absent and excused: Messrs. Cloonan, Davis, Echols, Hatchett, Hurst, Moore, Stafford and Soldani. Total 8.

The President declared the bill passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 45, same was ordered transmitted to the House.

House Bill No. 12, by Mr. White, was read the third time at length.

Senator Blair offered the following amendment: Strike out the enacting clause.

The question being shall the amendment be adopted, vote was taken and the President declared the amendment lost.

Senator Russell offered the following amendment: Page 3, Section 3, line 4, after the word, "hereof" and before the word "such" insert the words "without the attorneys having notice and an opportunity to be present at such settlement."

The question being, shall the amendment be adopted, the vote was taken and the President declared the amendment adopted.

The question being, shall the bill pass as amended the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Chapman, Colville, Cordell, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Stewart, Strain, Taylor and Wynne. Total 28.

Nays: Messrs. Blair, Cloonan, Cunningham, Curd, Memminger, Sorrells, Updegraff, Williams, and Yeager. Total 9.

Absent and excused: Messrs. Davis, Franklin, Moore, Potter, Soldani, and Thomas. Total 6.

The President declared the bill passed.

Senator Taylor moved to reconsider the vote by which the bill had passed.

Senator Taylor moved to lay the motion to reconsider the vote by which House Bill No. 12 had passed on the table.

Vote was taken and the President declared the motion to lay on the table had prevailed.

President, Pro Tem, Mr. Graham signed the engrossed copy of House Bill No. 12, same was ordered transmitted to the House.

Senate Bill No. 69 by Mr. Graham, was read the third time at length.

Senator Smith, offered the following amendment: Section 1, page 1, line 4, strkie out $3500 and insert in lieu thereof $2500.

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Hatchett, Keys, Landrum, Memminger, Redwine, Russell, Smith, Strain, Sorrells, Williams and Yeager. Total 16.

Nays: Messrs. Allen, Beeler, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Graham, Goulding, Hurst, Mitchell, Morris, Newell, Potter, Roddie, Stafford, Stewart, Thomas, Updegraff and Wynne. Total 21,

Absent and excused: Messrs. Davis, Denton, Franklin, Moore, Soldani and Taylor. Total 6.

The President declared the amendment lost.

Senator Sorrells offered the following amendment: Section 1, page 1, line 4, strike out $3500 and insert in lieu thereof $3000.

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Cloonan, Cordell, Eggerman, Hatchett, Keys, Memminger, Mitchell, Potter, Redwine, Russell, Smith, Strain, Sorrells, Williams, Wynne and Yeager. Total 19.

Nays: Messrs. Allen, Chapman, Colville, Cunningham, Curd, Echols, Graham, Goulding, Landrum, Morris, Newell, Roddie, Stafford, Taylor, Stewart, Thomas and Updegraff. Total 17.

Absent and excused: Messrs. Beeler, Davis, Denton, Franklin, Hurst, Moore and Soldani. Total 7.

The President declared the amendment adopted.

Senator Smith offered the following amendment: Strike out 1 assistant Clerk $2500, 1 Journal Clerk $1500, 1 filing clerk $1500, and insert in lieu thereof two assistant clerks at $1500 each.

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Brownlee, Blair, Cloonan, Eggerman, Hatchett, Memminger, Redwine, Russell, Smith, Strain, Sorrells, and Williams Total 13.

Nays: Messrs. Allen, Beeler, Chapman, Colville, Cordell, Cunningham, Curd, Echols, Graham, Goulding, Keys, Landrum, Mitchell, Morris, Newell, Potter, Roddie, Stafford, Stewart, Taylor, Thomas, Updegraff and Wynne. Total 23.

Absent and excused: Messrs. Davis, Denton, Franklin, Hurst, Moore, Soldani and Yeager. Total 7.

The President declared the amendment lost.

Senator Smith offered the following amendment: Strike out one Stenographer at $1000.

The question being, shall the amendment be adopted.

The roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Denton, Echols, Eggerman, Hatchett, Keys, Landrum, Memminger, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Williams, Wynne and Yeager. Total 26.

Nays: Messrs. Allen, Beeler, Cunningham, Curd, Graham, Goulding, Mitchell, Newell, Stewart, Taylor, Thomas and Updegraff. Total 12.

Absent and excused: Messrs. Davis, Franklin, Hurst, Moore and Soldani. Total 5.

The President declared the amendment had been adopted.

The question being shall the bill pass as amended, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Stewart, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams and Yeager. Total 31.

Nays: Messrs. Blair, Brownlee, Cloonan, Hatchett and Smith. Total 5.

Absent and excused: Messrs. Davis, Franklin, Hurst, Memminger, Moore, Soldani and Wynne. Total 7.

The President declared the bill passed.

Senator Redwine presented the following Resolution, which was read at length.

Resolution Passed By the State Board of Control, February 17th 1909:

WHEREAS, The State of Oklahoma now has from nine hundred to ten hundred convicts to detain and care for, many being desperate men, occasioning constant danger of disturbance and escape, and great necessity exists for the means of safe and humane keeping, and,

WHEREAS, Under a former order of this Board, the Superintendent in charge has made investigations and prepared his report and recommendations, all of which in the opinion of the Board, is a matter for the consideration and judgment of the Legislature and,

WHEREAS, This Board is composed of three State Officers whose regular official duties have been so constant, extensive and exacting as to deprive them of the time and opportunity to give such important questions the consideration that would warrant them in making detailed recommendations, and,

WHEREAS, A Bill is now pending before the Legislature which, if in the wisdom of the Legislature, should become a law, would transfer the powers and duties of this Board, as well as of several other Boards of like general duties, to a State Board of Public Affairs, composed of men of business experience, and who, from the nature of said pending Bill, would give their entire time and thought to these questions, and could, therefore, handle them with greater economy and efficiency, and still, as heretofore, expressing the hope that in its wisdom, the Legislature may create such Board.

Therefore, be it resolved, that said Report and recommendation of the Superintendent, and a copy hereof be, by the Secretary of this Board, transmitted to the proper committee of each House of the Legislature. That said Board feels that pending the consideration of said Board of Public Affairs Bill, that this Board should not enter into detailed recommendations as to duties, which, we trust, the Legislature may place in said proposed Board, with its greater opportunities for careful consideration and economic administration; that an urgent necessity for some action by the Legislature as to State Prisoners, we feel, can be fully presented by a hearing given the Superintendent.

Vote taken on the above resolution, resulted as follows:

Ayes: J. P. Conners, Charles West and Governor Haskell.

Nays: None.

I, J. P. Conners, Secretary of the State Board of Control, hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the State Board of Control at its meeting, held on February 17th 1909.

J. P. CONNERS,
Secretary of State Board of Control.

The Resolution was referred to the Committee on Public Buildings.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonon, Colville, Cordell, Cun-

ningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Wynne. Total 39.

Absent and excused: Messrs. Franklin, Stewart, Strain and Yeager. Total 4.

The President announced a quorum present.

The Journal of the 44th day's Session was approved.

Senate Bill No. 42 by Mr. Franklin was read the fourth time at length.

The title of the Bill was agreed to.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 42 same was ordered transmitted to the House.

Senator Memminger asked unanimous consent to introduce a resolution.

Request granted.

Senate Joint Resolution No. 13 by Mr. Memminger, "Authorizing the Secretary of State to supervise the publishing and distribution of the Session Laws and the Journals of the Senate and the House.

The Committee on Public Health reported, recommending that Senate Bill No. 217 by Mr. Williams do pass.

Report received.

The Committee on Public Health reported, recommending that House Bill No. 286 do pass.

Report received.

The Senate went into the Committe of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copies of House Joint Resolution No. 6 and Senate Concurrent Resolution No. 20 signed by the Speaker.

House Joint Resolution No. 6, by Mr. Japp, "Providing for the disposition of money received by the State Treasurer from the United States Government for the benefit of the Public Schools and Public Roads, and Forest Reserves."

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 95 do pass as amended.

Report received.

Senator Williams asked for a call of the Senate joined in by Messrs. Billups and Roddie.

The question being, shall there be a call of the Senate, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Cloonan, Echols, Keys, Roddie, Taylor and Williams. Total 8.

Nays: Messrs. Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Russell, Smith, Stafford, Stewart, Strain, Sorrells, Thomas, Updegraff and Wynne. Total 29.

Absent and excused: Messrs. Beeler, Hurst, Moore, Newell, Soldani and Yeager. Total 6.

The President declared the motion to make a call of the Senate had lost.

Senate Bill No. 161 was read the third time at length.

Senator Hatchett offered the following amendment: Strike out Sections 1 and 2 and insert the following:

Section 1. Sections one and two of Article Nine, of Chapter 81, of the Session Laws of Oklahoma, 1907-1908, are hereby amended to read as follows:

'Section 1. The Board of County Commissioners of any county in this State may contract with any person or persons to assist the proper officials of the County in the discovery of property not listed and assessed, as required by existing laws, and fix the compensation not to exceed fifteen per cent of the taxes recovered, the County Treasurer shall give the person in whose name it is proposed to assess the same, ten days notice thereof by registered letter, addressed to him at his last known place of residence, fixing the time and place when objections in writing to such proposed listing and assessment may be made. An Appeal may be taken to the County Court from the final action of the Treasurer within ten days, by giving notice thereof in writing and filing an appeal bond, as in cases appealed from the Board of County Commissioners to the District Court.

Section 2. Property that has been omitted from assessment since November 16, 1907, shall be listed and assessed for each year that it has been omitted and charged with the levy for that year.

PROVIDED, That no property shall be assessed for any taxes for any year previous to November 16, 1907.

The question being, shall the Amendment be adopted, the roll being called, the vote resulted as follows: .

Yeas: Messrs. Billups, Denton, Echols, Franklin, Graham, Hatchett, Keys, Landrum, Redwine, Roddie, Russell, Smith, Taylor and Williams. Total 14.

Nays: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Goulding, Hurst, Memminger, Mitchell, Morris, Newell, Potter, Sorrells, Stewart, Soldani, Thomas Updegraff and Wynne. Total 25.

Absent and excused: Messrs. Moore, Stafford, Strain, and Yeager. Total 4.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote rsultd as follows:

Yeas: Mssrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Goulding, Hurst, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Stewart, Soldani, Sorrells, Taylor, Thomas, Updegraff and Wynne. Total 28.

Nays: Messrs. Billups, Denton, Franklin, Graham, Hatchett, Keys, Roddie, Russell, Smith and Williams. Total 10.

Absent and excused: Messrs. Landrum, Moore, Stafford, Strain and Yeager. Total 5.

Senator Blair moved to reconsider the vote by which Senate Bill No. 161 had passed.

The President declared the Bill passed.

Senator Blair moved to lay the motion to reconsider the vote by which Senate Bill No. 161 had passed on the table.

The President declared the motion to lay on the table had carried.

Senator Taylor explains his vote on Senate Bill No. 161 as folows:

"I vote 'Aye' for the passage of Senate Bill No. 161, I voted for the Hatchett amendment because I thought the proper time at which we should begin to enforce the collection of back taxes. I am in favor of a system by which all property will be forced to meet its portion of taxation. The Corporate interests and money lenders usually are the ones who fail to list their property. I voted for the Bill because I think we should go no further back than the date of Statehood, as otherwise the law would only be operated on the Oklahoma side of the State.

Senator Roddie explains his vote as follows:

"I vote 'no' on this bill, not because I think the law is correct as it stands on our statutes today, for I feel that it should be amended to begin with Statehood, but I am opposed to the repealing of this law, as it will give the tax dodger and money changers of this country an opportunity to run scott free, so far as the expenses of the Government is concerned. The farmer who has a cow and horse, which he cannot hide, must pay taxes on the same, while the money changer and five-per-cent a month money lender who stands on the Street corners and 'Shaves' notes, is the man that is benefitted by the passage of this bill."

The question being, shall an emergency be declared to Senate Bill No. 161, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Hurst, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Stafford, Stewart Soldani Sorrells, Thomas, Updegraff and Wynne. Total 29.

Nays: Messrs. Billups, Graham, Hatchett, Hurst, Keys, Landrum, Roddie, Russell, Smith, Taylor and Williams. Total 10.

Absent and excused: Messrs. Franklin, Moore, Strain and Yeager. Total 4.

Before the vote was announced Senator Blair made the following point of order: Since there is a vacancy in the Senate on account of the death of Senator Johnson, it only takes 29 votes to constitute two-thirds of the body, and consequently 29 votes are all that are necessary to declare an emergency.

After some discussion, the President appointed a Committee of Messrs. Thomas, Redwine, Brownlee, Hatchett, and Graham to inform the Chair of the correct construction to be placed upon the Constitution as to whether or not it would take a two-thirds majority of the members constituting the Senate at present to make an emergency, (i. e. 29); or whether it would take a two-thirds majority of the entire membership that was elected to and constituting the Senate, (i. e. 30).

The Chairman of the Special Committee, Mr. Thomas, reported as follows:

Mr. President: As chairman of the Special Committee having had the reference under consideration, I beg leave to report that the Committee decided to make a unanimous report: "That in order to make a measure an emergency it will take a two-thirds of the entire membership elected to each House voting in the affirmative. We are unanimous of the opinion that it takes thirty votes in the Senate to make any measure an emergency.

Before the vote was finally announced Senator Hurst changed his vote to "no" making 28 "ayes" and 11 "Nays."

The President, declaring the emergency, failing to receive a two-thirds majority, lost.

Senator Blair lodged a motion to reconsider the vote by which the emergency section to Senate Bill No. 161 had lost.

Senator Denton asked to have the Committee on Roads and Highways excused to consider important business.

Request granted.

Senator Wynne was excused on account of sickness.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole reported, recommending that Senate Bill No. 78 do pass as amended, and that the same be put on third reading and final passage this day.

Report adopted.

The President, Mr. Bellamy, signed the enrolled copy of Senate Concurrent Resolution No. 20 by Mr. Morris, same was ordered transmitted to the House.

Senate Bill No. 78 by Mr. Williams was read the third time at length as amended.

Senator Stafford offered the following amendment: "That the item on page 2, lines 10, 11 and 12, appropriating $3000 for investigation Committee, traveling expenses of delegates to various National Conferences. and other emergency cases, be reduced to $1500.

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment lost.

Senator Franklin offered the following amendment: "To strike out the item of 112 extra copies of the Constitution amounting to $165.76.

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment lost.

The question being, shall the Bill pass as amended, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Echols, Graham, Hurst, Landrum, Mitchell, Moore, Morris, Potter, Redwine, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Blair, Brownlee, Cloonan, Denton, Eggerman, Franklin Hatchett and Memminger. Total 8.

Absent and excused. Messrs. Beeler, Goulding, Keys, Newell, Roddie, Smith, Stafford and Stewart. Total 8.

The President declared the Bill passed.

The question being, shall an emergency be declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Graham, Hurst, Keys, Landrum, Mitchell, Moore, Morris, Newell, Redwine, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Brownlee, Cloonan, Eggerman, Franklin, Hatchett, Memminger, Potter and Stafford. Total 8.

Absent and excused: Messrs. Beeler, Goulding, Roddie, Smith and Stewart. Total 5.

The President declared the emergency, having received a two-thirds majority, had passed.

The title of the bill was agreed to; the bill was ordered engrossed.

A message was received from the House transmitting the enrolled copies of Senate Concurrent Resolution No. 20 by Mr. Morris and Senate Bill No. 42.

Enrolled copy of Senate Bill No. 42 was ordered transmitted to the Governor.

Enrolled copy of Senate Concurrent Resolution No. 20 was ordered transmitted to the Governor.

Senator Blair called up his motion that he had lodged to reconsider the vote by which the emergency section to Senate Bill No. 161 had lost.

The question being, shall the vote be reconsidered by which the emergency section to Senate Bill No. 161 had lost.

Vote was taken and the President declared the vote reconsidered.

The question being, shall an emergency be declared to Senate Bill No. 161, the roll being called on the emergency section, the vote ressulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Stafford, Soldani Sorrells, Thomas, Updegraff, Wynne and Yeager. Total 28.

Nays: Messrs. Billups, Graham, Hatchett, Hurst, Keys, Landrum, Roddie, Russell, Strain, Taylor and Williams. Total 11.

Absent and excused: Messrs. Franklin, Goulding, Smith and Stewart. Total 4.

The President declared the emergency, having failed to receive a two-thirds majority, lost.

The title of the Bill was agreed to.

Senator Morris asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 338 by Mr. Morris, "An Act legalizing the incorporation of the town of Hooker, in the County of Texas, State of Oklahoma, and to legalize the election and proceedings of the Trustees and all other officers of said town and their actions and doings as such officers."

The Committee on Commerce and Labor reported, recommending that Senate Bill No. 309 do pass as amended.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 308 do pass as amended.

Report received.

The Committee on Privileges and Elections reported as follows:

Mr. President: We, your Committee on Privileges and Elections, to which was referred the petition of contest of Frank L. Warren vs. Homer S. Hurst, for a seat in this body from the 22d Senatorial District, having had the same under consideration, report back to the Senate as follows:

Be it resolved by the Committee on Privileges and Elections that Frank L. Warren be given a seat in this body as a Senator from the 22 I Senatorial District of the State of Oklahoma.

RICHARD A. BILLUPS,
W. N. REDWINE,
L. K. TAYLOR,
CLARENCE DAVIS,
JESSE M. HATCHETT,
R. T. POTTER.

Report received.

Senator Allen brought in the minority report which read as follows:

Be it resolved by the Committee on Privileges and Elections, that H. S. Hurst, be declared the duly elected Senator from the 22d Snatorial District and is entitled to his seat as such.

TOM MOORE,
R. M. RODDIE,
HARRY K. ALLEN.

Report received.

Senator Billups moved:

Mr. President: It is the unanimous request of the Committee on Privileges and Elections, those who favor the majority report and those who favor the minority report, that this matter be taken up at his time and disposed of. Therefore, Mr. President, I move you that this matter, the majority report, and the minority report, from the Committee on Privileges and Elections, be taken up at this time, and that the majority be given thirty minutes, and the minority thirty minutes, in which to discuss the same.

The question being, shall the motion prevail.

Vote was taken and the President declared the motion lost.

Senator Graham moved that the report be made a special order for next Monday, February 22, 1909, at 2 P. M.

Vote was taken and the President declared the motion carried.

A message was received from the House:

Mr. President: I am directed by the House of Representatives to return the enrolled copy of House Bill No. 12 to the Senate for the correction of amendments to same made by the Senate.

House Bill No. 12 was referred to a Committee for the corrections.

Senate adjourned until 9:30 A. M. Friday, February 19, 1909.

SENATE JOURNAL.

FORTY-SIXTH DAY.

Friday, February 19, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Yeager. Total 40.

Absent and excused: Messrs. Billups, Stewart and Wynne. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

A message was received from the Governor and read as follows:

To the Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved House Concurrent Resolution No. 15, Memorializing Congress to give aid in the construction of public highways, and Senate Bill No. 138, same being "An Act authorizing domestic mutual building and loan associations organized under the laws of the State of Oklahoma, to increase their capital stock and prescribing the procedure therefor, and declaring an emergency," and Senate Bill No. 126 same being, "An Act to amend Section 1, Article 4, of Chapter 54 of An Act prohibiting the screening of coal before being weighed, also a weighman, and check weighman law, and creating a State Mining Board, and to regulate the appointment and duties of mine managers, superintendents pick bosses, hoisting engineers, fire bosses, and making an appropriation for carrying out the provision of this Act; also prohibiting the employment of convicts in the mines of this State, approved May 16, 1908.

Respectfully submitted,

C. N. HASKELL.

Governor.

Senator Sorrells presented the following resolution.

We, the Farmers Union of the State of Oklahoma, in convention assembled at Shawnee, Oklahoma, this the 16th day of February, 1909, believe Section 347 of the Revised Statutes of Oklahoma relating to the inspection of live stock for slaughter, is ineffective for the purpose intended, a nuisance and trouble to the farmer of the State: Therefore,

Be it resolved, that we ask the enactment of such laws as will give different towns and cities the authority to regulate such inspection by city ordinance and the repeal of the above named section.

The Resolution was referred to the Committee on Agriculture, Quarantine and Animal Industry.

Petition No. 157 by Mr. Keys, filed, read and referred to the Committee on Agriculture, Quarantine and Animal Industry.

Bills and Resolutions read the second time and referred to the following Committees:

House Joint Resolution No. 6, by Mr. Japp.

Senator Thomas moved that House Joint Resolution No. 6 be referred to the Committee of the Whole without being referred to a Committee.

The question being, shall the motion prevail.

Vote was taken and the President declared the motion prevailed

Senator Eggerman asked to have the Committee on Public Buildings excused for half an hour.

Request granted.

Senate Joint Resolution No. 13 by Mr. Memminger to Committee on Codes Revision.

Senate Bill No. 338 by Mr. Morris, to Committee on Judiciary No. 1.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 161, same was ordered transmitted to the House.

Senator Strain asked unanimous consent to submit a substitute for Senate Bill No. 168 and have the substitute printed and considered with Senate Bill No. 168.

The request was granted and the Substitute was ordered printed.

Senator Williams asked to have the Committee on Appropriations excused.

Request granted.

Senator Roddie moved to have three copies of the rules printed for each Senator and one for each officer, one copy for each Senator and officer to have his name printed on the back, the other two to be plain.

The question being, shall the motion prevail.

Vote was taken and the President declared the motion prevailed.

Senator Morris asked to have Senate Bill No. 228 withdrawn from the Committee on Public Service Corporations and referred to the Committee on Legal Advisory.

On objection of Senator Memminger, Senator Morris withdrew his request.

Senator Taylor moved that the vote by which Senate Bill No. 60 had passed the Senate be reconsidered.

The question being, shall the vote be reconsidered.

Vote was taken and the President declared the vote reconsidered.

Senator Taylor moved that Senate Bill No. 60 be transmitted to the House and the House be asked to reconsider the vote by which the bill had passed.

The question being, shall the motion prevail, vote was taken and the President declared the motion prevailed.

The Senate went into the Committee of the Whole to consider House Bills on the Calendar.

The Committee of the Whole arose temporarily to receive a message

from the House, transmitting engrossed copies of House Bill No. 223 and Senate Joint Resolution No. 7.

House Bill No. 223 by Mr. Charles, "An Act to amend Section 2, of Article 10 of Wilsons Revised and Annotated Statutes, Section 625 relating to Cemetery, was read the first time.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House agrees to Senate Amendments to House Bill No. 293 and herewith transmit the enrolled copy of the bill.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 25 signed by the Speaker.

House Bill No. 25, by Messrs. Durant, Semple and Ewell, "An Act creating the Southeastern State Normal at Durant and making an appropriation for the erection of a suitable building therefor," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to request that your clerk make such reference to House Bill No. 12 as are definite and certain as to what pages, lines and sections, the said amendments are to be inserted.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration House Bill No. 33 report progress and ask leave to sit again.

Report adopted.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President Pro Tem, Mr. Graham.

The President announced a quorum present.

The Journal of the 45th day's session was approved.

House Bill No. 293 was read the fourth time at length.

The title of the Bill was agreed to.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 293 same was ordered transmitted to the House.

The Committee on Revenue and Taxation reported, recommending that Senate Bill No. 201 do not pass.

Report adopted.

The Committee on Municipal Corporations reported, recommending that House Bill No. 65 do pass.

Report received.

The Committee on Roads and Highways reported, recommending that Senate Bill No. 291 do pass.

Report received.

The Committee on Appropriations reported, recommending that House Bill No. 414 do pass.

Report received.

The Committee on Appropriations reported, recommending that House Bills Nos. 416 and 385 do pass; that Senate Bills Nos. 316, 318 317, 315 and 323 do pass as amended, and that Senate Bill No. 125 do pass.

Report received.

The Committee on Mines and Manufacturing reported, recommending that Senate Bill No. 241 do pass.

Report received.

A communication was received as follows:

Cedar Rapids, Iowa, February 14, 1909.

To the Honorable Senate of the State of Oklahoma:

Gentlemen:

Permit me to thank you on the behalf of the family of the late Senator George O. Johnson for the many kindnesses and courtesies extended to us in our bereavement, and also for the beautiful floral offering.

Permit me to especially extend to your honorable member, Senator Clarence Davis, our heartfelt thanks for his escort of the remains, and say to you that he is a Prince among men.

God permitting, I will be in Guthrie, Friday or Saturday of this week, and possibly Sunday, at which time I hope to personally thank you.

I am very sincerely,

E. C. JOHNSON.

The communication was filed.

Senator Cunningham called up his motion to reconsider the vote of the Committee of the Whole by which House Bill No. 40 was indefinitely postponed.

Senator Thomas moved that the motion to reconsider the vote by which the Committee of the Whole indefinitely postponed House Bill No. 40 be laid on the table.

Vote was taken and the President declared the motion to lay on the table had carried.

Senate Bill No. 95 by Mr. Goulding was read the third time at length.

Senator Thomas offered the following amendment: Strike out Section 12.

The question being, shall the amendment prevail, the roll being called the vote resulted:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Memminger, and Thomas. Total 12.

Nays: Messrs. Beeler, Eggerman, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Mitchell, Moore, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Updegraff, Williams and Yeager. Total 22.

Absent and excused: Messrs. Billups, Cloonan, Echols, Franklin, Morris, Stewart, Soldani, Taylor and Wynne. Total 9.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Newell, Potter, Red-

wine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Updegraff, Williams and Yeager. Total 32.

Nays: Messrs. Denton and Thomas. Total 2.

Absent and excused: Messrs. Billups, Cloonan, Echols, Franklin, Morris, Brownlee, Stewart, Taylor and Wynne. Total 9.

The President declared the bill passed.

The title of the bill was agreed to, and the bill was ordered engrossed.

Senator Eggerman asked to have the Committee on Public Buildings excused for thirty minutes.

Request granted.

The Senate went into the Committee of the Whole to consider unfinished business and the House Bills on the Calendar.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting engrossed copy of Senate Bill No. 129 as amended by the House, and enrolled copy of Senate Bill No. 60 as the House had reconsidered the vote by which the same had passed the House.

Senator Chapman was excused until Monday.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has indefinitely postponed Senate Bill No. 52 by Mr. Eggerman, and also Senate Bill No. 52, by Mr. Hatchett.

The Clerk was ordered to return the message to the House for information as the Senate is unable to determine why the Honorable House had indefinitely postponed two Senate Bills No. 52 and ask further advice.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bill No. 33 do pass as amended, that as to House Bill No. 88 and Senate Bill No. 155 report progress and ask leave to sit again.

Report received.

Senator Soldani moved that the Senate agree to the House amendments to Senate Bill No. 129.

The question being, shall the Senate agree to the House amendments to Senate Bill No. 129.

Vote was taken and the President declared the Senate had agreed to the House amendment to Senate Bill No. 129.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Keys, Memminger, Mitchell, Morris, Potter, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Thomas, Williams and Yeager. Total 26.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Brownlee, Chapman, Davis Echols, Hatchett, Hurst, Landrum, Moore, Newell, Redwine, Smith, Stewart, Taylor, Updegraff and Wynne. Total 17.

The President declared the Bill passed.

Senator Eggerman asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 339 by Mr. Eggerman, "A bill to prevent the use of cigarettes by minor children in the State of Oklahoma, making it a misdemeanor for any person to furnish cigarettes, etc."

The Committee on Public Buildings reported, recommending that Senate Bill No. 166 do pass as amended and that Senate Bill No. 43 do pass.

Report received.

The Committee on Commerce and Labor reported, recommending that Senate Bill No. 302 do pass as amended.

Report received.

Senator Williams asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 340 by Mr. Williams, "An Act making an appropriation to pay the salaries of the Clerk of the Supreme Court and assistants, for the two fiscal years ending respectively, June 30th, 1910, and June 30th 1911, and declaring an emergency."

Senator Colville was excused until Monday.

Senator Williams was excused until Monday.

A message was received from the House as follows:

Mr. President: Sir: Since receiving your communication asking the House to look through their files and see if it would be possible to locate the number of Mr. Hatchett's bill, which has been indefinitely postponed by the House, after making thorough search of our files, the Clerk finds that the number of Mr. Hatchett's bill is 58, "Entitled an Act providing for appeals from judgments of Courts of Justice of the Peace."

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Substitute for House Bill No. 12 the same was ordered transmitted to the House.

The Clerk of the Senate was directed to instruct the House that the copy of the Bill heretofore returned by the Senate to the House was an error, that the substitute should have been sent instead of the original House Bill, same having been substituted by the Senate.

President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bill No. 95 and Senate Joint Resolution No. 7 and same were ordered transmitted to the House.

Senator Sorrells was excused until Monday.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by the President Pro Tem. Mr. Graham.

The President announced a quorum present.

The Committee on Oil, Gas and Mineral Lands reported, recommending that Senate Bill No. 283 do pass and that Senate Bill No. 238 do pass as amended.

Report received.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting Senate Bill No. 1 as amended.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting engrossed copy of Senate Bill No. 34 as amended by the House.

Senator Eggerman moved that the Senate do not agree to the House amendments to Senate Bill No. 34 and ask the House to recede from their amendments.

The question being, shall the Senate not agree to the House amendments to Senate Bill No. 34.

Vote was taken and the President declared the motion prevailed.

Senator Eggerman moved that Senate Bill No. 1 as amended be referred to the Committee on School Lands.

Motion prevailed.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 155 do pass as amended, and that House Bill No. 88 do pass as amended.

Report adopted.

The Senate adjourned until 9:30 A. M., Saturday, February 20, 1909.

SENATE JOURNAL.

FORTY-SEVENTH DAY.

Saturday, February 20, 1909.

Senate met at 9:30 pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Beeler, Blair, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff and Yeager. Total 32.

Absent and excused: Messrs. Allen, Billups, Brownlee, Chapman, Colville, Hurst, Newell, Smith, Stewart, Williams and Wynne. Total 11.

The President announced a quorum present.

Prayer by the Chaplain.

A communication from the Secretary of State was read as follows:

Guthrie, Oklahoma, February 20, 1909.

To The Honorable Senate:

Gentlemen: At the request of Honorable Samuel C. Polley, Secretary of State of South Dakota, I have the honor to transmit herewith a certified copy of House Joint Resolution No. 7 adopted by the Eleventh Legislative Assembly of the State of South Dakota.

Respectfully submitted,

BILL CROSS,

Sec. State.

The communication was referred to the Committee on State and County Affairs.

Senator Hatchett arose to a point of personal privilege.

"I hold in my hand what purports to be a copy of the Oklahoma News published at Oklahoma City, Friday, February 19, 1909. The last two columns of the first page at the top contains an article bearing the heading "Bought by Pork Bar'l is Charge." State Senator Hurst, Democrat, Unseated, Accuses fellow Democrats of Trading Votes with Republicans on Public Building Slate. His Evidence."

I desire to say that what I say now I am responsible for, here and now, elsewhere, wherever it may be, and at all times whenever it may be. And, in so far as it relates to me is unfoundd, is prmeditated, and is a lie born of malice. I say that whoever is responsible for it, is a character assassin, and is only making an attempt, Sir, to pull others down to the same level with himself. I want to say further, that in taking that method of making that charge he has shown himself to be a coward, whoever he may be."

Senator Redwine: "Mr. President, I desire to arise to a point of personal privilege."

The President: "State the question, Senator."

Senator Redwine: "With reference to the item in the Oklahoma News which was just referred to by Senator Hatchett, which had reference to me, as well as to other Senators, I desire to state here and now:

"I don't know who is absolutely responsible for this item. I have tried to find out. I have been unable to get absolutely the facts in the case. The article appears without any person's signature under it. I want to state that no newspaper has a right to slander any man by words in its columns unless it has the person's signature under the article, purported to be responsible for it, and when it does print such article without the signature of the person responsible, I hold it just as responsible as the person who made the statement, as far as I am concerned. I want to say that whoever is responsible for this article is unworthy of good society, and this statement, as far as it affects me, is a lie and that the man who made it is an infamous liar."

I want to brand him as such to the world, and I want the world to know that I did brand him as such in this Senate Chamber, and what I say here, I want it understood that I will say at any place. Just who is responsible for this article, as it is published in the Oklahoma News, I do not know but it is prompted by malice afore-thought, and I so charge it to the responsible party."

Senator Taylor: "In so far as the newspaper article called before the Senate by the two Senators who have just preceded me, seems to distinguish me along with my colleagues by reference that is made there, the same being absolutely false and absurd, and being so patent upon its face as having emanated for a malicious purpose, and from a malicious heart, I too, wish to join in saying, and the only regret I have is that the gentleman who is affected most by this article, and who is quoted as being the instigator of the falsehood, is not in his place this morning, that he might hear what has been said, and is being said about the purported news article, which is, in fact, a tissue of falsehood and libelous statements. Fake does not describe it. I know he had no justification, not even an insinuation, to justify him in making such a statement, or in claiming to have such an idea. We all understand the malicious motive behind it all, and it is sufficient to simply brand it as false, infamous, and cowardly, in so far as the article refers to my connection with any corrupt deal of any nature whatever."

Bills Read the Second Time and Referred to the Following Committees

Senate Bill No. 339 by Mr. Eggerman, to Committee on Public Buildings.

Senate Bil No. 340 by Mr. Williams, to Committee on Appropriations.

House Bill No. 223 by Mr. Charles, to Committee on Municipal Corporations.

House Bill No. 25 by Messrs. Durant, Semple and Ewell, to Committee on Public Buildings.

A message was received from the House, transmitting the enrolled copy of Senate Joint Resolution No. 7 signed by the Speaker, same was ordered transmitted to the Governor.

Senator Hurst was excused for the day on account of sickness.

Senator Newell was excused for the day on account of business.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has receded from the amendments numbered 1, 2, and 3, as shown and numbered on amendments attached to Senate Bill No. 34 by Mr. Eggerman, "An Act authorizing the payment by the State of a reward for the arrest and conviction of any person guilty of stealing a horse or mule within the State." but refuse to recede from the amendment No. 4, and insists upon the amendment number 4 being adopted by the Senate.

Senator Eggerman moved that the Senate agree to House amendment No. 4, to Senate Bill No. 34.

Vote was taken and the President declared the Senate had agreed to the House amendment No. 4, to Senate Bill No. 34.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed to inform the Senate of an order made by the House directing me to return to your Honorable Body engrossed copy of Senate Substitute for House Bill No. 12, and request that your Honorable Body return to this House the original House Bill No. 12 for consideration and comparison with the Senate Substitute for same.

The request of the House was granted.

Senator Roddie moved that the first page of the bill be made to read as amended by the Senate and that the bill be re-engrossed and that the records show the correction.

Vote was taken and the President declared the motion carried.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration Senate Bill No. 261 recommend that same do pass as amended.

Report received.

The Journal of the 46th day's session was approved.

The Committee on School Lands reported, recommending that Senate Bill No. 298 do pass.

Report received.

On motion of Senator Morris, the Senate agreed to the House amendments to Senate Bill No. 1.

The question being, shall the bill pass as amended by the House, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Cunningham, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Keys, Memminger, Mitchell, Morris, Potter, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Taylor, Thomas, and Yeager. Total 23.

Nays: Messrs. Cloonan, Curd, Davis, Hatchett and Updegraff. Total 5.

Absent and excused: Messrs. Allen, Beeler, Billups, Brownlee, Chap-

man, Colville, Hurst, Landrum, Moore, Newell, Smith, Stewart, Sorrells, Williams and Wynne. Total 15.

The President declared the bill passed as amended.

Senator Thomas moved to reconsider the vote by which Senate Bill No. 1 had passed.

Senator Thomas moved to lay the motion to reconsider the vote by which Senate Bill No. 1 had passed, on the table.

Vote was taken and the President declared the motion to lay on the had carried.

Senator Davis asked unanimous consent to have his vote recorded as voting "Nay."

Vote was taken and the President declared the request was granted.

The Committee on Municipal Corporations reported, recommending that Senato Bill No. 299 do pass.

Report received.

Senator Memminger asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 341 by Mr. Memminger, "An Act to amend Section 214, Article 15, of Chapter 18 of the Statutes of Oklahoma, 1903."

The Committee on Public Service Corporations reported, recommending that Senate Bill No. 306 do pass as amended.

Report received.

Senator Redwine asked unanimous consent to have Senate Bill No. 288, withdrawn from the Committee on Public Service Corporations and referred to the Committee on Legal Advisory.

Request granted.

Senator Taylor asked unanimous consent to have the rules suspended and to have Senate Bill No. 299 put on third reading and final passage.

Vote was taken and the President declared the request granted.

Senate bill No. 299 was read at length the third time.

Senator Taylor offered the following amendment:

"Section 1. Upon the expiration of the term of all marshals and street commissioners of cities of the first class, after the passage of this act, it shall be the duty of the mayor of such cities to appoint a marshall and street commissioner to serve at the will of the mayor. Such appointments shall be subject to the approval or confirmation of the city council."

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment adopted.

Senator Taylor offered the following amendment:

Section 2. As follows: "The town marshall in all incorporated towns upon the expiration of the term of the present marshall shall be appointed by the board of trustees of such town and serve at their pleasure.

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment adopted.

Senator Taylor offered the following amendment to the caption of the bill: "Providing for the appointment of city marshalls and street commissioners in cities of the first class and for town marshalls in unincorporated towns repealing all laws and parts of laws in conflict with this act."

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment adopted.

The further consideration of Senate Bill No. 299 was deferred.

Senator Cunningham asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 342 by Mr. Cunningham, "An Act relating to the liability of railroad companies for damages to property resulting from the operations of railroads."

Senator Goulding moved that the Senate adjourn until Monday at 9:30 A. M.

Senator Franklin moved as a substitute that we recess until 1:30 P. M.

Vote was taken and the President declared the substitute lost.

Vote was taken on the original motion and the President declared the motion prevailed.

The Senate adjourned until 9:30 A. M., Monday February 22, 1909.

SENATE JOURNAL.

FORTY-EIGHTH DAY.

Sunday, February 21, 1909.

No session.

SENATE JOURNAL.

FORTY-NINTH DAY.

Monday, February 22, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams and Updegraff. Total 40.

Absent and excused: Messrs. Stewart, Wynne and Yeager. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Hurst: "I desire to arise to a matter of personal privilege. The question is concerning the matter appearing in the various newspapers from February 19th, to February 21st.

"On February 19th, in the Oklahoma News appeared an Article purporting to be an interview with myself, relative to what might have influenced members of the Elections Committee to vote upon the report filed in the case on file of the contest in this Senate. The subsequent proceedings connected with that purported interview is what I desire to discuss at this time.

Unfortunately I was compelled to be absent upon Saturday, when the other members arose to matters of personal privilege. I am sorry that I was not present. I desire at this time to explain everything that I know connected with this purported interview. I do not desire, nor never have, nor never propose to do so, to say, for print one word of disparagement for another member of this Senate. The relations that I have borne toward every member has been that of peace and friendliness; yet when I am gone, without an examination, without an investigation, there has arisen upon this floor men, who by inference, it seems, indicate and impute to me a charge of trying to discredit them. The personal relations between myself and those men have been friendly and kindly, I am indeed sorry that I was not present when these statements were made.

There appears in February 19th Oklahoma News an article which the reporter who wrote it admits in a later paper, the daily Leader of Saturday the 20th, is not properly portrayed in the Red Head Lines of that article, and I want to say right here, that I never was approached for an interview, I never was approached for any statement as emanating from myself. I desire to tell you that I did speak to some newspaper man, his name I don't know, nor what paper he represents. He came to me with the information contained in that article. I saw the information contained in that

Article only partially. He asked me if I had heard what he claimed to have heard and I told him yes. I admitted that I had heard them, but not a memorandum was made that I know of, not a scratch of a pencil was made to make a meorandum for publication. He asked me if a part of the things contained therein was what I heard and I said yes, I had heard it, and I want to say every man in this Senate had heard it too, and what was said by me was not for the purpose of publication.

Some very unkind things were said on the floor of this Senate, if the newspapers can be credited, during my absence. I want to say here, that with this explanation, with this understanding, to the men who have stated those things, if, by inference they are intended for me, I am ready and willing at all times, at any place and at any time to meet any insinuation or imputation to the effect that I misquoted or misstated the matter. I desire to be fair and honest in this matter, I desire that it be portrayed properly and appropriately, and I am willing, if you please, if the men who seem to be dissatisfied in this matter want an investigation, I will be only too glad to assist them. I hope that this explanation has been satisfactory to them, but if it has not, I, as I say, am ready at all times to shoulder any responsibility that comes from me. Gentlemen, I thank you for your indulgence."

Senator Redwine: "The statement I made the other day is upon the records. I am glad the Senator has made his explanation this morning and states that he is not responsible, or in other words, that he did not say those things himself, or place himself responsible for the article that appeared in the newspaper. He says that what he said was something that he had heard that somebody else had said. I stated the other day that I charge the man who is responsible for it to be an infamous liar, and I charge it again this morning, and I want it understood that if he can be found that I want to prove him as such. I am glad the Senator has explained."

Senator Billups announced the arrival of a little girl at his home.

Senator Memminger reported on the part of the Committee appointed to look after sick members, that Senator Stewart had been taken to Claremore, Oklahoma, for treatment.

Senator Stewart was excused on account of sickness.

Petition No. 158 by Mr. Russell, filed, read and referred to the Committee on Agriculture, Quarantine and Animal Industry.

Senator Eggerman asked to have all the petitions, referring to the Tax Ferret Law, withdrawn from the Committee on Revenue and Taxation so that they could be filed in the House.

Request granted.

The Following Bill was introduced and read the first time:

Senate Bill No. 343 by Mr. Thomas, "An Act amending section 3951 of the Statutes of Oklahoma, 1893."

Bills Read the Second Time and Referred to the Following Committees

Senate Bill No. 341 by Mr. Memminger, to Committee on Judiciary No. 1.

Senate Bill No. 342 by Mr. Cunningham, to Committee on Public Service Corporations.

Bills on Third Reading.

Senate Bill No. 155 by Mr. Taylor was read the third time at length.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Franklin, Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 35.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Graham, Moore, Newell, Stewart, Soldani, Wynne and Yeager. Total 7.

The question being, shall an emergency be declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin Hatchett, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Potter, Redwine, Roddie, Russell. Smith, Stafford; Strain, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 35.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Goulding, Graham, Newell, Stewart, Soldani, Wynne and Yeager. Total 7.

The President declared the emergency, having received a two-thirds majority, had passed.

Senate Bill No. 299 by Mr. Taylor was read the third time at length.

Senator Cordell offered the following amendment to Section 2. "Provided that any city or town may provide, by ordinance for the election of such officers."

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment adopted.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 31.

Nays: Messrs. Davis and Franklin. Total 2.

Absent and excused: Messrs. Graham, Goulding, Hatchett, Hurst, Newell, Stafford, Stewart, Soldani, Wynne and Yeager. Total 10.

The President declared the bill passed.

Senator Taylor asked unanimous consent to be allowed to add the emergency section.

Request granted.

The question being, shall there be an emergency declared, the roll be-

ing called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Hurst, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Redwine, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 31.

Nays: Messrs. Beeler and Cloonan. Total 2.

Absent and excused. Messrs. Davis, Graham Goulding, Hatchett, Newell, Potter, Stewart, Soldani, Wynne and Yeager. Total 10.

The President declared the emergency having received a two-thirds majority, had passd.

House Bill No. 88 by Mr. Price, was read the third time at length, as amended by the Senate.

Senator Sorrells offered the following amendment: "Reduce pay of Assistant Examiner from $1800 to $1500 per annum each."

Vote was taken and the President declared the amendment lost.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Cunningham, Echols, Eggerman, Goulding, Keys, Landrum, Memminger, Mitchell, Moore, Redwine, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, and Williams. Total 24.

Nays: Messrs. Brownlee, Cloonan, Curd, Denton, Hatchett, Stafford, and Updegraff. Total 7.

Absent and excused: Messrs. Chapman, Davis, Franklin, Graham, Hurst, Morris, Newell, Potter, Stewart, Soldani, Wynne and Yeager. Total 12.

The President declared the bill passed.

The question being, shall an emergency be declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Cunningham, Echols, Eggerman, Franklin, Goulding, Keys, Landrum Mitchell, Moore, Redwine, Roddie, Russell, Smith, Strain, Taylor, Thomas and Williams. Total 23.

Nays: Messrs. Brownlee, Cloonan, Curd, Denton, Hatchett, Memminger, Potter, Stafford, Soldani, Sorrells and Updegraff. Total 11.

Absent and excused: Messrs. Chapman, Davis, Graham, Hurst, Morris, Newell, Stewart, Wynne and Yeager. Total 9.

The President declared the emergency section not receiving a two-thirds majority, had lost.

Senator Billups lodged a motion to reconsider the vote by which the emergency section had lost.

House Bill No. 33 was read at length the third time.

Senator Davis offered the following amendment: "Strike out on page 1, line 7, "And shall receive the sum of $3500 per annum," and insert in lieu thereof on page 1, line 6, "And receive the same salaries.'

Te question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Chapman, Colville, Cordell, Cunning-

ham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Landrum, Mitchell, Morris, Potter, Redwine, Roddie, Russell, Smith, Sorrells, Thomas, Updegraff and Williams. Total 25.

Nays: Messrs. Billups, Blair, Brownlee, Cloonan, Curd, Memminger, Strain, Taylor, Hatchett and Keys. Total 10.

Absent and excused: Messrs. Hurst, Moore, Newell, Stafford, Stewart, Soldani, Wynne and Yeager. Total 8.

The President declared the amendment adopted.

The Committee on Judiciary No. 2 reported as follows:

Mr. President: I move to amend House Bill No. 33, page 2, by adding a new section to be numbered Section 3a.

"Section 3a. The State is hereby divided into three Criminal Court of Appeals Judicial Districts, designated respectively as the Eastern, Northern and Southern Criminal Court of Appeals Judicial Districts. From each of said Districts, candidates for Judge of the Criminal Court of Appeals shall be nominated by political parties, or by petitioners of the respective districts, in the manner provided by law, and such nominees shall be voted for by the qualified voters of the State at large, and no elector at such election shall vote for more than one nominee, from each District. The nominee from each district receiving the highest number of votes cast in the State at said election shall be declared the Judge elect in said district. Of the Criminal Court of Appeals Judicial Districts, the Eastern District shall comprise the Counties of Adair, Atoka, Bryan, Cherokee, Choctaw, Craig, Creek, Delaware, Haskell, Hughes, Latimer, LeFlore, Mays McCurtain, McIntosh, Muskogee, Nowata, Okfuskee, Okmulgee, Ottawa, Pittsburg, Pushmataha, Rogers, Sequoyah, Tulsa, Waggoner; the Northern District shall comprise the counties of Alfalfa, Beaver, Blaine, Canadian, Cimmarron, Dewey, Ellis, Garfield, Grant, Harper, Kay, Kingfisher, Lincoln, Logan, Major, Noble, Oklahoma, Osage, Pawnee, Payne, Texas, Washington, Woods, Woodward; the Southern District shall comprise the Counties of Beckham, Caddo, Carter, Cleveland, Custer, Comanche, Garvin, Grady, Greer, Jackson, Jefferson, Johnson, Kiowa, Love, McLain, Marshall, Murray, Pontotoc, Pottowatomie, Roger Mills, Seminole, Stephens Tillman and Washita."

Senator Davis moved the adoption of the report.

Vote was taken and the President declared the report adopted.

Senator Thomas offered the following amendment: "Amend Section 1, line 7, by adding the following to the end of said line, 'Provided that said salaries shall not be increased as provided herein, prior to the second Monday in January 1911'."

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment adopted.

Senator Redwine offered the following amendment: "I move that the following be inserted after the words 'may be established by law,' in section 7, 'Provided that in cases involving the construction of the Constitution of this State, or of the United States, or an Act of Congress, a writ of error at any time within six months from the rendering of such judgment in the Criminal Court of Appeals, may be prosecuted to the Supreme Court of the State."

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Chapman, Cloonan, Cunningham, Curd, Hatchett, Memminger, Potter, Redwine, Smith, Stafford and Sorrells. Total 12.

Nays: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Roddie, Russell, Strain, Taylor, Thomas and Williams. Total 21.

Absent and excused: Messrs. Echols, Hurst, Moore, Morris, Newell, Stewart, Soldani, Updegraff, Wynne and Yeager. Total 10.

The President declared the amendment lost.

Senator Potter offered the following amendment: Section 17, page 7, line 6, by striking out the words "of the decision as may be required by law" and insert in lieu thereof the words "Whose duty it shall be to report all decisions of the Court and such service as shall be performed."

Senator Taylor moved as a substitute that this matter be referred to the Committee on Judiciary No. 2.

The question being shall the substitute prevail, vote was taken and the President declared the motion prevailed.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

The Committee on Judiciary No. 1 reported, recommending that Senate Bills Nos. 273 and 338 do pass.

Report received.

The following Bills were introduced and read the first time:

Senate Bill No. 344 by Mr. Goulding, "An Act ratifying and validating the action of the city council of the City of Enid, Oklahoma, vacating the alley in and through Block 43 in Kenwood Addition to the City of Enid, Oklahoma; and providing that said Alley, in and through said black, shall revert back to the owner of the Abutting property and depriving the said City of Enid, Oklahoma, and the City Council of said City, of any power to reclaim the said alley in the said block, so vacated; and vesting the title to said alley so vacated in the owner of the abutting property; and declargin an emergency."

Senate Bill No. 345 by Mr. Mitchell, "An Act legalizing the incorporation of Arnett, Ellis County, Oklahoma, and to legalize the proceedings and all acts done by the election officials and the Board of Trustees of said Town of Arnett."

The Committee on Public Health reported, recommending that Senate Bill No. 257 do pass as amended.

Report received.

The President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Joint Resolution No. 11 and Senate Bills Nos. 78, 299 and 155, same was ordered transmitted to the House.

The further consideration of House Bill No. 33 was taken up.

Senator Thomas moved to reconsider the vote by which section 17 of

House Bill No. 33 was referred to the Committee on Judiciary No. 2.

The question being, shall the vote by which Section 17 of House Bill No. 33 was referred to the Committee on Judiciary No. 2 be reconsidered, vote was taken and the President declared the vote had been reconsidered.

Senator Thomas moved that section 17 of House Bill No. 33 be referred to a special committee of five.

The question being, shall the motion prevail.

Vote was taken and the President declared the motion carried.

The President appointed Messrs. Thomas, Potter, Hatchett, Taylor and Cunningham as such special committee.

The Special Committee reported as follows:

Mr. President: We, your Special Committee, appointed to consider proposed amendment offered by Senator Potter to Section 17, of House Bill No. 33, having had same under consideration, beg leave to report to the Senate as follows:

We recommend that the following be substituted for said Section 17.

Section 17. The decision of the Criminal Court of Appeals shall be reported and published as is provided by law for the reporting and publishing of the decision of the Supreme Court.

On motion of Senator Thomas the report was adopted.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hurst, Keys, Landrum, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff and Williams. Total 33.

Nays: Messrs. Brownlee, Cloonan, Curd, Hatchett, Memminger, Total 5.

Absent and excused: Messrs. Potter, Stafford, Stewart, Wynne and Yeager. Total 5.

The President declared the Bill passed as amended.

Senator Thomas was called to the Chair.

The time having arrived for special orders Senator Billups called for the reading of the report of the Committee on Privileges and Elections.

The report was read.

Senator Allen called for the reading of the minority report.

Report was read.

Senator Billups moved the adoption of the majority report.

Senator Allen moved as a substitute to substitute the minority report for the majority report.

Senator Cordell moved that three hours be given for debate.

Vote was taken and the President declared the motion carried.

Senator Eggerman moved that the Chairman of the majority and the Chairman of the minority be given thirty minutes each, the balance of the members ten minutes each.

Vote was taken and the President declared the motion lost.

Senator Eggerman moved that the time be divided between the majority and the minority and that each speaker be given fifteen minutes each.

Vote was taken and the President declared the motion prevailed.

Senator Billups opened the debate for the majority.

Senator Allen opened for the minority.

Senator Graham offered as a substitute for the majority and minority reports the following resolution: "Resolved that there was no election held on the ———day of November, 1908 in the 22d Senatorial District of Oklahoma, and that the seat now held by H. S. Hurst is hereby declared vacant and the Governor of this State be advised of the vacancy."

Senator Billups arose to a point of order that a substitute was not in order when there was a substitute pending.

The President sustained the point of order.

Senator Moore yielded his time to Senator Graham.

Senator Billups objected.

Senator Billups withdrew his objection.

Senator Potter yielded five minutes of his time to Senator Hatchett.

Senator Potter yielded the rest of his time to Senator Redwine.

Senator Davis asked unanimous consent to read some law.

Request granted.

Senator Davis read McCrary on Elections, 4th Edition, Sections 374, 382, 222, 528, and 529.

Senator Roddie closed the argument for the minority report.

Senator Billups closed the argument for the majority report.

The three hours having expired, Senator Redwine asked to have the roll called to ascertain absentees.

Request granted.

Roll was called and the following Senators were present: Messrs. Allen Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Moore, Potter, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Wynne. Total 40.

Absent and excused: Messrs. Hurst, Stewart and Yeager. Total 3.

The question being, shall the minority report be substituted for the majority report, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Graham, Mitchell, Moore, Roddie, Strain and Soldani. Total 7.

Nays: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Sorrells, Taylor, Thomas, Updegraff, Williams and Wynne. Total 33.

Absent and excused: Messrs. Hurst, Stewart and Yeager. Total 3.

Senator Franklin explains his vote as follows: "In pursuance of my duty, under my oath of office, as I see it, I must vote "No". The Constitution in express words provided, that "Each House shall be judge of the election, returns and qualifications of its own members and that each House may determine the rules of its proceedings.

"No evidence has been produced to show that there was irregularities in the holding of the election or that there was any fraud committed on the

part of the contestant, or any one for him. I do not think any of the evidence shows that contestant was at fault in not having his name correctly printed on the ballot, but the proof does show that the error in the name was due to a member of the State Election machinery, and, further that the error was not such as, in the mind of a reasonable man, was calculated to mislead the voters and no evidence has been produced which shows or tends to show, that any voter was mislead in casting his vote. As the proof appears to me it would thwart the will of the electors in the 22d Senatorial District if the minority report should prevail, 'Acquiescence in the will of the majority,' and 'Let the people rule,' are Democratic principles and should be applied in this instance. I have always been a Democrat, and only a strong sense of justice and duty, impels me to vote "No."

"Senator Hurst is a personal friend of mine, but I cnanot disregard my duty as I see it. I am willing to vote to declare no election and allow the electors of the 22d Senatorial District to again pass upon the question as to who shall represent them in this body, but if such course is not the will of the majority of the members of this body then, under all of the evidence before us, I am forced to the conclusion that the will of the majority of the electors of said District will be subserved, and that Mr. Warren has a superior right over Senator Hurst to a seat in this Senate at this time. I cannot believe that it will foretell my political doom if I follow the dictates of my conscience, and too, I cannot believe that as partisans, I should sacrifice my principle or my sense of honesty and common justice. I cannot believe that the great Democratic Party, which declares for the 'Acquiescence in the will of the majority,' and that 'The people should rule' will suffer if we weigh this case in the even and well balanced scale of justice and decide the merits of the same according to the dictates of a righteous conscience. Adhering to what I believe to be my duty, under all the light that I have before me, I vote 'No'."

Senator Smith explains his vote as follows:

"Although the contestant is a Republican, and the Centestee is a Democrat, I am not willing to do any injustice to the people of this State. However, I would love to see the Centestee retain his seat in this body. I am clearly of the opinion that neither under the testimony or the law, he is entitled to it—I am forced to vote 'No'."

Senator Strain explains his vote as follows:

"There is a question of doubt in my mind upon the legal question involved. When doubt exists in my mind upon a political proposition, I always give my political party the benefit of the doubt."

The question being, shall the majority report be adopted.

Senator Graham offered as a substitute for the majority report, the following resolution: "Resolved that there was no election on the ——day of November, 1908, in the 22d Senatorial District of Oklahoma, and that the seat now held by H. S. Hurst is hereby declared vacant and the Governor of this State be advised of the vacancy."

Senator Billups arose to a point of order that the point was not debatable.

The President over-ruled the point of order.

Senator Billups moved the previous question.

The question being, shall the substitute prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Denton, Graham, Franklin, Mitchell, Moore, Newell, Roddie, Smith, Strain and Soldani. Total 11.

Nays: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Potter, Redwine, Russell, Stafford, Sorrells, Taylor, Thomas, Updegraff, Williams and Wynne. Total 29.

Absent and excused: Messrs. Hurst, Stewart and Yeager. Total 3.

The President declared the substitute lost.

The question being, shall the report be adopted, the roll was called and the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cloonan, Cordell, Cunningham Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Sorrells, Taylor, Thomas, Updegraff, Williams and Wynne. Total 33.

Nays. Messrs. Allen, Graham, Mitchell, Moore, Roddie, Strain and Soldani. Total 7.

Absent and excused: Messrs. Hurst, Stewart and Yeager. Total 3.

The President declared the report adopted.

Senator Davis moved to reconsider the vote by which the report was adopted.

Senator Davis moved to lay the motion to reconsider the vote by which the report was adopted on the table.

Vote was taken and the President declared the motion to lay on the table carried.

President Pro Tem, Mr. Graham, took the chair.

Senator Potter moved that as Mr. Warren was present, that a Committee of three be appointed to escort him to the platform and that he be sworn in as Senator from the 22d Senatorial District.

After some discussion Senator Potter withdrew his motion.

Senator Thomas moved that 10 A. M. February 23d be set apart for the time for Mr. Warren to be sworn in.

The motion prevailed.

Senator Morris asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 346 by Mr. Morris, "An Act legalizing the incorporation of the town of Texhoma, County of Texas, State of Oklahoma, and to legalize the election and proceedings of the trustees an dall other officers of said town and their actions and doings as such officers and for other purposes."

Senator Hurst addressed the Senate.

Senator Eggerman moved to adjourn.

Senator Taylor moved as a substitute that the Senate recess until 8:30 P. M.

Vote was taken and the President declared that the Substitute prevailed.

The Senate recessed until 8:30 P. M.

Evening Session.

The Senate was called to order by Acting President Pro Tem, Mr. Thomas.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider Senate Bill No. 140.

The Committee of the Whole reported, recommending that Senate Bill No. 140 do pass as amended, and as to Senate Bill No. 25, report progress and ask leave to sit again.

The report was adopted.

The Committee on Appropriations reported, recommending that Senate Bill No. 304 do pass.

Report received.

The Committee on School Lands reported, recommending that Senate Bill No. 282 do pass.

Report received.

The Committee on Privileges and Elections reported, recommending that Senate Bills Nos. 179 and 5 do pass as amended.

Report received.

Senator Billups asked to have Senate Bill No. 320 withdrawn from the Committee on Privileges and Elections and referred to the Committee on Appropriations.

Request granted.

Senator Cordell was excused for Tuesday.

The Senate adjourned until 9:30 A. M., Tuesday, February 23, 1909.

Davis, Echols, Goulding, Hatchett, Potter, Soldani and Yeager. Total 13.

Absent and excused: Messrs. Brownlee, Cordell, Warren, Memminger, Redwine, Roddie and Stewart. Total 7.

The President declared the Bill passed.

Senator Billups moved to reconsider the vote by which Senate Bill No. 140 had passed.

Senator Billups moved to lay the motion to reconsider the vote by which Senate Bill No. 140 had passed on the table.

Vote was taken and the President declared the motion to lay on the table had carried.

The title of the bill was agreed to.

A message was received from the House, transmitting engrossed copy of Senate Bill No. 11, as amended by the House.

The question being, shall an emergency be declared to Senate Bill No. 140, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville Denton, Echols, Eggerman, Franklin, Graham, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams, Warren, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler, Cloonan, Cunningham, Curd, Davis, Goulding, Hatchett, Potter and Soldani. Total 9.

Absent and excused: Messrs. Cordell, Redwine, Roddie, and Stewart. Total 4.

The President daclared the emergency, having received a two-thirds majority, had passed.

Senator Billups moved to reconsider the vote by which the emergency section to Senate Bill No. 140 had passed.

Senator Billups moved to lay the motion to reconsider the vote by which the emergency section to Senate Bill No. 140 had passed, on the table.

Vote was taken and the President declared the motion to lay on the table had prevailed.

Senator Billups was excused on account of sickness in his family.

Senator Roddie was excused on account of sickness in his family.

The amendments to Senate Bill No. 11, by the House, were read.

On motion of Senator Franklin, the Senate agreed to House amendments to Senate Bill No. 11.

The question being, shall Senate Bill No. 11 pass as amended by the House, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Chapman, Colville, Denton, Echols Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Cloonan, Cunningham and Curd. Total 3.

Absent and excused. Messrs. Billups, Brownlee, Cordell, Davis, Hatchett, Memminger, Redwine, Roddie, Stewart and Thomas. Total 10.

The President declared the bill passed.

Senate Bill No. 261 by Mr. Graham, was read the third time at length.

SENATE JOURNAL.

FIFTIETH DAY.

Tuesday, February 23, 1909.

Senate met at 9:30 A. M., pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present.

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Graham, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 38.

Absent and excused: Messrs. Cordell, Hurst, Redwine, Roddie and Stewart. Total 5.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the 47th day's session was approved.

Bills read the second time and referred to the following Committees:

Senate Bill No. 343 by Mr. Thomas, to Committee on Legal Advisory.

Senate Bill No. 344 by Mr. Goulding, to Committee on Legal Advisory.

Senate Bill No. 345 by Mr. Mitchell, to Committee on Legal Advisory.

Senate Bill No. 346 by Mr. Morris, to Committee on Legal Advisory.

Bills on Third Reading.

Senate Bill No. 140 by Mr. Billups, was read the third time at length.

Mr. Brownlee: Mr. President, the hour of ten o'clock having arrived, which time was set for special order to administer the oath of office to Senator Warren, I now move that the President appoint a Committee of three to escort Senator Warren to the President's desk and have the oath of office administered to him."

The question being, shall the motion prevail.

Vote was taken and the President declared the motion prevailed.

The President appointed Messrs. Brownlee, Beeler, and Hatchett as such Committee.

Frank L. Warren was escorted to the platform and took the oath of office administered by the Clerk of the Supreme Court, W. H. L. Campbell.

The question being, shall Senate Bill No. 140 by Mr. Billups pass as amended. The roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Denton, Eggerman, Franklin, Graham, Keys, Landrum, Mitchell, Moore, Morris, Newell, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams and Wynne. Total 23.

Nays: Messrs. Allen, Beeler, Chapman, Cloonan, Cunningham, Curd,

Senator Davis offered the following amendment: Section 6, change the date from 1909 to 1910.

The question being, shall the amendment prevail.

Vote was taken and the President declared the amendment was lost.

Snator Hatchett offered the following amendment:

Line 2, page 5, after the word "Service," strike out "$500" and insert "$250."

The question being, shall the amendment prevail.

Vote was taken and the President declared the amendment lost.

Senator Russell offered the following amendment: After the word "Service" in line 2, page 5, strike out "$500" and insert "$300".

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Cloonan, Curd, Davis, Denton, Eggerman, Franklin, Hatchett, Landrum, Memminger, Russell, Stafford, Strain, Sorrells, Taylor, Updegraff, and Yeager. Total 18.

Nays: Messrs. Allen, Beeler, Chapman, Colville, Cunningham, Graham, Goulding, Mitchell, Moore, Morris, Newell, Potter, Smith, Soldani, Warren, Williams and Wynne. Total 17.

Absent and excused: Messrs. Billups, Cordell, Echols, Keys, Redwine, Roddie, Stewart and Thomas. Total 8.

The President declared the amendment adopted.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 208, by Mr. Brownlee, signed by the Speaker.

Consideration of Senate Bill No. 261 was resumed.

Senator Cloonan moved to reconsider the vote by which the Russell amendment was adopted.

A message was received from the House, transmitting the engrossed copy of Senate Bill No. 4, by Mr. Russell, as amended by the House.

The amendments to Senate Bill No. 4 were read.

On motion of Senator Russell the Senate agreed to the House amendments on Senate Bill No. 4.

The question being, shall the bill pass as amended by the House.

The roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Colville, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Memminger Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Updegraff, Warren, Williams, and Wynne. Total 33.

Nays: Messrs. Cloonan, Cunningham and Yeager. Total 3.

Absent and excused: Messrs. Billups, Cordell, Davis, Redwine, Roddie, Stewart and Taylor. Total 7.

The President declared the bill passed as amended.

The title of the bill was agreed to.

The Consideration of Senate Bill No. 261 was resumed.

The question being shall the vote by which the Russell amendment was adopted be reconsidered, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Brownlee, Chapman, Colville, Cunning-

ham, Curd, Echols, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Smith, Soldani, Taylor, Thomas, Warren, Williams, and Wynne. Total 24.

Nays: Messrs. Blair, Cloonan, Davis, Denton, Eggerman, Franklin, Hatchett, Memminger, Russell, Stafford, Strain, Sorrells, Updegraff and Yeager. Total 14.

Absent and excused: Messrs. Billups, Cordell, Redwine, Roddie and Stewart. Total 5.

The President declared the vote by which the Russell amendment had been adopted, had been reconsidered.

A message was received from the House transmitting engrossed copy of House Bill No. 168 and Senate Bill No. 187 signed by the Speaker.

House Bill No. 168 was read the first time.

House Bill No. 168 by Mr. Anthony, "An Act to provide for raising and collecting revenue for the fiscal year ending June 30th, 1910, and each fiscal year thereafter and to codify and revise the laws of the State relative to revenue, etc."

The further consideration of Senate Bill No. 261 was taken up.

Senator Graham moved that the amendment by Mr. Russell, reducing the salaries from $500 per month to $300 per month be stricken out of the Bill.

Senator Morris moved the previous question.

The question being, shall the Russell amendment be stricken from the bill, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Chapman, Colville, Cunningham, Curd, Echols, Graham, Goulding, Keys, Mitchell, Moore, Morris, Newell, Potter, Smith, Soldani, Taylor, Thomas, Warren, Williams and Wynne. Total 22.

Nays: Messrs. Blair, Brownlee, Cloonan, Davis, Denton, Eggerman, Franklin, Hatchett, Landrum, Memminger, Russell, Stafford, Strain, Sorrells, Updegraff, and Yeager. Total 16.

Absent and excused: Messrs. Billups, Cordell, Redwine, Roddie and Stewart. Total 5.

The President declared the amendment had been stricken from the Bill.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem. Mr. Graham.

The President announced a quorum present.

Senator Russell made an inquiry about the status of Senate Bill No. 19.

The further consideration of Senate Bill No. 261 was taken up at this time.

Senator Eggerman raised the question of a quorum.

Call of the Senate was made.

The Sergeant-at-Arms was instructed to bring in the absent members.

Senator Cunningham asked to have Senate Bill No. 310 withdrawn from the Committee on School Lands and referred to the Committee on Appropriations.

Request granted.

The Committee on Public Service Corporations reported, recommending that Senate Bill No. 154 do pass as amended.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bills Nos. 13, 199 and 198 do pass as amended, and that Senate Bill No. 281 do pass.

Report received.

Senator Hatchett asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 347 by Mr. Hatchett, "An Act to legalize and validate the bonds of Boards of Education of cities of the first class issued, or to be issued, pursuant to a vote of the qualified voters of the city school districts of said cities at elections heretofore held, etc."

The Senate went into the Committee of the Whole to consider House Bills on the Calendar.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: Concerning the present status of Senate Bill No. 19, Senate Bill No. 19 was received from the Honorable Senate, with the request that the House amend the title of the bill, was then referred by the Speaker of the House to the Committee on Judiciary, where the same now is.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 373, signed by the Speaker.

House Bill No. 373 by Messrs. McElhaney and Rodgers, "An Act authorizing the Board of Control to build, construct and equip a State Penitentiary at McAlester, Oklahoma, providing for the officers, guards and employees and fixing their salaries, etc." was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideratin House Bill No. 65, that the same be referred to a special Committee; and that House Bill No. 93 do pass as amended.

Report received.

The further consideration of Senate Bill No. 261 was taken up.

Senator Russell offered the following amendment: Strike out "$500" and insert "$400" in line 2, page 5, of said bill.

The call of the Senate having not been raised, the Sergeant-at-Arms was ordered to bring in the absent members.

Senator Taylor asked unanimous consent to have Senate Bill No. 266 considered while the Senate awaited the call of the Senate.

Request granted.

Senate Bill No. 266 by Mr. Taylor, was read at length the third time.

Senator Allen offered the following amendment: Strike out all after the enacting clause and insert the following: "Article 1, of Chapter 85, of the Session Laws of 1907-08, is hereby repealed."

The question being, shall the amendment be adopted.

Vote was taken and the President declared the amendment adopted.

Senator Williams lodged a motion to reconsider the vote by which the amendment was adopted.

The further consideration of Senate Bill No. 261 was taken up.

The question being, shall the Russell amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Eggerman, Franklin, Hatchett, Warren, Landrum, Morris, Potter, Russell, Strain, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 17.

Nays: Messrs. Allen, Chapman, Colville, Cunningham, Curd, Denton, Echols, Graham, Goulding, Keys, Mitchell, Moore, Newell, Smith, Soldani, and Thomas. Total 16.

Absent and excused: Messrs. Beeler, Billups, Cloonan, Cordell, Davis, Memminger, Redwine, Roddie, Stafford and Stewart. Total 10.

The President declared the amendment adopted.

Senator Hatchett moved to reconsider the vote by which the amendment was adopted.

Senator Hatchett moved to lay the motion to reconsider the vote by which the Russell amendment had been adopted on the table.

The question being, shall the motion to reconsider the vote by which the Russell amendment was adopted be laid on the table, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Denton, Eggerman, Franklin, Hatchett, Warren, Landrum, Morris, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 18.

Nays: Messrs. Allen Brownlee, Chapman, Colville, Cunningham, Curd, Echols, Graham, Goulding, Keys, Mitchell, Moore, Newell, Potter, Soldani and Thomas. Total 16.

Absent and excused: Messrs. Beeler, Billups, Cloonan, Cordell, Davis, Memminger, Redwine, Roddie and Stewart. Total 9.

The President declared the motion to lay on the table prevailed.

The question being, shall the bill pass as amended, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Colville, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Warren, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Hatchett. Total 1.

Absent and excused: Messrs. Beeler, Billups, Cloonan, Cordell, Davis, Memminger, Redwine, Roddie, Stewart and Thomas. Total 10.

The President declared the bill psased.

The question being, shall an emergency be declared, the roll being called on the emergency section the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Colville, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Hatchett and Warren. Total 2.

Absent and excused: Messrs. Beeler, Billups, Cloonan, Cordell, Davis, Memminger, Redwine, Roddie, Stewart, and Thomas. Total 10.

The President declared the emergency section having received a two-thirds majority, had passed.

Senator Allen asked unanimous consent to introduce a Resolution.

Request granted.

Senate Resolution No. 11 by Mr. Allen, "Be it Resolved by the Senate of the state of Oklahoma, That Whereas, The Senate of the State of Oklahoma, by a vote of thirty-seven to seven, on the 22d day of February, 1909 in a contest proceeding between Frank L. Warren (Rep.), contestant, and Homer S. Hurst (Dem.), Contestee, decided in favor of the said Warren.

Therefore, Be it Resolved, That the Senate of the Second Legislature of Oklahoma hereby recognize the services rendered by the said Hurst, on behalf of the important legislation pending before the present legislature, and commend him for his Patriotic services and fidelity to duty as a member of the Senate for the period during which he was recognized as a member of this body.

Senator Allen moved the adoption of the Resolution.

Vote was taken the President declared the Resolution adopted.

Senator Blair asked to have 250 copies of House Bill No. 168 printed at once.

Vote was taken, the President declared the motion prevailed.

The Senate went into the Committee of the Whole to consider House Bills on the Calendar.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 150.

House Bill No. 150 by Mr. Wilson, "An Act establishing a branch penitentiary at Granite, Greer County, Oklahoma, providing for a Board of Managers thereof and defining their powers and duties," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 73.

House Bill No. 73 by Mr. Turner, "An Act permanently locating the Oklahoma School for the deaf at Sulphur," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bills Nos. 286, 414 and 416 do pass and that House Bill No. 385 do pass as amended.

Report received.

Senator Wynne asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 348 by Mr. Wynne, "An Act amending Section 18, of Article 8, Chapter 77, of the Session Laws of Oklahoma, 1908, and declaring an emergency."

The Committee on Municipal Corporations reported, recommending that House Bill No. 223 do pass.

Report received.

The Committee on Appropriations reported, recommending that House Bill No. 348 do pass as amended.

The Senate went into the Committee of the Whole to consider House Joint Resolution No. 6.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to return Committee Substitute for House Bill No. 12, by Mr. White and amended bill, and request the Honorable Senate to recite amendments, citing the sections, lines and pages of the bill, which bill is amended.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Joint Resolution No. 6 do pass, and House Bill No. 238, report progress and ask leave to sit again.

Report received.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 288 do pass.

Report received.

Senator Blair moved that the Journal of yesterday be corrected to show who presided over the Senate during the election contest.

Vote was taken. The President declared the motion prevailed.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by Acting President Pro Tem, Mr. Russell.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider House Bills on the Calendar and unfinished business.

The Committee of the Whole reported, recommending that House Bill No. 238 do pass as amended, and that Senate Bill No. 25 do pass as amended.

The report was adopted.

The Senate adjourned until 9:30 A. M. Wednesday, February 24, 1909.

SENATE JOURNAL.

FIFTY-FIRST DAY.

Wednesday, February 24, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Billups, Roddie and Stewart. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

Senate Joint Resolution No. 14 by Mr. Smith, "Resolved, that the Sergeant-at-Arms of the Senate and House respectively take charge of the original bills and the printed copies of the same, which do not become laws at the present session and carefully secure same in separate packages and deposit same in the office of the Secretary of State for future use at another session of the Legislature."

The Journal of the 49th and 50th days session was approved.

A communication from the Commissioner of Charities read as follows:

Guthrie, Oklahoma, February 23, 1909.

To the Honorable President and Members of the Senate:

Gentlemen:

In the passage of the child labor bill you have done something so noble, so fundamental and so far reaching in its good effects that the State, as well as the Nation, may well thank you. It is such legislation as this which fulfills life's sacred mission—namely, to make the world a better and happier place because we have lived. If life is a moment in which to do good deeds, you will not pass on with empty hands.

You have settled it as a definite state policy, that Oklahoma shall stand in the front rank of those commonwealths which stand for Human Good. This State is proud of her cities, farms, education, industry, commerce and wealth; but most of all, she is proud of her children, whom she will so protect and educate as to make of them the finest men and women of the world. The future may yet produce here, a race of men so superior to those of the past that travelers, tired of the Old World, and surfeited with the wealth of the East, will journey to the Westward to see a true civilization whose greatest boast is its superior men and women.

In the name of the Charities Department of Oklahoma, of the State, of the Nation, of Christianity, and Humanity, I thank you.

On behalf of the 700 children of the poor in the United States whose lives are annually sweated out in the burning heat of the glass factories, whose lungs are diseased and bleeding from breathing the terrible glass dust, and whose average life is but three years in this death-dealing industry, we thank you.

On behalf of the Thousands of Children who breathe arsenic till the flesh turns yellow and the lips are pale, and death comes of slow poisoning, we thank you.

On behalf of the 54,000 children who breathe the lint of the cotton mills and the dust of the coal breaker until consumption claims them;

On behalf of the thousands who work in lye, gases, and acids till they drop, fade and die.

On behalf of those thousands of little ones whose fingers and arms and hands and limbs have been annually fed into cruel saws and knives, and whose bodies have been crushed in wheels, belts, and pulleys;

On behalf of those helpless children of the poor who cannot speak for themselves, I thank you for the passage of the Child Labor Bill.

When you are mouldering in the dust, each succeeding generation of helpless poor will be blessed by your good work. You can have no greater monument to your life than this great law. May He who loved and blessed little children deal kindly with you who have protected them for all time in this new State.

Sincerely,

KATE BARNARD.

Bills introduced and read the first time:

Senate Bill No. 349 by Mr. Smith, "An Act providing for the qualification and jurisdiction of the Clerks of the District Courts, fixing their fees and salaries and providing for the appointment of deputies to clerks and providing compensation for the same, repealing all laws in conflict, and declaring an emergency."

Reports of Standing Committees:

The Committee on Geological Survey reported, recommending that House Bill No. 282 do pass.

Report received.

Bills on Fourth Reading.

Senate Bills Nos. 129, 208 and 34 were read the fourth time at length. The enrolled copies of the same were signed by the President Pro Tem, Mr. Graham, and same were ordered transmitted to the House.

Senator Taylor called up Senate Bill No. 60 as returned from the Governor for correction.

Senate Bill No. 60 was read the third time at length.

Senator Taylor offered the following amendment:

Amend Senate Bill No. 60 by striking out Section 3 thereof and inserting in lieu thereof the following:

Section 3. Every claim for loss of, or damage to property shipped, as provided in the foregoing section, and which occurs while in the possession of such common carriers, shall be adjusted and paid within forty days in case the shipments are wholly within the State, and within ninety days in case the shipments are from without the State, such time to oper-

ate from and after the filing of the claim with the agent of such common carrier at the point of destination of such shipment; Provided, that no such claim shall be filed in case of injury or damage to a shipment until such shipment, or some part thereof, has arrived at its destination, or until after the lapse of a reasonable time for the arrival thereof. Failure to adjust and pay such claims within the period mentioned above shall subject the common carrier, so failing, to a penalty of not less than ten nor more than one hundred dollars for each and every such failure, and such penalty shall be recovered by the consignee in his action for damages, and the amount of said penalty, to be so recovered, in addition to the damages specified in the foregoing sections shall, in all cases, be a question for the court or jury trying the case."

Senator Taylor moved the adoption of the amendment.

Vote was taken and the President declared the amendment adopted.

The question being, shall the bill pass as amended; the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Chapman, Colville, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Warren, Keys, Landrum, Mitchell, Newell, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams and Wynne. Total 26.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Beeler, Billups, Brownlee, Cordell, Cunningham, Echols, Hatchett, Memminger, Moore, Morris, Potter, Redwine, Roddie, Stewart, Sorrells and Yeager. Total 16.

The President declared the bill passed.

President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bills Nos. 261 and 140, same were ordered transmitted to the House.

Bills read the second time and referred to the following Committees:

House Bill No. 168 by Mr. Anthony, to Committee on Revenue and Taxation.

House Bill No. 373 by Messrs. McElhaney and Rodgers, to Committee on Public Buildings.

House Bill No. 150 by Mr. Wilson, to Committee on Public Buildings.

House Bill No. 73 by Mr. Turner, to Committee on Public Buildings.

Senate Bill No. 347 by Mr. Hatchett, to Committee on Judiciary No. 1.

Senate Bill No. 348 by Mr. Wynne to Committee on Education.

Bills on Third Reading.

House Bill No. 93 by Mr. Boyle, was read the third time at length.

Senator Strain was called to the Chair.

House Bill No. 93 was deferred for the present.

House Bill No. 286 by Mr. Johnson, was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Morris, Newell, Potter, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: None.

Absent and excused: Messrs. Billups, Cordell, Davis, Echols, Graham, Warren, Memminger, Mitchell, Moore, Redwine, Roddie, Russell and Stewart. Total 13.

The President declared the bill passed.

The title of the bill was agreed to.

Acting President Pro Tem, Mr. Strain, signed the engrossed copy of House Bill No. 286, same was ordered transmitted to the House.

Further consideration of House Bill No. 93 was taken up.

The question being, shall House Bill No. 93 pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Curd, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Moore, Morris, Newell, Potter, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: Mr. Cunningham. Total 1.

Absent and excused: Messrs. Billups, Cordell, Davis, Graham, Warren, Memminger, Mitchell, Redwine, Roddie, Smith and Stewart. Total 11.

The President declared the bill passed.

The title of the bill was agreed to.

Acting President Pro Tem, Mr. Strain, signed the engrossed copy of House Bill No. 93, same was ordered transmitted to the House.

House Bill No. 385 by the Committee on General Appropriations, was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Cloonan, Colville, Cunningham Curd, Franklin, Davis, Eggerman, Goulding, Hatchett, Keys, Landrum, Morris, Newell, Potter, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 28.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Allen, Billups, Cordell, Denton, Echols, Graham, Warren, Memminger, Mitchell, Moore, Redwine, Roddie, Stafford, and Stewart. Total 14.

The President declared the bill passed.

The title of the bill was agreed to.

A message was received from the House, transmitting the enrolled copies of Senate Bills Nos. 208, 34 and 129 signed by the Speaker.

The enrolled copies of Senate Bills Nos. 208, 34 and 129 were ordered transmitted to the Governor.

Senator Williams was called to the Chair.

House Bill No. 238 by Mr. Tillotson, as amended, was read the third time at length.

Senator Strain asked unanimous consent to introduce an amendment.

Request granted.

Senator Strain offered the following amendment: Page 6, line 2, after the word, "Wells," insert the words, "And who is not directly or indirectly interested in the production of oil or gas."

Vote was taken. The President declared the amendment adopted.

Senator Strain asked unanimous consent to strike out the word, "of" and re-insert the word, "in."

Request granted.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Cordell, Echols, Graham, Warren, Landrum, Memminger, Mitchell, Moore, Redwine, Roddie, Stewart and Wynne. Total 14.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Colville, Cordall, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Morris, Newell, Potter, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Hatchett and Stafford. Total 2.

Absent and excused. Messrs. Billups, Echols, Warren, Memminger, Moore, Redwine, Roddie, and Stewart. Total 8.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

Acting President Pro Tem, Mr. Williams, signed the engrossed copy of House Bill No. 238, and Senate Bill No. 60 and same was ordered transmitted to the House.

House Bill No. 414 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Keys, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Mr. Hatchett. Total 1.

Absent and excused. Messrs. Billups, Echols, Warren, Graham, Landrum, Memminger, Mitchell, Moore, Redwine, Roddie, Stewart and Taylor. Total 12.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Keys, Landrum, Morris, Newell, Potter, Russell, Smith, Stafford, Strain,

Soldani, Sorrells, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Mr. Hatchett. Total 1.

Absent and excused. Messrs. Billups, Cordell, Echols, Graham, Warren, Memminger, Mitchell, Moore, Redwine, Roddie, Stewart and Taylor. Total 12.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

Acting President Pro Tem, Mr. Williams, signed the engrossed copy of House Bill No. 414, same was ordered transmitted to the House.

House Bill No. 416 was read the third time at length.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Goulding, Keys, Landrum, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams and Wynne. Total 29.

Nays: None.

Absent and excused: Messrs. Billups, Eggerman, Franklin, Graham, Hatchett, Updegraff, Yeager, Warren, Memminger, Mitchell, Redwine, Roddie, Moore and Stewart. Total 14.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Keys, Landrum, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Billups, Graham, Hatchett, Warren, Memminger, Mitchell, Moore, Redwine, Roddie and Stewart. Total 10.

The President declared the emergency having received a two-thirds majority had passed.

The title of the bill was agreed to.

Acting President Pro Tem, Mr. Williams, signed the engrossed copy of House Bill No. 416, same was ordered transmitted to the House.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by Acting President Pro Tem, Mr. Williams.

The President announced a quorum present.

The following bills were introduced and read the first time.

Senate Bill No. 350 by Mr. Cunningham, "An Act requiring Boards of County Commissioners to repay taxes collected under Article 9, Chapter 31, Laws of 1908, and declaring an emergency."

Senate Bill No. 351 by Mr. Williams, "An Act making an appropria-

tion to defray expenses incident to codifying and revising the laws of the State of Oklahoma and declaring an emergency."

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copy of House Bill No. 414.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bills Nos. 174, 291, 131 and 186 do pass as amended, and that Senate Bill No. 125 be indefinitely postponed, and that Senate Bill No. 168 do pass as amended and be considered engrossed and put upon third reading and final passage this day.

Report adopted.

Senator Stafford moved that that part of the report regarding Senate Bill No. 125 in reference to Senator Echols' motion lodged to reconsider the vote be laid over.

Vote was taken, the President declared the motion prevailed.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 414, same was ordered transmitted to the House.

Senate Bill No. 168 by Messrs. Yeager and Strain was read the third time at length.

Senator Davis offered the following amendment: Strike out Section 2.

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Mr. Davis. Total 1.

Nays: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Absent and excused: Messrs. Billups, Echols, Denton, Graham, Landrum, Memminger, Moore, Redwine, Roddie, Stewart and Sorrells. Total 11.

The President declared the amendment lost.

Senator Davis offered the following amendment: Strike out Section 5.

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Mr. Davis. Total 1.

Nays: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Absent and excused: Messrs. Billups, Echols, Denton, Graham, Landrum, Memminger, Moore, Redwine, Roddie, Stewart and Sorrells. Total 11.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called the vote

resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Colville, Cloonan, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 34.

Nays: Messrs. Roddie. Total 1.

Absent and excused: Messrs. Billups, Denton, Graham, Memminger, Moore, Redwine, Stewart and Sorrells. Total 8.

The President declared the bill passed.

The question being, shall an emergency be declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Mr. Davis. Total 1.

Absent and excused: Messrs. Billups, Denton, Memminger, Moore, Roddie, Redwine, Stafford, Stewart and Sorrells. Total 9.

The President declared the emergency having received a two-thirds majority, had passed.

The title of the bill was agreed to.

Senator Strain moved to reconsider the vote by which the bill had passed.

Senator Strain moved to lay the motion to reconsider on the table.

Vote was taken. The President declared the motion prevailed.

The President,, Mr. Bellamy, signed the engrossed copies of House Bills Nos. 33, 385 and 338 and same were ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of House Bill No. 390 signed by the Speaker.

A communication from the Logan County Farmer's Institute was read as follows:

The Logan County Farmer's Institute is in session in the City Hall. in this city, today and tomorrow. As you are appropriating money for the support of this class of work, I respectfully suggest that this would be a splendid opportunity for you to examine the workings of the Farmer's Institute and I cordially invite you to visit the Institute this evening at 8 P. M.

P. C. CONNORS,
Secretary.

On motion of Senator Russell the invitation was accepted.

Senator Goulding asked unanimous consent to introduce a Senate Joint Resolution.

Request granted.

Senate Joint Resolution, No. 15 by Mr. Goulding, "Proposing an amendment to the Constitution of the State of Oklahoma, submitting to

the people the question of local option and high license.

The Committee on Legal Advisory reported, recommending that Senate Bills Nos. 343, 346, 327, 345 and 334 do pass, and that Senate Joint Resolution No. 12 do pass as amended.

Report received.

Senator Yeager asked unanimous consent to introduce a bill.

Request granted.

Senate bill No. 352 by Mr. Yeager, "An Act to create and locate the Technical and Manual Training School for Young Men at Tulsa, Oklahoma, and providing for an appropriation."

Senate Bill No. 353 by Mr. Cunningham, "An Act to enable the County Clerk to divide the total amount of taxes on land of two or more parties, that has been assessed to one party, and declaring an emergency."

Senate Joint Resolution No. 16 by Mr. Davis, "Proposing an amendment to the Constitution of the State of Oklahoma for local option."

A message was received from the House, transmitting the enrolled copy of House Bill No. 416, signed by the Speaker.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 416, same was ordered transmitted to the House.

The Committee on Public Health reported, recommending that Senate Bill No. 339 do pass.

Report received.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 332 do pass as amended.

Report received.

The Committee on Education reported, recommending that Senate Bill No. 295 do pass.

Report received.

The Committee on Education reported, recommending that Senate Bill No. 116 do pass.

Report received.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by the President Pro Tem, Mr. Graham.

The President announced a quorum present.

House Bill No. 390 by Messrs. Bryan and Tillotson, "An Act to provide for the restoration of Court and other public records which have been lost or destroyed," was read the first time.

The account of Wienberger Transfer Company for transporting organ from Episcopal Church to Senate Chamber and return, for funeral services of Senator Johnson, $3.00, on motion of Senator Williams the account was allowed.

Senate Bills Nos. 4, 187 and No. 1, were read the fourth time at length the enrolled copies signed by the President Pro Tem, Mr. Graham, and same were ordered transmitted to the House.

The titles of the bills were agreed to.

On motion of Senator Wynne, the pen with which the President signed Senate Bill No. 1, was presented to Senator Morris.

The Senate went into the Committee of the Whole.

The Committee of the Whole reported, recommending that House Bill No. 65 do pass as amended, and as to Senate Bill No. 20, report progress and ask leave to sit again.

Report received.

Senator Taylor moved that next Sunday at 2:30 P. M. be set aside for Memorial Service.

Vote was taken. The President declared the motion prevailed.

Senator Taylor moved that the Chair appoint a committee of three to make arrangements.

Vote was taken and the President declared the motion prevailed.

Senator Taylor moved that Senator Davis be appointed to fill the vacancy on the Steering Committee to take the place of Senator Hurst.

Senator Russell moved that the appointment be laid over until next Legislative day.

Vote was taken. The President declared the motion prevailed.

Senator Goulding asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 354 by Mr. Goulding, "An Act relating to Mutual Hail Insurance Companies."

The Senate adjourned until Thursday, February 25, 1909. at 9:30 A. M.

SENATE JOURNAL.

FIFTY-SECOND DAY.

Thursday February 25, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Moore, Newell, Potter, Redwine Russsell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynno and Yeager. Total 37.

Absent and excused: Messrs. Billups, Memminger, Morris, Roddie, Stewart and Sorrells. Total 6.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Memminger was excused on account of sickness.

Senator Sorrells was excused on account of sickness.

The Journal of the 50th day's session was approved.

Petition No. 158 by Mr. Cordell, filed, read and referred to the Committee of the Whole.

Standing Committee Report.

The Committee on Education reported, recommending that Senate Bill No. 285 do pass.

Report received.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 293 do pass.

Report received.

A message from the Governor was received and read as follows:

To the Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved Senate Joint Resolution No. 7, same being "A Resolution authorizing the Commissioners of the Land Office to avoid suit in condemnation by deeding and conveying to the United States for public uses, and for a valuable consideration all of fractional section No. 13 in Township No. 2, Range 12 West I. M. and declaring an emergency."

Senate Bill No. 152, same being "An Act appropriating funds for the erection and maintenance of District Agricultural Schools in the Third, Fourth, and Fifth Supreme Court Judicial Districts of the State of Oklahoma, and providing the time and manner in which they shall be located."

House Bill No. 293, same being "An Act making an appropriation for

the payment of Mina Johnson for services rendered from September 1st, 1904 to March 1st, 1905."

Respectfully submitted,
C. N. HASKELL.
Governor.

A message was received from the Governor and read as follows:

To the Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved House Bill No. 17 same being, "An Act to regulate the payment of wages of employees of firms, corporations, associations, companies or persons in this State in mining coal, ore, or other minerals or quarrying stone or in manufacturing iron, steel, lumber, staves, heading for barrels, brick, tile and tile machinery, agricultural or mechanical implements or any article of merchandise; and providing punishment for violation of the same," and Senate Bill No. 42 same being "An Act to protect the public funds, and to amend section 1 of Article 38, of Chapter 25, being running section 2304 of the Statutes of Oklahoma, 1893."

Respectfully submitted,
C. N. HASKELL,
Governor.

Bills read the second time and referred to the following Committees:

Senate Bill No. 349 by Mr. Smith, to Committee on Fees and Salaries.

Senate Bill No. 350 by Mr. Cunningham, to Committee on State and County Affairs.

Senate Bill No. 351 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 352 by Mr. Yeager, to Committee on Public Buildings.

Senate Bill No. 353 by Mr. Cunningham, to Committee on State and County Affairs.

Senate Bill No. 354 by Mr. Goulding, to Committee on Insurance.

Senate Joint Resolution No. 14.

On request of Mr. Smith, Senate Joint Resolution No. 14 was changed to Senate Concurrent Resolution No. 21.

Senate Concurrent Resolution No. 21 by Mr. Smith was read at length.

Senator Smith moved the adoption of the Resolution.

Senator Goulding moved that the Resolution be referred to a Special Committee of three.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Smith, Thomas and Moore as such Special Committee.

Senate Joint Resolution No. 15 by Mr. Goulding to Committee on Municipal Corporations.

Senate Joint Resolution No. 16 by Mr. Davis, to Committee on Judiciary No. 2.

House Bill No. 390 by Messrs. Bryan and Tillotson, to Committee on Judiciary No. 1.

Bills on Third Reading.

Senotor Eggerman was called to the Chair.

Senator Graham moved that Senate Bill No. 2 with the amendments be referred to the Committee on Fish and Game.

Vote was taken. The President declared the motion prevailed.

House Joint Resolution No. 6 by Mr. Japp was read the third time at length.

The question being, shall the Resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Goulding, Hatchett, Warren, Keys, Mitchell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 28.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Chapman, Echols, Graham, Franklin, Landrum, Memminger, Moore, Morris, Newell, Potter, Roddie, Stewart and Sorrells. Total 15.

The President declared the Resolution passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Mitchell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Echols, Landrum, Memminger, Moore, Morris, Newell, Potter, Roddie, Stewart and Sorrells. Total 12.

The President declared the emergency section, having received a two-thirds majority, had passed.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to Senate amendments to House Bill No. 338, and to Senate amendments to House Bill No. 93 by Mr. Boyle.

Senate Bill No. 174 by Mr. Taylor, by request, was read at length the third time.

The question being, shall the bill pass the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Mitchell, Redwine, Russell, Smith, Stafford, Strain. Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Chapman, Echols, Landrum, Memminger, Moore, Morris, Newell, Potter, Roddie, Stewart, Soldani and Sorrells. Total 14.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote rsulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Newell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Chapman, Echols, Memminger, Moore, Morris, Potter, Roddie, Stewart and Sorrells. Total 11.

The President declared the emergency section having received a two-thirds majority, had passed.

Senate Bill No. 291 by Mr. Soldani, was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Cloonan, Colville and Cordell. Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Newell, Redwine, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne Yeager, Brownlee, Cunningham and Stafford. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Davis, Echols, Memminger Moore, Potter, Roddie, Stewart and Sorrells. Total 11.

Tho President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas Messrs. Beeler, Blair Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Davis, Echols, Memminger Moore, Morris, Roddie, Stewart, Sorrells and Thomas. Total 11.

The President daclared the emergency having received a two-thirds majority, had passed.

Senate Bill No. 131 by Mr. Memminger was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Newell, Redwine, Russell, Smith, Strain Soldani, Taylor, Updegraff, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Davis, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Roddie, Stafford, Stewart, Sorrells and Thomas. Total 14.

The President declared the bill passed.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to the Senate amendments to House Bill No. 33 by Mr. Ross.

A message was received from the House transmitting the enrolled copies of amended Senate Bills Nos. 1, Senate Bill No. 4, and Senate Bill No. 187 signed by the Speaker.

The question being, shall there be an emergency declared, to Senate Bill No. 131 the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Hatchett, Franklin, Graham, Goulding, Warren, Keys, Landrum, Mitchell, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Eggerman, Memminger, Moore, Morris, Roddie, Stewart, and Sorrells. Total 10.

The President declared the emergency having received a two-thirds majority, had passed.

The title of the bill was agreed to.

The enrolled copies of Senate Bills Nos. 1, 4, and 187 were ordered transmitted to the Governor.

The President appointed Messrs. Morris, Cordell and Eggerman as a Special Committee to transmit Senate Bill No. 1 to the Governor.

Senate Bill No. 186 by Mr. Newell was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Newell, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Echols, Memminger, Moore, Morris, Potter, Redwine, Roddie, Stafford, Stewart, and Sorrells. Total 12.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Newell, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Echols, Memminger, Moore, Morris, Potter, Redwine, Roddie, Stafford, Stewart and Sorrells. Total 12.

The President declared the emergency having received a two-thirds majority, had passed.

The title of the bill was agreed to.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has reconsidered the vote by which it agreed to Senate Amendments to House Bill No. 93 and has appointed Messrs. McCalla, Boyle and Jones, on the part of the House, and asks that the Senate appoint a like Committee for a conference on this Bill.

Senator Goulding moved that the Senate do not recede from the amendments to House Bill No. 93, and that the President appoint a conference committee.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Hatchett, Landrum and Colville as such conference committee.

President Pro Tem, Mr. Graham signed the engrossed copies of Senate Bills Nos. 291, 186, 131 and 174 and same were ordered transmitted to the House.

Senator Strain moved that Senator Potter be appointed to fill the vacancy of Senator Hurst on the Committee on Oil, Gas and Mineral Lands.

Vote was taken. The President declared the motion prevailed.

The Committee on Fees and Salaries reported, recommending that Senate Bill No. 349 do pass as amended.

Report received.

The Committee on Education reported, recommending that Senate Bill No. 348 do pass.

Report received.

The Committee on Appropriations reported, recommending that House Bills Nos. 412 and 387 and Senate Bills Nos. 325, and 340 do pass.

Report received.

The Committee on Commerce and Labor reported, recommending that Senate Bill No. 336 do pass as amended.

Report received.

The Senate went into the Committee of the Whole to consider appropriation bills on the calendar.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 104, signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 114 do pass as amended; and as to Senate Bill No. 271, report progress and ask leave to sit again.

Report received.

House Bill No. 104, by Mr. Rogers, "An Act to create and establish a county superior court in each county having a population of 35,000 or more, etc." was read the first time.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

The President announced a quorum present.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 251 and Senate Joint Resolution No. 16 do pass.

Report received.

Senator Colville presented the Senators, Officers and Employees of the Senate with a copy of the "Oklahoma Girl" and other poems written by himself.

Senator Williams moved that a vote of thanks be extended Senator Colville for the souvenir booklet and that the vote be made a matter of record in the Journal.

Vote was taken. The President declared the motion prevailed.

On motion of Senator Stafford Senate Joint Resolution No. 12 by Messrs. Morris and Brownlee was taken up.

"A Resolution authorizing the submission of a proposed amendment to the Constitution to the people for their approval or rejection; said proposed amendment being a repeal of section nine of Article nine of the Constitution of the State of Oklahoma."

Be It Resloved by the People of the State of Oklahoma, That the following purposed amendment to the Constitution of the State of Oklahoma shall be referred to the people for their ratification or rejection at the general election to be held in the year 1910; said proposed amendment shall be submitted under articles five and twenty-four of the Constitution and under the provisions of article one of chapter forty-four of the Session Laws of Oklahoma 1907-08; said proposed amendment being a repeal of section nine of Article nine of the Constitution of the State of Oklahoma, as follows, to-wit:

Section 9. Neither shall any railroad company, transportation company, or transmission company organized under the laws of this State, consolidate by private or judicial sale, or otherwise with any railroad company, transportation company, or transmission company organized under the laws of any other State or of the United States."

Said proposed amendment shall be submitted in the following form:

Shall Section Nine of Article Nine of the Constitution be repealed?

Yes ☐

No ☐

Said Section Nine of Article Nine of the Constitution of the State of Oklahoma shall, upon receiving a majority of all the electors voting at said election, voting in favor of said repeal, be repealed.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Franklin, Goulding, Landrum, Mitchell, Morris, Russell, Smith, Stafford, Strain, Thomas and Yeager. Total 20.

Nays: Messrs. Hatchett, Keys and Williams. Total 3.

Absent and excused: Messrs. Allen, Beeler, Billups, Cloonan, Denton, Echols, Graham, Warren, Memminger, Moore, Newell, Potter, Redwine,

Roddie, Stewart, Soldani, Sorrells, Taylor, Updegraff and Wynne. Total 20.

The President declared the Resolution lost.

Senator Stafford lodged a motion to reconsider the vote by which Senate Joint Resolution No. 12 was lost.

The Senate went into the Committee of the Whole to consider unfinished business and general orders.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 73 and the Enrolled copy of House Joint Resolution No. 6, signed by the Speaker, also that the House has agreed to Senate Amendments to House Bill No. 385.

House Joint Resolution No. 6 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of House Joint Resolution No. 6, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 277 do pass as amended.

Report received.

Senator Hatchett moved that a Committee of three be appointed to investigate and ascertain whether or not the House has adopted the Joint Rules and Report of the Committee on Joint Rules and report back immediately.

Senator Thomas moved to amend Mr. Hatchett's motion as follows: That this committee be instructed to look up and report back the contents of Joint Rule No. 18 as adopted, if adopted.

Senator Hatchett accepted the amendment.

The President appointed Messrs. Hatchett, Graham and Cunningham as such Committee.

Senator Russell moved that the Steering Committee be requested to place Senate Bills Nos. 229 and 248 on the calendar for early consideration.

Senator Stafford moved that Senate Bills Nos. 229 and 248 be made a special order for next Monday at 2:30 P. M.

Vote was taken. The President declared the motion carried.

Senator Taylor moved that as these bills were public building bills that they be considered with other public building bills.

Vote was taken. The President declared the motion lost.

Senator Stafford called up his motion to reconsider the vote by which Senate Joint Resolution No. 12 was lost.

After discussion.

The question being, shall the vote by which Senate Joint Resolution No. 12 had lost, be reconsidered, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Goulding, Warren, Landrum, Mitchell, Morris, Potter, Relwine, Russell, Smith, Stafford, Soldani, Taylor, Thomas and Updegraff. Total 26.

Nays: Messrs. Franklin, Graham, Hatchett, Keys, Moore, Newell, Williams and Wynne. Total 8.

Absent and excused: Messrs. Billups, Davis, Echols, Memminger, Roddie, Stewart, Strain, Sorrells, and Yeager. Total 9.

The President declared the motion to reconsider had prevailed.

Senator Thomas moved that the name of Senator Brownlee be added as one of the authors of said resolution.

The question being shall the motion prevail.

Vote was taken. The President declared the motion prevailed.

A message was received from the House as follows:

"Mr. President: I am directed by the House to inform the Senate that the House has agreed to the Senate amendments to House Bill No. 33 and herewith transmit the enrolled copy signed by the Speaker.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to the Senate amendments to House Bill No. 286 and herewith transmit the enrolled copy signed by the Speaker.

The question being shall the Senate Joint Resolution No. 12 pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Colville, Cordell, Cloonan, Cunningham, Curd, Denton, Eggerman, Goulding, Warren, Landrum, Mitchell, Morris, Potter, Redwine, Russell, Smith, Stafford, Soldani, Taylor, Thomas and Updegraff. Total 26.

Nays. Messrs. Franklin, Graham, Hatchett, Keys, Moore, Newell, Roddie, Williams and Wynne. Total 9.

Absent and excused. Messrs. Billups, Davis, Echols, Memminger, Stewart, Strain, Sorrells, and Yeager. Total 8.

The President declared the resolution passed.

Senator Thomas moved to reconsider the vote by which the resolution had passed.

Senator Thomas moved to lay the motion to reconsider the vote by which the resolution had passed on the table.

The question being shall the motion to lay on the table be adopted.

Vote was taken. The President declared the motion to lay on the table had been adopted.

The President, Mr. Bellamy, signed the enrolled copies of House Bills No. 33 and 286, same were ordered transmitted to the House.

Senator Franklin asked unanimous consent to introduce a Joint Resolution.

Request granted.

Senate Joint Resolution No. 17 by Mr. Franklin, "Authorizing the submission of proposed amendments of sections 33 and 56 of Article 5, of the Constitution of the State of Oklahoma to the people for their approval or rejection."

Senate Bill No. 355 by Mr. Allen, by request. "An Act providing for twenty-one District Court Judicial Districts in the State of Oklahoma, and judges therefor; providing for an additional judge in the Seventh District, and declaring an emergency."

The Committee on Education reported, recommending that Senate Bill No. 82 do pass as amended.

Report received.

A communication from Mr. Trapp was received and referred to the Committee on Legal Advisory.

The Committee on Private Corporations reported, recommending that Senate Bill No. 319 do pass as amended.

Report received.

Senator Goulding asked unanimous consent to withdraw Senate Joint Resolution No. 15 from the Committee on Municipal Corporations and refer same to the Committee on Judiciary No. 2.

Request granted.

The Committee on Insurance reported, recommending that Senate Bill No. 354 do pass.

Report received.

The President, Mr. Bellamy signed the enrolled copy of Senate Bill No. 168, same was ordered transmitted to the House.

A message was received from the House, transmitting the engrossed copy of House Bill No. 460, and the engrossed copy of House Joint Resolution No. 18 signed by the Speaker.

The Senate recessed until 8 p. m.

Evening Session.

The Senate was called to order by Acting President Pro Tem, Mr. Russell.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider special bills and unfinished business.

The Committee of the Whole reported, recommending that Senate Bills Nos. 273, 338, 298, 346, 345, 344, 293 and 332 do pass, and that Senate Bill No. 281 be withdrawn from further consideration, and that Senate Bill No. 20 do pass as amended.

Report was adopted.

The Committee on Legal Advisory reported, recommending that Senate Bills Nos. 247, and 305, and Senate Joint Resolution No. 10 and House Bills Nos. 217 and 134 do pass; and that Senate Bill No. 253 do pass, as amended.

Report received.

Senator Davis asked unanimous consent to withdraw the Committee report of Judiciary No. 2, on Senate Jonit Resolution No. 16, and be allowed to submit another report.

Request granted.

The Committee on Judiciary No. 2 reported, recommending that Senate Joint Resolution No. 16 do pass, as amended.

Report received.

The Committee on Municipal Corporations reported, recommending that Senate Bill No. 314 do pass, as amended.

Report received.

The following House Bills were read the first time:

House Concurrent Resolution No. 18 by Mr. Burnette, "Authorizing the State Auditor to issue a warrant on the State Treasurer for the Oklahoma Engraving and Printing Company."

House Bill No. 83 by Mr. Smith. As amended by the Committee. "An Act amending an Act entitled, An Act relating to the Office of State Examiner in compliance with Section 152 of the Constitution of the State of Oklahoma."

House Bill No. 460, by Mr. Maxey. "An Act providing for the holding of County Court at the town of Prague, in Lincoln County, Oklahoma."

The Committee on Appropriations reported, recommending that Senate Bills Nos. 245 and 322 do pass, and Senate Bills Nos. 333 and 334 do pass as amended.

Report received.

Senator Goulding moved that Senate Joint Resolution No. 16 be made a special order for next Saturday at 2 p. m.

The Senate adjourned until 9:30 a. m. Friday, February 26, 1909.

SENATE JOURNAL.

FIFTY-THIRD DAY.

Friday, February 26, 1909.

The Senate met at 9:30 a. m. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 39.

Absent and excused. Messrs. Billups, Memminger, Stewart and Sorrells. Total 4.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the 51st day's session was approved.

The President appointed as Committee on Arrangements for Memorial Services, Messrs. Taylor, Eggerman and Colville.

The Following Bills Were Introduced and Read the First Time:

Senate Bill No. 356 by Mr. Goulding, "An Act repealing Section 2026 of the Session Laws of 1893 of Oklahoma, etc."

The Special Committee reported, recommending that Senate Concurrent Resolution No. 21 by Mr. Smith, do pass as amended.

Senator Smith moved the adoption of the Resolution.

Vote was taken. The President declared the resolution had passed.

Report of Standing Committees.

The Committee on Judiciary No. 1 reported, recommending that Senate Bills Nos. 249, 167, 246, 159, 264, and 204 do pass.

Report received.

A message was received from the Governor as follows:

Guthrie, Oklahoma, February 25, 1909.

To The Honorable Legislature, State of Oklahoma:

I have the honor to transmit to you herewith attached copy of recommendation of the Supreme Court of the State of Oklahoma, and of the Criminal Court of Appeals of the State of Oklahoma, relating to the publication of the reports as stated in said recommendation, and for an appropriation therefor. I respectfully call your attention to the fact that this appropriation will only be a temporary expenditure of money, as the sale of said reports when published will return the money so approp-

riated to the State Treasury, and I therefore earnestly recommend the same.

Respectfully submitted.

C. N. HASKELL, Governor.

The message was read and referred to the Committee of the Whole.

A message was received from the Governor and read as follows:

Guthrie, February 25, 1909.

To The Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved Senate Bill No. 34, same being, "An Act authorizing the payment by the State of a reward for the arrest and conviction of any person guilty of stealing a horse or mule within this State.

Respectfully submitted,

C. N. HASKELL,
Governor.

A message was received from the Governor and read as follows:

Guthrie, February 25, 1909.

To the Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved Senate Bill No. 129, same being "An Act to amend Section 18, Chapter 30, Article 1, Session Laws, 1907-08 and relating to drains and ditches, and declaring an emergency."

Respectfully submitted,

C. N. HASKELL,
Governor.

A message was received from the Governor and read as follows:

Guthrie, February 25, 1909.

To The Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved House Bill No. 416, same being, "An Act making appropriations for fire escapes for the Central Normal School at Edmund, the Northwestern Normal School at Alva, and the Southwestern Normal School at Weatherford, Oklahoma, and declaring an emergency." And House Bill No. 414, same being "An Act making an appropriation for the fire escapes for the Colored Agricultural and Normal University at Langston, Oklahoma, and declaring an emergency."

Respectfully submitted,

C. N. HASKELL,
Governor.

A message was received from the House transmitting the engrossed copies of House Bills Nos. 173, 236, 368, 51 and 91, signed by the Speaker. which were read the first time.

House Bill No. 173, by Mr. Tillotson, "An Act providing for the protection of mechanics, laborers and other persons employed in the construction and repair of railway equipment and providing punishment for the violation thereof."

House Bill No. 236, by Messrs. Hughes and Ward, "An Act providing for the creation and location of a Northeastern State Normal at Tahlequah, Cherokee County, Okla., and providing for the purchase of the Cherokee National Female Seminary, etc."

House Bill No. 368 by Messrs. Casteel and Earl, as amended by the Committee "An Act dividing the fifth Judicial District into two Agricultural Districts and providing for the establishment of a District Agricultural School of secondary grade, and making an appropriation therefor."

House Bill No. 51 by Messrs. Cope and Dunn, "An Act re-organizing the Thirteenth Judicial District of the State of Oklahoma fixing time for holding court in each County ,etc."

House Bill No. 91, by Mr. Lovelace, (Committee Substitute No. 1.), "An Act appropriating money for maintenance, equipment, erection of buildings, for the State School of Mines at Wilburton, Oklahoma."

Bills read the second time and referred to the following committees:

House Bill No. 104 by Mr. Rogers, to Committee on Judiciary No. 2

House Bill No. 460 by Mr. Maxey.

Senator Eggerman asked unanimous consent to have the rules suspended and that House Bill No. 460 be referred to the Committee of the Whole for consideration this day.

Vote was taken, the President declared the motion prevailed.

House Bill No. 83 by Mr. Smith, to Committee on Fees and Salaries.

House Concurrent Resolution No. 18, by Mr. Burnette.

Senator Thomas moved that the Resolution be taken up and put on third reading and final passage at this time.

Vote was taken and the President declared the motion prevailed.

House Concurrent Resolution No. 18, by Mr. Burnette, was read at length.

The question being, shall the Resolution pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Echols, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Landrum, Memminger, Moore, Stafford, Stewart, Potter, and Sorrells. Total 12.

The President declared the Resolution passed.

Senate Joint Resolution No. 17, by Mr. Franklin, to Committee on Legal Advisory.

Senate Bill No. 355 by Mr. Allen, by request, to Committee on Legal Advisory.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Concurrent Resolution No. 18, same was ordered transmitted to the House.

Senator Roddie asked unanimous consent to have his vote recorded on Senate Bill No. 168 and Senate Joint Resolution No. 12.

The question being, shall the request be granted.

Vote was taken. The President declared the request granted.

Senator Roddie voted "No" on Senate Bill No. 168 and Senate Resolution No. 12.

Senator Soldani called up Senator Billup's motion to reconsider the vote by which the emergency section to House Bill No. 88 was lost.

Vote was taken. The President declared the motion prevailed.

The question being, shall there be an emergency section to House Bill No. 88 the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 34.

Nays: Messrs. Brownlee, Cloonan, Hatchett. Total 3.

Absent and excused: Messrs. Billups, Memminger, Moore, Stafford, Stewart, Sorrells. Total 6.

The President declared the emergency, having received a two- thirds majority, had passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 88 as amended by the Senate, and same was ordered transmitted to the House.

Senator Cunningham asked unanimous consent to have Senate Bill No. 65 taken up and put on third reading and final passage at this time.

Request granted.

Senate Bill No. 65 by Messrs. Brownlee and Cunningham was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 37.

Nays: None.

Absent and excused: Messrs. Billups, Memminger, Moore, Stafford, Stewart, and Sorrells. Total 6.

The President declared the bill passed.

The title of the bil lwas agreed to.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 65, same was ordered transmitted to the House.

A message was received from the House, transmitting the enrolled copies of House Bill No. 238 and the Committee Substitute for House Bill No. 12, signed by the Speaker.

House Bill No. 238 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 238, same was ordered transmitted to the House.

Committee Substitute for House Bill No. 12 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of Com-

mittee Substitute for House Bill No. 12, same was ordered transmitted to the House.

The Committee on Judiciary No. 2 reported, recommending that Senate Bill No. 265 do pass as amended.

Report received.

Senator Thomas was called to the Chair.

Bills on Third Reading.

House Bill No. 65 by Mr. Maxey, was read at length the third time as amended by the Senate.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Goulding, Hatchett, Landrum, Mitchell, Moore, Morris, Newell, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Colville, Davis, Echols, Graham, Warren, Keys, Memminger, Potter, Redwine, Stafford, Stewart and Sorrells. Total 14.

The President declared the bill passed.

Senate Bill No. 114 by Mr. Williams was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Chapman, Cunningham, Curd, Denton, Echols, Graham, Goulding, Keys, Moore, Morris, Newell, Russell, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, and Wynne. Total 20.

Nays: Messrs. Blair, Cloonan, Cordell, Eggerman, Hatchett, Landrum, Mitchell, Smith and Yeager. Total 9.

Absent and excused: Messrs. Allen, Beeler, Billups, Colville, Davis Franklin, Warren, Memminger, Potter, Redwine, Roddie, Stafford, Stewart and Sorrells. Total 14.

The President declared the bill lost.

Senator Williams lodged a motion to reconsider the vote by which Senate Bill No. 114 had lost.

Senator Goulding moved that all special bills be put on thrid reading and final passage at this time.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 346 by Mr. Morris was read the third time at length.

The question being, shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Cloonan, Cordell, Cunningham, Curd, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Mitchell, Morris, Newell, Roddie, Russell, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 25.

Nays: Mr. Smith. Total 1.

Absent and excused: Messrs. Allen, Billups, Chapman, Colville, Davis,

Denton, Echols, Graham, Warren, Memminger, Moore, Potter, Redwine, Stafford, Stewart, Strain and Sorrells. Total 17.

The President declared the bill passed.

Senator Hatchett moved that a call of the Senate be made.

Vote was taken. The President declared the motion for a call of the Senate prevailed.

The Sergeant-at-Arms was instructed to bring in the absent members.

Senate Bill No. 345 by Mr. Mitchell was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Cloonan, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Hatchett, Goulding, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Thomas, Updegraff, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Brownlee, Chapman, Colville, Davis, Graham, Memminger, Moore, Redwine, Stafford, Stewart, Sorrells and Taylor. Total 14.

The President declared the bill passed.

Senate Bill No. 344 by Mr. Goulding was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Billups, Colville, Davis, Graham, Memminger, Stafford, Stewart, Sorrells and Updegraff. Total 9.

The President declared the bill passed.

The question being, shall an emergency be declared the roll being called on the emergency section the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Billups, Colville, Cordell, Graham, Memminger, Stafford, Stewart and Sorrells. Total 8.

The President declared the emergency having received a two-thirds majority had passed.

Senate Bill No. 332 by Mr. Wynne was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler ,Brownlee, Chapman, Cloonan, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Pot-

ter, Redwine, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Billups, Blair, Colville, Cordell, Graham Moore, Roddie, Stafford, Stewart, and Sorrells. Total 10.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Echols, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Billups, Blair, Colville, Franklin, Memminger, Moore, Roddie, Stafford, Stewart and Sorrells. Total 10.

The President declared the emergency section, having received a two-thirds majority had passed.

A message was received from the House transmitting the engrossed copies of Senate Bill No. 2 as amended by the House and Senate Bill No. 19 as amended by the House.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House is observing Senate Day in the consideration of legislation and desires to know of the Senate why they are not likewise observing House Day."

Senator Russell moved that the Secretary be instructed to inform the House that the Senate had cleared the Calendar of House Bills each House Day.

On motion of Senator Russell the Senate agreed to House amendments to Senate Bill No. 19.

The question being, shall Senate Bill No. 19 pass as amended by the House, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Taylor, Thomas, Updegraff, Williams, Wynne, and Yeager. Total 34.

Nays: Mr. Moore. Total 1.

Absent and excused: Messrs. Billups, Colville, Landrum, Memminger, Stafford, Stewart, Soldani, and Sorrells. Total 8.

The President declared the bill passed as amended by the House.

A message was received from the House, transmitting the enrolled copy of House Concurrent Resolution No. 18, signed by the Speaker.

Acting President Pro Tem, Mr. Thomas, signed the enrolled copy of House Concurrent Resolution No. 18 same was ordered transmitted to the House.

The question being, shall there be an emergency section declared to

House Bill No. 65, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Eggerman, Cordell, Cunningham, Curd, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Billups, Cloonan, Colville, Davis, Landrum, Memminger, Stafford, Stewart and Sorrells. Total 9.

The President declared the emergency having received a two-thirds majority had passed.

The question being, shall there be an emergency declared to Senate Bill No. 345, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Billups, Colville, Davis, Memminger, Stafford, Stewart, Sorrells, and Moore. Total 8.

The President declared the emergency having received a two-thirds majority, had passed.

Senator Morris asked unanimous consent to withdraw the emergency section from Senate Bill No. 346.

Request granted.

Senate Bill No. 20 as amended was read the third time at length.

The question being, shall the bill pass as amended, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Gouluding, Hatchett, Keys, Landrum, Mitchell, Morris, Potter, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams and Yeager. Total 31.

Nays: Messrs. Newell and Wynne. Total 2.

Absent and excused: Messrs. Billups, Colville, Davis, Warren, Memminger, Moore, Redwine, Stafford, Stewart and Sorrells. Total 10.

The President announced that the Bill had passed.

Senator Williams called up his motion to reconsider the vote by which Senate Bill No. 114 had lost.

The question being, shall the vote by which Senate Bill No. 114 had lost be reconsidered.

Vote was taken. The President declared the vote reconsidered.

The question being, shall Senate Bill No. 114 pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Chapman, Cunningham, Davis, Denton, Echols, Graham. Goulding, Keys, Landrum, Mitchell, Morris, Newell,

Roddie, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 23.

Nays: Messrs, Beeler, Blair, Cloonan, Cordell, Curd, Eggerman, Franklin, Hatchett, Potter, Russell and Smith. Total 11.

Absent and excused: Messrs. Billups, Colville, Warren, Memminger, Moore, Redwine, Stafford, Stewart and Sorrells. Total 9.

The President declared the bill passed.

The question being, shall an emergency be declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Chapman, Cordell, Cunningham, Curd, Davis, Denton, Echols, Graham, Goulding, Keys, Landrum, Mitchell, Morris, Newell, Smith, Soldani, Taylor, Thomas, Updegraff, Williams and Wynne. Total 23.

Nays: Messrs. Beeler, Blair, Cloonan, Eggerman, Franklin, Hatchett, Potter, Redwine, Roddie, Russell, Strain and Yeager. Total 12.

Absent and excused: Messrs. Billups, Colville, Warren, Memminger, Moore, Stafford, Stewart and Sorrells. Total 8.

The President declared the emergency not having received a two-thirds majority, had lost.

Senator Williams lodged a motion to reconsider the vote by which the emergency section to Senate Bill No. 114 had lost.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by Acting President Pro Tem, Mr. Williams.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider House Bills and Appropriation Bills.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copies of House Bills Nos. 97, 204, 443, 362, 413, 328, 256 and 91, signed by the Speaker.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to the Senate amendments to Committee Substitute for House Bill No. 12."

The following House Bills were read the first time:

House Bill No. 256 by Mr. Ross, "An Act providing for holding County Court at Temple in Comanche, County."

House Bill No. 443 by Mr. Anthony, "An Act to amend Section 6 of the Session Laws of 1907-08 same being 'An Act providing for the levy and collection of a gross revenue tax from public service corporations, etc'."

House Bill No. 97 by Mr. Ashby, "An Act providing for holding County Court at the town of Eldorado, in Jackson County, Oklahoma."

House Bill No. 91 by Mr. Lovelace, (Committee Substitute No. 2) "AnAct appropriating money for the maintenance, equipment and for the erection of buildings for the State School of Mines and Metallurgy at Wilburton, Oklahoma."

House Bill No. 204 by Mr. Boyle, "An Act providing for holding terms

of the County Court of Haskell County in the town of Chant in said County."

House Bill No. 362 by Mr. Wortman, "An Act to create and locate the Eastern University Preparatory School at Claremore, Oklahoma."

House Bill No. 328, by Mr. McElhaney, "An Act authorizing the County Judge to hold Court at Crowder in Pittsburg County.'

House Bill No. 413 by Mr. Dixon, "An Act providing for holding County Court at Weleetka in Okfuskee County."

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Senate Bill No. 9 as amended by the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to Senate amendments to House Bill No. 88 by Mr. Price."

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 371, signed by the Speaker, which was read the first time.

House Bill No. 371 by Mr. Tillotson, "An Act providing for holding County Court at Lenapah in Nowata County."

The Committee of the Whole resumed business.

The Committee of the Whole reported recommending that House Bills Nos. 134, 460, 387, 348, and 223 do pass as amended, and that House Bill No. 282 do pass, and that House Bill No. 412 be referred back to the Committee on Appropriations and that Senate Bill No. 136 do pass as amended.

Report adopted.

Senator Thomas asked unanimous consent to introduce a concurrent resolution.

Request granted.

Senate Concurrent Resolution No. 22 by Mr. Thomas:

WHEREAS, on February 17, 1909, the Attorney General rendered an opinion to the State Auditor wherein he advised that no warrants be issued against the appropriation as provided for in Senate Bill No. 12, until the Legislature had authorized the issuance of such warrants by concurrent or joint resolution, and

WHEREAS, The State Auditor, acting upon the advice of the Attorney General does now refuse to issue warrants in payment of per diem of members of the Legislature together with the per diem of officers and employees thereof, as well as the contingent expenss of said body, and

WHEREAS, on February 28, 1909, there will be due the members officers and employees as per diem, the following sums to-wit:

Per diem of members of the House of Representatives	$9,156 00
Per diem of officers and employees of the House of Representatives	2,884 00
Per diem of members of the Senate	4,185 60

Per diem of officers and employees of the Senate..... 1,292 50

Grand Total $18,518 10

AND WHEREAS there is now due the Leader Printing Company, as per itemized statement on file with the Senate Auditor for supplies and printing furnished the Senate, the sum of $457 45.

AND WHEREAS, There is now due Miss Anna Bynum for five days special stenographic work done prior to the convening of the Legislature and per itemized statement on file with the Senate Auditor the sum of $25.

AND WHEREAS, the State Auditor now has on file approved claims in the sum of $697 90, which he is unwilling to pay without express authority from the Legislature, and

WHEREAS, The State Auditor has issued warrants in payment of mileage and per diem of members of the Legislature and per diem of officers and employees thereof, together with contingent expenses therefor in the total sum of $65,536 71.

Therefore, Be It Resolved by the Senate, the House of Representatives concurring therein, That the per diem of the members of the Legislature together with the per diem of the officers and employees thereof, as itemized by the House and Senate Auditors, in the total sums mentioned herein be allowed, and the State Auditor is hereby authorized and directed to issue warrants to the said members of the Legislature, officers and employees, as itemized in the pay roll and statements furnished by the said House and Senate Auditors.

Be it Further Resolved, That the sum of $457 45 due the Leader Printing Company be allowed and the State Auditor is hereby authorized and directed to issue his warrants to the said Leader Printing Company in payment of said account and

Be It Further Resolved, That the sum of $25 00 be allowed Miss Anna Bynum and that State Auditor is hereby authorized and directed to issue his warrants in payment of said account.

Be it Further Resolved, that the State Auditor is hereby authorized and directed to issue his warrant or warrants in payment of the said sum of $697 90 covering the claims on file for contingent expenses incurred by the Legislature.

And Be It Further Resolved that the warrants heretofore issued by the State Auditor in the sum of $65,536 71 in payment of mileage, and per diem of the members of the Legislature, together with the per diem of the officers and employees of the Legislature, and the contingent expenses therefor, be and the same are hereby approved.

Senator Thomas moved the adoption of the Resolution.

The question being shall the resolution be adopted the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, and Yeager. Total 26.

Nays: Messrs. Brownlee, Cloonan, Graham, Mitchell, Roddie and Williams. Total 6.

Absent and excused: Messrs. Beeler, Billups, Echols, Memminger,

interest item in its list of necessary state revenues, and the State Treasurer has paid the interest coupons of February 1st, but the real question which it is desired to submit to your Honorable Body is: Should there be a special act of appropriation by the Legislature authorizing these interest payments?

Or is the act of the last legislature authorizing this issue of State Bonds sufficient?

I respectfully submit this question to you for such action as you deem proper.

Respectfully submitted,
C. N. HASKELL,
Governor.

The message from the Governor was read and referred to the Committee on Legal Advisory.

A message was received from the Governor as follows:

Guthrie, Oklahoma, Feb. 26th, 1909.

To The Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved Senate Bill No. 187, same being, "An Act providing that the Special Election held on the 10th day of November, one thousand nine hundred and eight in the City of Kingfisher, County of Kingfisher, State of Oklahoma, be legalized, that the bond issue of said City of Kingfisher, authorized by the qualified tax paying voters of said City at said special election, in the sum of six thousand dollars running twenty-five years from the date thereof, drawing interest at the rate of five per cent per annum, for the purpose of obtaining funds for the construction of public sewers in said city, be legalized and made valid, that the Mayor and City Council of said City be empowered to issue the bonds of said city as authorized at said special election for the purpose of obtaining funds for the construction of public sewers in said city, and declaring an emergency."

And Senate Bill No. 4 same being, "An Act repealing sections 1 and 2 of 'An Act to authorize the establishment and maintenance of county high schools, approved March 8, 1901."

Respectfully submitted,
C. N. HASKELL,
Governor.

The Committee on State and County Affairs reported, recommending that Senate Bills Nos. 223 and 237 do pass as amended.

Report received.

A message was received from the House, transmitting the enrolled copies of House Bills Nos. 88 and 385, signed by the Speaker.

President Pro Tem, Mr. Graham, took the Chair.

Senator Russell asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 360 by Mr. Russell, "An Act creating the Eastern Normal School at Bokashe, Leflore County and making an appropriation for a suitable building therefor."

Moore, Morris, Newell, Potter, Stewart, Sorrells and Wynne. Total 11.

The President declared the Resolution adopted.

The Committee on appropriations reported, recommending that Senate Bills Nos. 351, 356 and 279 do pass.

Report received.

Senator Williams asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 357 by Mr. Williams, "An Act creating the position of Warrant Clerk of the State Treasurer's Office and fixing compensation therefor."

Senate Bill No. 358 by Messrs. Chapman and Williams, "An Act converting the surplus funds derived from Territorial levies to the use and benefit of the Educational Institutions for which these levies were made, and declaring an emergency."

Senate Bill No. 359 by Mr. Yeager by request, "An Act making an appropriation for the expenses of the litigation involving the use of the highways in this State for the piping of natural gas."

House Bill No. 460 by Mr. Maxey, was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Redwine, Russell, Stafford, Strain, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: Mr. Smith. Total 1.

Absent and excused: Messrs. Beeler, Billups, Graham, Memminger, Moore, Newell, Potter, Roddie, Stewart, Soldani and Sorrells. Total 11.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Redwine, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Yeager and Wynne. Total 32.

Nays: Mr. Russell. Total 1.

Absent and excused: Messrs. Beeler, Billups, Graham, Memminger, Moore, Newell, Potter, Roddie, Stewart and Sorrells. Total 10.

The President declared the emergency having received a two-thirds majority had passed.

A message was received from the Governor as follows:

Guthrie, Oklahoma, February 26, 1909.

To The Honorable Legislature:

I have the honor to transmit to you herewith a copy of the letter from the State Treasurer, J. A. Menefee, as to the payment of interest during the ensuing two years on State bonds.

The State Board of Equalization for the current year included this

On motion of Senator Taylor the Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

A message was received from the House transmitting the engrossed copies of Senate Concurrent Resolution No. 22 and House Concurrent Resolution No. 19 signed by the Speaker.

Senator Thomas moved that the Secretary be instructed to notify the State Auditor of the passage of Senate Concurrent Resolution No. 22.

House Concurrent Resolution No. 19 by Mr. Bryan, was read at length.

On request of Senator Thomas the resolution was laid over under the rules.

The report of the State Printer was read.

On motion of Senator Stafford this matter of printing was referred to the Committee on Printing.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole reported recommending that Senate Bills Nos. 179 and 5 do pass as amended.

Report received.

The Senate adjourned until February 27, 1909 at 9:30 A. M.

SENATE JOURNAL.

FIFTY-FOURTH DAY.

Saturday February 27, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 39.

Absent and excused: Messrs. Billups, Newell, Stewart and Sorrells. Total 4.

The President announced a quorum present.

Prayer by the Chaplain.

Senator Newell was excused on account of business.

The Journal of the 52d day's session was approved.

The following bills were introduced and read the first time:

Senate Bill No. 361 by Mr. Franklin, "An Act to vitalize section two of article fourteen of the constitution, prescribing the rate of interest; defining usury and what shall constitute extortion; and prescribing penalties for the violation of this Act."

Senate Bill No. 362 by Mr. Landrum, "An Act prohibiting the use of wooden Indians as signs or advertisements by dealers in tobacco and cigars."

"The Key to Success" will be the subject of the Senate Chaplain in the Presbyterian Church next Sabbath evening at 2:30 P. M., Cor. Division and Noble.

The members of the Senate and all employees are cordially invited to be present.

Bills read the second time and referred to the following Committees:

Senate Bill No. 356 by Mr. Goulding, to Committee on Legal Advisory.

Senate Bill No. 357 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 358 by Messrs. Chapman and Williams, to Committee on Appropriations.

Senate Bill No. 359 by Mr. Yeager, by request, to Committee on on Appropriations.

House Bill No. 371 by Mr. Tillotson, to Committee on Legal Advisory.

Senate Bill No. 360 by Mr. Russell, to Committee on Public Buildings.

House Bill No. 51 by Messrs. Cope and Dunn, to Committee on Legal Advisory.

Committee Substitute No. 1 for House Bill No. 31 by Mr. Lovelace to Committee on Appropriations.

Committee Substitute No. 2 for House Bill No. 91, by Mr. Lovelace, to Committee on Appropriations.

House Bill No. 97 by Mr. Ashby, to Committee on Judiciary No. 1.

House Bill No. 173 by Mr. Tillotson, to Committee on Commerce and Labor.

House Bill No. 204 by Mr. Boyle, to Committee on Legal Advisory.

House Bill No. 236 by Messrs. Hughes and Ward, to Committee on Public Buildings.

House Bill No. 256 by Mr. Ross, to Committee on Legal Advisory.

House Bill No. 328 by Mr. McElhaney, to Committee on Judciiary No. 2.

House Bill No. 362 by Mr. Wortman, to Committee on Public Buildings.

House Bill No. 368 by Messrs. Casteel and Earl, to Committee on Agriculture, Quarantine and Animal Industry.

House Bill No. 413 by Mr. Dickson, to Committee on Legal Advisory.

House Bill No. 443 by Mr. Anthony, to Committee on Revenue and Taxation.

Bills on Fourth Reading.

House Bills Nos. 88 and 385, and Senate Bills Nos. 19 and 11, were read the fourth time at length, the President Pro Tem, Mr. Graham, signed the enrolled copies and same were ordered transmitted to the House.

President Pro Tem, Mr. Graham signed the engrossed copies of Senate Joint Resolution No. 12, and Senate Concurrent Resolution No. 21, same were ordered transmitted to the House.

President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bills Nos. 347, 345, 20, 332, 346 and House Bills Nos. 460 and 65, as amended by the Senate, same were ordered transmitted to the House.

The Committee on Judiciary No. 1 reported, recommending that House Bill No. 13 do pass.

Report received.

Bills on Third Reading.

Senate Bill No. 25 by Mr. Sorrells, was read the third time at length

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Eggerman, Franklin, Keys, Landrum, Mitchell, Morris, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Colville, Davis, Graham and Warren. Total 4.

Absent and excused. Messrs. Billups, Denton, Echols, Goulding, Hatchett, Memminger, Moore, Newell, Potter, Stewart, Stafford, and Sorrells. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 25, same was ordered transmitted to the House.

Senator Davis was called to the Chair.

Senate Bill No. 277 by Mr. Williams was read the third time at length.

Senator Williams asked unanimous consent to be allowed to introduce the following amendment: Amend Section 1, of Senate Bill No. 277, by inserting after line five, page four, the following, "For salary of council to the Governor, and for enforcement of the law against the sale of intoxicating liquors to be expended under the direction of the Governor for the fiscal year ending June 30th, 1910, $30,000.00; for the fiscal year ending June 30th, 1911, $30,000.00."

Senator Brownlee objected to the amendment.

Senator Russell moved that the Rules be suspended so that amendments could be offered to Senate Bill No. 277.

The question being, shall the Rules be suspended, the roll being called the vote resulted as follows:

Yeas: Messrs. Cordell, Eggerman, Mitchell, Morris, Redwine, Roddie, Russell, Strain and Williams. Total 9.

Nays: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Franklin, Goulding, Hatchett, Landrum, Memminger, Potter, Smith, Stafford, Soldani, Taylor, Thomas, Updegraff, Wynne, Warren, and Yeager. Total 25.

Absent and excused: Messrs. Billups, Denton, Echols, Graham, Keys, Moore, Newell, Stewart and Sorrells. Total 9.

The President declared the motion to suspend the rules was lost.

Senator Williams moved that Senate Bill No. 277 be referred back to the Committee of the Whole with instructions.

Senator Brownlee moved to lay the motion on the table.

Senator Roddie asked to have Senator Williams and himself excused on account of sickness in his family.

Request granted.

Senate Bill No. 277 was laid over on account of Senator Williams having to be excused.

Senate Bill No. 273 by Mr. Morris was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Warren, Landrum, Mitchell, Memminger, Morris, Redwine, Russell, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Potter and Smith. Total 2.

Absent and excused: Messrs. Billups, Cunningham, Echols, Graham, Keys, Moore, Newell, Roddie, Stewart and Sorrells. Total 10.

The President declared the bill passed.

Senate Bill No. 338 by Mr. Morris, was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Hatchett, Goulding, Warren, Memminger, Mitchell, Morris, Potter, Redwine, Russell,

Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Billups, Chapman, Echols, Graham, Keys, Landrum, Moore, Newell, Roddie, Stewart and Sorrells. Total 11.

The President declared the bill passed.

Senator Morris asked unanimous consent to amend the title of Senate Bill No. 338 by withdrawing the emergency section therefrom.

Request granted.

Senate Bill No. 298 by Mr. Thomas was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Memminger, Mitchell, Landrum, Morris, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Billups, Chapman, Echols, Graham, Warren, Keys, Moore, Newell, Roddie, Stewart and Sorrells. Total 11.

The President declared the bill passed.

Senate Bill No. 136 by Mr. Franklin was read the third time at length.

Senator Davis offered the following amendment: In Section 2, line 7, strike out the words, "And prepare for publication the Session Laws of the Legislature."

Vote was taken. The President declared the amendment lost.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Colville, Cordell, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Russell, Smith, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Brownlee, Chapman, Cloonan, Cunningham, Curd, Davis, Graham, Warren, Potter, Stafford and Updegraff. Total 11.

Absent and excused: Messrs. Billups, Echols, Moore, Newell, Stewart, Sorrells and Roddie. Total 7.

The President declared the bill passed.

Senator Franklin moved to reconsider the vote by which Senate Bill No. 136 had passed.

Senator Franklin moved to lay the motion to reconsider the vote by which Senate Bill No. 136 had passed on the table.

The question being, shall the motion to lay on the table prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Colville, Cordell, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 26.

Nays: Messrs. Allen, Brownlee, Chapman, Cloonan, Cunningham, Curd, Davis, Graham, Warren, and Potter. Total 10.

Absent and excused: Messrs. Billups, Echols, Moore, Newell, Roddie, Stewart and Sorrells. Total 7.

The President declared the motion to lay on the table had prevailed.

The question being shall there be an emergency declared, to Senate Bill No. 136 the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Cloonan, Davis, Graham and Potter. Total 4.

Absent and excused: Messrs. Billups, Echols, Eggerman, Moore, Newell, Roddie, Stewart and Sorrells. Total 8.

The President declared the emergency section, having received a two-thirds majority had passed.

Senator Cunningham gave notice that he would offer a motion to recommit Senate Bill No. 179 back to the Committee of the Whole for further consideration.

House Bill No. 223 by Mr. Charles, was read the third time at length.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Warren, Landrum, Memminger, Morris, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Mr. Mitchell. Total 1.

Absent and excused: Messrs. Billups, Beeler, Echols, Graham, Hatchett, Keys, Moore, Newell, Roddie, Stewart, Sorrells and Thomas. Total 12.

The President declared the bill passed.

Acting President Pro Tem, Mr. Davis, signed the enrolled copy of Senate Concurrent Resolution No. 22, same was ordered transmitted to the House.

House Bill No. 348 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Chapman, Colville, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Russell Smith, Stafford, Strain, Taylor, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Brownlee, Cloonan and Curd. Total 3.

Absent and excused: Messrs. Billups, Graham, Keys, Moore, Newell, Roddie, Stewart, Soldani, Sorrells and Thomas. Total 10.

The President declared the bill passed.

House Bill No. 282 was read the third time at length.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Landrum, Mitchell, Morris, Potter, Redwine, Russell, Smith, Stafford, Strain, Taylor, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Billups, Chapman, Graham, Keys, Memminger, Moore, Newell, Roddie, Stewart, Soldani, Sorrells and Thomas. Total 12.

The President declared the bill passed.

The question being shall there be an emergency declared, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Russell, Smith, Strain, Taylor, Updegraff, Williams, Wynne and Yeager. Total 28.

Nays: Messrs. Warren and Stafford. Total 2.

Absent and excused: Messrs. Billups, Chapman, Echols, Graham, Hatchett, Keys, Moore, Newell, Roddie, Stewart, Soldani, Sorrells and Thomas. Total 13.

The President declared the emergency section having failed to receive a two-thirds majority, had lost.

Senator Smith lodged a motion to reconsider the vote by which the emergency section to House Bill No. 282 had lost.

Senator Updegraff asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 363 by Mr. Updegraff, "An Act for the sale of the northeast quarter of Section Thirty-six (36) Township Twenty-three (23) North of Range Twenty-one (21) West of the Indian Meridian in Woodward County, Oklahoma, etc."

Senate Bill No. 364 by Mr. Redwine, "An Act vitalizing and extending the provisions of Section 43, Article IX of the Constitution, requiring corporations to publish annual reports, and declaring an emergency."

A message was received from the House transmitting the enrolled copy of Senate Concurrent Resolution No. 22 signed by the Speaker.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

The President announced a quorum present.

Senator Williams asked unanimous consent to be recorded as voting 'Yea' on all bills passed in his absence this morning.

Request granted.

A communication from the School Land Department was read as follows:

February 27th, 1909.

Hon. Geo. W. Bellamy,
President of the Senate,
Guthrie,

Sir: I hereby acknowledge the receipt of your communication dated February 26th, 1909, in which you asked me to prepare and furnish to you for the benefit of the Honorable Senate of the State of Oklahoma, a statement of the amount of interest earned on the five million dollar fund, and such other information as may be of value to the Senate and Legislature in connection with the Department, and in reply thereto, I beg to inform you as follows:

The five million dollars referred to in your letter was donated by the Congress of the United States in lieu of sections 16 and 36 and other lands situated in that part of the State of Oklahoma, formerly known as the Indian Territory under the section of the enabling act granting the said sum it is provided:

That the said appropriation of five million dollars shall be held and invested by said state in trust for the use and benefit of the common schools thereof. And it is further provided that said appropriation shall be paid by the Treasurer of the United States at such time, and to such person or persons as may be authorized by said State to receive the same under laws to be enacted by the State, and that until said State shall enact such law, such appropriation shall not be paid but the said State shall be allowed interest thereon at the rate of three per cent per annum, which shall be paid to the said State for the use and benefit of its public schools."

At the time that the present administration was placed in charge of the affairs of the State of Oklahoma, on November 16th, 1907, the United States was in the midst of a panic, commonly known as a "Prosperity Panic." This panic was the result of an unnatural contraction of money and affected the banks good and bad. The people and the banks of this State were gradually feeling the effects of this panic which was rapidly traveling from the eastern money centers to the western agricultural country.

The Administration, realizing that unless immediate steps were taken to protect the people that great hardships would be felt throughout the State, and on December 13th, 1907, the first Legislature passed an act authorizing the payment to the Treasurer of the State of Oklahoma the five million dollars and the interest thereon appropriated to the State by the said Act of Congress.

As soon as this Act was approved, the Commissioners of the Land Office by proper resolution, directed the Treasurer of the State of Oklahoma to draw his order upon the Treasurer of the United States for an installment of $500,000.00, of said grant, and about the first day of January 1908, the same amount was received and from time to time thereafter and as rapidly as the money could be disposed of, the same Commissioners of the Land Office, through the Treasurer of the State of Oklahoma, withdrew all of the said Five Million Dollars from the Treasurer of the United States.

As rapidly as this money was delivered to the Commissioners of the Land Office by the Treasurer of the State of Oklahoma, it was deposited

in the various banks and trust companies throughout the State for the purpose of increasing the supply of money and thereby relieving the strain upon the banks, caused by the said panic.

This money was placed in said banks under contracts up to November 1908 at 2 per cent interest on daily balances at which time the Commissioners of the Land Office increased the interest on Daily Balances to three per cent.

On February 1st 1908, the Farm Loan Department of the Permanent School Fund was opened for the transaction of business and the first farm loan was made. Since that time and up to February 1st, 1909, there have been made 1763 loans, and the investment in the said loans of this fund is the sum of $2,066, 021. 59, which is earning for the fund, five per cent per annum.

The Commissioners of the Land Office, under the direction of the First Legislature, loaned to the New Counties of the State the sum of $1,080,-000.00 evidenced by County Current Expense Bonds which bear five per cent interest per annum and the Commissioners further, by the direction of the First State Legislature, extended a temporary loan to the State of Oklahoma on the Funding Bonds of Said State to the amount of $1,460,-000.00, bearing interest at the rate of four per cent.

All the money which was deposited in the State Banks and Trust Companies throughout the State was placed therein subject to check and order of the Commissioners of the Land Office to be used in investing the said fund as directed by the Constitution of the said State, and as rapidly as opportunity arrived for the investing of the fund in farm loans and other investments as above referred to, the money was withdrawn from the banks.

Up to the first day of February, 1909, the Commissioners of the Land Office had collected as interest on the said $5,000,000, from the several sources of investment the sum of $325,235.56. The sources from which this interest was derived are as follows:

Collected from the United State Government during the time the Commissioners of the Land Office were awaiting action by the First Legislature for authority to draw and receive the grant of five million dollars from the United States Treasurer	$225,409 84
Amount of interest received on farm loans up to Feb. 1st, 1909, which represents the first six months, or semi-annual interest payments	31,510 64
Amount of interest collected on loans to Counties on Current Expense Bonds	21,121 62
Interest collected on Temporary loans made to the State on issue of funding bonds	24,463 09
Interest collected from banks where the fund was and is deposted awaiting investments and completion of farm loans, and which is subject to check for the purpose of investing same as directed by the Constitution	22,730 36

Every dollar of the said Five Million Dollars is drawing interest in

behalf of the fund on this day, and has been since the time it was placed in the hands of the Commissioners of the Land Office. As rapidly as this interest accumulates, it is delivered to the Treasurer of the State of Oklahoma to be apportioned and paid to the Common Schools of the State as by the terms of the Enabling Act provided and the Laws of the State of Oklahoma directed.

Respectfully,
ED O. CASSIDY,
Secretary to the Commissioners.

Senator Thomas moved that the letter of the Secretary of the School Land Commissioner, Ed O. Cassidy, be incorporated in the Journal of the Senate and that same be made a matter of public record in the Journal.

The question being, shall the letter be incorporated in the Journal.

Vote was taken. The President declared the motion prevailed.

Senator Thomas moved that 3000 copies of the letter of Ed O. Cassidy be printed for the use of the Senate and House of Representatives.

Vote was taken. The President declared the motion prevailed.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that House Bill No. 337 do pass as amended.

Report received.

The Committee on Agriculture, Quarantine, and Animal Industry reported, recommending that House Bill No. 275 do pass.

Report received.

Senator Blair moved that a call of the Senate be made.

The question being, shall there be a call of the Senate, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Landrum, Memminger, Mitchell, Smith, Strain, Soldani, Taylor, Thomas, Williams and Yeager. Total 18.

Nays: Messrs. Colville, Cunningham, Curd, Hatchett, Redwine, Russell, Updegraff, and Wynne. Total 8.

Absent and excused: Messrs. Allen, Beeler, Billups, Brownlee, Chapman, Cloonan, Echols, Warren, Keys, Moore, Morris, Newell, Potter, Roddie, Stafford, Stewart and Sorrells. Total 17.

The President declared the motion prevailed.

The Sergeant-at-Arms was instructed to bring in the absent members.

Senator Hatchett moved that all absent members be excused.

The question being, shall the absent members be excused.

Vote was taken. The President declared the motion lost.

Senator Hatchett moved that the rules be suspended and that Senate Bill No. 349 be put upon the Calendar.

Vote was taken. The President declared the motion prevailed.

Senator Eggerman moved that the rules be suspended and that Senate Bill No. 349 be considered this day.

After objection by several, Senator Eggerman withdrew his motion.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message

from the House, transmitting the engrossed copy of House Bill No. 138 signed by the Speaker.

House Bill No. 138 by Mr. Cook, "An Act to increase the number of District Judges to two in the Third Judicial District etc." was read for the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copies of Senate Bill No. 11, and Senate Bill No. 19 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 336 signed by the Speaker.

House Bill No. 336 by Mr. Ross, "An Act providing for the support and maintenance of the Oklahoma A. and M. College and making an appropriation therefor," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to the Senate amendments to House Bills Nos. 65 and 460 and the same were signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bills No. 288, 199 and 122 do pass as amended, and that Senate Bill No. 110 be indefinitely postponed, and that Senate Bill No. 8 be referred to a special committee.

Senator Denton moved the adoption of the report.

On motion of Senator Taylor that part of the report with reference to Senate Bill No. 110 was not concurred in.

The report was received as amended.

Senator Thomas asked unanimous consent to introduce a concurrent resolution.

Request granted.

Senate Concurrent Resolution No. 23 by Mr. Thomas, "WHEREAS Senate Concurrent Resolution No. 22 passed by the Senate, and concurred in by the Honorable House on February 26, 1909, contained an error in that the total amount of per diem of officers and employees of the Senate was stated to be the sum of $1,295.50, when, in fact, the total should have been the sum of $2,295.00,

Therefore, Be It Resolved, by the Senate, the House Concurring Therein, that the sum of $2,295.00, as itemized in the pay roll for said officers and employees of the Senate, be allowed, and the State Auditor is hereby authorized and directed to issue warrants to said officers and employees as itemized in said pay roll.

On motion of Senator Thomas the Resolution was adopted.

President Pro Tem, Mr. Graham, signed Senate Concurrent Resolution No. 23 same was ordered transmitted to the House.

The Committee on Fees and Salaries reported, recommending that House Bill No. 83 do pass.

Report received.

The President Pro Tem, Mr. Graham, signed the engrossed copies of House Bills Nos. 223, 348, and engrossed copies of Senate Bills Nos. 338, 273, 298 and 136, and the same were ordered transmitted to the House.

The Committee on Judiciary No. 2 reported, recommending that House Bill No. 104 by Mr. Rogers do pass as amended.

Report received.

The Committee on Fish and Game reported, as follows:

Mr. President: We, your Committee on Fish and Game, to whom was referred the House amendments to Senate Bill No. 2, beg leave to report as follows:

We respectfully recommend that the Senate agree to House amendments Nos. 1, 2, 3, 4, 7, 8, 9, 10, 13, 15, 17, 18, 21, 22, 25, 26, 27, 28, 33, 35, 36, 39, 40, and 41. We further respectfully recommend that the Senate do not agree to the House amendments Nos. 5, 6, 11, 12, 14, 16, 19, 20, 23, 24, 29, 30, 31, 32, 34, 37, and 38 and that the Honorable House of Representatives be asked to recede from said amendments.

Report received.

The Senate adjourned until Monday, March 1, 1909 at 9:30 A. M.

SENATE JOURNAL.

FIFTY-FIFTH DAY.

Sunday, February 28, 1909.

Memmorial services.

SENATE JOURNAL.

FIFTY-SIXTH DAY.

Monday, March 1, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President Pro Tem, Mr. Graham.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 41.

Absent and excused: Messrs. Newell and Stewart. Total 2.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the 53d day's session was approved.

The Committee on Public Buildings reported, recommending that House Bill No. 373 do pass as amended, and that House Bill No. 150 do pass.

Report received.

Bills read the second time and referred to the following Committees:

Senate bill No. 361 by Mr. Franklin, to Committee on Banks and Banking.

Senate Bill No. 362 by Mr. Landrum, to Committee on Indian Affairs.

Senate Bill No. 363 by Mr. Updegraff, to Committee on School Lands.

Senate Bill No. 364 by Mr. Redwine, to Committee on Judiciary No. 2.

House Bill No. 138 by Mr. Cook, to Committee on Judiciary No. 2.

House Bill No. 336 by Mr. Ross, to Committee on Appropriations.

Senator Strain asked unanimous consent to be allowed to withdraw Senate Bill No. 293 from further consideration.

Request granted.

Bills on Third Reading.

Senate Bill No. 5 by Messrs. Taylor and Franklin, was read the third time at length.

Senator Roddie offered the following amendment: Re-insert Section 30 of the General Primary Election Law.

Senator Goulding moved the previous question.

Senator Roddie arose to a point of order, that there was an hour to discuss the question in and same had not expired.

The President sustained the point of order.

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Cordell, Denton, Hatchett, Warren, Russell, Roddie, Strain and Thomas. Total 9.

Nays: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Morris, Potter, Redwine, Smith, Stafford, Soldani, Taylor, Updegraff, Williams and Wynne. Total 26.

Absent and excused: Messrs. Echols, Franklin, Memminger, Moore, Newell, Stewart, Sorrells and Yeager. Total 8.

The President declared the amendment lost.

Senator Davis offered the following amendment by adding the following words at the end of Section 4, to-wit: "The arrangement of the names of the candidates for party nomination for all offices, shall be in alphabetical order to be determined by the first letter of the sirname of the candidate."

The question being, shall the amendment be adopted.

Vote was taken. The President declared the amendment adopted.

Senator Colville was excused until Tuesday.

The question being, shall the bill pass, as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Potter and Updegraff. Total 9.

Absent and excused: Messrs. Echols, Moore, Newell, Stewart, and Sorrells. Total 5.

The President declared the bill passed as amended.

The question being shall there be an emergency, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 28.

Nays: Messrs. Beeler, Brownlee, Cloonan, Cunningham, Curd, Warren, Potter and Updegraff. Total 8.

Absent and excused: Messrs. Chapman, Colville, Echols, Moore, Newell, Stewart and Sorrells. Total 7.

The President declared the emergency section not having received a two-thirds majority had lost.

Senator Taylor lodged a motion to reconsider the vote by which the emergency section had lost.

House Bill No. 134 by Mr. Ross, was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cordell, Davis, Denton, Eggerman, Franklin, Hatchett, Warren, Keys, Memminger, Mitchell, Morris, Roddie, Russell, Smith, Strain, Taylor, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Cloonan, Cunningham, Curd, Graham, Goulding, Potter, Redwine, Stafford, Soldani and Updegraff. Total 10.

Absent and excused: Messrs. Beeler, Colville, Echols, Landrum, Moore, Newell, Stewart and Sorrells. Total 8.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Cordell, Davis, Denton, Eggerman, Franklin, Warren, Keys, Memminger, Morris, Roddie, Russell, Smith, Strain, Taylor, Thomas, Williams, Wynne and Yeager. Total 21.

Nays: Messrs. Allen, Chapman, Cloonan, Curd, Graham, Goulding, Hatchett, Mitchell, Potter, Redwine, Stafford, Soldani and Updegraff. Total 13.

Absent and excused. Messrs. Beeler, Colville, Cunningham, Echols, Landrum, Moore, Newell, Stewart and Sorrells. Total 9.

The President declared the emergency section having failed to receive a two-thirds majority had lost.

Senator Redwine lodged a motion to reconsider the vote by which the emergency section to House Bill No. 134 had lost.

Senator Williams asked to be allowed to withdraw the motion, that he had lodged, to reconsider the vote by which the emergency section to Senate Bill No. 114 had lost.

Request granted.

House Bill No. 387 by Mr. Harrison was read the third time at length.

Senator Williams moved to have House Bill No. 387 referred back to the Committee on Appropriations, with instructions.

The question being, shall the House Bill No. 387 be referred back to the Committee on Appropriations.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 288 as amended, was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Hatchett, Warren, Keys, Memminger, Mitchell, Morris, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Billups, Colville, Davis, Echols, Goulding, Landrum, Moore, Newell, Stafford and Stewart. Total 10.

The President declared the bill had passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 288 same was ordered transmitted to the House.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to the Senate amendments to House Bill No. 348 but refuses to agree to Senate amendments to House Bill No. 223 by Mr. Charles, and has appointed Messrs. Harrison, Bell and Charles to confer with a like Committee from the Senate relative thereto.

Senator Eggerman moved that the request of the House be granted.

The question being, shall the request of the House be granted.

Vote was taken. The President declared the request had been granted and appointed Messrs. Eggerman, Redwine and Cunningham as such Committee.

The Committee on Appropriations reported, recommending that Senate Bills Nos. 213 and 310 do pass as amended.

Report received.

The Committee on Appropriations reported, recommending that Senate Bills Nos. 358, 255, 320, 359 and 324 do pass, and that House Bill No. 412 do pass.

Report received.

Senator Williams asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 365 by Mr. Williams, "An Act providing the necessary expense for the State Election Board and for conducting elections for the fiscal years ending June 30th, 1910 and June 30th, 1911 and making an appropriation therefor."

The Committee on Public Buildings reported, recommending that Senate Bill No. 330 do pass as amended.

The Committee on Revenue and Taxation reported, recommending that House Bill No. 168 do pass as amended.

Report received.

Senator Allen asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 366 by Mr. Allen, "An Act to amend Section 2, of Article 1, Chapter 27, Session Laws 1907-08, relating to the jurisdiction of County Court.

Senator Billups moved that the Senate agree to the House amendments to Senate Bill No. 9.

The question being, shall the Senate agree to the House amendments to Senate Bill No. 9.

Vote was taken. The President declared that the Senate had agreed to the House amendments to Senate Bill No. 9.

The question being, shall the bill pass as amended.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Cloonan, Cordell, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Mr. Cunningham. Total 1.

Absent and excused: Messrs. Beeler, Brownlee, Colville, Davis, Echols Moore, Newell, Potter and Stewart. Total 9.

The President declared the bill passed.

The Committee on Appropriations reported, recommending that House Bill No. 411 do pass as amended.

The report was received.

The Committee on Judiciary No. 1 reported, recommending that House Bill No. 97 do pass.

Report received.

The Senate went into the Committee of the Whole to consider House Bills Nos. 373 and 150.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of Senate Concurrent Resolution No. 23 by Mr. Thomas, signed by the Speaker.

A message was received from the House transmitting the engrossed copy of House Bill No. 242 signed by the Speaker.

House Bill No. 242 by Messrs. Ratcliff and Coyne, "An Act to locate the Eastern Oklahoma Hospital for the Insane at Vinita and declaring an emergency," was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 401 signed by the Speaker.

House Bill No. 401 by Mr. Ross, "An Act to amend Section 3, of 'An Act entitled, 'An Act to provide for the improvement of streets and other public places within the cities of the first class, etc." was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bill No. 373 do pass as amended, and as to House Bill No. 150 report progress and ask leave to sit again.

Report received.

The Committee on Judiciary No. 1 reported, recommending that Senate Bill No. 212 do pass.

Report received.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that House Bill No. 368 do pass.

Report received.

The Committee on Public Service Corporations reported, recommending that Senate Bill No. 151 do pass as amended.

Report received.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by Acting President Pro Tem, Mr. Williams.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider special and General Orders.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 177 signed by the Speaker.

House Bill No. 177 by Mr. Butts, "An Act authorizing the Board of County Commissioners of Alfalfa County to convey County High School Building and Site at Helena to State for Agricultural School, etc." was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 369 signed by the Speaker.

House Bill No. 369 by Mr. Haymes, "An Act authorizing the township of Jenks in Tulsa County to use its surplus bridge and road fund to aid it in building a bridge across the Arkansas River, etc," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copies of House Bills Nos. 338 and 460 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 229 do pass as amended and that Senate Bill No. 248 do not pass, and as to House Bill No. 150 report progress and ask leave to sit again.

Report adopted.

Senator Stafford asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 367 by Mr. Stafford, "An Act authorizing the Commissioners of the Land Office to sell a part of the Northwest Quarter (1-4) of Section numbered Sixteen (16) of Township numbered Twelve (12) of Range numbered Seven (7) west of the Indian Meridian to the Commercial Club of El Reno."

Senate Bill No. 369 by Mr. Warren, by request, "An Act to regulate the practice of public accounting, etc."

Senate Bill No. 369 by Mr. Soldani, "An Act creating a separate judicial district of the Counties of Washington and Osage, to be known as District No. 24."

Senate Bill No. 370 by Mr. Yeager, "An Act to detach the County of Payne from the Twenty-first district Court Judicial District, and add to to the Twelfth District Court Judicial District."

Senator Sorrells asked to be allowed to withdraw Senate Bill No. 125 and have same recommitted to the Committee on Appropriations.

Request granted.

On motion of Senator Taylor the Steering Committee was increased one member.

On motion of Senator Taylor Senator Brownlee was added to the Steering Committee.

On motion of Senator Taylor, Senator Davis was elected to fill the vacancy on the Steering Committee in place of Senator Hurst.

Bills on Fourth Reading.

House Bills Nos. 348 and 460 were read the fourth time at length.

President Pro Tem, Mr. Graam signed the enrolled copies, and the same were ordered transmitted to the House.

The Committee on Judiciary No. 1 reported, recommending that Senate Bill No. 312 do pass as amended.

Report received.

The Senate recessed until 8. P .M.

Evening Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Concurrent Resolution No. 23, same was ordered transmitted to the House.

Senate Bill No. 9 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 9, same was ordered transmitted to the House.

Senator Keys moved to have the House amendments to Senate Bill No. 2 read.

The amendments of the House to Senate Bill No. 2 were read.

Senator Billups moved the adoption of the report of the Committee on Fish and Game on House amendments to Senate Bill No. 2.

Vote was taken. The President declared the report adopted.

Senator Williams was called to the Chair.

The Journal of the 54th day's session was approved.

The Senate went into the Committee of the Whole to consider unfinished business and general orders.

The Committee of the Whole reported, recommending that Senate Bills Nos. 173, 211 and 265 do pass as amended and that House Bill No. 150 do pass as amended, and as to Senate Bill No. 246 report progress and ask leave to sit again.

Report received.

The Senate adjourned until Tuesday, March 2, 1909 at 9:30 A. M.

SENATE JOURNAL.

FIFTY-SEVENTH DAY.

Tuesday, March 2d, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Roddie, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Echols, Newell and Stewart. Total 3.

The President announced a quorum present.

A message was received from the Governor as follows:

Guthrie, March 1st, 1909.

To The Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved Senate Bill No. 208, being "An Act ratifying a bond election held in the city of Geary, Blaine County, State of Oklahoma, and attached territory, and authorizing the Board of Education of the City of Geary, Blaine County, Oklahoma, and attached territory to issue the bonds of said Board of Education in compliance with said election."

Respectfully submitted,

C. N. HASKELL,

Governor.

Senator Blair introduced the following concurrent resolution, which was read.

Senate Concurrent Resolution No. 24 by Mr. Blair, "WHEREAS, The Constitution does not limit the session of the Legislature, and

WHEREAS, Neither House, during the Session of the Legislature shall without the consent of the other, adjourn for more than three days; and

WHEREAS, No revenue Bill shall be passed during the last five days of the session,

Therefore, Be It Resolved, by the Second Senate of the State of Oklahoma, the House concurring therein;

That the Legislature do adjourn sine die on Wednesday, March 10, 1909.

Senator Blair moved the adoption of the Resolution.

Senator Smith moved to amend the resolution by making the date Tuesday, March 9, 1909.

Vote was taken. The President declared the motion lost.

Senator Stafford moved to substitute Friday, March 12, instead of Wednesday, the 10th.

The question being, shall the substitute prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Curd, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Redwine, Roddie, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Willaims and Yeager. Total 23.

Nays: Messrs. Brownlee, Chapman, Cloonan, Colville, Cunningham, Graham, Warren, Moore, Potter, Smith and Thomas. Total 11.

Absent and excused: Messrs. Allen, Beeler, Billups, Davis, Echols, Newell, Russell, Stewart and Wynne. Total 9.

The President declared the substitute adopted.

The question being, shall the resolution pass as amended, vote was taken. The President declared the resolution passed.

Bills read the second time and referred to the following Committees:

Senate Bill No. 365 by Mr. Williams, to Committee on Appropriations.

Senate Bill No. 366 by Mr. Allen, to Committee on Judiciary No. 2

House Bill No. 177 by Mr. Butts, to Committee on Legal Advisory.

House Bill No. 242 by Messrs, Ratcliff, and Coyne to Committee on Private Corporations.

House Bill No. 401 by Mr. Ross, to Committee on Appropriations.

House Bill No. 369 by Mr. Haymes, to Committee on Judiciary No. 2.

Senate Bill No. 367 by Mr. Stafford, to Committee on School Lands.

Senate Bill No. 368 by Mr. Warren, by request, to Committee on State and County Affairs.

Senate Bill No. 369 by Mr. Soldani, to Committee on State and County Affairs.

Senate Bill No. 370 by Mr. Yeager, to Committee on Judiciary No. 2.

The Committee on Legal Advisory was excused.

Bills on Third Reading.

Senate Bill No. 277 by Mr. Williams was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Keys, Landrum, Memminger, Moore Morris, Redwine, Smith, Strain, Soldani, Sorrells, Updegraff, Williams, Wynne and Yeager. Total 24.

Nays: Messrs. Brownlee, Cloonan, Potter. Total 3.

Absent and excused: Messrs. Allen, Beeler, Billups, Chapman, Echols Goulding, Hatchett, Warren, Mitchell, Newell, Roddie, Russell, Stafford, Stewart, Taylor, and Thomas. Total 16.

The President declared the bill passed.

The President, Mr. Bellamy, signed the engrossed copy of Senate Bill No. 277, same was ordered transmitted to the House.

The President, Mr. Bellamy, signed the engrossed copy of Senate Concurrent Resolution No. 24, same was ordered transmitted to the House.

Senate Bill No. 179 was read the third time at length.

Senator Cunningham called up his motion to recommit Senate Bill No. 179 to the Committee of the Whole with instructions.

The question being, shall the motion to recommit Senate Bill No. 179 to the Committee of the Whole with instructions prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Warren and Updegraff. Total 8.

Nays: Messrs. Allen, Blair, Cordell Davis, Denton, Eggerman, Franklin, Hatchett, Keys, Landrum, Memminger, Moore, Morris, Redwine, Roddie, Smith, Stafford, Strain, Sorrells, Taylor, Williams, Wynne and Yeager. Total 23.

Absent and excused: Messrs. Beeler, Billups, Echols, Graham, Goulding, Mitchell, Newell, Potter, Russell, Stewart, Soldani and Thomas. Total 12.

The President declared the motion to recommit had lost.

Senator Wynne offered the following amendment to line 14:

Section Nine, Page Seven. Strike out "Municipal" and insert "Congressional."

Vote was taken. The President declared the amendment adopted.

Senator Wynne offered the following amendment:

Page 8, Section 9, Strike out the words "Taylor-Union Township" and insert the words "1-3."

Vote was taken and the President declared the amendment adopted.

Senator Brownlee offered the following amendment: Strike out Section 18.

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Warren, Potter and Updegraff. Total 9.

Nays: Messrs. Allen, Billups, Blair, Cordell, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Smith, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Williams Wynne and Yeager. Total 26.

Absent and excused: Messrs. Beeler, Davis, Denton, Echols, Franklin, Moore, Stafford and Stewart. Total 8.

The President declared the amendment lost.

Senator Eggerman was called to the Chair.

A message was received from the House transmitting enrolled copy of House Bill No. 65 signed by the Speaker.

President Pro Tem, Mr. Graham took the Chair.

Senator Brownlee asked unanimous consent to introduce the following amendment: Add after "board" in line 8, "Provided such classification is uniform."

Senator Taylor arose to the point of order that the proper notice had not been given in the Committee of the Whole.

The President sustained the point of order.

Senator Russell moved that the rules be suspended for the purpose of allowing an amendment to Senate Bill No. 179.

Vote was taken. The President declared the motion prevailed.

Senator Russell offered the following amendment to Senate Bill No. 179: Page 13, Section 22, line 6, by adding at the end of Section 22 the following: "Provided, that during at least one day in each week, during such month, such registration book shall be kept at a specified place conveniently and conspicuously located in such precinct, and notice of which shall be posted at not less than in five conspicuous places in such precinct at least ten days prior to the first such date; and on such days the registration book for such precinct shall be kept open between the hours of 8 o'clock A. M., and 6 o'clock P. M., for the registration of electors qualified to vote in such precinct. Failure to comply with the provisions of this section shall be a misdemeanor."

The question being, shall the amendment be adopted.

Vote was taken. The President declared the amendment adopted.

Senator Brownlee offered the following amendment: Strike out Sections 21, 22, 23, 24, 25, 26, 27, 28, and 29.

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Brownlee, Chapman, Cloonan, Colville, Curd, Cunningham, Warren, Potter and Updegraff. Total 9.

Nays: Messrs. Allen, Billups, Blair, Cordell, Denton, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Redwine, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 24.

Absent and excused: Messrs. Beeler, Davis, Echols, Hatchett, Memminger, Roddie, Russell, Stafford, Stewart and Soldani. Total 10.

The President declared the amendment lost.

Senator Brownlee moved to have Senate Bill No. 179 recommitted to the Committee of the Whole with the following instructions, to insert the following new sections:

Section 1. At all general elections, next preceding the election of a Senator in Congress by the Legislature of Oklahoma, there shall be placed upon the official ballot by the State Election Board, the names of all candidates for the office of Senator in Congress that have been nominated as law provided, or as may hereinafter be provided by law, for the nomination of State officers of the State of Oklahoma, the votes for which candidates shall be counted and certified to in the same manner as is now, or may hereafter be provided by law for the candodates for state offices of Oklahoma. The records of the votes for such candidates shall be made out and sworn to by the County Election Board of each County of the State, and returned to the State Election Board. Said Election Board shall transmit duplicate copies of such returns to the Legislative Assembly at its next ensuing session, one of which shall be addressed to the Senate, and the other to the House of Representatives of the State of Oklahoma, one copy of which shall be delivered by him to the President of the Senate and the other to the Speaker of the House of Representatives, after organization of such bodies, the officers of which shall open and lay the same before the separate houses when assembled, to elect a Senator in Congress as now required by the laws of the United States; and it shall be the duty of each house to count the votes and announce the candidate having received the

highest number and record the same on the Journal; and thereupon the House shall proceed to the election of a Senator as required by the Act of Congress.

Section 2. That Section 11 of Article 2 of Chapter 31, Session Laws of 1907 and 1908 be amended to read as follows:

Section 11. All nominating petitions for Presidential electors, United States Senators, Representatives to Congress, State Officers, Members of the Senate, and House of Representatives, District Judges, and for all other offices for which the electors of the entire State, or subdivision thereof, greater than a County, are entitled to vote, shall be filed with the Secretary of the State Election Board. All nominating petitions for county and township offices or officer for which the electors of a subdivision of a county are entitled to vote, shall be filed with the Secretay of the County Election Board.

Provided that all nominating petitions for members of the Senate and House of Representatives shall be accompanied by one of the following two statements:

Statement No. 1. If I am nominated and elected, during my term of office I will always vote for that candidate for United States Senator in Congress who has received the highest number of the peoples votes for that position at the general election next preceding the election of a Senator in Congress, without regard to my individual preference.

. . . . . .

(Signature of candidate for nomination.)

If the candidate shall be unwilling to sign the above statement he may sign the following to accompany his nominating petition.

Statement No. 2. During my term of office I shall consider the vote of the people for United States Senator in Congress as nothing more than a recommendation, which I shall be at liberty to wholly disregard, if the reason for doing so seems to me to be sufficient.

. . . . . .

(Signature of candidate for nomination.)

Senator Mitchell arose to the point of order that notice had not been given in the Committee of the Whole.

The President over-ruled the point of order.

Senator Williams was called to the Chair.

A message was received from the House transmitting the enrolled copies of Senate Bill No. 9 and Senate Concurrent Resolution No. 23 signed by the Speaker.

The question being, shall Senate Bill No. 179 be recommitted with instructions, the roll being called, the vote resulted as follows:

Yeas: Messrs. Brownlee, Chapman, Cloonan, Colville, Curd, Hatchett, Warren, Potter, Stafford, Updegraff, and Yeager. Total 11.

Nays: Messrs. Allen, Cordell, Davis, Denton, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Smith, Strain, Soldani, Taylor, Thomas, Williams and Wynne. Total 22.

Absent and excused: Messrs. Beeler, Billups, Blair, Cunningham, Echols, Franklin, Memminger, Russell, Stewart, and Sorrells. Total 10.

The President declared the motion to recommit with instructions had lost.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams and Wynne. Total 27.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Warren, Potter and Updegraff. Total 10.

Absent and excused: Messrs. Echols, Hatchett, Memminger, Russell, Stewart and Yeager. Total 6.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Mitchell, Memminger, Moore, Morris, Newell, Roddie, Redwine, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Warren, Potter and Updegraff. Total 9.

Absent and excused: Messrs. Beeler, Echols, Russell, and Stewart. Total 4.

The President declared the emergency section, having received a two-thirds majority had passed.

Senator Taylor moved to reconsider the vote by which the bill had passed.

Senator Billups moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken, the President declared the motion to lay on the table had prevailed.

Senator Taylor moved to reconsider the vote by which the emergency section to Senate Bill No. 179 had passed.

Senator Billups moved to lay the motion to reconsider the vote by which the emergency section to Senate Bill No. 179 had passed on the table.

Vote was taken the President declared the motion to lay on the table prevailed.

Consideration of Senate Joint Resolution No. 8 was taken up.

The Special Committee reported as follows:

Mr. President: We, your Special Committee to whom was referred Senate Joint Resolution No. 8, by Mr. Taylor, beg leave to report that the resolution as amended be adopted. The amendments offered by your committee are set forth in the amended re-draft of said Resolution.

,On motion of Senator Taylor, the special committee report was adopted.

Senate Joint Resolution No. 8 as amended was read as follows:

Senate Joint Resolution No. 8 by Mr. Taylor, "Authorizing the submission of a constitutional amendment limiting restrictions on the right of suffrage."

Be It Resolved, By the Senate, the House of Representatives concurring therein: The proposition following, to-wit: "No tax receipt in excess of two dollars and no other property qualification shall ever be made a pre-requisite for registering or voting. Other limitations upon the right of suffrage may be adopted, providing all such other qualifications for voting which may hereafter be prescribed by the Legislature, or by the people, shall be in accord with the Fifteenth Amendment to the Constitution of the United States." is hereby submitted as a proposed amendment to the Constitution of the State of Oklahoma for ratification or rejection at the general election of 1910.

Be It Further Resolved, The foregoing proposed amendment shall be printed upon all ballots upon which appears the names of political party nominees for state offices and same shall appear upon such ballots immediately after the list of names to be voted for as candidates for state offices and immediately preceeding the names of candidates for District offices, and immediately following such proposed amendment shall be the words "For the proposed amendment." And be it further

Resolved, That every voter desiring to vote for the amendment shall allow the words "For the proposed amendment" to stand unerased and unmarked, and all such ballots shall be counted for the amendment, and all voters desiring to vote against such amendment shall erase the words "For the amendment" with a blue pencil mark, and all such ballots shall be counted against the amendment. All ballots voted in such general alection, upon which appears the said proposed amendment, shall be counted for the adoption of said proposed amendment unless the said words, "For the proposed amendment" be stricken out as aforesaid.

Senator Taylor moved that Senate Joint Resolution No. 8 be adopted as amended by the special committee.

Senator Graham arose to the point of order that the time for recess had arrived.

Senator Mitchell asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 371 by Mr. Mitchell, "An Act to legalize the incorporation of the town of Shattuck, in the County of Ellis, State of Oklahoma, and to legalize the election of the Trustees and all other officers of the said town, and their actions and doings as such officers, and for other purposes."

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President Pro Tem, Mr. Graham.

The President announced a quorum present.

The Committee on Revenue and Taxation reported, recommending that House Bill No. 443 do pass as amended.

Report received.

Senator Beeler asked unanimous consent to cast his vote on Senate Bill No. 179.

Request granted.

Senator Beeler voted "No" on Senate Bill No. 179.

The Committee on Appropriations reported, recommending that Senate Bill No. 365 do pass.

Report received.

The Committee on Appropriations reported, recommending that Committee Substitute No. 1 for House Bill No. 91 and Committee Substitute No. 2 for House Bill No. 91, do pass as amended.

Report received.

The Committee on Appropriations reported, recommending that House Bills Nos. 155 and 387 do pass as amended.

Report received.

The Committee on Appropriations reported, recommending that House Bill No. 336 and Senate Bill No. 268 do pass.

Report received.

House Bill No. 65 was read the fourth time at length.

Senator Taylor moved that House Bill No. 65 be returned to the House so that the title could be amended to conform with the bill.

Vote was taken. The President declared the motion prevailed.

Senator Goulding asked unanimous consent to correct the Journal of the 52d day's session, same being the Journal of February 25, 1909.

Unanimous consent was granted.

Senator Billups asked unanimous consent to have House Bill No. 177 withdrawn from the Committee on Agriculture, Quarantine and Animal Industry and referred to the Committee on Legal Advisory.

Request granted.

The Senate went into the Committee of the Whole to consider Revenue Bills.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Concurrent Resolution No. 20 by Mr. Anthony, signed by the Speaker.

House Concurrent Resolution No. 20 by Mr. Anthony, was read at length.

Senator Thomas moved the adoption of the resolution.

Vote was taken. The President declared the resolution had been adopted.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House refuses to recede from its amendments to Senate Bill No. 2 by Mr. Keys, and asks for a conference on same.

A message was received from the House transmitting the engrossed copies of House Bills Nos. 289, 322 and 461 signed by the Speaker, which were read the first time as follows:

House Bill No. 289 by Messrs. Lincoln and Dixon, "An Act creating a new judicial district to be known as the twenty-second judicial district."

House Bill No. 322 by Messrs. Japp and Burnette, "An Act making an appropriation for the purpose of paying the necessary expenses incurred by the County election officers in the election held September 17, 1907, and declaring an emergency."

House Bill No. 461 by Mr. Burnette, "An Act amending Section 8 of

Article 5, of Chapter 10 of the Session Laws of 1905 and declaring an emergency."

The Committee of the Whole resumed business.

The Committtee of the Whole reported, having had under consideration House Bill No. 168 report progress and ask leave to sit again.

Report received.

Senator Billups asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 372 by Messrs. Franklin, Billups, and Taylor, "An Act to provide for the calling of special elections under the initiative and referendum powers reserved to the people by the Constitution."

The Committee on Commerce and Labor reported, recommending that House Bill No. 173 do pass.

Report received.

Senator Soldani asked to have Senate Bill No. 369 withdrawn from the Committee on State and County Affairs and referred to the Committee on Judiciary No. 2.

Request granted.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 290 do pass.

Report received.

A communication from Senator Stewart was read.

Senator Taylor asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 373 by Mr. Taylor, "An Act authorizing the Commissioner of Labor to establish a Branch Free Employment Agency on the East side of this State, etc."

A message was received from the Governor and read as follows:

Guthrie, March 2, 1909.

To the Honorable Legislature:

Amended Senate Bill No. 1 by Senators Eggerman, Cordell and Morris and by Representatives Casteel and Maxey, has this day been approved by me.

The great importance of this subject to the people of the State I believe warrants further mention.

In the first place I may be pardoned, which every member of the Legislature, as well as the Governor, is entitled to, that is to have his individual opinion on all questions.

For myself I had hoped for a bill for the sale of all the public lands of the State.

I am strictly opposed to the tenantry system.

I believe that home owners are far more to be desired than home renters.

I believe that the lessees have helped largely to make the values that now attach to these lands, and are entitled to liberal consideration.

I believe the State will derive more benefit from taxes and interest on proceeds than can ever be derived from the rental system.

These being my personal views of the question, I contended in the

Constitutional Convention for a provision authorizing the people or the Legislature to provide for the sale of the lands.

At the first session of the Legislature, I urged such legislation. Failing in that I called a public meeting, open to all the citizens of the State who cared to participate, met with them and helped prepare a bill which was initiated and voted upon at the last election, and I believe for want of a clear understanding of its provisions, the bill failed to receive a majority of votes cast.

I can understand, however, that your honorable body has fairly assumed, from the expression of public opinion, that your bill for the present sale of substantially fifty-six per cent of the acreage, and of the classes of land designated, will meet the approval of the great majority of our people, and further that the indemnity lands are in such large bodies as to render local government and development almost impossible until these large bodies of land are vested in individual owners, also that the needs of the State for public buildings makes the sale of the public building lands a necessity.

Also I believe fully that the experience of the State even within the next year, in the sale of the lands you have authorized to be sold, and the continued use of the funds derived from the proper classes thereof in aiding our farmers with farm loans at low rates, will convince the people that at an early date it will be best to sell the remainder of the lands.

For all these reasons above given I approve this bill, and express the hope that its operation may be so satisfactory to your honorable body and to the people of our state that at an early date they may provide for the sale of the remainder thereof.

As to the consideration given the lesees under this bill, I can only say, that, while personally I would favor some further concessions, yet I believe that time will tend to produce less favorable consideration.

Respectfully submitted,

C. N. HASKELL,

Governor.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by Acting President Pro Tem. Mr. Russell.

The President announced a quorum present.

Senator Keys called up the message from the House in regard to the amendments to Senate Bill No. 2.

Senator Keys moved that the Senate agree to the request of the House asking for a conference committee on Senate Bill No. 2.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Keys, Thomas, and Graham as such Committee.

The Journals of the 52d and 56th day's session were approved as amended.

President Pro Tem, Mr. Graham, signed the engrossed copy of House

Concurrent Resolution No. 20, same was ordered transmitted to the House.

President Pro Tem. Mr. Graham signed the engrossed copy of Senate Bill No. 179, same was ordered transmitted to the House.

Senator Billups moved that the Calendar Clerk be instructed to place all bills reported out of the Committees on the Calendar.

Senator Blair asked unanimous consent to withdraw Senate Bill No. 43 from further consideration as it had been consolidated with Senate Bill No. 173 by Mr. Williams.

Request granted.

The Senate went into the Committee of the Whole to consider general revenue bills.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Senate Bill No. 161 as amended by the House; signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration House Bill No. 168 report progress and ask leave to sit again.

Report received.

Senate Bill No. 199 by Mr. Echols, was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, soldani, Sorrells, Thomas, Williams and Yeager. Total 32.

Nays: Messrs. Beeler, Cloonan and Colville. Total 3.

Absent and excused: Messrs. Billups, Echols, Warren, Moore, Stewart, Taylor, Updegraff, and Wynne. Total 8.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Chapman, Colville, Cordell, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Roddie, Strain, Soldani, Sorrells and Williams. Total 22.

Nays: Messrs. Beeler, Blair, Cloonan, Cunningham, Graham, Potter, Redwine, Russell, Smith, Stafford, Thomas, Wynne and Yeager. Total 13.

Absent and excused: Messrs. Echols, Brownlee, Warren, Moore, Newell, Stewart, Taylor and Updegraff. Total 8.

The President declared the emergency, having failed to receive a two-thirds majority, had lost.

The title of the bill was agreed to.

Senate Bill No. 122 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitch-

ell, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 36.

Nays: None.

Absent and excused: Messrs. Echols, Warren, Moore, Roddie, Stewart, Taylor and Updegraff. Total 7.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 373 was read the third time at length.

Senator Hatchett offered the following amendment: Strike out $3600 and insert in lieu thereof $3000.

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Cloonan, Curd, Hatchett, Keys, Landrum, Memminger, Potter, Russell, Strain, Sorrells, Williams and Wynne. Total 14.

Nays: Messrs. Allen, Beeler, Billups, Chapman, Colville, Cordell, Cunningham, Denton, Eggerman, Graham, Goulding, Mitchell, Morris, Newell, Redwine, Smith, Stafford, Soldani, Thomas and Wynne. Total 20.

Absent and excused: Messrs. Davis, Echols, Franklin, Warren, Moore, Roddie, Stewart, Taylor and Updegraff. Total 9.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Cordell, Curd, Denton, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Davis, Echols, Franklin, Warren, Moore Roddie, Stewart, Taylor and Updegraff. Total 9.

The President declared the bill passed.

The question being ,shall there be an emergency declared, the roll being called on the emergency section, the vote rsulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 36.

Nays: None.

Absent and excused: Messrs, Echols, Franklin, Moore, Roddie, Stewart Taylor and Updegraff. Total 7.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Redwine moved to reconsider the vote by which the bill had passed.

Senator Redwine moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken. The President declared the motion prevailed.

Senator Redwine moved to reconsider the vote by which the emergency section had passed.

Senator Redwine moved to lay the motion to reconsider the vote by which the emergency section had passed on the table.

Vote was taken. The President declared the motion prevailed.

The title of the bill wwas agreed to.

The bill was ordered engrossed as amended.

Senate Bill No. 229 ws read at length the third time.

Senator Stafford offered the followin gamendment:

After the word "State" in line 7 add the following words, "Nor more than five miles from one of the established cities of the State."

Vote was taken. The President declared the amendment lost.

Senator Stafford offered the following amendment: Strike out sixteen and insert nine.

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Colville, Curd, Denton, Graham, Goulding, Hatchett, Morris, Redwine, Smith, Stafford, Soldani, Sorrells and Updegraff. Total 13.

Nays: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Davis, Eggerman, Warren, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Russell, Strain, Thomas and Williams. Total 22.

Absent and excused: Messrs. Echols, Franklin, Moore, Roddie, Stewart, Taylor, Wynne and Yeager. Total 8.

The President declared the amendment lost.

Senator Redwine offered the following amendment: Poge 9, Section 1, strike out all of said subdivision "I" of said section 1.

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Chapman, Colville, Denton, Graham, Goulding, Hatchett, Landrum, Memminger, Redwine, Stafford, Soldani, Sorrells and Wynne. Total 15.

Nays: Messrs. Billups, Brownlee, Cloonan, Cordell, Cunningham, Curd, Davis, Eggerman, Warren, Keys, Mitchell, Morris, Newell, Russell, Strain, Thomas and Yeager. Total 17.

Absent and excused: Messrs. Beeler, Echols, Franklin, Moore, Potter, Roddie, Smith, Stewart, Taylor, Updegraff and Williams. Total 11.

The President declared the amendment lost.

Senator Goulding offered the following amendment: Strike out 50 and insert 100.

Vote was taken. The President declared the amendment lost.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cloonan, Chapman, Colville, Cordell, Curd, Denton, Eggerman, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Stafford, Strain, Soldani, Thomas, Williams and Yeager. Total 24.

Nays: Messrs. Beeler, Cunningham, Graham, Goulding, Warren, Potter, Redwine, Sorrells and Wynne. Total 9.

Absent and excused: Messrs. Brownlee, Davis, Echols, Franklin, Moore, Roddie, Smith, Stewart, Taylor and Updegraff. Total 10.

The President declared the bill passed.

Senator Russell moved to reconsider the vote by which the bill had passed.

Senator Russell moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken. The President declared the motion prevailed.

House Bill No. 150 was read the third time at length.

The question being, shall the bill pass the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Cloonan, Echols, Franklin, Moore, Roddie, Smith, Stewart, Taylor and Updegraff. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne, Warren and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Echols, Franklin, Moore, Roddie, Smith, Taylor, Stewart and Updegraff. Total 8.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

Senator Denton moved to reconsider the vote by which the bill passed.

Senator Denton moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken. The President declared the motion prevailed.

Senator Denton moved to reconsider the vote by which the emergency section had passed.

Senator Denton moved to lay on the table the motion to reconsider the vote by which the emergency section had passed.

Vote was taken. The President declared the motion had prevailed.

Senate Bill No. 211 was read the third time at length.

The question being, shall the bill pass the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman,

Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Echols, Franklin, Graham, Moore, Roddie, Stewart, Taylor and Updegraff. Total 8.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 265 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Echols, Franklin, Moore, Roddie, Smith, Stewart, Taylor and Updegraff. Total 8.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called on the emergency section, the vote resulted as follows:

Yas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Echols, Denton, Franklin, Moore, Roddie, Smith, Stewart, Taylor and Updegraff. Total 9.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Potter moved to reconsider the vote by which the bill had passed.

Senator Potter moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken. The President declared the motion prevailed.

Senator Potter moved to reconsider the vote by which the emergency section had passed.

Senator Potter moved to lay the motion to reconsider the vote by which the emergency section had passed on the table.

Vote was taken. The President declared the motion prevailed.

The title of the bill was agreed to.

Senate bill No. 173 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Graham .Goulding, Hatchett, Warren, Keys, Landrum, Memminger Mitchell, Morris, Newell, Potter, Red-

wine, Russell, Stafford, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Cloonan, Denton, Echols, Franklin, Moore Roddie, Smith, Stewart, Taylor and Updegraff. Total 10.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Strain, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager Total 30.

Nays: Messrs. Brownlee, Russell, Warren and Stafford. Total 4.

Absent and excused: Messrs. Denton, Echols, Franklin, Moore, Roddie, Smith, Taylor, Stewart and Updegraff. Total 9.

The President declared the emergency section, having received a two-thirds majority had passed.

Senator Williams moved to reconsider the vote by which the bill had passed.

Senator Williams moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken. The President declared the motion prevailed.

Senator Williams moved to reconsider the vote by which the emergency section to Senate Bill No. 173 had passed.

Senator Williams moved to lay the motion to reconsider the vote by which the emergency section had passed on the table.

Vote was taken the President declared the motion prevailed.

The Committee on Public Buildings reported, recommending that House Bills Nos. 25 and 236 do pass.

Report received.

The Senate adjourned until 9:30 A. M. Wednesday, March 3d. 1909.

SENATE JOURNAL.

FIFTY-EIGHTH DAY.

Wednesday, March 3, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 42.

Absent: Mr. Stewart. Total 1.

The President announced a quorum present .

Prayer by the Chaplain.

A message was received from the Governor and read as follows:

Guthrie, March 2, 1909.

To the Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved House Joint Resolution No. 6, "Providing for the disposition of money received by the State Treasurer from the United States Government for the benefit of the Public Schools and Public Roads, and Forest Reserves."

Also Senate Bill No. 11, by Mr. Franklin, entitled "An Act to carry into effect Sections 3, 4, and 5 of Article 23 of the constitution relative to the employment of children, limiting the age when children can be employed and prohibiting their employment in certain occupations; to prescribe the duty of parents and others with reference to the employment of children, and to provide penalties for the violation of the provisions of this Act."

Respectfully submitted,

C. N. HASKELL,

Governor.

A message was received from the Governor and read as follows:

Guthrie, March 2, 1909.

To the Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved House Bill No. 286, being "An Act to provide for the appointment of a State Board of Examiners, and for the examination and registration of nurses, and to provide penalties for the violation thereof."

Also House Bill No. 88, being "An Act amending section 4 of Atricle 3, of House Bill No. 615, same being, Article 1, of Chapter 6 of the Session Laws of Oklahoma, 1907-08."

Also House Concurrent Resolution No. 18, ordering the State Auditor to issue his warrant on the State Treasurer for the payment of $1701.80, Legislative expenses.

Also House Bill No. 33, being "An Act perpetuating the Criminal Court of Appeals, defining its duties, powers, and jurisdiction."

Respectfully submitted,

C. N. HASKELL,
Governor.

Senator Billups was called to the Chair.

The following bills were read the second time and referred to the following Committees:

Senate Bill No. 371 by Mr. Mitchell, to Committee on Judiciary No. 2.

House Bill No. 289 by Messrs. Lincoln, and Dixon, to Committee on Judiciary No. 2.

House Bill No. 322 by Messrs. Japp and Burnett, to Committee on Judiciary No. 2.

House Bill No. 461 by Mr. Burnett, to Committee on Legal Advisory.

Senate Bill No. 372 by Messrs. Franklin, Billups and Taylor, to Committee on Privileges and Elections.

Senate Bill No. 373 by Mr. Taylor, to Committee on Commerce and Labor.

Senate Joint Resolution No. 20 by Mr. Memminger, to Committee on Legal Advisory.

A message was received from the House transmitting the engrossed copy of Senate Concurrent Resolution No. 24 as amended by the House and signed by the Speaker.

Senate Concurrent Resolution No. 24 was read as amended by the House.

Senator Blair moved that the Senate do not agree to the House amendment to Senate Concurrent Resolution No. 24.

Vote was tagen. The President declared the Senate had not agreed to the House amendments to Senate Concurrent Resolution No. 24.

House Bill No. 387 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Cloonan, Colville, Cordell, Cunningham, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Warren, Keys, Memminger, Mitchell, Morris, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 32.

Nays: Messrs. Brownlee and Curd. Total 2.

Absent and excused: Messrs. Chapman, Echols, Hatchett, Landrum, Moore, Newell, Stafford, Stewart and Updegraff. Total 9.

The President declared the bill passed.

Senator Redwine withdrew his motion that he had lodged to reconsider the vote by which House Bill No. 134 had passed.

President Pro Tem, Mr. Graham, signed engrossed copies of Senate Bills Nos. 229, 199, 265, 211 and 122, same were ordered transmitted to the House.

The Committee on Privileges and Elections reported, recommending that Senate Bill No. 372 do pass.

Report received.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole arose temporarily and the President, Mr. Bellamy, signed the engrossed copy of Senate Bill No. 173 the same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily and the President, Mr. Bellamy, signed the engrossed copies of House Bills Nos. 150, 134, and 387, same were ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 39—96 signed by the Speaker.

House Substitute Bill No. 39—96 by Messrs. Putnam and Smith, "An Act declaring section lines public highways and prescribing the manner of opening same to the public, etc." was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration House Bill No. 168, report progress and ask leave to sit again.

Report received.

Senator Taylor called up his motion to reconsider the vote by which the emergency section to Senate Bill No. 5 had lost.

The question being, shall the vote be reconsidered.

Vote was taken. The President declared the vote had been reconsidred.

The question being, shall there be an emergency section declared to Senate Bill No. 5; the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Beeler, Brownlee, Chapman, Colville, Cunningham, Curd, Potter and Updegraff. Total 8.

Absent and excused: Messrs. Cloonan, Warren, Newell and Stewart. Total 4.

The President declared the emergency having received a two-thirds majority, had passed.

Senator Taylor moved to have the following bills placed upon the Calendar: House Bills Nos. 87, 362 and 242; Senate Bills Nos. 337, 352, and 83.

After discussion Senator Landrum moved the previous question.

The question being shall the previous question prevail.

Vote was taken. The President declared the motion lost.

Vote was taken and the original motion carried.

President, Mr. Bellamy, signed the engrossed copies of House Bill No. 373 and Senate Bill No. 5, the same were ordered transmitted to the House.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

The President announced a quorum present.

Senator Redwine asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 374 by Mr. Redwine, "An Act to require the Supreme Court to give its opinion upon important questions and upon solemn occasions, and declaring an emergency."

The Committee on Banks and Banking reported, recommending that Senate Bill No. 256 do pass.

Report received.

The Conference Committee reported as follows:

Guthrie, Oklahoma, March 3, 1909.

Committee Room of Committee on Conference:

Mr. President: We, your Conference Committee, to whom was referred House Bill No. 223, by Mr. Charles, entitled "An Act to amend Section 2 of Article 10 of Wilson's Revised and Annotated Statutes, Section 625 relating to cemeteries," beg leave to report that we have considered the same, and report as follows:

The Senate agrees to recede from Senate amnedments on the same. We recommend that the report be adopted.

EGGERMAN,	HARRISON,
REDWINE,	CHARLES.
CUNNINGHAM.	BELL.
Senate Committee.	House Committee.

Senator Cunningham moved the adoption of the report.

Vote was taken. The President declared the report had been adopted.

The Committee on Judiciary No. 1 reported, recommending that Senate Bill No. 371 do pass.

Report received.

The Special Codifying Committee reported as follows:

To The Honorable Senate and House of Representatives:

We, the members of the Joint Codifying Committee of the First Lagislature, appointed by the President of the Senate and Speaker of the House of Representatives, to edit and prepare for publication the Session Laws of the First Legislature in pursuance to Senate Concurrent Resolution No. 10, which Resolution is in words as follows:

Senate Concurrent Resolution No. 10, by Messrs. Hatchett, Memminger and Franklin, "Resolved by the Senate of the State of Oklahoma, the House of Representatives concurring therein:

That the Joint Codifying Committee appointed by the President of the Senate and the Speaker of the House of the first Legislature, to edit and prepare for publication the Session Laws of the First Legislature, be requested to report to the Senate and House of Representatives as soon as practicable, the number of days they served; the number of employees who assisted them, together with their names and the length of time each served and compensation received. Also to report the character of service rendered by the Committee, and such other information as might be pertinent and valuable in the promulgation of the Session Laws of this State in the future."

Said Joint Codifying Committee met in Guthrie, on the twenty-ninth day of May, 1908, and perfected organization by electing Senator Thomas Chairman, and Representative Bryan Secretary.

Said Committee, after organization, employed from time to time as the work demanded, the hereinafter named employees as shown in Exhibit "A". The membership of said Committe eserved fifty-five days (55) and received as compensation therefor the sum of Six ($6.00) Dollars per day as shown in Exhibit "B."

Said Committee's work consisted of a comparison of practically all of the enrolled bills with the original and engrossed copies thereof as passed by the First session of the Legislature, and in order to make such comparisons it was necessary to secure said original and engrossed copies. Said Committee found the original and engrossed copies of House Bills dumped promiscuously in a box in the chamber of the House of Representatives with the original of all bills introduced in said House. Much time was required in sorting out the original and engrossed copies so that comparisons could be made with the enrolled bills; said comparisons were made necessary, in the opinion of the Committee, for the reason that current reports and leading newspapers of the State were printing that in the rush of business in the closing days of the last session of the Legislature, the enrolled copies of many bills were not a true reflex of the Acts of the Legislature.

About two hundred and sixteen bills and Resolutions were passed by the First Legislature, therefore it necessarily consumed a number of days to make a sufficient comparison to satisfy the minds of the Committee. After said comparison had been made, the Committee had five typewritten copies of all enrolled bills and resolutions made. One copy, with side notes, was furnished to the printing establishment which had the contract for printing the session laws; another copy was furnished to the Secretary of State for the use of the Committee appointed by the Supreme Court to codify and edit the general laws of the State; the other copies were used by the members of the Committee in the work of indexing and preparing marginal notes. Owing to the great demand from every part of the State for copies of many of the laws, including the primary and general election laws, the stenographic force of the Codifying Committee were called upon, and did furnish copies of many of the bills, which necessitated a re-copying several times of many important bills. It was then necessary to compare said typewritten copy with the enrolled bill, which necessarily consumed much time. After said typewritten copy had been compared with

the enrolled bill, the Committee apportioned the work among its membership for the purpose of side noting and indexing. The two hundred and sixteen bills and resolutions had to be classified and arranged in chapters and articles. The matter of indexing consumed as much as ten days time continuous work of two members of the Committee and one Stenographer.

The volume contains the personel of the various branches of the State Administration, together with the personel of the Senate and House of Representatives with a brief byographical data relating to each member, which had to be prepared with care at the expense of considerable time.

The work of the Committee was prolonged for at least ten days by reason of the fact that the printing company which first had the contract to print and bind the session laws, refused to do the work after a vast volume of the copy, furnished by the Committee, had been delivered to said company. Further delay was occasioned on the part of the Committee, awaiting new contract to be made by the State Printing Board for the printing of the Session Laws. Further delay was occasioned the Committee by the incapacity of the printing company which contracted to print the session laws. After all of the copy had been furnished the Printing Company, the proof was slow in being returned, which necessitated the employment by the Committee of an expert proof reader. The Committee deemed it wise to not longer remain at Guthrie at the expense of the State, therefore employed an expert proof reader and paid for his services personally which amountted to seventy-three dollars.

The Committee employed the following clerks and stenographers who served for the number of days and at the per diem as indicated in Exhibit "A", attached hereto and made a part hereof.

The members of the Committee served fifty-five days and received six dollars per day for the time served—the members of the Committee and the employees thereof, received no pay for Sundays, no member of the Committee received mileage.

All work of the Committee and employees thereof, had been paid for out of the funds remaining from the Legislative Appropriation, except as shown in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

The Committee found it necessary to purchase supplies consisting of typewriter paper, carbon and typewriter ribbon, and other necessary supplies, which it purchased of Simon and Meyer of Oklahoma City, to the amount of $88.63 which said amount was paid, upon the voucher of said Committee, out of the funds remaining from the Legislative Appropriation.

Exhibit "A".

The following amounts were paid clerks and stenographers, by the Codifying Committee:

Ham P. Bee, 14 days at $5.00 per day	$ 70 00	
15 days at $6.00 per day	90 00	$160 00
Jeanette Collar, 39 days at $5.00 per day	195 00	195 00
P. P. Duffy, 7 days at $5.00 per day	35 00	
45 days at $6.00 per day	270 00	305 00

Eva Seamans, 40 days at $5.00 per day	200 00	200 00
Gertrude Pattison, 11 days at $5.00 per day	55 00	55 00
L. I. Baker, 3 days at $5.00 per day	15 00	15 00
Grace Harman, 3 days at $5.00 per day	15 00	15 00
Mrs. M. S. Powers, 2 days at $5.00 per day	10 00	10 00
Total amount paid		$355 00

The following amounts are approved and due the following:

Jeanette Collar, 51 days at $5.00 per day	$255 00
E. G. Seamans, 31 days at $5.00 per day	155 00
Total amount due	$410 00

Exhibit "B".

The following amounts were received by members of said Committee:

Milton Bryan, 55 days at $6.00 per day	$330 00
J. R. McCalla, 41 days at $6.00 per day	246 00
J. Elmer Thomas, 55 days at $6.00 per day	330 00
J. C. Graham, 55 days at $6.00 per day	330 00
Total	$1,236 00

The following amounts are approved and unpaid:

J. R. McCalla, 14 days at $6.00 per day	$ 84 00
J. C. Graham, for services of expert proof reader paid to H. C. Olds	73 00
Total due and unpaid	$157 00

Recapitulation.

The Committee has authorized to be paid for services the following sums:

To the members of said Committee	$1,236 00	
To clerks and employees	955 00	
To supplies	88 63	$2,279 63

The Committee, after the appropriation above mentioned was exhausted, authorized the payment to:

J. R. McCalle	$ 84 00	
Eva G. Seamans	155 00	
Jeanette Collar	255 00	$494 00
The Committee paid H. C. Olds, expert proof reader, and holds his receipt in the sum of	$73 00	$73 00
Total amount expended and authorized to be expended		$2,846 63

J. ELMER THOMAS, Chairman.
MILTON BRYAN, Secretary.
J. C. GRAHAM,
J. R. McCALLA.

Senator Memminger moved that the report be received and made a part of the permanent Journal.

Vote was taken. The President declared the motion prevailed.

Senator Taylor moved that the numbers of the bills enumerated this morning be placed upon the calendar and made a special order for next Monday at 2 P. M.

Senator Russell moved to substitute Tuesday instead of Monday.

Senator Graham moved to lay the motion of Senator Taylor on the table.

Senator Taylor called for a call of the Senate.

The question being, shall there be a call of the Senate.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Colville, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Cloonan and Cordell. Total 2.

Absent and excused: Messrs. Billups, Chapman, Echols, Memminger, Moore, Stafford, Stewart and Sorrells. Total 8.

The President declared the motion prevailed.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House adheres to its amendments to Senate Bill No. 2 by Mr. Keys and asks for a conference on same. The House has appointed Representatives Bryan, Jahn and Mathis, as such conference Committee on the part of the House, and asks that the Senate appoint a like committee.

A message from the House was read as follows:

Mr. President: I am directed by the House to inform the Senate that the House adheres to its amendments to Senate Concurrent Resolution No. 24 and asks for a conference in relation thereto. The House appointed Messrs. Bryan, Durant and Wilson as such committee on the part of the House and asks that the Senate appoint a like committee.

On motion of Senator Blair, the request of the House was granted.

The President appointed Messrs. Blair, Graham and Billups as such committee.

A message was received from the House as follows:

Mr. President: I am directed by the House to inquire of the Senate the status of House Bill No. 246 by Mr. Rogers.

The Senate went into the Committee of the Whole to consider the General Revenue Bill.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to request the Senate that there be furnished the House a complete list of Senate amendments to Senate amended House Bill No. 373 as there are amendments in the amended Senate Bill which do not appear in the attested list of amendments.

The request of the House was granted.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message

from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House agrees to the Senate amendments to House Bill No. 150 and that the Speaker has signed the same.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 39 as amended by the House and signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bills Nos. 311 and 446, signed by the Speaker, Pro Tem. The same were read the first time as follows:

House Bills Nos. 446, by Mr. Watson, "An Act making an appropriation for maintenance of the Oklahoma Historical Society from June 1st, 1909 to June 1st, 1911."

House Bill No. 311 by Mr. Hughes, "An Act making an appropriation for Building, Equipage, and Current and Contingent expenses of the Whitaker State Home, etc."

Senator Roddie moved that the Senate do not agree to the House amendments to Senate Bill No. 39 and ask for a conference committee.

Senator Cloonan offered as a substitute that the bill be referred to the Committee on Banks and Banking.

Vote was taken. The President declared the substitute lost.

Vote was taken on the original motion. The President declared the motion prevailed.

The Secretary was instructed to ask the House to recede from its amendments to Senate Bill No. 39 and ask for a conference committee to be appointed on the same.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of House Bill No. 65 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration Senate Bill No. 168, report progress and ask leave to sit again.

Report received.

Senator Taylor asked unanimous consent to be allowed to present the following motion in lieu of his motion of this morning.

Request granted.

Senator Taylor offered the following motion:

"I move that the Committee on Public Buildings be directed to report on all public building and public institution bills, referred to said committee, prior to 10 o'clock A. M. Monday, March 8, 1909, and that all bills so reported by said committee be made a special order for 10 o'clock A. M. Monday, March 8th, 1909 and that said bills be considered in the order to be designated by the steering committee.

Senator Davis offered to amend by making the date Tuesday instead of Monday.

Vote was taken. The President declared the amendment lost.

Vote was taken on the motion of Senator Taylor. The President declared the motion carried.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to Senate amendments to House Bill No. 134 by Mr. Ross.

On motion of Senator Taylor the call of the Senate was raised.

The Committee on Public Buildings reported, recommending that House Concurrent Resolution No. 19 do pass so far as it relates to the House Bills.

The question being, shall House Concurrent Resolution No. 19 pass as amended by the Senate.

Vote was taken. The President declared the resolution had passed as amended.

On motion of Senator Blair, the Senate agreed to the House amendments to Senate Bill No. 161.

A message was received from the House as follows:

Mr. President: The House insists on its amendments to Senate Bill No. 39, by Mr. Roddie.

A message was received from the House transmitting the enrolled copy of House Bill No. 134, signed by the Speaker.

The question being, shall Senate Bill No. 161 pass as amended by the House, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: Messrs. Brownlee and Chapman. Total 2.

Absent and excused: Messrs. Beeler, Cloonan, Denton, Warren, Keys, Moore, Morris, Potter and Stewart. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Franklin, Graham, Hatchett, Landrum, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Beeler, Cloonan, Denton, Goulding, Warren, Keys, Moore, Morris and Potter. Total 10.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Brownlee explains his vote on Senate Bill No. 161 as follows:

Mr. President: In explanation of my vote against Senate Bill No. 161 to amend the "Tax Ferrit" law I want to say that I vote "No" both on the passage of the bill and the emergency clause thereto for the reason that I am unalterably opposed to any system which will relieve the tax-dodger

on the one hand and give sanction to grafting and black-mailing on the other. I believe that the rich should pay taxes on all their property.

This amended bill proposes to relieve those who have been known as "tax-dodgers" for the last twenty years of Oklahoma's history.

I favor the collection of all back taxes but I want this done in a manner that will make the counties the beneficiaries rather than the grafters and black-mailers as has been the case in some counties.

The Bill with the amendments was ordered transmitted to the House.

Senator Roddie moved that with regard to the request of the House regarding Senate Bill No. 39 that the request be granted and that a conference committee be appointed.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Roddie, Strain and Thomas as such committee on the part of the Senate.

Senator Taylor called up Senator Allen's substitute for Senate Bill No. 266.

The question being, shall Senate Bill No. 266 pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Eggerman, Landrum, Newell, Redwine, Russell, Smith, Strain, Soldani, Sorrells, Taylor and Thomas. Total 18.

Nays: Messrs. Cunningham, Curd, Davis, Franklin, Graham, Goulding, Hatchett, Memminger, Mitchell, Stafford, Updegraff, Williams and Yeager. Total 13.

Absent and excused: Messrs. Beeler, Cloonan, Denton, Echols, Warren, Keys, Moore, Morris, Potter, Roddie, Stewart and Wynne. Total 12.

The President declared the bill lost.

Senator Williams explains his vote as follows: I vote "No" on Senate Bill No. 266 for the reason that I do not think that the public weigher is entitled to receoive more than 2 cents for each load weighed.

Senator Taylor lodged a motion to reconsider the vote by which the bill was lost.

President Pro Tem, Mr. Graham signed the engrossed copy of House Concurrent Resolution No. 19, as amended by the Senate, same was ordered transmitted to the House.

A message was received from the House, transmitting the engrossed copies of House Bills Nos. 431, 493, and 505 signed by the Speaker. The same were read the first time as follows:

House Bill No. 493 by Mr. Turner, "An Act providing for the holding of sessions of county court at Davis in Murray County."

House Bill No. 505 by Mr. Howe, "An Act providing for holding terms of the County Court of Noble County in the Town of Billings in the said County."

House Bill No. 431 by Mr. Hutchins, "An Act providing for holding County Court at the town of Lexington, Cleveland County."

The Committee on Legal Advisory reported, recommending that House Bill No. 461 do pass.

Report received.

The Committee on Commerce and Labor reported, recommending that Senate Bills Nos. 373 and 205 do pass.

Report received.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has appointed Messrs. Price, Anthony and Smith of Caddo County, as a committee on the part of the House to confer with a like committee from the Senate relative to Senate Bill No. 39, by Mr. Roddie.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate of the passage by the House, of House Concurrent Resolution No. 21, recalling House Bill No. 338 from the Governor, and signed by the Speaker Pro Tem.

House Concurrent Resolution No. 21 was read at length.

On motion of Senator Blair, the Resolution was adopted.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Concurrent Resolution No. 21, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole reported, having had under consideration House Bill No. 443, beg leave to report progress and ask leave to sit again; and as to House Bill No. 168 that same do pass as amended.

Report adopted.

A message was received from the House transmitting the engrossed copy of House Bill No. 532 signed by the Speaker.

House Bill No. 532 by Mr. Price, "An Act creating a separate Judicial District of the Counties of Washington and Osage, etc." was read the first time.

Senator Cunningham was excused until Thursday morning.

Senator Davis asked unanimous consent to have his vote recorded on Senate Bill No. 229.

Request granted.

Senator Davis voted "Yea" on Senate Bill No. 229.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by the President Pro Tem, Mr. Graham.

The President announced a quorum present.

A message was received from the House transmitting the engrossed copy of House Bill No. 435.

House Bill No. 435 by Mr. Maris, "An Act making an appropriation for the support and maintenance of the University Preparatory School at Tonkawa, etc.", was read the first time.

House Bills Nos. 65 and 134 were read the fourth time at length.

President Pro Tem. Mr. Graham, signed the enrolled copies of House Bills Nos. 65 and 134, same were ordered transmitted to the House.

The Senate went into the Committee of the Whole to consider unfinished business.

The Committee of the Whole reported, having had under consideration House Bill No. 443 recommend that the same do pass as amended.

Report received.

The Committee on Municipal Corporations reported, recommending that House Bill No. 401 do pass.

The Senate adjourned until 9:30 A .M., Thursday, March 4, 1909.

SENATE JOURNAL.

FIFTY-NINTH DAY.

Thursday, March 4th, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by Acting President Pro Tem, Mr. Williams.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Newell, Morris, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 42.

Absent: Mr. Stewart. Total 1.

The President announced a quorum present.

Prayer by the Chaplain.

The Journal of the 58th day's session was approved as corrected.

A message was received from the Governor and read as follows:

Guthrie, March 3, 1909.

To The Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved House Bill No. 348 being, "An Act providing for an appropriation for support and maintenance of the District Agricultural Schools located at Tishomingo, Oklahoma, and Warner, Oklahoma."

Also House Bill No. 460, being, "An Act providing for holding County Court at the town of Prague, in Lincoln County."

Respectfully submitted,

C. N. HASKELL,

Governor.

Bills read the second time and referred to the following committees:

Senate Bill No. 374 by Mr. Redwine, to Committee on Legal Advisory.

House Bill No. 39-96 by Messrs. Putnam and Smith, to Committee on Roads and Highways.

Committee Substitute for House Bill No. 311 by Mr. Hughes, to Committee on Appropriations.

House Bill No. 446 by Mr. Whitson, to Committee on Appropriations.

House Bill No. 431 by Mr. Hutchins, to Committee on Legal Advisory.

House Bill No. 435 by Mr. Maris, to Committee on Appropriations.

House Bill No. 493 by Mr. Turner to Committee on Legal Advisory.

House Bill No. 505 by Mr. Howe, to Committee on Legal Advisory.

House Bill No. 532 by Mr. Price, to Committee on Judiciary No. 2.

The Committee on Judiciary No. 2 reported, recommending that House Bills Nos. 369 and 138 do pass.

Report received.

On motion of Senator Davis Senate Bill No. 66 was withdrawn from further consideration.

Vote was taken. the President declared the motion prevailed.

By unanimous consent the Special Committee amendment to House Bill No. 168 was read and discussed.

Senator Hatchett asked to let the Committee bring in a further amendment along this same line.

Senator Blair moved that the Committee on Revenue and Taxation be directed to go over the amendments and see if the amendments were properly incorporated in the bill.

Vote was taken. The President declared the motion lost.

Senator Russell moved that the bill be put on third reading and final passage.

House Bill No. 168 was partly read.

Senator Billups moved to reconsider the vote by which House Bill No. 168 was placed on third reading.

Vote was taken. The President declared the motion prevailed.

Senator Billups moved that the bill be referred to the Committee on Revenue and Taxation.

Vote was taken. The President declared the motion prevailed.

The Senate went into the Committee of the Whole to consider appropriation Bills on the Calendar.

The Committee of the Whole reported, recommending that Senate Bills Nos. 372 and 170 do pass as amended and that Senate Bills Nos. 117, 246 and 220 do pass.

Report adopted.

On motion of Senator Colville the Senate recessed until 2 P. M.

Afternoon Session.

The Senate was called to order by Acting President Pro Tem, Mr. Williams.

The President announced a quorum present.

Senator Moore asked unanimous consent to have the rules suspended and that House Bill No. 97 be put on third reading and final passage.

Request granted.

House Bill No. 97 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Goulding, Warren, Memminger, Mitchell, Moore, Morris, Redwine, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Potter and Smith. Total 2.

Absent and excused: Messrs. Beeler, Blair, Denton, Echols, Eggerman, Graham, Hatchett, Keys, Landrum, Newell, Roddie, Russell, Stewart, and Updegraff. Total 14.

The President declared the bill passed.

Senator Yeager asked unanimous consent to have the rules suspended

and that House Bill No. 369 be placed upon third reading and final passage.

Request granted.

House Bill No. 369 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Franklin, Goulding, Warren, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwnie, Smith, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Beeler, Blair, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Keys, Newell, Roddie, Russell, Stafford, Stewart, Sorrells and Updegraff. Total 16.

The President declared the bill passed.

Senator Mitchell asked unanimous consent to have the rules suspended and that Senate Bill No. 371 be placed on third reading and final passage.

Request granted.

Senate Bill No. 371 was read at length the third time.

The question being, shall the bill pass the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Franklin, Goulding, Warren, Landrum, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 28.

Nays: None.

Absent and excused: Messrs. Beeler, Blair, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Keys, Newell, Roddie, Russell, Stafford, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senator Brownlee asked unanimous consent to have the rules suspended and that Senate Bill No. 314 be placed upon third reading and final passage.

Request granted.

Senate Bill No. 314 was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Franklin, Goulding, Memminger, Mitchell, Moore, Morris, Potter, Redwine, Roddie, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 28

Nays: None.

Absent and excused: Messrs. Beeler, Blair, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Warren, Keys, Landrum, Newell, Russell, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senator Brownlee asked unanimous consent to have the rules suspended and that Senate Bill No. 312 be placed upon third reading and final passage.

Request granted.

Senate Bill No. 312 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as folows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Redwine, Roddie, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Potter and Smith. Total 2.

Absent and excused: Messrs. Beeler, Davis, Echols, Graham, Hatchett, Newell, Russell and Stewart. Total 8.

The President declared the Bill passed.

The question being, shall there be an emergency declared to Senate Bill No. 371, the roll being called on the emergency section, the vote resulted as follows·

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Potter. Redwine, Smith. Stafford. Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Beeler, Echols, Graham, Hatchett, Newell Roddie, Russell and Stewart. Total 8.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Morris asked unanimous consent to have the rules suspended and that Senate Bill No. 282 be placed on third reading and final passage.

Request granted.

Senate Bill No. 282 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Franklin, Goulding, Keys, Memminger. Mitchell. Newell, Moore, Morris, Potter, Redwine, Smith Stafford, Strain, Soldani. Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Beeler, Echols, Eggerman, Graham, Hatchett, Warren, Landrum, Roddie, Russell, and Stewart. Total 10.

The President declared the bill passed.

Senator Memminger asked unanimous consent to have the rules suspended and that Senate Bill No. 154 be placed on third reading and final passage.

Request granted.

Senate Bill No. 154 was read at length, the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville,

Cordell, Curd, Davis, Franklin, Goulding, Keys, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Cloonan, Cunningham, Warren. Total 3.

Absent and excused: Messrs. Beeler, Denton, Echols, Eggerman, Graham, Hatchett, Landrum, Roddie, Russell and Stewart. Total 10.

The President declared the bill passed.

House Bill No. 443, as amended, was read the third time at length.

Senator Memminger offered the following amendment: Amend Section 1, Page 2, Line 16 after the word, "Gas" and before the word "Provided" add the following, "And one half of one per centum on all other minerals being mined and sold for profit not named herein."

Vote was taken. The President declared the amendment adopted.

Senator Davis offered the following amendment: Amend Section 1, Page 2, Line 14, strike out the words "one-half" and insert the words "one-fourth."

Vote was taken. The President declared the amendment lost.

Senator Yeager offered the following amendment: amend section 3, page 4, line 12, strike out after the word "and" all the balance of the section and insert in lieu thereof the following "twenty-five per cent of such fund shall be paid into the County Road and Bridge fund of the County from which such tax has been collected, and the remainder shall be paid into the general revenue fund of the State."

Vote was taken. The President declared the amendment lost.

Senator Wynne moved to reconsider the vote by which the Memminger amendment had been adopted.

Vote was taken. The President declared the motion prevailed.

Senator Roddie offered the following amendment: Section 1, line 11, page 2, strike out the words "half of one."

The question being shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billlups, Franklin, Roddie, Russell, Smith and Williams. Total 6.

Nays: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Goulding, Warren, Keys, Mitchell, Moore, Morris, Newell, Potter, Redwine, Soldani, Thomas, Updegraff, Wynne and Yeager. Total 25.

Absent and excused: Messrs. Beeler, Denton, Eggerman, Graham, Hatchett, Landrum, Memminger, Stafford, Stewart, Strain, Sorrells, Taylor. Total 12.

The President declared the amendment lost.

Senator Roddie offered the following amendment: Strike out Section 2.

Vote was taken. The President declared the amendment lost.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Goulding, Warren, Keys, Memminger,

Moore, Morris, Mitchell, Newell, Potter, Redwine, Russell, Stafford, Soldani, Sorrells, Thomas, Updegraff, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Billups, Franklin and Roddie. Total 3.

Absent and excused: Messrs. Beeler, Davis, Denton, Eggerman, Graham, Hatchett, Landrum, Smith, Stewart, Strain and Taylor. Total 11.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Curd, Davis, Cunningham, Echols, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 34.

Nays: Messrs. Billups, Roddie and Smith. Total 3.

Absent and excused: Messrs. Beeler, Denton, Eggerman, Graham, Hatchett, and Stewart. Total 6.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Redwine moved to reconsider the vote by which the bill had passed.

Senator Redwine moved to lay the motion to reconsider the vote by which the emergency section had passed on the table.

Vote was taken. The President declared the motion prevailed.

Senator Redwine moved to lay the motion to reconsider the vote by which the emergency section had passed on the table.

Senator Redwine moved to reconsider the vote by which the emergency section had passed on the table.

Vote was taken. The President declared the motion to lay on the table prevailed.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has amended the title to Senate Bill No. 161 and refuses to agree to the emergency clause by a vote of yeas: 60; nays: 30; absent, 19.

Senator Blair moved that the Senate do not agree to the House amendments to Senate Bill No. 161, and ask that a conference committee be appointed.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Blair, Thomas and Billups as such committee.

A message was received from the House transmitting the enrolled copy of House Bill No. 223 signed by the Speaker.

Senator Davis asked unanimous consent to have the rules suspended and that Senate Joint Resolution No. 16 be made a special order at 4:30 P. M. this day.

Vote was taken. The President declared the request had been granted.

Senator Davis moved that a call of the Senate be made.

The question being, shall there be a call of the Senate, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville,

Cordell, Cunningham, Curd, Davis, Eggerman, Graham, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Beeler, Denton, Echols, Franklin, Hatchett, Moore, Roddie, Stafford, and Stewart. Total 9.

The President declared that there was a call of the Senate.

The Sergeant-at-Arms was instructed to bring in all the absent members.

Senator Taylor called up the motion he had lodged to reconsider the vote by which Senate Bill No. 226 was lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cordell, Curd, Eggerman, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Wynne and Yeager. Total 28.

Nays: Messrs. Cloonan, Cunningham, Graham, Potter and Williams. Total 5.

Absent and excused: Messrs. Beeler, Colville, Davis, Denton, Echols, Hatchett, Moore, Redwine, Russell and Stewart. Total 10.

The President declared the bill passed.

Senator Billups moved that the rules be suspended and that Senate Bill No. 327 be put upon third reading and final passage.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 327 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Franklin, Graham, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Davis, Denton, Echols, Eggerman, Hatchett, Moore, Redwine, Russell, Stewart, and Strain. Total 12.

The President declared the bill passed.

Senator Wynne asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 375 by Mr. Wynne, "An Act creating a Board of State Bridge Commissioners, etc."

Senator Thomas asked to have the members of the Committee on Legal Advisory excused.

Request granted.

Petition No. 161 by Mr. Mitchell, filed, read and referred to the Committee on School Lands.

Senator Sorrells asked unanimous consent to have the rules sus-

pended and that Senate Bill No. 302 be placed on third reading and final passage.

The question being, shall the rules be suspended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Colville, Curd, Davis, Denton, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Morris, Newell, Smith, Stafford, Soldani, Sorrells, Taylor, Updegraff, Williams and Yeager. Total 23.

Nays: Messrs. Chapman, Cunningham, and Russell. Total 3.

Absent and excused: Messrs. Beeler, Brownlee, Cloonan, Cordell, Echols, Eggerman, Graham, Hatchett, Mitchell, Moore, Potter, Redwine, Roddie, Stewart, Strain, Thomas and Wynne. Total 17.

The President declared the rules had been suspended.

Senate Bill No. 302 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Colville, Curd, Davis, Denton, Franklin, Goulding, Hatchett, Warren, Keys, Memminger, Morris, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Cloonan and Cunningham. Total 2.

Absent and excused: Messrs. Beeler, Billups, Blair, Chapman, Cordell, Echols, Eggerman, Graham, Landrum, Mitchell, Moore, Newell, Potter, Redwine, Roddie, Stewart, Thomas and Updegraff. Total 18.

The President declared the bill passed.

Senator Stafford was called to the Chair.

Senator Morris moved that the rules be suspended and that all appropriation bills on the calendar be considered in open senate and be placed on third reading and final passage and that the roll calls be suspended.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 303 was read section by section.

The Bill was ordered placed on third reading and final passage.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 26.

Nays: Messrs. Brownlee, Franklin and Russell. Total 3.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith and Stewart. Total 14.

The President declared the bill passed.

Senate Bill No. 315 by Mr. Williams was read section by section.

Senator Williams moved that the emergency section be stricken out.

Vote was taken. The President declared the motion prevailed.

The Bill was ordered placed on third reading and final passage.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senate Bill No. 317 was read section by section.

Senator Williams moved to strike lines 1 and 2 from the bill.

Vote was taken. The President declared the motion prevailed.

Senator Brownlee moved to strike out line 6.

Vote was taken. The President declared the amendment lost.

Senator Williams moved to strike out the emergency section.

Vote was taken. The President declared the motion prevailed.

Senator Goulding moved to amend the title so as to read "eighteen thousand three hundred and twelve dollars."

Vote was taken and the President declared the amendment prevailed.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, and Wynne. Total 25.

Nays: Messrs. Brownlee and Yeager. Total 2.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senate Bill No. 318 was read at length.

Snator Brownlee offered the following amendment, "In line 10 strike out 2500 and insert 2000."

Vote was taken. The President declared the amendment lost.

Senator Brownlee offered the following amendment: Line 11 add "Chemist".

Vote was taken. The President declared the amendment lost.

Senator Brownlee offered the following amendment: strike out Chemist $1200.

Vote was taken. The President declared the amendment lost.

Senator Brownlee offered the following amendment: strike out line 14.

Vote was taken. The President declared the amendment lost.

Senator Taylor offered the following amendment: strike out 2 and insert 1.

Vote was taken. The President declared the amendment lost.

Senator Brownlee offered the following amendment: strike out line 15.

Vote was taken. The President declared the amendment lost.

Senator Cloonan offered the following amendment: Page 2, line 14, cut out all of line 14 and insert "Stenographer, year 1910—$900, year 1911 $900."

Vote was taken. The President declared the amendment lost.

The time having arrived for special orders, Senator Davis called for special orders.

Senator Davis moved that Senator Echols be excused.

The Conference Committee on Fish and Game filed the following report:

To The Honorable Senate and House of Representatives:

We, your conference committee to whom was referred the House Amendments to Senate Bill No. 2 relating to the protection of Fish and Game, beg leave to report that we have given due consideration to the House Amendments and respectfully report as follows:

We recommend that the House recede from amendments Nos. 5, 6, 12, 14 16, 20, 24, 29, 30, 32, and 34; and that the Senate agree to House Amendments Nos. 11, 19, 23, 31, 37, and 38. that amendment No. 37 be amended to read as follows: "Provided that said Warden or any of his deputies may be removed from office for misconduct in office or neglect of duty, upon written charges duly filed and approved."

Respectfully submitted,

JAMES M. KEYS,
J. ELMER THOMAS,
J. C. GRAHAM,
Senate Committee.

GEO. E. JAHN,
MILTON BRYAN,
House Committee.

The report was filed.

A message was received from the House informing the Senate that the House had agreed to Senate amendments to House Concurrent Resolution No. 19.

Senate Bill No. 246 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Cordell, Davis, Denton, Eggerman, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Redwine, Roddie, Russell, Smith, Strain ,Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Brownlee, Cloonan, Cunningham, Curd, Hatchett, Warren, Potter, Stafford and Updegraff. Total 9.

Absent and excused: Messrs. Chapman, Colville, Echols, Franklin, and Stewart. Total 5.

The President declared the bill passed.

Senate Joint Resolution No. 16 was read at length as follows:

Amended Senate Joint Resolution No. 16 by Davis and Goulding.

Proposing an amendment to the Constitution of the State of Oklahoma for local option and high license

Be it Resolved by the Senate, the House of Representatives concurring therein:

Section 1. The Senate, the House of Representatives concurring herein, proposes to the people to amend the Constitution of the State of Oklahoma, in the following particular, to-wit:

To repeal section seven of article one of said Constitution said section being hereinafter set out in full in this section, and further, to repeal the separate article of said Constitution, submitted by the Constitutional Convention to the people of the Proposed State of Oklahoma, at the election held on September 17, 1907, and adopted by the people, which separate article, upon the admission of the State into the Union, became a part of said constitution which article is hereinafter set out in this section, and in lieu of the foregoing section seven, article one, and said seperate article of said constitution, each proposal to be repealed from said constitution and by amendment to said constitution, it is now proposed to insert in lieu thereof, of said section seven of article one, and such separate article, the proposed amendment hereinafter set forth in Section two of this Resolution. Said proposed amendment being all the words and figures contained in said section 2, after the words "Proposed section seven, of article one of the Constitution."

If said amendment should be adopted, it shall become section seven of article one of the Constitution.

Said section seven of article one of the Constitution being in words and figures as follows to-wit:

"The manufacture, sale, barter, giving away or otherwise furnishing except as hereinafter provided, of intoxicating liquors within those parts of the State heretofore known as the Indian Territory and the Osage Indian Reservation, and within any other parts of the State which existed as Indian Reservations on the first day of January, nineteen hundred and six, is prohibited for a period of twenty-one years from the date of the admission of the State into the Union, and thereafter until the people of the State shall otherwise provide by amendment of this Constitution and proper State Legislation. Any person, individual or corporate, who shall manufacture, sell, barter, give away, or otherwise furnish, any intoxicating liquor of any kind, including beer, ale, and wine, contrary to the provisions of this section, or who shall, within the above described portions of the State, advertise for sale or solicit the purchase of any such liquors, or who shall ship or in any way oenvey such liquor from other parts of the State into the portions hereinafter described, shall be punished on conviction thereof by fine not less than fifty dollars and by imprisonment not less than 30 days for each offense; provided, that the legislature may provide by law for one agency, under the supervision of the State, in each incorporated town of not less than two thousand population in the portions of the State, hereinafter described, and if there be no incorporated town of two thousand population in any county in said portion of the State, such county shall be entitled to have one such agency, for the sale of such liquors for medicinal purposes and for the sale for industrial purposes of alcohol which shall have been denaturized by some process approved by the United States Commissioner of Internal Revenue, and for the sale of alco-

hol for scientific purposes to such scientific institutions, universities, and colleges as are authorized to procure the same free of tax under the laws of the United States; and for the sale of such liquors to any apothecary who shall have executed an approved bond in a sum not less than one thousand dollars, conditioned that none of such liquors shall be used or disposed of for any purpose other than in the compounding of prescriptions, of other medicines, the sale of which would not subject him to the payment of the special tax required of liquor dealers by the United States, and the payment of such special tax by any person within the part of the State hereinabove defined, shall constitute prima facie evidence of his intention to violate the provisions of this section.

No sale shall be made except upon the sworn statemnet of the applicant in writing, setting forth the purpose for which the liquor is to be used and no sale shall be made for medicinal purposes, except sales to apothecaries as hereinabove provided, unless such statement shall be accompanied by a bona fide prescription signed by a regular practicing physician, which prescription shall not be filled more than once. Each sale shall be duly registered, and the register thereof, together with the affidavits and prescription pertaining thereto, shall be open to inspection by any officer or citizen of the State at all times during the business hours.

Any person, who shall knowingly make a false affidavit for the purpose aforesaid shall be deemed guilty of perjury. Any physician who shall prescribe any such liquor, except for treatment of disease which, after his own personal diagnosis, he shall deem to require such treatment, shall upon conviction thereof be punished for each offense by a fine of not less than two hundred dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment; and any person connected with any such agency, who shall be convicted of making any sale or other disposition of liquor contrary to these provisions shall be punished by imprisonment for not less than one year and one day. Upon the admission of said State into the Union these provisions shall be immediately enforcible in the courts of said State.

Said separate article hereinbefore mentioned relating to the prohibition of the sale, barter, or manufacture of intoxicating liquors in this State being words and figures as follows, to-wit:

Article —— The manufacture, sale, barter, giving away or otherwise furnishing, except as hereinafter provided, of intoxicating liquors within this State, or any part thereof, is prohibited for a period of twenty-one years from the date of the admission of this State into the Union and thereafter until the people of the State shall otherwise provide by amendment of this Constitution and proper State legislation. Any person, individual or corporate, who shall manufacture, sell, barter, or give away, or otherwise furnish any intoxicating liquor of any kind, including beer, ale and wine, contrary to the provisions of this section, or who shall within this state, advertise for sale or solicit the purchase of any such liquors, or who shall ship, or in any way convey such liquor from one place within this State to another place therein, except the conveyance of a lawful purchase as herein authorized, shall be published on conviction thereof by a fine of not less than fifty dollars, and by imprisonment of not less than thirty

days for each offense; provided that the legislature may provide by law for one agency under the supervision of the State in each incorporated town of not less than two thousand population in the State; and if there be no incorporated town of two thousand population in any country in this State, such county shall be entitled to have one such agency, for the sale of such liquors for medicinal purposes, and for the sale for industrial purposes of alcohol which shall have been denaturized by some process approved by the United States Commissioner of Internal Revenue; and for the sale of alcohol for scientific purposes to such scientific institutions, universities, and colleges as are authorized to procure the same free of tax under the laws of the United States; and for the sale of such liquors to any apothecary who shall have executed an approved bond, in a sum not less than one thousand dollars, conditioned that none of such liquors shall be used or disposed of for any purpose other than in the compounding of prescriptions or other medicines, the sale of which would not subject him to the payment of the special tax required of liquor dealers of the United States, and the payment of such special tax by any person within the State shall constitute prima facie evidence of his intention to violate the provisions of this section. No sale shall be made except upon the sworn statement of the applicant in writing setting forth the purposes for which the liquor is to be used and no sale shall be ma'e for medicinal purposes except sales to apothecaries as hereinabove provided unless such statement shall be accompanied by a bona fide prescription signed by a regular practicing physician, which prescription shall not be filled more than once. Each sale shall be duly registered, and the register thereof, together with the affidavits and prescriptions pertaining thereto, together with the affidavits and prescriptions pertaining thereto, shall be open to inspection by any officer or citizen of the State at all times during business hours.

Any person who shall knowingly make a false affidavit for the purposes aforesaid shall be deemed guilty of perjury. Any physician who shall prescribe any such liquor except for treatment of disease which, after his own personal diagnosis, he shall deem to require such treatment, shall upon conviction thereof be punished for each offense by a fine of not less than two hundred dollars or by imprisonment for not less than thirty days, or by both such fine and imprisonment; and any person connected with any such agency who shall be convicted of making any sale or other disposition of liquor contrary to these provisions, shall be punished by imprisonment for not less than one year and one day. Upon the admission of this State into the Union these provisions shall be immediately enforceable in the courts of the State.

Section 2. Proposed Section 7, Article One of the Constitution. The barter, sale or manufacture, of intoxicating liquors in this State is forever prohibited, except for medicinal, mechanical and scientific purposes; provided, that counties and cities shall have the right, under such rules and regulations as the legislature may from time to time prescribe, to license the sale of intoxicating liquors, in such political sub-divisions of the State.

The following limitations are hereby imposed upon the Legislature, and all political sub-divisions of this State, which shall never be changed

by the Legislature, but these limitations shall not restrict or abridge the power of the Legislature to impose additional limitations or restrictions. No license, either at wholesale or retail, shall ever be granted by any county to sell intoxicating liquors, for a less sum than One Thousand Dollars per annum, payable annually in advance before such license is issued. All moneys collected from the issuance of licenses by a county for the sale of intoxicating liquors, shall be for the use and benefit of the road and bridge fund of the county in which such license is issued. No license, either at wholesale or retail, shall ever be granted by any city to sell intoxicating liquor for a less sum than One Thousand Dollars per annum, payable annually in advance before such license is issued. All moneys collected for the issuance of licenses for the sale of intoxicating liquors shall be for the use and benefit of such city. No city license shall have any force or effect until the payment of the County license.

The Legislature shall pass all necessary laws to carry into effect the provisions of this section.

Section 3. The Legislature hereby submits the amendment to the Constitution, proposed by this Resolution, to the people for its adoption or rejection at the general primary election held on the first Tuesday in August in the year nineteen hundred and ten; and the Secretary of State is hereby directed and instructed to refer the same to the people; and upon the official ballot provided for constitutional amendments shall be printed the following squares and words, to-wit:

For Local Option and High License. ☐

Against Local Option and High License. ☐

In the event that a majority of the votes cast at said election shall be for the amendment proposed herein, it shall be and become a part of the Constitution of this State upon the official declaration, as provided by law, of the result of the vote upon such amendment.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Cloonan, Cunningham, Curd, Davis, Graham, Goulding, Potter, Redwine, Stafford, Soldani, Updegraff, and Yeager. Total 14.

Nays: Messrs. Billups, Blair, Brownlee, Chapman, Colville, Cordell, Denton, Eggerman, Franklin, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 27.

Absent and excused: Messrs. Echols and Stewart. Total 2.

The President declared the resolution lost.

Senator Billups moved that the vote by which the resolution had lost be reconsidered.

Senator Billups moved to lay on the table the motion to reconsider the vote by which the resolution had lost.

Vote was taken. The President declared the motion prevailed.

Senator Franklin's explanation of vote on Senate Joint Resolution No. 16.

I vote "No" on Senate Joint Resolution No. 16 for the reason that there are many bills pending before this Legislature of much more importance to the people and for the further reason that the people in this State have spoken on the prohibition question and should have a "rest"

Senator Taylor moved that Senator Davis be excused.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 373 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Cordell, Denton, Franklin Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Brownlee, Cloonan, Colville, Cunningham, Curd and Eggerman. Total 6.

Absent and excused: Messrs. Beeler, Davis, Echols, Warren, Moore, Potter, and Stewart. Total 7.

The President declared the bill passed.

Senator Billups moved to reconsider the vote by which the bill had passed.

Senator Billups moved to lay the motion to reconsider the vote by which the bill had passed on the table.

Vote was taken. The President declared the motion lost.

Senator Potter moved that the call of the Senate be raised.

Vote was taken. The President declared the motion lost.

Senator Franklin was excused on account of sickness.

Senator Taylor called up Senate Joint Resolution No. 8.

Senate Joint Resolution No. 8 having been previously read at length was taken up.

The question being, shall the resolution pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Cordell, Denton, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 26.

Nays: Messrs. Brownlee, Chapman, Cloonan, Colville, Cunningham Curd, Warren and Updegraff. Total 8.

Absent and excused: Messrs. Beeler, Davis, Echols, Franklin, Moore, Morris, Potter, Stewart and Soldani. Total 9.

The President declared the resolution passed.

Senator Taylor moved to reconsider the vote by which the resolution had passed.

Senator Taylor moved to lay the motion to reconsider the vote by which the resolution had passed on the table.

Vote was taken. The President declared the motion prevailed.

Senate Joint Resolution No. 10 by Mr. Taylor was read at length as follows:

Senate Joint Resolution No. 10 by Mr. Taylor, "Authorizing the submission of a constitutional amendment fixing the membership of Senate and House of Representatives and regulating the re-apportionment of Senatorial and Representative Districts.

Be it Resolved by the Senate, the House of Representatives concurring,

The following proposition to-wit:

"The Senate shall consist of not exceeding forty members and the House of Representatives of not exceeding one hundred members, and the Legislature may at its first regular session after each Federal Census, and in accordance with such census, re-apportion the State into a suitable number of Senatorial and Representative Districts, such Districts to be contiguous and as compact as may be, and no county or district shall take part in the election of more than two Senators or six Representatives, provided that the Districts shall be so arranged that there shall be one representative resident in each county, provided, however, that the present number and apportionment shall continue in effect until a re-apportionment is made as provided herein."

Is hereby submitted as a proposed amendment to the Constitution of the State of Oklahoma for ratification or rejection at the general election 1910. Be it further

Resolved, The foregoing proposed amendment shall be printed upon all ballots upon which appears the names of political party nominees for State Offices and same shall appear upon such ballots immediately after the list of names to be voted for as candidates for State Offices and immediately preceeding the names of candidates for district offices, and immediately following such proposed amendment shall be the words "For the proposed Amendment"

And be it further

Resolved, That every voter desiring to vote for the amendment shall allow the words "For the Proposed Amendment" to stand unerased and unmarked, and all such ballots shall be counted for the amendment, and all voters desiring to vote against such amendment shall erase the words "For the Proposed Amendment" with a blue pencil mark, and all such ballots shall be counted against the amendment.

All ballots voted in such general election upon which appears the said proposed amendment shall be counted for the adoption of the said proposed amendment unless the said words "For the Proposed Amendment" be stricken out as aforesaid.

The question being, shall the Resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Denton, Eggerman, Goulding, Landrum, Mitchell, Newell, Redwine, Roddie, Russell, Stafford, Strain, Sorrells, Thomas, Williams, Wynne and Yeager. Total 19.

Nays: Messrs. Allen, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Graham, Hatchett, Warren, Keys, Memminger, Smith, Soldani, Taylor and Updegraff. Total 16.

Absent and excused: Messrs. Beeler, Davis, Echols, Franklin, Moore, Morris, Potter and Stewart. Total 8.

The President declared the Resolution lost.

Senator Taylor lodged a motion to reconsider the vote by which the Resolution had lost.

A message was received from the House informing the Senate that the House had agreed to Senate amendment to House Bill No. 373.

Senator Roddlo asked unanimous consent to introduce a Bill.

Request granted.

Senate Bill No. 376 by Mr. Roddie, "An Act authorizing the Commissioners of the Land Office to issue patents and accept first mortgages in certain cases and declaring an emergency."

The Committee on Judiciary No. 1 reported, recommending that House Bill No. 332 do pass as amended.

Report received.

Senator Warren asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 377 by Mr. Warren, "An Act to regulate the sale of cocaine and preparations containing cocaine, etc."

Senator Graham took the Chair.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 374 do pass as amended.

Report received.

President Pro Tem, Mr. Graham signed the engrossed copies of Senate Bills Nos. 266, 372, 312, 314, 282, 371, 154, 327, and 246; and of House Bills Nos. 369, 97, and 443. Same were ordered transmitted to the House.

The titles of the bills were agreed to.

House Bill No. 223 was read the fourth time at length.

The President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 223, same was ordered transmitted to the House.

The Committee on Legal Advisory reported, recommending that House Joint Resolution No. 18 do pass as amended, and that House Bills Nos. 204, 431, 493 and 505 do pass.

Report received.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by Acting President Pro Tem, Mr. Williams.

The President announced a quorum present.

Senator Morris asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 378 by Mr. Morris, "An Act for the sale of the northwest quarter of Section Thirty-six of township 23 north of range twenty-one west of the Indian Meridian in Woodward County, etc."

Senator Stafford was called to the Chair.

Further consideration of Senate Bill No. 318 was taken up.

Senator Williams offered the following amendment: To strike out the emergency section.

Vote was taken. The President declared the motion prevailed.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senate Bill No. 323 was read at length the third time.

Senator Williams offered the following amendment: Strike out the emergency section.

Vote was taken. The President declared the motion prevailed.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Cordell, Cunningham, Franklin, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 24.

Nays: Messrs. Brownlee, Colville, Warren and Stafford. Total 4.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 15.

The Prisedent declared the bill passed.

Senate Bill No. 30 was read at length the third time.

Senator Goulding offered the following amendment: Amend Senate Bill No. 30 section 1, page 1 line 2, after the word "establishment" insert "On section thirty-three, township twenty-three, north of range 6 west of the Indian Meridian in Garfield County, Oklahoma, the Commissioners of the Land Office of the State of Oklahoma are hereby instructed and empowered to deed said section of land to the State of Oklahoma, in perpetuity, as the site of said institution, provided, that the city of Enid shall first settle with the lessees on the land for their improvements on the land and for their preference right; in case of disagreement the Chamber of Commerce of the City of Enid is hereby empowered to condemn said improvements in the same manner as other condemnation preceedings are had under eminent domain."

Vote was taken. The President declared the amendment adopted.

Senator Billups offered the following amendment: Section 19, page 23 by making the same read as follows:

Section 19. For the purpose of constructing and equipping suitable buildings as provided in this act, there is hereby appropriated out of the public building fund of the State of Oklahoma, not otherwise appropriated the sum of $25,000.00.

There is also appropriated out of any moneys in the State Treasury not otherwise appropriated for the maintenance of said Institution, the sum of $22,000 dollars as follows:

For the fiscal year beginning July 1, 1909 and ending June 30th, 1910 the sum of $10,000 or so much thereof

as may be necessary.

For the fiscal year beginning July 1, 1910 and ending June 30, 1911, the sum of $12,000, or so much thereof as may be necessary.

Vote was taken. The President declared the amendment adopted.

Senator Goulding offered the following amendment: Amend page 5, Section 6, by striking out all of the section down to the word "the" in line 3, page 5.

Vote was taken. The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 28.

Nays: None.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart, and Updegraff. Total 15.

The President declared the bill passed.

Senate Bill No. 304 was read at length the third time.

Senator Williams offered the following amendment: Strike out the emergency section.

Vote was taken. The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Morris, Mitchell, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 28.

Nays: None.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senate Bill No. 322 was read at length the third time.

Senator Chapman offered the following amendment: Amend Section 4, page 3, line 14, by striking out the words "of sale from" and inserting in lieu thereof the words "arising from the sale of".

Vote was taken and the president declared the amendment adopted.

Senate Bill No .324 was read at length the third time.

Senator Brownlee offered the following amendment: Strike out "storekeeper," in line 13.

Vote was taken. The President declared the amendment lost.

Senator Brownlee offered the following amendment: strike out in line 1, page 2, the following:

The question being, shall the amendment prevail.

Vote was taken and the President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote

resulted as follows:

Yeas: Messrs. Allen, Billups, Chapman, Colville, Cordell, Cunningham, Eggerman, Goulding, Keys, Landrum, Memminger, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams and Wynne. Total 23

Nays: Messrs. Blair, Brownlee, Franklin, Warren, Mitchell, and Yeager. Total 6.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 14.

The President declared the bill passed.

A message was received from the House transmitting the engrossed copies of House Bills Nos. 476, 332, 513, 437, 527, 510, 205, 516, 500, 495, 526, signed by the Speaker; and the enrolled copies of House Bills Nos. 150 and 387 and House Concurrent Resolution No. 19 signed by the Speaker, and Senate Bills Nos. 346, 345, 344 and 114 signed by the Speaker.

The following House Bills were read the first time:

House Bill No. 476 by Mr. Edgington, "An Act legalizing the bond election held by the town of Watonga, on the 16ht day of February, 1909."

House Bill No. 332 by Br. Clark, "An Act to legalize the organization of the Jordon Valley Township Company together with the acts and doings of the same.

House Bill No. 513 by Mr. Vogle, "An Act to legalize the incorporation of the town of Buffalo, in the County of Harper, and to legalize the election, etc."

House Bill No. 437 by Mr. Simmons, "An Act authorizing the County Commissioners of Tulsa County to buy a wagon bridge across the Arkansas River in Tulsa County, etc."

House Bill No. 527 by Mr. Sherman, "An Act legalizing bond issue of School District No. 4 in Major County, Oklahoma, and declaring an emergency."

House Bill No. 510 by Messrs. Ratliff, and Jahn. "An Act providing for twenty-one district Court Judicial Districts in the State of Oklahoma and judges therefor; providing for an additional judge in the seventh district, and declaring an emergency."

House Bill No. 205 by Mr. Savage, "An Act legalizing the incorporation of the town of Hollis, Greer County, State of Oklahoma."

House Bill No. 516 by Mr. Price, "An Act providing for holding county court at the towns of Hominy and Fairfax, Osage County."

House Bill No. 500 by Mr. Jacobs, "An Act providing for holding County Court at Muldrow, in Sequoyah County."

House Bill No. 495 by Mr. Calhoun, by request, "An Act providing for holding County Court at Coweta, Waggoner County, Oklahoma."

House Bill No. 526 by Mr. Bryan, "An Act to amend Sections 2, 3, 15, 16, 17, 19, 22, 25, 28, and 35 of Article 1, Chapter 30, Session Laws of Oklahoma, 1907-08.

Senate Bill No. 343 by Mr. Thomas, was read at length the third time.

Senator Brownlee offered the following amendment: page 3, line 6,

strike out "one" and insert "eight."

Vote was taken the President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 26.

Nays: Messrs. Brownlee and Stafford. Total 2.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwnie, Smith, Stewart and Updegraff. Total 15.

The Uresident declared the bill passed.

Senate Bill No. 340 was read at length the third time.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Mr. Brownlee, Total 1.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senate Bill No. 117 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Goulding, Warren, Keys, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Brownlee and Franklin. Total 2.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Landrum, Moore, Potter, Redwine, Smith, Stewart, and Updegraff. Total 16.

The President declared the bill passed.

Senate Bill No. 170 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 28.

Nays: None.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stewart and Updegraff. Total 15.

The President declared the bill passed.

Senate Bill No. 220 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Franklin, Goulding, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 26.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Beeler, Cloonan, Curd, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Moore, Potter, Redwine, Smith, Stafford, Stewart and Updegraff. Total 16.

The President declared the bill passed.

Senator Thomas offered the following resolution.

Senate Concurrent Resolution No. 25 by Mr. Thomas, "Whereas, on March 1st there was due A. D. Cowling, Assistant Enrolling Clerk the sum of.....$ 60 00
Enoch Capshaw, Doorkeeper, the sum of..... 60 00
James Abernathy, Janitor, the sum of..... 37 50
And Whereas in order to furnish each member of the Senate stamps to the amount of $10 it is necessary to purchase additional stamps in the sum of..... 135 25

Therefore Be it Resolved by the Senate, the House concurring therein that the said sum of $60 due A. D. Cowling, and the said sum of $60 due Enoch Capshaw, and the said sum of $37.50 due James Abernathy, be allowed and the State Auditor is authorized and directed to issue warrants to said employees in the amounts herein stated And be It Further Resolved That the said amount of $135.25 for stamps be allowed and the State Auditor is authorized and directed to issue warrant to the Senate Auditor for the purpose of purchasing stamps in said amount.

Senator Thomas moved the adoption of the resolution.

Vote was taken. The President declared the Resolution adopted.

Senator Thomas offered the following Senate Resolution:

Senate Resolution No. 12 by Mr. Thomas, "Be it resolved that the Senate Auditor be directed to prepare and have ready for submission to the Senate at call, a full complete itemized statement of all expenses incurred by the Senate to the end that said statement of all expenses incurred by the Senate to the end that said statement may be approved and inserted in the last day's Journal.

Senator Thomas moved the adoption of the resolution.

Vote was taken. The President declared the Resolution adopted.

Senator Wynne asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 379 by Mr. Wynne, "An Act making an appropriation for additional buildings for the State University of Oklahoma at Norman, Oklahoma."

Senator Allen lodged a motion to reconsider the vote by which Senate Bill No. 340 had passed.

A message was received from the House transmitting the engrossed copy of House Bill No. 404 signed by the Speaker.

House Bill No. 404 was read the first time as follows:

House Bill No. 404 by Mr. Bryan, of the House and Mr. Williams of the Senate, "An Act regulating the manufacture and sale of foods, drugs and medicines, providing penalties, etc., and declaring an emergency."

Senate adjourned until 9:30 A. M., March 5, 1909.

SENATE JOURNAL.

SIXTIETH DAY.

Friday, March 5, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Bilups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Davis, Echols and Stewart. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

A message was received from the Governor as follows:

Guthrie, March 4th, 1909.

To the Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved Committee Substitute for House Bill No. 12, same being, "An Act to provide for attorneys' liens upon a client's cause of action, authorizing contracts between attorneys and clients, and providing for enforcement of such liens."

Respectfully submitted,

C. N. HASKELL,

Governor.

Senator Taylor moved that the vacancy on the Steering Committee caused by the absence of Senator Davis be filled, and placed the name of Senator Landrum, in nomination for said place.

Vote was taken. The President declared the motion prevailed.

Bills read the second time and referred to the following committees:

Senate Bill No. 375 by Mr. Wynne, to Committee on State and County Affairs.

Senate Bill No. 376 by Mr. Redwine, to Committee on School Lands.

Senate Bill No. 377 by Mr. Warren, to Committee on Drugs and Pure Food.

Senate Bill No. 378 by Mr. Morris, to Committee on School Lands.

Senate Bill No. 379 by Mr. Wynne, to Committee on Appropriations.

House Bill No. 205 by Mr. Savage to Committee on Legal Advisory.

House Bill No. 332 by Mr. Clark, to Committee on Legal Advisory.

House Bill No. 437 by Mr. Simmons, to Committee on State and County Affairs.

House Bill No. 476 by Mr. Edgington, to Committee on Legal Advisory.

House Bill No. 495 by Mr. Calhoun, to Committee on Legal Advisory.

House Bill No. 500 by Mr. Jacobs, to Committee on Legal Advisory.

House Bill No. 510 by Messrs. Ratliff and Jahn to Committee on Legal Advisory

House Bill No. 313 by Mr. Vogle to Committee on Legal Advisroy.

House Bill No. 516 by Mr. Price, to Committee on Legal Advisory.

House Bill No. 526 by Mr. Bryan, to Committee on Legal Advisory.

House Bill No. 527 Mr. Sherman, to Committee on Education.

House Bill No. 404 by Mr. Bryan of the House and Mr. Williams of the Senate, to Committee on Drugs and Pure Food.

House Bill No. 387 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 387, same was ordered transmitted to the House.

The enrolled copies of House Concurrent Resolution No. 19 and House Bill No. 150 were read at length the fourth time, signed by the President, Mr. Bellamy, and ordered transmitted to the House.

The engrossed copies of Senate Bills Nos. 220, 117, 170 and 302; Senate Joint Resolution No. 8, were signed by the President, Mr. Bellamy, and ordered transmitted to the House.

Senate Joint Resolution No. 18 by Mr. Memminger was read at length the third time.

Senator Memminger moved the adoption of the Resolution.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Chapman, Cloonan, Cordell, Curd, Denton, Goulding, Hatchett, Keys, Landrum, Memminger Mitchell, Newell, Russell, Smith, Stafford, Strain, Taylor, Updegraff, Williams, Wynne and Yeager. Total 23.

Nays: None.

Absent and excused: Messrs. Beeler, Blair, Brownlee, Colville, Cunningham, Davis, Echols, Eggerman, Franklin, Graham, Moore, Morris, Potter, Redwine, Roddie, Stewart, Soldani, Sorrells and Thomas. Total 20.

The President declared the resolution passed.

Senator Graham called up the conference report on Senate Bill No. 2.

On motion of Senator Graham the conference report on Senate Bill No. 2 was adopted.

Senator Hatchett moved that the Senate go into the Committee of the Whole to consider House Bills on the Calendar.

Senator Smith moved as a substitute that the Senate go into the Committee of the Whole to consider House Bills on the Calendar and that House Bill No. 168 be put on third reading and have the right of way.

Senator Hatchett moved that a call of the Senate be made.

The question being, shall there be a call of the Senate, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Thomas, Updegraff Williams, Wynne and Yeager. Total 33.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Davis, Echols, Franklin, Moore, Morris, Stewart, Strain, Soldani and Taylor. Total 9.

The President declared the motion to have a call of the Senate prevailed.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to a conference on Senate Bill No. 161 and that the Speaker has appointed, Messrs. Ross, Jones and Durham to act upon said Committee also that the House has agreed to the Senate amendments to House Bill No. 97.

Senate Bill No. 322 by Mr. Chapman, was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Franklin, Goulding, Hatchett Warren, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Beeler, Davis, Echols, Eggerman, Graham, Moore, Morris, Roddie, Stewart and Soldani. Total 10.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cloonan, Cordell, Cunningham, Curd, Denton, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells Taylor; Thomas, Updegraff, Williams, Wynne and Yeager. Total 37.

Nays: None.

Absent and excused: Messrs. Davis, Echols, Eggerman, Moore, Morris and Stewart. Total 6.

The President declared the emergency section, having received a two-thirds majority had passed.

The title of the bill was agreed to.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 95 as amended by the House.

House Bill No. 168 by Mr. Anthony was read the third time at length.

Senator Hatchett offered the following amendment: Re-insert subdivision 4 of Section 4.

Vote was taken. The President declared the amendment adopted.

Senator Mitchell offered the following amendment: Strike out all after the word "in" in line 11, page 14, section 6, and insert the words, "Another county."

Vote was taken. The President declared the amendment adopted.

Senator Russell offered the following amendment:

Proposed new section to be numbered Section 17, Article 3, of House Bill No. 168, by Mr. Russell.

"If any person, firm, association or corporation in this State, who shall, within ninety days after listing any property for taxation, be tendered, in cash, in exchange for any property owned by such person, firm, association of corporation, a sum of 25 per cent greater than the estimated value thereof as rendered to the tax assessor, and shall refuse to accept the amount so tendered in exchange for such property such refusal shall be prima facie evidence that such property was not listed for taxation at its actual cash value, as required by law, and the owner or owners of such property shall, for such erroneous valuation, be liable to a fine equal to ten per centum of the value of such property, adjudged by the amount tendered in exchange therefor: such fine to be recoverable in any court of competent jurisdiction. One half of all fines collected hereunder shall be paid to the party making the tender and one-half into the public school funds of this State; provided, that should the owner or owners of any such property show on trial of the case that the enhanced value thereof was occasioned by the discovery of gas, oil, or other valuable minerals, thereon, or for any similar or equivalent occurrence, transpiring after such property was listed for taxation, and that the true value thereof was given at the time of such listing then such owner or owners shall not be liable to such fine."

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Ayes: Messrs. Billups, Cunningham, Franklin, Mitchell, Potter, Russell, Taylor and Yeager. Total 8.

Nays: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Curd, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Morris, Newell, Redwine, Roddie, Smith, Stafford, Soldani, Sorrells, Updegraff, Williams and Wynne. Total 30.

Absent and excused: Messrs. Davis, Moore, Stewart, Strain and Thomas. Total 5.

The President declared the amendment lost.

Senator Russell offered the following amendment: Article 7, Section 2, page 85, line 5, by adding after the word "purpose" the following: "This to include a special levy of one mill on each dollar of said value which shall be levied and collected in aid of the common schools of this State, which special levy when collected shall be pro rated and paid out as are other common school funds of this State."

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Franklin, Graham, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Roddie, Russell, Soldani, Taylor, Thomas, Updegraff, and Yeager. Total 18.

Nays: Messrs. Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Goulding, Hatchett, Warren, Newell, Redwine, Smith, Stafford, Sorrells, Williams and Wynne. Total 21.

Absent and excused: Messrs. Davis, Moore, Stewart and Strain. Total 4.

The President declared the amendment lost.

Senator Smith offered the following amendment: Article 7, Section 2, Page 85, Line 5, by adding after the word "purpose" the following: "This to include a special levy of one fourth of one mill on each dollar of the said value, which shall be levied and collected in aid of the common schools of this State, which special levy when collected shall be pro rated and paid out as are other common school funds of this State."

The question being, shall the amendment prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Denton, Franklin, Graham, Hatchett, Warren, Keys, Landrum, Memminger, Morris, Potter, Roddie, Russell, Smith, Soldani, Sorrells, Taylor, Updegraff, and Yeager. Total 21.

Nays: Messrs. Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Goulding Mitchell, Newell, Redwine, Stafford, Williams and Wynne. Total 17.

Absent and excused: Messrs. Davis, Moore, Stewart, Strain and Thomas. Total 5.

The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 37.

Nays: Messrs. Cloonan and Curd. Total 2.

Absent and excused. Messrs. Davis, Stewart, Strain and Thomas. Total 4.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 37.

Nays: Messrs. Cloonan and Curd. Total 2.

Absent and excused: Messrs. Davis, Stewart, Strain and Thomas. Total 4.

The President declared the emergency section having received a two-thirds majority had passed.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform your Honorable Body that the House has failed to agree to the Senate amendments to House Bill No. 443 and has appointed Messrs. Anthony, Tillotson, and McCalla as a conference committee on the part of the House and requests the Senate to appoint a like committee.

Senator Billups moved that the request of the House be granted and that a conference committee be appointed.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Blair, Redwine and Billups as such committee.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has adopted the Joint Conference Report on amended Senate Bill No. 2 by the following roll call: Ayes, 58; Nayes, 42; absent, 9; engrossed copy of which is herewith transmitted.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford Soldani, Taylor, Thomas, Williams, and Wynne. Total 29.

Nays: Messrs. Allen, Brownlee, Cloonan, Curd, Franklin, Warren, Memminger, Sorrells, Updegraff, and Wynne. Total 10.

Absent and excused: Messrs. Davis, Hatchett, Stewart and Strain. Total 4.

The President declared the bill passed.

The Senate recessed until 1:30 P. M.

The Senate was called to order by the President Mr. Ballamy.

The President announced a quorum present.

The President, Mr. Bellamy, signed the engrossed copies of Senate Bill No. 304 and Senate Joint Resolution No. 18; also enrolled copies of Senate Bills Nos. 345, 344 and 346 which were read at length the fourth time and ordered transmitted to the House.

Senator Hatchett, called up his motion to go into the Committee of the Whole to consider special House Bills on the calendar .

Senator Smith offered as a substitute that the Senate go into the Committee of the Whole to consider special Senate Bills on the calendar.

The roll was called and the vote resulted as follows:

Yeas: Messrs. Chapman, Cordell, Cunningham, Graham, Mitchell, Roddie, Russell, Smith, Soldani, Thomas and Updegraff. Total 11.

Nays: Messrs. Beeler, Billups, Cloonan, Colville, Curd, Echols, Eggermen, Hatchett, Keys, Landrum, Memminger, Morris, Potter, Stafford, Strain, Sorrells, Taylor, Williams, Warren, Wynne and Yeager. Total 21.

Absent and excused: Messrs. Allen, Blair, Brownlee, Davis, Denton, Franklin, Goulding, Moore, Newell, Redwine and Stewart. Total 11.

The President declared the substitute lost.

Vote was taken on the original motion. The President declared the motion prevailed.

The Senate went into the Committee of the Whole to consider House Bills on the Calendar.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of House Bill No. 369 signed by the Speaker.

A communication from the Board of Agriculture was read as follows:

Guthrie, March 5, 1909.

Geo. W. Bellamy, President and Members of the Senate:
Gentlemen:

We beg to transmit herewith copies of the first biennial report of the Oklahoma State Board of Agriculture. In presenting you with this, our first biennial report, we are furnishing you with a complete record of the operations of our department, for the biennial period, and trust that you will find this volume of value to you for the fund of information it contains relative to agricultural conditions throughout the State, and invite your especial attention to Parts VIII and IX, covering the climatology and agricultural statistics of this great new State, which is an inventory, as it were, of our vast and unlimited agricultural resources, and gives you a fund of reliable information for future reference.

It is the desire of the Department to place these reports and other information into the hands of those who will employ the same for the advancement of our agriculture and agricultural education throughout this great State."

House Bill No. 369 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 369, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bills Nos. 25 and 236 do pass.

Report adopted.

Senator Billups moved that House Bills Nos. 25 and 236 be put on third reading and final passage.

Vote was taken. The President declared the motion prevailed.

House Bill No. 25 was read the third time at length.

Senator Roddie offered the following amendment: Strike out "Durant" and insert "Ada."

The question being, shall the amendment be adopted, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Cordell, Denton, Echols, Graham, Goulding, Mitchell, Moore, Roddie, Thomas and Williams. Total 12.

Nays: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Eggerman, Franklin, Hatchett, Warren, Keys, Landrum, Memminger, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Updegraff, Wynne and Yeager. Total 27.

Absent and excused: Messrs. Davis, Redwine, Stewart and Taylor. Total 4.

The President declared the amendment lost.

Senator Franklin explains his vote on the Roddie amendment as follows:

"I vote 'No' and in doing so I desire to say that Ada and Durant are both splendid cities and would in my opinion be suitable places for a State Normal, if there are any superior merits offered by either place to the State, I am not aware of the same. Considering that said towns offer equal advantages to the State, owing to the fact that the two counties in my district, are adjoining counties to the county of Bryan and a number of

my constituents have petitioned me to support Durant for one of the Normals, I feel compelled to vote 'No', although it is with regret that I have to vote against the desires of my good friend and fellow Senator from Ada, upon a proposition of this kind. I trust his endeavors will be rewarded in some other way and that the time will come when I can favor him as I would like to do at this time."

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville. Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Graham, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 39.

Nays: Mr. Roddie. Total 1.

Absent and excused: Messrs. Davis, Redwine and Stewart. Total 3.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 236 by Messrs. Hughes and Ward, was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Yeys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 40.

Nays: None.

Absent and excused: Messrs. Davis, Redwine and Stewart. Total 3.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Stafford, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 40.

Nays: None.

Absent and eaxcused: Messrs. Davis, Redwine and Stewart. Total 3.

The President declared the emergency section having received a two-thirds majority had passed.

The title of the bill was agreed to.

On motion of Senator Goulding the Senate agreed to the House amendments to Senate Bill No. 95.

The question being, shall the bill pass as amended, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman,

Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Goulding, Warren, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams Wynne and Yeager. Total 38.

Nays: None.

Absent and excused: Messrs. Davis, Denton, Graham, Redwine and Stewart. Total 5.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Goulding, Warren, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams Wynne Yeager. Total 38.

Nays None.

Absent and excused: Messrs. Davis, Denton, Graham, Redwine and Stewart. Total5.

The President declared the emergency section, having received a two-thirds majority had passed.

The title of the Bill was agreed to.

Senator Redwine was excused on account of sickness in his family.

Senator Keys moved that 500 supplies of the House Bill No .242 be printed.

Vote was taken. The President declared the motion prevailed.

On motion of Senator Williams the Senate agreed to the House amendments to Senate Bill No. 114.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Cloonan and Smith. Total 2.

Absent and excused: Messrs. Brownlee, Davis, Denton, Graham, Redwine, Roddie, Stewart and Thomas. Total 8.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called on the emergency section, the vote resulted as follows:

Yas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin ,Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Cloonan and Smith. Total 2.

Absent and excused: Messrs. Brownlee, Davis, Denton, Graham, Red-

wine, Roddie, Stewart and Thomas. Total 8.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Stafford moved that the Senate go into the Committee of the Whole to consider House Bill No. 104 and Senate Bills on the Calendar.

Vote was taken. The President declared the motion prevailed.

The Senate went into the Committee of the Whole to consider House Bill No. 104 and Senate Bills on the Calendar.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House returns to your Honorable Body the enrolled copy of House Bill No. 223 and call your attention to the action of a Joint Conference Committee on this bill, and the subsequent adoption by your body of the Joint Conference Committee report."

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 230 and Senate Concurrent Resolution No. 25 signed by the Speaker.

House Bill No. 230 by Messrs. Wortman and Dunn, "An Act to provide for the payment of the expenses of the county superintendent and declaring an emergency," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 509.

House Bill No. 509 by Mr. Gilmer, "An Act relating to mutual hail insurance companies, etc." was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 432 by Mr. Dunn,

House Bill No. 432 by Mr. Dunn, "An Act to provide a clerk for the county court in those towns, etc." was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 525.

House Bill No. 525 by Mr. Bridges, An Act entitled "An Act for the sale of the NE quarter of Section 36, Township 23 North, Range twenty-one west of the Indian Meridian in Woodward County, etc," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copies of House Bills Nos. 373 and 97 signed by the Speaker.

The Committee of the Whol eresumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 519.

House Bill No. 519 by Messrs. Terral and Faulkner, "An Act to provide for holding sessions of the county court of Kiowa County at Snyder in said county and declaring an emergency," was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 324.

House Bill No. 324 by Messrs. Jahn and McDuffie, "An Act repealing Section 1, of Article 1, Chapter 25, of the General Statutes of Oklahoma, 1903, etc," was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 290.

House Bill No. 290 by Mr. Acton, "An Act to amend Section 3, Article 4, of Chapter 7, of the session laws of Oklahoma, 1903, to authorize the town of Crescent City, Logan County, to construct, own, control and operate water works," was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 218.

House Bill No. 218 by Mr. Acton, "An Act to amend Section 3, Article 4, of Chapter 7, Session Laws of 1903, to authorize the town of Coyle, Logan County, to control and operate water works", was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 488.

House Bill No. 488 by Messrs. Merrick, Knox, and Cook, "An Act to legalize and validate the election held in the County of Muskogee on the 3d day of November, 1908, etc." was read the first time.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 265 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 430.

House Bill No. 430 by Messrs. Bryan and Tillotson, "An Act creating a state dairy commission and defining its powers and duties," was read the first time.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 15 as amended by the House and as signed by the Speaker.

A message was received from the House transmitting the engrossed copy of Committee Substitute for House Bill No. 45 signed by the Speaker.

Committee Substitute for House Bill No. 45 by Mr. Whitson, "An Act providing for holding sittings of the county court of McLain County, etc.," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily and the President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 168 as amended, the same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily and President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Concurrent Resolution No. 25, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bill No. 104 do pass and as to Senate Bill No. 216 report progress and ask leave to sit again.

Report received.

President Pro Tem, Mr. Graham, signed the engrossed copies of Sen-

ate Bills Nos. 243, 324, 323, 30, 83, 317, and 322; also House Bills Nos. 303 and 373; and the enrolled copy of House Bill No. 97, which were read the fourth time at length, same were ordered transmitted to the House.

The Conference Committee reported on Senate Bill No. 39

Senator Roddie withdrew the report of the conference committee on Senate Bill No. 39.

The Committee on State and County Affairs reported, recommending that House Bill No. 437 do pass.

Report received.

The Committee on Public Health reported, recommending that Senate Bill No. 377 do pass.

Report received.

The Committee on Drugs and Pure Food reported, recommending that House Bill No. 404 do pass.

Report received.

The Committee on Education reported, recommending that House Bill No. 527 do pass.

Report received.

The Committee on Public Buildings reported, House Bills Nos. 362, 87 and 73; and Senate Bills Nos. 83, 79, 352 and 337 back to the Senate without recommendation.

Report received.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

Senator Morris asked unanimous consent to introduce a committee report.

Request granted.

The Committee on School Lands reported, recommending that Senate Bill No. 376 do pass.

Report received.

The Senate went into the Committee of the Whole to consider unfinished business and Senate Bill No. 223 and appropriation bills.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of Senate Concurrent Resolution No. 25, signed by the Speaker.

A message was received from the House transmitting the engrossed copies of Senate Bill No. 228 and House Bill No. 399 signed by the Speaker.

House Bill No. 399 by Mr. Ross, "An Act to amend Section 3, of Article 1, Section 1 of Article 3, Section 1 of Article4, of the Act to define the jurisdiction of County Court, fixing compensation therefor, etc.", was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 372 signed by the Speaker.

House Bill No. 372 by Mr. Coyne, "An Act to amend Section 6351 of Article IV of Chapter 74 of the General Statutes of Oklahoma of 1908,

legalizing the acts of boards of Education and etc., and declaring an emergency," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House requests the Senate to recede from Senate amendments Nos. 9-14 and 38 to House Bill No. 168 by Mr. Anthony.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the engrossed copy of House Bill No. 384 signed by the Speaker.

House Bill No. 384 by Mr. Cope and Mr. Calhoun, "An Act relating to insects and diseases which are injurious to growing crops, etc.", was read the first time.

Senator Blair moved that the Senate insist on their amendments to House Bill No. 168.

Same was laid over.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bills Nos. 216 and 223 do pass as amended.

Report received.

The Senate adjourned until 9:30 A. M. Saturday, March 6th, 1909.

SENATE JOURNAL.

SIXTY-FIRST DAY.

Saturday, March 6th, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by Acting President Pro Tem, Mr. Williams.

On roll call the following Senators were present:

Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols ,Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 39.

Absent and excused: Messrs. Davis, Warren, Redwine and Stewart. Total 4.

The President announced a quorum present.

Prayer by the Chaplain.

A message was received from the Governor and read as follows:

Guthrie, March 5th, 1909.

To The Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved Senate Concurrent Resolution No. 22, by Mr. Thomas, approving warrants heretofore issued by the State Auditor in payment of mileage and per diem of members, and authorizing and directing the State Auditor to issue warrants to members of the Legislature and employees for the per diem of members and salaries of employees."

Also House Bill No. 385 being, "An Act making an appropriation for the expenses and per diem of the Regents of the various State Institutions for the biennial period from July 1, 1909, to June 30, 1911."

Also Senate Bill No. 19, "An Act to amend Section 1, Chapter 8, of the Session Laws of 1897, relating to conveyances."

Respectfully submitted,

C. N. HASKELL,

Governor.

President Bellamy took the Chair.

Report of Standing Committees.

The Committee on Legal Advisory reported recommending that House Bills Nos. 205, 513, 476, and 526 do pass.

Report received.

The Committee on School Lands reported, recommending that Senate Bill No. 378 do pass as amended.

Senator Morris moved that the rules be suspended and that Senate Bill No. 378 be placed on third reading and final passage.

Vote was taken. The President declared the rules suspended.

Senate Bill No. 378 was read at length the third time.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Goulding, Hatchett, Keys, Memminger, Mitchell, Moore, Morris, Potter, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excuesd: Messrs. Allen, Beeler, Chapman, Cloonan, Davis, Echols, Franklin, Graham, Warren, Landrum, Newell, Redwine, Stewart and Soldani. Total 14.

The President declared the bill had passed.

The title of the bill was agreed to.

The Conference Committee report on Senate Bill No. 39 was presented.

The Conference Committee report on Senate Bill No. 39 was laid over under the rules.

Senate Concurrent Resolution No. 26 by Mr. Thomas was read at length.

Senate Concurrent Resolution No. 26 by Mr. Thomas. "Whereas, bills as per itemized statement hereto attached together with the original bills as rendered have been filed with the Senate Auditor, same having been approved in the total sum of two thousand four hundrd seventy-four dollars and seventeen cents($2,474.17) THEREFORE BE IT RESOLVED BY THE SENATE, the House concurring therein, that the said sum of two thousand four hundred seventy four dollars and seventeen cents ($2,474.17) be allowed and that the State Auditor is hereby authorized and directed to issue warrants as per itemized statement attached, to said persons, firms, associations and corporations in payment of said accounts."

Senator Thomas moved the resolution be referred to a special committee of three to look into the correctness of the accounts.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Williams, Memminger and Soldani as such Committee.

Bills Read the Second Time and Referred to the Following Committees:

House Bill No. 45 by Mr. Whitson, to the Committee on State and County Affairs.

House Bill No. 218 by Mr. Acton ,to Committee on State and County Affairs.

House Bill No. 290 by Mr. Acton, to Committee and State and County Affairs.

House Bill No. 324 by Messrs. Jahn and McDuffee, to Committee on Judiciary No. 2.

House Bill No. 488 by Messrs. Merrick, Knox and Cook, to Committee on Privileges and Elections.

House Bill No. 430 by Messrs, Bryan and Tillotson, to Committee on State and County Affairs.

House Bill No. 513 by Messrs, Terral and Faulkner to the Committee on State and County Affairs.

House Bill No. 372 by Mr. Coyne, to Committee on Education.

House Bill No. 399 by Mr. Ross, to Committee on Judiciary No. 2.

House Bill No. 384 by Messrs. Cope and Calhoun, to Committee on Agriculture, Quarantine and Animal Industry.

House Bill No. 230 by Mr. Watrous, to Committee on Education.

House Bill No. 432 by Mr. Dunn, to Committee on State and County Affairs.

House Bill No. 525 by Mr. Bridges, to Committee on School Lands.

House Bill No. 509 by Mr. Gilmer, to Committee on Insurance.

Senator Colville was excused for the day.

The Conference Committee report on Senate Bill No. 161 was read as follows.

"Mr. President: We, your Joint Committee on conference on Senate Bill No. 161 by Blair, relative to the tax ferret law beg leave to report that we have had same under consideration and recommend that the Senate recede from its amendment to said bill.

Respectfully submitted,

H. S. BLAIR,	L. P. ROSS,
RICHARD A. BILLUPS,	W. F. DURHAM,
J. ELMER THOMAS.	C. G. JONES.
Senate Committee.	House Committee."

Senator Billups moved the adoption of the report.

The question being shall the report be adopted, the roll being called, the vote resulted as follows:

Yeas. Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 39.

Nays. None.

Absent and excused. Meessrs. Davis, Warren, Redwine and Stewart. Total 4.

The President declared the report adopted.

Senate Bill No. 15 was referred to a special committee consisting of Messrs. Goulding, Memminger, Cloonan and Roddie.

Senator Eggerman asked unanimous consent to have the rules suspended and that House Bill No. 104 be placed on third reading and final passage.

Request granted.

House Bill No. 104 was read the third time at length.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Denton, Echols, Eggerman, Goulding, Hatchett, Keys, Memminger, Mitchell, Morris, Newell, Potter, Russell, Smith, Staf-

ford, Strain, Soldani, Sorrells, Thomas, Updegraff, Williams and Yeager. Total 29.

Nays. Messrs. Curd and Franklin. Total 2.

Absent and excused. Messrs. Allen, Colville, Davis, Graham, Warren, Landrum, Moore, Redwine, Roddie, Stewart, Taylor and Wynne. Total 12.

The President declared the bill passed.

The question being shall there be an emergency; the roll being called on the emergency section, the vote rsulted as follows:

Yeas: Messrs. Beeler, Billups, Brownlee, Chapman, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Goulding, Hatchettt, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas, Updegraff, Williams and Yeager. Total 31.

Nays. Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Colville, Davis, Graham, Warren, Potter, Redwine, Roddie, Stewart, Taylor and Wynne. Total 11.

The President declared the emergency having received a two-thirds majority, had passed.

The title of the bill was agreed to.

The Conference Committee report on Senate Concurrent Resolution No. 24 was read as follows:

"Mr. President: We, your Joint Committee on Conference on Senate Concurrent Resolution No. 24, by Blair, relative to the date of final adjournment, beg leave to report that we have had same under consideration and recommend that the House recede from its amendment to said resolution.

H. S. BLAIR ,	MILTON BRYAN,
RICHARD A. BILLUPS,	G. L. WILSON, Sr.
J. C. GRAHAM.	M. TURNER.
Senate Committee.	House Committee."

Senator Blair moved the adoption of the Committee report.

Vote was taken. The President declared the report adopted.

A message was received from the House informing the Senate of the adoption by the House of the Conference Committe Report on Senate Concurrent Resolution No. 24.

The Conference Committee report on House Bill No. 443 was read as follows: "We your Conference Committee on House Bill No. 443 by Anthony of the House and Redwine of the Senate, entitled "An Act to amend Section 6 of the Session Laws of 1907-08 the same being entitled 'An Act providing for the levy and collection of a gross revenue tax from public service corporations in the State etc.'," beg leave to report that we have had the same under consideration and recommend that the House agree to Senate amendment inserting Section 1 in the bill; and that the Senate recede from its amendment inserting Section 2; and that Section 1 of the original bill be numbered Section 2 of the bill as amended by the Senate, the House agreeing to the following amndment of said section 1 of the original bill: "for payment of the expense of the State government,"

and that the House agree to the Senate amendment adding section 4 and 5 and that the same be numbered sections 3 and 4.

Respectfully submitted,

H. S. BLAIR, W. B. ANTHONY,
RICHARD A. BILLUPS, J. R. M'CALLA,
E. T. SORRELLS, J. A. TILLOTSON,
Senate Committee. House Committee."

Senator Blair moved the adoption of the report.

Vote was taken. The President declared the report adopted.

Senator Blair moved that the Senate refuse to recede from Senate amendments to House Bill No. 168 and ask for a cnoference on same.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Blair, Russell and Eggerman as such Committee.

Senator Eggerman moved that the rules be suspended and that House Bill No. 532 be placed on third reading and final passage.

Vote was taken. The President declared the motion prevailed.

House Bill No. 532 was read the third time at length.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Beeler, Billups, Blair, Brownlee, Cloonan, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams and Yeager. Total 32.

Nays. None.

Absent and excused. Messrs. Allen, Chapman, Colville, Davis, Echols, Graham, Hatchett, Warren, Redwine, Stewart and Wynne. Total 11.

The President declared the bill passed.

The question being shall there be an emergency; the roll being called on the emergency section the vote resulted as follows:

Yeas. Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Yeager. Total 33.

Nays. None.

Absent and excused. Messrs. Allen, Colville, Davis, Graham, Hatchett Warren, Moore, Redwine, Stewart and Wynne. Total 10.

The President declared the emergency having received a two-thirds majority had passed.

A message was received from the House informing the Senate that signing by the Speaker, of House Bills Nos. 25 and 236 and transimtting the enrolled copies of the same.

A message was received from the House informing the Senate that the House had agreed to a conference on House Bill No. 168 and had appointed Messrs. Anthony, Cope and Jones as such Committee on the part of the House.

Senate Bill No. 114 and House Bills Nos. 236 and 25 were read the

fourth time at length, the enrolled copies of the same were signed by the President Mr. Bellamy, and ordered transmitted to the House. The titles of tho bills were agreed to.

Senate Bill No. 216 was read the third time at length.

Senator Thomas offered the following amendment: Line 4 page 2 strike out the words "appraised valuation thereof" and insert in lieu thereof "cash value thereof exclusive of improvements."

The question being shall the amendment pravail; the roll being called, the vote resulted as follows:

Yeas. Messrs. Beeler, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Curd, Denton, Goulding, Moore, Morris, Newell, Smith, Strain, Thomas and Updegraff. Ttoal 16.

Nays. Messrs. Billups, Echols, Franklin, Hatchett, Keys, Landrum, Memminger, Mitchell, Roddie, Stafford, Sorrells, Williams and Yeager. Total 13.

Absent and excused. Messrs. Allen, Blair, Colville, Davis, Eggerman, Graham, Potter, Redwine, Russell, Stewart, Soldani, Taylor and Wynne. Total 14.

The President declared the amendment adopted.

Senator Stafford offered the following amendment; Line 3 page2 after the word "fixed" insert the following "by the Commissioners of the Land Office, provided that in no event shall the same be fixed at less than four" strike out in same lines the words "at five"

Vote was taken. The President declared the amendment adopted.

Senator Billups moved that a call of the Senate be made.

Senate Bill No. 338 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 338, same was ordered transmitted to the House.

The President Mr. Bellamy signed the engrossed copy of House Bill No. 532, same was ordered transmitted to the House.

The Committee appointed to look over the amendments by the House to Senate Bill No. 15 reported.

Senator Roddie moved that the Senate do not agree to House amendment No. 21 to Senate Bill No. 15.

Roll being called the vote resulted as follows:

Yeas. Cordell, Cunningham, Echols, Franklin, Goulding, Hatchett, Keys. Memminger, Mitchell, Newell, Roddie, Smith, Soldani, Sorrells, Willaims, Updegraff and Wynne. Total 17.

Nays. Messrs. Brownlee, Chapman, Curd, Denton, Landrum, Morris and Yeager. Total 7.

Absent and excused. Messrs. Allen, Beeler, Billups, Blair, Cloonan, Colville, Davis, Eggerman, Graham, Warren, Moore, Potter, Redwine, Russell, Stafford, Strain, Taylor, Thomas and Stewart. Total 19.

The President declared that the Senate did not agree to House amendment No. 21 to Senate Bill No. 15.

The Senate recessed until 1:30 p. m.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

Tho President announced a quorum present.

A message was received from the House transmittnig the engrossed copy of House Bill No. 418.

House Bill No. 418 by Mr. Terral, "An Act to supervise, regulato and control companies and corporations supplying gas or electricity for light, etc." was read the first time.

The further consideration of the amendments to Senate Bill No. 15 was taken up.

Senator Roddie moved that we ask the House to recede from Amendments Nos .4-15-18-19-20-21-22 to Senate Bill No. 15 and notify the House that the Senate has agreed to all the other amendments to said bill by the House.

Vote was taken. The President declared the motion prevailed.

The Senate went into the Committee of the Whole to consider appropriation bills and unfinished business.

The Committee of the Whole arose temporarily to receive a conference committee report on House Bill No. 168 which was read as follows:

"Mr. President: We, your conference committee to whom was ref rred House Bill No. 168 by Anthony, entitled An Act to Provide for the Raising of Revenue for the Fiscal Year Ending June 30, 1910, etc.," beg leave to report that we have had the same under consideration and recommend that the Senate recede from its amendment No. 9 which reads as follows:

"At end of Article 3 Section 16, add the following: "The Grand Juries of theh various counties of this State shall make diligent inquiry into ony and all violations of the provisions of this Act and make presentment of any and all persons whom they have probable cause to believe had not complied with the law as herein required. It shall be the duty of the County Attorney to aid the Grand Jury in this duty."

That the Senate recede from its amendment No. 14 as follows:

"Article 7, Section 2, page 85, line 5, after the word "purpose" add the following "Including one-fourth of one mill for common school purposes to be levied, collected and distributed as other school money."

That the Senate recede from its amendment No. 38 which reads as follows:

"Article 10, Section 19, page 53 line 3 after the word "thereon" strike out the words "if such land is conveyed between the "and insert" taxes on any real estate shall become a lien on such real estate on the 15th day of October of each year.'

H. S. BLAIR,	W. B. ANTHONY,
M. F. EGGERMAN,	C. G. JONES,
CAMPBELL RUSSELL,	M. B. COPE.
Senate Committee.	House Committee.

Senator Blair moved the adoption of the report.

Vote was taken. The President declared tho report adopted.

The Committee on Public Buildings reported recommending House Bill No. 242 do pass.

Report received.

Senator Williams asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 380 by Mr. Williams, "An Act to provide for the necessary expense and for the payment of salaries of the members of the State Board of Public Affairs, etc," and declaring an emergency.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows: "Mr. President: I am directed by the House to inform the Senate that the House has agreed to the report of the Joint Conference Committee on House Bill No. 443.

A message was received from the House transmitting the enrolled copies of Senate Bills No. 114 and 338 signed by the Speaker.

A message was received from the House informing the Senate that the House had adopted the report of the conference committee on Senate Bill No. 161.

The President Pro Tem Mr. Graham, signed the engrossed copy of Senate Bill No. 378 by the Committee on School Lands, same was ordered transmitted to the House.

Senate Bill No. 161 as amended by the House was read the third time at length as amended.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas. Messrs. Beeler, Billups, Blair, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Mitchell, Newell, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 27.

Nays. Messrs. Brownlee, Chapman, Denton and Potter. Total 4.

Absent and excused. Messrs. Allen, Cloonan, Colville, Davis, Warren, Keys, Landrum, Memminger, Morris, Redwine and Stewart. Total 12.

The President declared the bill passed as amended.

The further consideration of Senate Bill No. 216 was taken up.

Senator Billups moved to strike out the Stafford amendment.

Vote was taken. The President declared the motion prevailed.

A message was recieved from the House informing the Senate that the House had by roll call vote adopted the Joint Conference Committee report on House Bill No. 168.

House Bill No. 168 as amended was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Denton, Echols, Franklin, Graham, Goulding, Keys. Memminger, Mitchell, Morris Newell, Potter, Roddie, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays. None.

Absent and excused. Messrs. Allen, Cloonan, Colville, Davis, Eggerman, Hatchett, Warren, Landrum, Moore, Redwine, Russell and Stewart. Total 12.

The President declared the bill passed.

House Bill No. 443 was read at length the third time.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas. Messrs. Beeler, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Denton, Echols, Graham, Goulding, Keys, Memminger, Mitchell, Morris, Newell, Potter, Russell, Stafford, Strain, Soldani, Sorrels, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 28.

Nays. Messrs, Billups, Franklin, Roddie and Smith. Total 4.

Absent and excused. Messrs. Allen, Cloonan, Colville, Davis, Eggerman, Hatchett, Warren, Landrum, Moore, Redwine and Stewart. Total 11.

The President declared the bill passed.

A message was received from the House informing the Senate that the House had agreed to Senate amendments to House Bill No. 104.

The further consideration of Senate Bill No. 216 was taken up.

Senator Goulding offered the following amendment: Page 1, section 2, line 7, strike out "ten' and insert "five.

Vote was taken. The President declared the amendment lost.

Senator Thomas offered the following amendment. Strike out of line 10, page 10 section 13 the following words, "or assessment of any nature.

Vote was taken. The President declared the amendment adopted.

A message was received from the House informing th Senate that the House had agreed to Senate amendments to House Bill No. 532 with amendments enclosed.

Senator Yeager moved that the Senate agree to the House amendment to House Bill No. 532.

Vote was taken and the President declared the motion prevailed.

The question being shall the bill pass as amended; the roll being called, the vote resulted as follows:

Yeas. Messrs. Billups, Blair, Brownlee, Cordell, Curd, Denton, Echols Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Smith, Strain, Soldani, Sorrels Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 28.

Nays. Mr. Cunningham. Total 1.

Absent and excused. Messrs Allen, Beeler, Chapman, Cloonan, Colville, Davis, Eggerman, Warren, Moore, Potter, Redwine, Roddie, Stafford and Stewart. Total 14.

The President declared the bill passed.

The further consideration of Senate Bill No. 216 was taken up.

Senator Thomas offered the flolowing amendment: Add the following to the end of section 13: "Provided that nothing in this bill shall be construed to deny any lessee the r ight to appeal to the court upon questions of law and in the event of any such appeal said appeal shall be to the district court in the county in which the land is located, and shall be governed by the provisions of Section 1 of Article 1 of Chapter 20 session laws of 1907-08.

Vote was taken. The president declared the amendment lost.

Senator Thomas offered the following amendment: Add the following to the end of line 12, page 3: Provided that this section shall not apply to lessees now in possession of a valid lease.

The question being shall the amendment be adopted; the roll being called, the vote resulted as follows:

Yeas. Messrs. Brownlee, Chapman, Curd, Graham, Goulding, Mitchell, Morris, Newell, Russell, Thomas and Updegraff. Total 11.

Nays: Messrs. Beeler, Billups, Blair, Cordell, Cunningham, Denton, Echols, Franklin, Hatchett, Keys, Landrum, Memminger, Roddie, Strain, Sorrels, Williams, Wynne and Yeager. Total 18.

Absent and excused. Messrs. Allen, Cloonan, Colville, Davis, Eggerman, Warren, Moore, Potter, Redwine, Smith, Stafford, Stewart, Soldani and Taylor. Total 14.

The President declared the amendment lost.

The question being shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas. Messrs. Beeler, Billups, Blair, Chapman, Cordell, Cunningham, Denton, Echols, Franklin, Hatchett, Keys, Landrum, Memminger, Morris, Roddie, Russell, Smith, Stafford, Strain, Sorrells, Updegraff, Williams, Wynne and Yeager. Total 25.

Nays. Messrs. Brownlee, Curd, Goulding, Newell and Thomas. Total 5.

Absent and excused. Messrs. Allen, Cloonan, Colville, Davis, Eggerman, Warren, Mitchell, Moore, Potter, Redwine, Stewart, Soldani and Taylor. Total 13.

The President declared the bill passed.

The question being shall the emergency section be adopted; the roll being called on the emergency section the vote resuted as follows:

Yeas. Messrs. Beeler, Billups, Blair, Chapman, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Roddie, Russell Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays. Messrs. Brownlee, Goulding, Newell and Thomas. Total 4.

Absent and excused. Messrs. Allen, Cloonan, Colville, Davis, Warren, Moore, Redwine and Stewart. Total 8.

The President declared the emergency have received a two-thirds majority had passed.

Senator Goulding explained his vote as follows:

"Mr. President: I vote no, on the final passage of Senate Bill No. 216 for the reason that ten years is too long a time to lease land in a new country like Oklahoma, which is growing and developing as fast as this State is.

Second. That I consider five per cent an unjust rental of such lands. This will bring into the State more than twice the amount of money the lessees have paid the last year, and when we take into consideration the fact that they have developed the land and made it valuable, that they are mostly poor men who will be unable to meet this heavy burden upon them, I consider it unjust and unfair to them.

I also consider it unjust and unfair to the people of the western side of the state, who will have to contribute to the school fund of the State under this appraisement about one million, five hundred thousand dollars

$(1,500.00) while on the east side on the old Indian Territory side, will only contribute from the same source on their five million dollar($5,000,-000) school fund endowment two hundred and fifty thousand dollars ($250 000) annually.

Third. The bill is unconstitutional in that it takes away the preference right in some instances, without compensation or due process of law.

A message was received from the House transmitting the enrolled copy of House Bill No. 168 signed by the Speaker.

House Bill No. 168 was read at length the fourth time.

The President Mr. Bellamy sign dethe enrolled copy of House Bill No. 168. Same was ordered transmitted to the House.

The Journal of the 59th days session was approved.

The Committee on Judiciary No. 2 reported, recommending that House Bill No. 42 do pass as amended.

Report received.

Senate Bill No. 223 was read the third time at length.

Senator Stafford offered the following amendment: At the end of line 10, page 1, section 1, "Provided that at the general election in 1910 and every four years thereafter, the members of said board shall be elected in the same manner as other state officers are elected and before entering upon their duties subscribe to the oath of office prescribed in the constitution"

Vote was taken. The President declared the amendment lost.

Senator Hatchett offered the following amendment: "line 3, page 1, after the word 'members' insert the following 'not more than two of whom sahll be members of the same political party."

Vote was taken, the President declared the amendment adopted.

Senator Williams moved to strike the amendment from the bill.

The question being, shall the amendment prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Denton, Landrum, Williams and Wynne. Total 5

Nays: Messrs. Beeler, Blair, Echols, Eggerman, Franklin, Hatchett, Keys, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff and Yeager. Total 23.

Absent and excused: Messrs. Allen, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Graham, Goulding, Warren, Moore, Potter and Stewart. Total 15.

The President declared the motion lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Denton, Echols, Franklin, Warren, Keys, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Cloonan, Colville, Davis, Egger-

man, Graham, Goulding, Hatchett, Landrum, Moore, Redwine and Stewart. Total 12.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called on the emergency section, the vote resultd as follows:

Yas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Graham, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Smith, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Cloonan, Colville, Davis, Goulding, Warren Moore, Potter, Redwine, Stewart and Wynne. Total 11.

The President declared the emergency, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

The Conference Committee reported on Senate Bill No. 39 as follows:

"Mr. President: We, Your Conference Committee on Senate Bill No. 39 beg leave to submit the following report:

The Senate agrees to House amendment No. 1, to Section 1.

The Senate agrees to House amendment No. 2 to Section 2, with the following amendment: Change the word 'one thousand' to read 'five hundred' making the amendment read as follows: 'ten thousand dollars, (10,000) in towns having five hundred inhabitants or less and not less than."

The House agrees to recede from amendment No. 3, to Section 2, with the following amendment: 'Change the words and figures in line 13 from fifteen thousand (15,000) to twenty thousand, (20,000.)" and in line 16 of the same section, change the words and figures from fifteen thousand (15,000) to twenty thousand (20,000.)

The Senate agrees to House amendment No. 4 to Section 3.

The House recedes from its amendment No. 5 to Section 5.

The Senate agrees to House amendment to Section 5 with the following amendment: Strike out the entire section from the bill.

The Senate agrees to the new section No. 7.

The House agrees to recede from its amendment inserting Section No. 8.

The Senate agrees to the House amendment striking aut section 4 of the engrossed copy of the bill.

Respectfully submitted,

PRENTICE SMITH,
SMITH, OF CADO,
W. B. ANTHONY.
House Committee.

RUEBEN M. RODDIE,
J. H. STRAIN,
J. ELMER THOMAS,
Senate Committee.

Senator Roddie moved the adoption of the report.

Vote was taken. The President declared the report adopted.

The question being, shall Senate Bill No. 39 pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chpaman, Cunningham, Curd, Denton, Echols, Franklin, Graham, Hatchett, Keys, Landrum,

Memminger, Mitchell, Moore, Morris, Newell, Potter, Smith, Stafford, Roddie, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 32.

Nays: Messrs. Cordell and Russell. Total 2.

Absent and excused: Messrs. Allen, Cloonan, Colville, Davis, Eggerman, Goulding, Warren, Redwine, and Stewart. Total 9.

The President declared the bill passed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 155 as amended by the House.

Senator Taylor moved that the Senate agree to the House amendments to Senate Bill No. 155.

Senator Stafford moved as a substitute that the Senate do not agree to the House amendments and that the Senate ask for a conference on same.

Vote was taken. The President declared the substitute prevailed.

The President appointed Messrs. Taylor, Stafford and Beeler, as such Committee.

A message was received from the House transmitting the engrossed copy of House Bill No. 300 signed by the Speaker.

House Bill No. 300 by Mr. Semple, "An Act providing for the holding of terms of county court in several counties of the State of Oklahoma," was read the first time.

Senator Russell asked unanimous consent to introduce a Joint Resolution.

Request granted.

Senate Joint Resolution No. 20 by Mr. Russell, "Proposing an amendment to the Constitution of the State of Oklahoma."

The President, Mr. Bellamy signed the engrossed copy of Senate Bill No. 223. Same was ordered transmitted to the House.

The Committee on Eduaction reported, recommending that House Bill No. 230 do pass as amended.

Senator Updegraff was excused until Monday.

The President, Mr. Bellamy, signed the engrossed copy of Senate Bill No. 216, same was ordered transmitted to the House.

The Senate went into the Committee of the Whole to consider unfinished business and appropriation bills on the calendar.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to a conference on Senate Bill No. 155 and has appointed Messrs. Cope, Humphries and Faulkner, as a Committee on the part of the House."

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of House Bill No. 443 signed by the Speaker.

House Bill No. 443 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 443, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Committee Substitute for House Bill N.o 295 signed by the Speaker.

Committee substitute for House Bill No. 295 by Mr. Semple, "An Act amending Sections 2, 3 and 5 of An Act entitled 'An Act providing for the selection of grand and petit jurors, etc." was read the first time.

A message was received from the House as follows:

Mr. President: I am directed b ythe House to inform the Senate of the adoption by the House of the Joint Conference Committee report on Senate Bill No. 39.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of House Bill No. 104 signed by the Speaker.

House Bill No. 104 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 104, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bills Nos. 316, 351, 213, 365, 190, and 268 do pass, and that Senate Bills Nos. 358, 166, 290 and 297 do pass as amended; and as to Senate Bill No. 359, that the same be indefinately postponed and that Senate Bill No. 221 be stricken from the Calendar.

Senator Yeager moved to amend the report by not concurring in that part of same referring to Senate Bill No. 359 and ask for further time to investigate.

Vote was taken. The President declared the motion prevailed.

The report was adopted as amended.

Senate Bill No. 265 was read the fourth time at length.

The President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 265, same was ordered transmitted to the House.

Senator Taylor filed the following conference report on Senate Bill No. 155:

Guthrie, Oklahoma, March 6th, 1909.

To the President of the Senate and the Speaker of the House of Representatives:

Mr. President: We, your Conference Committee, appointed to consider and to whom was referred Senate Bill No. 155 relating to municipal elections, beg leave to report as follows:

We recommend that House amendment No. 1 be amended to read as follows:

Provided that the general election in cities of the first class towns and villages in this State, shall be held on the fourth Tuesday in April, 1909, and the primary election hereinafter provided for shall be held on the first Tuesday in April, 1909, and we recommend that the Senate concur House Amendment No. 3.

We further recommend that we strike out in line 7 of the printed copy, Section 9, Article 1, the words "city, town or village precincts" and

insert in lieu thereof the words "cities of the first class." Also strike out the words towns or villages" in line 13 of said Section 9, Article 1.

TAYLOR,
STAFFORD,
BEELER,
Senate Committee.

COPE,
FAULKNER,
HUMPHREY,
House Committee.

Senator Taylor moved that the report be adopted and that this bill be placed on third reading and final passage.

Vote was taken. The President declared the report adopted.

Senate Bill No. 155 was read the third time at length.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Bliar,Chapman, Cunningham, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Mitchell, Morris, Potter, Roddie, Stafford, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 24.

Nays: Messrs. Cloonan and Curd. Total 2.

Absent and excused: Messrs. Allen, Beeler, Brownlee, Colville, Cordell, Davis, Echols, Warren, Memminger, Moore, Newell, Redwine, Russell, Smith, Stewart, Soldani and Updegraff. Total 17.

The President declared the bill passed as amended.

Senator Taylor asked unanimous consent to substitute the carbon copies of Senate Bills Nos. 373 and 377 for the originals.

There being no objection the request was granted.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by the President Pro Tem, Mr. Graham.

The President announced a quorum present.

A message was received from the Governor and read as follows:

Guthrie, March 6th, 1909.

To the Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved House Bill No. 236, being "An Act providing for the creation and location of a Northeastern State Normal at Tahlequah, Cherokee County, Oklahoma, for the purchase of the Cherokee Female Seminary for that purpose and for the maintenance of same, and declaring an emergency."

Respectfully submitted,

C. N. HASKELL,
Governor.

A message was received from the Governor and read as follows:

Guthrie, March 6th, 1909.

To the Honorable Legislature:

I have the honor to report to your Honorable Body that I have this day signed and approved House Bill No. 25 same being, "An Act creating

the Southeastern Normal School at Durant, and making an appropriation for the erection of a suitable building therefor."

Respectfully submitted,

C. N. HASKELL,
Governor.

The Committee on Agriculture, Quarantine and Animal Industry reported, recommending that House Bill No. 384 do pass.

Report received.

The Committee on Insurance reported, recommending that House Bill No. 509 do pass.

Report received.

Senator Hatchett filed the following conference committee report on House Bill No. 93:

Mr. President: First, We, your conference committee on House Bill No. 93 by Mr. Boyle, recommend that in lines 1 and 2 of the Senate amendments the following words be stricken out, "Lines 20, 21 and 23, Page 3."

We recommend that in line 11 of the Senate amendments, the following words be stricken out, "At the end of each shift".

And in line 12 after the word "fired" that the following words be added: "and no explosives shall be taken out of the mine until the end of the shift, and all miners have gone out."

We recommend that the Senate recede from its amendments contained in lines 1, 2, 3, and 4 from the bottom of page one of Senate amendments.

Second. We recommend the first word "of" in line four of the Senate amendments be stricken out; and the following words inserted:" of Senate Bill No. 26 same being'.

Respectfully,

JESSE M. HATCHETT,
E. M. LANDRUM,
Senate Committee.

ED BOYLE,
J. R. McCALLA,
C. G. JONES,
House Committee.

Senator Billups moved the adoption of the report.

Vote was taken. The President declared the report adopted.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 228 do pass as amended.

Report received.

The Committee on Privileges and Elections reported, recommending that House Bill No. 488 do pass.

Report received.

The Senate went into the Committee of the Whole to consider appropriation bills and special orders.

The Committee of the Whole reported, recommending that Senate Bills Nos. 357, 373, 167, 101, 306, 307 and 275 do pass; and Senate Bills Nos. 90, 150, 333, 13, 63 and 308 do pass as amended.

Report adopted.

The Committee on Roads and Highways reported, recommending that House Bill No. 98 do pass as amended.

Report received.

The Committee on Education reported, recommending that House Bill No. 372 do pass as amended.

Report received.

The Senate adjourned until Monday, March 8th, 1909 at 9:30 A. M.

SENATE JOURNAL.

SIXTY-SECOND DAY.

Sunday, March 7th, 1909.

No Session.

SENATE JOURNAL.

SIXTY-THIRD DAY.

Monday, March 8th, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 41.

Absent and excused: Messrs. Redwine and Stewart. Total 2.

The President announced a quorum present.

Prayer by Dr. Edwards.

The Journal of the Sixtieth day's session was approved.

Senator Eggerman asked to have himself and Senator Cordell excused until 11 A. M., and that the Special Orders set for 10 A. M., be deferred until 11 A. M.

Vote was taken. The President declared the request granted.

Senator Chapman was excused until Tuesday.

Senator Franklin was excused until Tuesday.

The Committee on Appropriations reported, recommending that House Bill No. 446 do pass; and that House Bill No. 311 do pass as amended; and as to House Bill No. 5 report same back without recommendation.

The Report was received.

The Committee on Legal Advisory reported, recommending that Senate Bill No. 356 do pass.

Report received.

Bills read the second time and referred to the following committees:

House Bill No. 418, by Mr. Terral, to Committee on Municipal Corporations.

House Bill No. 300 by Mr. Semple, to Committee on Legal Advisory.

Committee Substitute for House Bill No. 295 by Mr. Semple, to Committee on Legal Advisory.

Senate Bill No. 380 by Mr. Williams, to Committee on Appropriations.

Senate Joint Resolution No. 20 by Mr. Russell, to Committee on Legal Advisory.

Bills on Third Reading.

Senate Bill No. 167 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Cloonan, Colville,

Cordell, Cunningham, Curd, Davis, Denton, Echols, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Blair, Chapman, Eggerman, Graham, Mitchell, Moore, Morris, Redwine, Stafford, Stewart, Sorrells and Updegraff. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 13 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Brownlee, Colville, Cordell, Davis, Denton, Franklin, Hatchett, Warren, Keys, Landrum, Memminger, Newell, Roddie, Russell, Smith, Strain, Thomas, Williams and Yeager. Total 21.

Nays: Messrs. Beeler, Cloonan ,Cunningham, Curd, Echols, Goulding, Mitchell, Morris, Potter, Soldani and Wynne. Total 11.

Absent and excused: Messrs. Blair, Chapman, Eggerman, Graham, Moore, Redwine, Stafford, Stewart, Sorrells, Taylor, and Updegraff. Total 10.

The President declared the bill lost.

Senator Yeager lodged a motion to reconsider the vote by which the bill had lost.

Senate Bill No. 373 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Davis, Denton, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Roddie, Russell, Smith, Strain, Soldani, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Beeler, Cloonan, Curd, Echols, Warren, Mitchell, Potter. Total 7.

Absent and excused: Messrs. Chapman, Eggerman, Moore, Redwine, Stafford, Stewart, Sorrells, Taylor and Updegraff. Total 9.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 316 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Strain, Soldani, Taylor, Thomas, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Brownlee and Potter. Total 2.

Absent and excused: Messrs. Blair, Chapman, Cordell, Eggerman, Moore, Redwine, Stafford, Stewart, Sorrells and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 351 was read the third time at length.

Senator Thomas asked unanimous consent to introduce an amendment to this bill at this time.

Request granted.

Senator Thomas offered the following propositions, asked that same be read and spread upon the Journal at length as record.

Request granted and propositions were read as follows:

First Proposition.

Guthrie, Okla., February 22, 1909.

Hon. J. Elmer Thomas, Senate Chamber.

Dear Sir: In obedience to your request I herewith submit to you specification and cost of manufacture, compiling and publishing, and selling a new statute of the State of Oklahoma as follows:

The book to be known as the Compiled Laws of Oklahoma, 1909; it is to contain all the preliminary matter in the statute of 1908, also the naturalization laws of the United States, also all the general laws of the State from the first session of the Territorial Legislature, in 1890, up to and including the general laws passed at the second session of the State Legislature, 1909.

The size of the page and type to be the same as in 1908 statute, the book to be arranged alphabetically by chapter, and sectionized straight through, and to be indexed completely; to be in one volume of about 2,500 pages, printed on a high grade book paper of sufficient weight to make the book convenient and of useful size; to be bound in either buckram or law sheep, as may be determined by the Legislature; the general laws to be exact and perfect copy of the acts on file in the Scretary of State's office.

The Legislature is to provide for the selection and payment of two lawyers to be named by us, who shall assist in the editorial work and compilation, indexing of this statute, amount of compensation to be made by the Legislature. We will guarantee and hold ourselves for the correctness of such editorial work, and we are willing to furnish bond of the same amount as the contract price herein named, conditioned for the faithful performance of our undertaking. We further propose to furnish the State five thousand copies of said book, delivered to the Secretary of State, in Guthrie, for $4.00 per book, or $20,000 00. And we further agree to furnish said books to any one within the State of Oklahoma at the same price, $4.00 per book and to have on hand at all times copies of said book for prompt shipment and delivery, or we propose to furnish the State three thousand copies of said book for $5.00 per copy, or $15,000 00, and to furnish said books to any one within the State of Oklahoma at the same price or $5.00 per book, the copies purchased by the State to be distributed to such State officers as are now entitled to the book, free of charge. We further agree to deliver said books to the Secretary of State in Guthrie, by the first of November, 1909.

Most respectfully submitted,

PIPES-REED BOOK CO.

(Signed) By D. T. Pipes, President.

Supplemental Proposition.

Guthrie, Okla., February 22, 1909.

Hon. J. Elmer Thomas, Senate Chamber.

Dear Sir: I submit herewith supplemental proposition to the one already submitted to you, as follows:

We propose to furnish the State six thousand copies of a new statute made and prepared as outlined in my former proposition, to be printed, bound, compiled and indexed as is set forth in that propostion, with the assistance of the two lawyers therein named, and deliver the six thousand copies to the Secretary of State for $36,000 00, being $6.00 per book, and will agree to waive and relinquish all claim that we now have against the State of Oklahoma of any kind or character with reference to the statutes of 1908, said sum of $36,000 00 to be paid as follows: $20,000 00 upon acceptance of this proposition, and $16,000 00, being the remainder, upon the delivery to the Secretary of State, on, or before the first day of November, 1909, the book to be compiled, printed, and bound as is outlined in my first proposition submitted to you.

In making this proposition I wish it understood that we do not hold ourselves responsible or admit any responsibility or assume any responsibility of anything in connection with the statutes of 1908, except the mechanical work of the book.

Most respectfully submitted,

PIPES-REED BOOK CO.,

(Signed) By D. T. Pipes, President.

Senator Thomas now offered the following amendment to Senate Bill No. 351, said amendment being an appropriation in the sum of $36,000 00 to cover the cost of six thousand copies as proposed in the Supplemental Proposition submitted, and the sum of $2,500 to pay for clerk hire, said amendments being submitted and based upon said supplemental proposition.

Senate Bill No. 351 by Mr. Williams, "A bill to be entitled an act making an appropriation to defray the expenses incident to codifying and revising the laws of the State of Oklahoma; the compiling and publishing of the compiled laws of Oklahoma, 1909, and declaring an emergency, be it enacted by the People of the State of Oklahoma:

Section 1. There is hereby appropriated out of the Treasury of the State of Oklahoma, not otherwise appropriated the sum of fifty nine thousand ($59,000 00) dollars, or so much thereof as may be necessary to defray the expenses of codifying and revisnig the laws of the State of Oklahoma; as provided in Senate Bill No. 261 of the Second Legislature of Oklahoma; and for compiling and publishing all the laws of the State, of a general nature, including the session laws, of a general nature, of the Second Legislature, in one volume to be known as the Compiled Laws of Oklahoma, 1909; and the State Printing Board is hereby authorized to make a contract for the compiling and publishing of the said volume as provided herein.

Section 2. The money appropriated by this act shall be apportioned as follows:

Salaries and traveling expenses of three code commissioners	$10,000 00
Stenographers	3,000 00
Law Clerks	5,000 00
Supplies, rent and incidentals	2,500 00
Six thousand copies of the Compiled Laws of Oklahoma, 1909	36,000 00
Two Law Clerks to assist in preparing copy for compiled laws	2,500 00

Section 3. All acts and parts of acts in conflict herewith are hereby repealed.

Section 4. For the preservation of the public peace and safety an emergency is hereby declared to exist by reason whereof this act shall take effect and be in force from and after its passage and approval.

Senator Thomas moved the adoption of the amendment.

Senator Smith moved to amend the motion by having the amendment printed.

Vote was taken. The President declared the motion lost.

The question being, shall the amendment be adopted, the roll bing called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cunningham, Denton, Echols, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Newell, Roddie, Russell, Soldani, Sorrells, Taylor, Thomas Williams, Wynne and Yeager. Total 21.

Nays: Messrs. Beeler, Brownlee, Cloonan, Hatchett, Warren, Memminger, Potter and Smith. Total 8.

Absent and excused: Messrs. Allen, Chapman, Colville, Cordell, Curd, Davis, Eggerman, Moore, Morris, Redwine, Stafford, Stewart, Strain and Updegraff. Total 14.

The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Davis, Denton, Echols, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Brownlee, Hatchett and Smith. Total 3.

Absent and excused: Messrs. Beeler, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Eggerman, Warren, Moore, Potter, Redwine, Stafford, Stewart, Strain, Taylor and Updegraff. Total 17.

The President declared the bill passed.

Senator Thomas moved that the vote on the emergency section be postponed.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 357 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Denton, Echols, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Strain, Soldani, Thomas, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Brownlee and Hatchett. Total 2.

Absent and excused: Messrs. Beeler, Chapman, Cloonan, Colville,

Cordell, Cunningham, Curd, Davis, Eggerman, Warren, Moore, Potter, Redwine, Stafford, Stewart, Sorrells, Taylor and Updegraff. Total 18.

The President declared the bill passed.

Senator Williams moved that the vote on the emergency section be postponed.

Senate Bill No. 358 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Curd, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Brownlee and Cloonan. Total 2.

Absent and excused: Messrs. Chapman, Cordell, Cunningham, Davis, Eggerman, Moore, Redwine, Stafford, Stewart, Thomas and Updegraff. Total 11.

The President declared the bill passed.

The title of the bill was agreed to.

Senate bill No. 213, as amended, was read the tihrd time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cunningham, Curd, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Smith, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Brownlee and Cloonan. Total 2.

Absent and excused: Messrs. Chapman, Davis, Cordell, Eggerman, Moore, Redwine, Russell, Stafford, Stewart, Strain and Updegraff. Total 11.

The President declared the bill passed.

The title of the bill was agreed to.

Senate bill No. 365 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair ,Cunningham, Davis, Denton, Franklin, Graham, Goulding, Hatchett Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Soldani, Sorrells, Taylor, Thomas, Williams and Wynne. Total 27.

Nays: Messrs. Beeler, Cloonan, Colville, Curd, Warren and Potter. Total 7.

Absent and excused: Messrs. Chapman, Cordell, Echols, Eggerman, Redwine, Stafford, Stewart, Strain and Updegraff. Total 9.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 166 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Echols, Franklin, Goulding, Warren,

Keys, Landrum, Memminger, Newell, Potter, Russell, Smith, Soldani, Sorrells, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Cordell, Eggerman, Graham, Hatchett, Mitchell, Moore, Morris, Redwine, Roddie, Stafford, Stewart, Strain, Taylor and Updegraff. Total 16.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 190 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger Moore, Newell, Potter, Russell, Soldani, Sorrells, Taylor, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Brownlee, Cloonan and Warren. Total 3.

Absent and excused: Messrs. Chapman, Graham, Hatchett, Mitchell, Morris, Redwine, Roddie, Smith, Stafford, Stewart, Strain, Thomas and Updegraff. Total 13.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Moore ,Newell, Potter, Roddie, Russell, Smith, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Brownlee and Cloonan. Total 2.

Absent and excused: Messrs. Chapman, Davis, Graham, Mitchell, Morris, Redwine, Stafford, Stewart, Strain and Updegraff. Total 10.

The President declared the emergency having received a two-thirds majority, had passed.

The title of the bill was agreed to.

Senate Bill No. 290 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Colville, Cordell, Beeler, Cloonan, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Newell, Potter, Roddie, Russell, Smith, Sorrelis, Taylor, Thomas, Williams, and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Chapman, Morris, Redwine, Stafford, Stewart, Strain, Soldani, Updegraff, and Wynne. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote resultd as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Goul-

ding. Hatchett, Keys, Memminger, Mitchell, Newell, Moore, Potter, Roddie, Russell, Smith, Sorrells, Taylor, Thomas, Williams and Wynne. Total 30.

Nays: Mr. Warren. Total 1.

Absent and excused: Messrs. Chapman, Denton, Franklin, Landrum, Morris, Redwine, Stafford, Stewart, Strain, Soldani, Updegraff, and Wynne. Total 12.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

Senate Bill No. 161 was read the fourth time at length.

The President, Mr. Bellamy signed the enrolled copy of Senate Bill No. 161, same was ordered transmitted to the House.

The time having arrived for special orders, Senator Taylor called for special orders and moved that the Senate work under a call of the Senate.

The question being, shall there be a call of the Senate, the roll being called, the vote resulted as follows :

Yeas: Messrs. Allen, Beeler, Blair, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Potter, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 31.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Messrs. Chapman, Franklin, Moore, Morris, Newell, Redwine, Stafford, Stewart, Soldani, Updegraff, and Yeager. Total 11.

The President declared the motion prevailed and instructed the Sergeant-at-Arms to bring in the absent members.

The President, Mr. Bellamy, signed the engrossed copies of Senate Bills Nos. 290, 167, 257, 373, 358, 213, 365, 166, and 190 and the same were ordered transmitted to the House.

Senate Bill No. 297 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Newell, Potter, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Beeler, Chapman, Morris, Redwine, Roddie, Stafford, Stewart and Updegraff. Total 8.

The President declared the bill passed.

The title of the bill was agreed to.

The President, Mr. Bellamy, signed the engrossed copy of Senate Bill No. 297, same was ordered transmitted to the House.

Senator Taylor moved that the Senate go into the Committee of the Whole to consider Special Orders set for this hour.

Senator Graham asked unanimous consent to offer a resolution.

Senate Resolution No. 13 by Mr. Graham, "Whereas the aggregate ap-

propriations of the Second Legislature for all purposes will exceed four million dollars, and whereas the establishment of the seven new institutions listed on the calendar for this day will necessitate appropriations aggregating Six Hundred Thousand Dollars, and whereas there is no necessity for the proposed institutions in this State, Therefore, be it resolved, that it is the sense of the Senate that none of said institutions be located at this session of the Legislature."

Senator Taylor arose to a point of order on the Resolution, that the proposition is a special order set for this hour, and the hour of special orders having arrived nothing else can be considered.

The President over-ruled the point of order.

The question being, shall the Resolution be adopted, the roll being called, the voto resulted as follows:

Yeas: Messrs. Allen, Cordell, Eggerman, Franklin, Graham, Mitchell, Russell, Soldani and Thomas. Total 9.

Nays: Messrs. Beeler, Billups, Blair, Brownlee, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Echols, Goulding, Hatchett, Warren, Landrum, Memminger, Moore, Morris, Newell, Potter, Roddie, Smith, Strain, Sorrells, Taylor, Williams, Wynne and Yeager. Total 28.

Absent and excused: Messrs. Chapman, Redwine, Stafford, Stewart, and Updegraff. Total 5.

The President declared the Resolution lost.

On motion of Senator Billups, the Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

On roll call the following Senators were present: Messrs. Beeler, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Denton Echols Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Memminger, Mitchell, Morris, Roddie, Smith, Strain, Sorrells, Taylor, Thomas, Williams and Yeager. Total 27.

Absent and excused: Messrs. Allen, Billups, Chapman, Cloonan, Warren, Landrum, Moore, Newell, Potter, Redwine, Russell, Stafford, Stewart, Soldani, Updegraff, and Wynne. Total 16.

The President announced a quorum present.

Senate Bill No. 101 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Colville, Cordell, Cunningham, Curd, Davis Echols, Eggerman, Franklin, Graham, Goulding, Keys, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Smith, Strain ,Sorrells, Taylor, Thomas, Williams and Yeager. Total 27.

Nays: Messrs. Brownlee and Hatchett. Total 2.

Absent and excused: Messrs. Beeler, Billups, Chapman, Cloonan, Denton, Warren, Landrum, Redwine, Russell, Stafford, Stewart, Soldani, Updegraff, and Wynne. Total 11.

The President declared the bill passed.

The title of the bill was agreed to.

A message was received from the House informing the Senate that

the House refuses to recede from its amendments to Snate Bill No. 15 by Mr. Roddie.

Senate Bill No. 150, as amended, was read the third time at length.

Senator Memminger offered the following amendment: Section 1, line 3, strike out the words "Having a population of over twenty thousand inhabitants." and insert in lieu thereof the words "in the State."

The roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Davis, Hatchett, Warren, Memminger, Roddie, Smith, Taylor and Yeager. Total 15.

Nays: Messrs. Beeler, Echols, Franklin, Graham, Goulding, Keys, Mitchell, Moore, Morris, Newell, Potter, Russell, Strain, Sorrells, Thomas, Williams and Wynne. Total 17.

Absent and excused: Messrs. Billups, Cordell, Curd, Denton, Eggerman, Landrum, Redwine, Stafford, Stewart, Soldani and Updegraff. Total 11.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Colville, Cordell, Cunningham, Davis, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Moore, Morris, Newell, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Cloonan, Curd, Franklin, Hatchett, Warren, Memminger and Potter. Total 7.

Absent and excused: Messrs. Billups, Brownlee, Chapman, Denton, Redwine, Stafford, Stewart, Soldani and Updegraff. Total 9.

The President declared the bill passed.

Senate Bill No. 90 was read the third time at length.

Senator Goulding offered the following:

Mr. President: I move to recommit Senate Bill No. 90 to the Legal Advisory Committee with instructions to revise, reconstruct, or amend same as in their wisdom they may consider wise.

Vote was taken. The President declared the motion lost.

Senator Davis asked unanimous consent to offer the following amendment:

Request granted.

Senator Davis offered the following amendment:

Mr. President: I move to amend Senate Bill No. 90 by adding the following as a new section to be numbered 1a.

Section 1a. The property taxpayers of any county shall have the right to petition the board of county commissioners to submit as herein provided, the question of voting bonds for a court house or jail. Only one proposition shall be contained in same petition. Such petitioners shall have the right to fix the amount desired for each purpose. And the commissioners shall submit to the voters such amount for such purpose.

No petition shall be granted unless it contains the names of one-fourth of the property taxpayers of such county as shown by the last assessment roll. Such petition shall be presented, and heard at a regular meeting of

said board not less than sixty days prior to any election as provided by this act, and the same shall be verified by some person as to the signatures thereto and number of property taxpayers, and, if such petition shall contain the required number of property taxpayers as herein required said board shall grant such petition and enter an order submitting such question to the qualified voters of such county as provided by this act. This section shall not prohibit more than one petition for the same purpose and of a different amount, nor prohibit the county commissioners from submitting a different amount for each of said purposes. For either purpose the sum receiving the highest number of votes cast, shall be the sum held to be carried, if otherwise such vote meets the requirements of this act.

Vote was taken. The President declared the amendment lost.

A message was received from the House informing the Senate that the House had refused to adopt the conference report on Senate Bill No. 155 and asked for further conference on same and appointed Messrs. Cope, Faulkner and Humphreys as a committee on the part of the House.

Senator Taylor moved that the request be granted.

Vote was taken. The President declared the request granted.

The President appointed Messrs. Taylor, Williams and Graham as a committee on the part of the Senate.

The question being, shall Senate Bill No. 90 pass as amended the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Colville, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Hatchett, Warren, Keys, Landrum, Memminger, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 32.

Nays: Messrs. Cloonan and Curd. Total 2.

Absent and excused: Messrs. Billups, Chapman, Goulding, Mitchell, Redwine, Stafford, Stewart, Soldani, and Updegraff. Total 9.

The President declared the bill passed.

The question being shall there be an emergency section, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Cordell, Cunningham, Davis, Echols, Eggerman, Franklin, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Russell, Strain, Taylor, Thomas, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Allen, Brownlee, Cloonan, Colville, Curd, Graham, Goulding, Warren and Potter. Total 9.

Absent and excused: Messrs. Billups, Chapman, Denton, Redwine, Roddie, Smith, Stafford, Stewart, Soldani, Sorrells and Updegraff. Total 11.

The President declared tho emergency section not having received a two-thirds majority lost.

Senator Davis lodged a motion to reconsider the vote by which the bill had passed.

Senator Graham made the point of order that the motion was out of order.

The President sustained the point of order.

The question being, shall there be an emergency section to Senate Bill No. 351, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Franklin, Graham, Goulding, Warren, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Brownlee, Cloonan, Hatchett, and Memminger. Total 4.

Absent and excused: Messrs. Billups, Chapman, Denton, Echols, Redwine, Stafford, Stewart, Soldani and Updegraff. Total 9.

The President declared the emergency section having received a two-thirds majority, had passed.

Senator Thomas called up Senate Bill No. 376.

Senate Bill No. 376 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler, Brownlee, Cloonan, Graham, Moore, and Potter Total 6.

Absent and excused: Messrs. Chapman, Davis, Redwine, Stafford, Stewart, Soldani and Updegraff. Total 7.

The President declared the bill passed.

Senator Yeager called up his motion to reconsider the vote by which Senate Bill No. 13 had lost.

Vote was taken. The President declared the vote reconsidered.

The question being, shall Senate Bill No. 13 pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen ,Billups, Blair, Colville, Cordell, Denton, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Beeler, Brownlee, Cloonan, Cunningham, Curd, Echols Graham, Moore, Potter and Soldani. Total 10.

Absent and excused: Messrs. Chapman, Davis, Redwine, Stafford, Stewart and Updegraff. Total 6.

The President declared the bill passed.

Senate Bill No. 63 was read the third time at length, as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Denton, Echols ,Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 35.

Nays: Messrs. Cloonan and Warren. Totaal 2.

Absent and excused: Messrs. Chapman, Davis, Redwine, Stafford, Stewart and Updegraff. Total 6.

The President declared the bill passed.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 223, same was ordered transmitted to the House.

A message was received from the House informing the Senate that the House had appointed Messrs. Cope, Faulkner and Humphreys as a conference committee to consider Senate Bill No. 155 with a like committee from the Senate.

A message was received from the House informing the Senate that the House had adopted the Joint Conference report on House Bill No. 93.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 161, signed by the Speaker.

Senator Taylor called for Special Orders.

Senator Williams moved that the rules be suspended and that the bills be taken up without discussion.

On objection of Senator Graham, the motion was withdrawn.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copies of House Bills Nos. 423 and 433 and the enrolled copies of Senate Bill No. 265 and House Bill No. 532, signed by the Speaker.

The President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 532, same was ordered transmitted to the House.

House Bill No. 433 by Mr. Maris, "An Act ratifying and approving an act of Congress (H. R. 17186) etc.", was read the first time.

House Bill No. 423 by Mr. Bell, "An Act requiring cotton ginners doing a ginning business within the State of Oklahoma to report to the President of the Board of Agriculture, etc.," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 235 signed by the Speaker.

House Bill No. 235 by Mr. Ross, "An Act providing for the election of a chief justice and acting chief justice of the Supreme Court and providing their duties, etc.," was read the first time.

A message was received from the House transmitting the engrossed copy of House Concurrent Resolution No. 23 by Mr. Maxey recalling House Bill No. 65 from the Governor.

House Concurrent resolution No. 23 by Mr. Maxey was read at length.

Senator Taylor moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Concurrent Resolution No. 23, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose and reported, recommending that House Bill No. 87 do pass, that Senate Bill No. 83 do pass as amended,

that House Bill No. 362 do pass, that House Bill No. 73 do pass, that House Bill No. 242 do pass, that Senate Bill No. 252 do pass, that Senate Bill No. 337 do pass, that Senate Bill No. 387 do pass as amended, that House Bill No. 493 do pass and that House Bill No. 368 do pass.

Report adopted.

A message was received from the House transmitting the engrossed copy of House Concurrent Resolution No. 24 signed by the Speaker.

Senate Bill No. 306 was read the third time at length.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Cordell, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatcehtt, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Cloonan, Colville, Cunningham, Curd, and Moore. Total 5.

Absent and excused: Messrs. Blair, Brownlee, Chapman, Warren, Redwine, Stafford, Stewart and Updegraff. Total 8.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen ,Billups, Blair, Colville, Cordell, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler, Brownlee, Cloonan, Cunningham, Echols, Russell. Total 6.

Absent and excused: Messrs. Chapman, Warren, Redwine, Smith, Stafford, Stewart and Updegraff. Total 7.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senate Bill No. 307 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Colville, Cordell, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Roddie, Russell, Smith, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler, Cloonan, Cunningham, Curd, Warren and Potter. Total 6.

Absent and excused: Messrs. Brownlee, Chapman, Redwine, Stafford, Stewart, Strain and Updegraff. Total 7.

The President declared the bill passed.

Senate Bill No. 308 was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Colville, Cordell, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell,

Smith, Strain, Soldani, Sorrells, Taylor, Williams, Wynne, and Yeager. Total 31.

Nays: Messrs. Beeler, Cloonan, Cunningham, Curd and Moore. Total 5.

Absent and excused: Messrs. Brownlee, Chapman, Redwine, Stafford, Stewart, Thomas and Updegraff. Total 7.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas Messrs. Allen, Billups, Blair, Cordell, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler, Cloonan, Colville, Cunningham, Curd and Warren. Total 6.

Absent and excused: Messrs. Brownlee, Chapman, Keys, Stafford, Stewart, Redwine and Updegraff. Total 7.

The President declared the emergency section, having received a two-thirds majority, had passed.

A message was received from the House transmitting the engrossed copy of House Bill No. 278 signed by the Speaker.

House Bill No. 278 by Mr. Ross, "An Act creating the office of law clerk for each of the Justices of the Supreme Court, etc.," was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 472 by Mr. Sherman, "An Act prohibiting the sale of fruit trees, etc.", was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 119 signed by the Speaker.

House Bill No. 119 by Mr. Rotenbery, "An Act defining and fixing the punishment of conjoint robbery and amending Section 2136 of the Session aLws of 1890." was read the first time.

House Bill No. 87 was read the third time at length.

Senator Allen offered the following amendment: Strike out Chickasha, and Grady County, and insert Ardmore and Carter County.

The question being, shall the amendment prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Franklin, Graham, Moore, Newell, Roddie, Russell, and Soldani. Total 8.

Nays: Messrs. Beeler, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Curd, Cunningham, Davis, Echols, Eggerman, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Potter, Smith, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 28.

Absent and excused: Messrs. Chapman, Denton, Morris, Redwine, Stafford, Stewart and Updegraff. Total 7.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Cloonan, Col-

ville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 37.

Nays: Mr. Graham. Total 1.

Absent and excused: Messrs. Chapman, Redwine, Stafford, Stewart and Updegraff. Total 5.

The President declared the Bill passed.

Senate Bill No. 83 was read the third time at length.

Senator Smith offered the following amendment: Strike out Ada and insert Duncan.

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Denton, Hatchett, Warren, Keys, Landrum, Memminger, Moore, Newell, Potter, Russell, Smith, Strain Taylor, Thomas, Williams and Wynne. Total 19.

Nays: Messrs. Allen, Beeler, Brownlee, Cloonan, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Franklin, Graham ,Goulding, Mitchell, Morris, Roddie, Soldani, Sorrells and Yeager. Total 19.

Absent and excused: Messrs. Chapman, Redwine, Stafford, Stewart, and Updegraff. Total 5.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen ,Billups, Blair, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Keys, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Brownlee, Colville, Hatchett. Warren, Moore, and Smith. Total 7.

Absent and excused: Messrs. Chapman, Graham, Landrum, Redwine, Stafford, Stewart and Updegraff. Total 7.

The President declared the bill passed.

Senator Russell explained his vote as follows:

Mr. President: "The days of 'cotton pie' have fully come, I am voting 'aye' on all the dope bills including House Bill No. 87 and Senate Bill No. 83 and following bills."

House Bill No. 362 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Hatchett, Warren, Keys, Memminger, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 32.

Nays: Messrs. Franklin, Graham and Mitchell. Total 3.

Absent and excused: Messrs. Billups, Chapman, Landrum, Moore, Redwine, Stafford, Stewart and Updegraff. Total 8.

The President declared the bill passed.

House Bill No. 73 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Mitchell, Moore, Morris, Newell, Potter, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 33.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Billups, Chapman, Landrum, Memminger, Redwine, Roddie, Stafford, Stewart and Updegraff. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownleee, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Cloonan, Colville, Curd and Russell. Total 4.

Absent and excused: Messrs. Allen, Beeler, Billups, Chapman, Redwine, Smith, Stafford, Stewart and Updegraff. Total 9.

The President declared the emergency section, having received a two-thirds majority, had passed.

House Bill No. 242 was read the third time at length.

Senator Sorrells offered the following amendment: "Strike out Vinita, Craig County, and insert "Antlers, Pushmataha County."

The question being, shall the amendment prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Cordell, Franklin, Graham, Goulding, Hatchett, Morris, Sorrells, Thomas and Williams. Total 9.

Nays: Messrs. Beeler, Blair, Brownlee, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Newell, Potter, Russell, Smith, Strain, Soldani, Taylor and Yeager. Total 26.

Absent and excused: Messrs. Allen, Billups, Chapman, Redwine, Stafford, Stewart, Updegraff, and Wynne. Total 8.

The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 37.

Nays: Mr. Graham. Total 1.

Absent and excused. Messrs. Chapman, Redwine, Stafford, Stewart and Updegraff. Total 5.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 352 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Hatchett, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Stafford, Strain, Sorrells, Taylor, Williams, Wynne and Yeager. Total 28.

Nays: Messrs. Graham and Smith. Total 2.

Absent and excused: Messrs. Beeler, Billups, Chapman, Cloonan, Franklin, Warren, Moore, Redwine, Roddie, Stewart, Soldani, Thomas and Updegraff. Total 13.

The President declared the bill passed.

The title of the bill was agreed to.

Senator Taylor filed the conference report on Senate Bill No. 155 as follows:

Guthrie, Okla., March 8, 1909.

To the President of the Senate and Speaker of the House of Representatives:

We, your Free Reference Committee, appointed to consider and to whom was referred Senate Bill No. 155, relating to municipal elections, beg leave to report as follows:

We beg to recommend that House amendment No. 1, be amended to read as follows:

"Provided, That in the year 1909 the general election in cities of the first class, towns and villages in this State shall be held on the fourth Tuesday in April 1909, and the primary election, hereinafter provided for, shall be held in the first Tuesday in April 1909, and we recommend that the Senate concur in House amendment No. 2.

"We further recommend that we strike out in line 7 of the printed copy, Section 9, Article 1, the words "city, town or village precincts," and insert in lieu thereof the words "cities of the first class" also strike out the words "towns or villages" in line 13, of said Section 9, Article 1.

We further recommend the following additional sections to be added. to the bill.

Section— Whenever the council of any city of the first class or the board of trustees of any incorporated town or village, shall deem it advisable they may, by resolution or ordinance, authorize the mayor or president of the board of trustees to call a special election for the purpose of submitting the the qualified electors, the question for the purpose of the issuance of the bonds of said city or town or the granting of any franchise or for any purpose other than the election of officers. The mayor or president of the board of trustees shall thereupon issue a proclamation calling such election and shall set forth therein the propositions to be voted on at such election, the time of opening and closing polls, the number and location of the polling places, the names of the officers who shall conduct said election, which officers shall consist of two judges and two clerks for each polling place, which officers shall also act as counters, and such proclamation shall be published in a newspaper of general circulation

in such city or town, at least 10 days prior to date of such election.

Section —The ballot shall be prepared by the clerk of such city or town and shall set forth the proposition or propositions to be voted upon, and, if more than one proposition is submitted, they shall be arranged so that each proposition may be voted upon seperately, but said ballots need not be in the form required by the general election laws.

Section —All electors who would be entitled to vote at any general city or town election, and who are qualified to vote according to the provisions of the constitution or law applicable to the question submitted, shall be entitled to vote at such election; provided, that in cities of the first class all electors who have acquired the right of suffrage since the last preceeding date on which the registration books were opened for registration, may be permitted to vote by making affidavit showing their qualifications. For the purpose of such election the precinct inspectors in cities of the first class shall furnish to the city clerk a certified list of the registered electors in their respective precincts and the city clerk shall furnish tho same to the proper election officers.

Section —All elections for voting on the question of authorizing the board of education of any city of the first class to issue bonds shall be called by the mayor of such city upon the request of the board of education thereof and shall be held as above provided; provided, however, that electors residing in the territory outside of the city limits of said city, but which is attached thereto for school purposes, may be permitted to vote without registration.

TAYLOR,	COPE,
WARREN,	HUMPHREY,
WILLIAMS,	FAULKNER.
Senate Committee.	House Committee.

Senator Taylor moved the adoption of the report.

Vote was taken. The President declared the report adopted.

The question being, shall Senate Bill No. 155 pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Moore, Newell, Russell, Stafford, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Beeler, Brownlee, Cloonan, Colville, Warren and Potter. Total 6.

Absent and excused: Messrs. Allen, Chapman, Franklin, Morris, Redwine, Roddie, Smith, Stewart, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The Journal of the 61st days session was approved.

Senate Bill No. 268 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Blair, Colville, Cordell, Curd, Davis, Echols, Eggerman, Graham, Goulding, Keys, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Brownlee, Cloonan, Hatchett and Warren. Total 4.

Absent and excused: Messrs. Beeler, Billups, Chapman, Cunningham, Denton, Franklin, Landrum, Moore, Redwine, Stafford, Stewart and Updegraff. Total 12.

The President declared the bill passed.

Senator Taylor called up his motion to reconsider the vote by which Senate Joint Resolution No. 10 had lost.

Vote was taken. The President declared the vote had been reconsidered.

The question being, shall Senate Joint Resolution No. 10 pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Cordell, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Smith, Russell, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Allen, Brownlee, Cloonan, Colville, Cunningham, Curd, Warren, Potter and Soldani. Total 9.

Absent and excused: Messrs. Beeler, Billups, Chapman, Franklin, Moore, Redwine, Stafford, Stewart and Updegraff. Total 9.

The President declared the resolution had passed.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by the President Pro Tem, Mr. Graham.

The Committee on Appropriations reported, recommending that House Bill No. 322 do pass.

Report received.

A message was received from the Governor and read as follows:

Guthrie, March 6th, 1909.

To the Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved House Concurrent Resolution No. 19, same being a Resolution authorizing and directing the State Auditor to issue his warrant on the State Treasurer for the payment of two thousand one hundred and fifty eight dollars and fifty cents to the Leader Printing Company for printing as per statement of the State Printer, rendered February 19th, 1909.

Respectfully submitted,

C. N. HASKELL,

Governor.

A message was received from the Governor and read as follows:

Guthrie, March 8th, 1909.

To the Honorable Legislature, State of Oklahoma:

I hereby notify your honorable body that I have approved Senate Bill No. 345, "An Act uthorizing the incorporation of Arnet" etc.

That I have approved Senate Bill No. 346, "An Act legalizing the incorporation of the town of Texhoma, etc."

That I have approved Senate Bill No. 344, "An Act ratifying and validating the action of the city council of the city of Enid, etc."

Respectfully submitted,

C. N. HASKELL,
Governor.

A message was received from the Governor and read as follows:

Guthrie, March 8th, 1909.

Twelfth Special Message to the Honorable Legislature, State of Oklahoma, Second Session.

I have the honor to transmit herewith copy of the report of the Committee recently appointed by me, on invitation of the Governor of Kansas, to investigate the Kansas Penitentiary.

I am pleased to say that you will find this report very complete, and its conclusions seem to cover the case fully and properly. Publicity of this report, I believe, is essential in view of the previous discussion of the subject, and aske that you give it the fullest proper publicity.

Respectfully submitted,

C. N. HASKELL,
Governor.

Senator Williams moved that a thousand copies of the Governor's message be printed.

Vote was taken. The President declared the motion prevailed.

A message was received from the Governor and read as follows:

Guthrie, March 8th, 1909.

To the Legislature, State of Oklahoma:

I have the honor to report to you the approval of Senate Bill No. 161, "An Act to amend Chapter 81, Article 9, of the Session Laws of Oklahoma, 1907-08."

Also the approval of Senate Bill No. 338, "An Act legalizing the incorporation of the town of Hooker."

Also the approval of Senate Bill No. 114, "An Act making an appropriation for the Patterson Furniture Company for furniture, supplies, etc."

Respectfully submitted,

C. N. HASKELL.
Governor.

The President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bills Nos. 83 and 268, same were ordered transmitted to the House.

House Concurrent Resolution No. 24 was read at length.

Senafor Thomas moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution adopted.

President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bills Nos. 90, 376, 352, 308, 63, 13, 351, 150, 101, 306 and 307; and Senate Joint Resolution No. 10; also House Bills Nos. 242, 73, 362, and 87, same were ordered transmitted to the House.

Senate Bill No. 275 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum,

Mitchell, Morris, Newell, Smith, Stafford, Strain, Sorrells, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Brownlee, Chapman, Cloonan, Denton, Franklin, Warren, Memminger, Moore, Potter, Redwine, Roddie, Russell, Stewart, Soldani, Taylor and Updegraff. Total 18.

The President declared the bill passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Concurrent Resolution No. 24, same was ordered transmitted to the House.

Senate Bill No. 333 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Strain, Sorrells, Williams and Yeager. Total 26.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Brownlee, Chapman, Cloonan, Franklin, Warren, Moore, Potter, Redwine, Stafford, Stewart, Soldani, Thomas, Updegraff, and Wynne. Total 17.

The President declared the bill passed.

The President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bills Nos. 333 nd 316, same were ordered transmitted to the House.

House Bill No. 493 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Mitchell, Moore, Morris, Newell, Potter, Roddie, Russell, Stafford, Strain, Sorrells, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Cloonan and Smith. Total 2.

Absent and excused: Messrs. Allen, Beeler, Brownlee, Chapman, Franklin, Memminger, Redwine, Stewart, Soldani, Taylor and Updegraff. Total 11.

The President declared the bill passed.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 493, same was ordered transmitted to the House.

A message was received from the House informing the Senate that the House had agreed to the Joint Conference Report on Senate Bill No. 155.

A message was received from the House transmitting the engrossed copy of Committee Substitute for House Bill No. 207, signed by the Speaker.

Committee Substitute for House Bill No. 207, by Mr. Simmons, "An Act relating to the manufacture, transportation, and storing of nitro-glycerine, etc." was read the first time.

Senator Blair moved that a thousand copies of Senate Bill No. 155 be printed.

Vote was taken. The President declared the motion prevailed.

A message was received from the House transmitting the engrossed copy of Senate Concurrent Resolution No. 3 signed by the Speaker.

The Resolution was ordered enrolled.

A message was received from the House transmitting the engrossed copy of Senate Joint Resolution No. 11 signed by the Speaker.

The Resolution was ordered enrolled.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 78 as amended by the House and signed by the Speaker.

A message was received from the House transmitting the engrossed copy of the Committee Substitute for House Bill No. 158 signed by the Speaker.

Committee substitute for House Bill No. 158 by Mr. Carson, "An Act to provide for the time of holding term of the District Court in several counties, etc," was read the first time.

House Bill No. 368 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Warren, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Sorrells, Thomas, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Chapman, Franklin, Keys, Moore, Redwine, Roddie, Stewart, Soldani, Taylor and Updegraff. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 337 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Colville, Cunningham, Curd, Warren, Keys, Landrum, Newell, Potter, Roddie, Russell, Strain, Wynne and Yeager. Total 15.

Nays: Messrs. Billups, Cordell, Davis, Denton, Echols, Eggerman, Graham, Hatchett, Memminger, Mitchell, Moore, Morris, Smith, Stafford, Sorrells and Williams. Total 16.

Absent and excused: Messrs. Allen, Beeler, Chapman, Cloonan, Franklin, Goulding, Redwine, Stewart, Soldani, Taylor, Thomas and Updegraff. Total 12.

The President declared the bill lost.

Senator Potter lodged a motion to reconsider the vote by which the bill had lost.

Senator Thomas asked unanimous consent to introduce a Resolution.

Request granted.

Senate Concurrent Resolution No. 27 by Mr. Thomas was read as follows:

Senate Concurrent Resolution No. 27, by Mr. Thomas, "Whereas,

House Concurrent Resolution No. 20, authorized and directed the Secretary of State to have published for general distribution ten thousand copies of Senato Bill No. 1, and,

Whereas,, The Secretary of State has complied with said resolution, and submits herewith approved bill in the sum of one hundred and sixty dollars ($160.00), in favor of the Ardmorite Publishing Company.

Therefore, Be it resolved by the Senate, the House concurring therein, that said bill in the sum of one hundred and sixty dollars ($160.00) be allowed, ad the State Auditor is hereby authorized and directed to issue warrant in said sum in favor of said publishing company.

Senator Thomas moved the adoption of the resolution.

Vote was taken. The President declared the Resolution adopted.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Concurrent Resolution No. 27, same was ordered transmitted to the House.

The Committee on State and County Affairs reported, recommending that Senate Bill No. 350 and House Bill No. 45 do pass.

Report received.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole reported recommending that Senate Bills Nos. 88 and 349 do pass as amended.

Report adopted.

Senator Landrum asked unanimous consent to introduce a bill.

Request granted.

Senate Bill No. 381 by Mr. Landrum, "An Act making an appropriation to carry into effect Senate Concurrent Resolution No. 3."

Senator Newell asked unanimous consent to have the rules suspended and that House Bill No. 505 be placed on third reading and final passage.

Request granted.

House Bill No. 505 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Cloonan, Cordell, Cunningham, Davis, Echols, Eggerman, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Russell, Stafford, Strain, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Mr. Smith. Total 1.

Absent and excused: Messrs. Allen, Chapman, Colville, Curd, Denton, Franklin, Warren, Keys, Moore, Redwine, Stewart, Soldani, and Updegraff. Totaal 13.

The President declared the bill passed.

The Senate adjourned until 9:30 A. M. Tuesday, March 9th, 1909.

SENATE JOURNAL.

SIXTY-FOURTH DAY.

Tuesday, March 9th, 1909.

The Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by Acting President Pro Tem, Mr. Williams.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Moore, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne, and Yeager. Total 39.

Absent and excused: Messrs. Chapman, Franklin, Stewart and Updegraff. Total 4.

The President announced a quorum present.

Prayer by the Chaplain.

Bills read the Second time and referred to the following committees:

House Bill No. 119, by Mr. Rotenbery, to Committee on Judiciary No. 1.

House Bill No. 235 by Mr. Ross, to Committee on Judiciary No. 1.

House Bill No. 278 by Mr. Ross, to Committee on Legal Advisory.

House Bill No. 423 by Mr. Bell, to Committee on Agriculture, Quarantine and Animal Industry.

House Bill No. 433 by Mr. Maris ,to Committee on Legal Advisory.

House Bill No. 472 by Mr. Sherman, to Committee on Agriculture, Quarantine and Animal Industry.

Committee Substitute for House Bill No. 158 by Mr. Carson, to Committee on Judiciary No. 2.

Committee Substitute for House Bill No. 207 by Mr. Simmons to Committee on Mines and Manufacturing.

Senate Bill No. 381 by Mr. Landrum, to Committee on Appropriations.

The Committee on Judiciary No. 1 reported, recommending that House Bills Nos. 328, 38 and 390 do pass; and that Senate Bills Nos. 180 and 341 do pass.

Report received.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 505, same was ordered transmitted to the House.

Senate Bill No. 78, with the House amendments, was referred to the Committee on Appropriations.

Senator Russell moved that the rules be suspended and that Committee Substitute for House Bill No. 39-96 be placed upon third reading and final passage.

Vote was taken. The President declared the motion prevailed.

Committee Substitute for House Bill No. 39-96 was read the third time at length.

Senator Smith moved that the bill be recommended for passage and be put on third reading and final passage.

Senator Billups offered the following amendment: "Provided that this section will not be construed to conflict with Section 5693 of the Statutes of 1893."

The question being, shall the amendment prevail.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Cunningham, Curd, Warren, Memminger, Mitchell, Roddie, Russell, Smith, Soldani, Taylor and Williams. Total 12.

Nays: Messrs. Allen, Blair, Brownlee, Cloonan, Colville, Cordell, Denton, Eggerman, Graham, Goulding, Hatchett, Keys, Newell, Potter, Redwine, Stafford, Sorrells and Yeager. Total 18.

Absent and excused: Messrs. Beeler, Chapman, Davis, Echols, Franklin, Landrum, Moore, Morris, Stewart, Strain, Thomas, Updegraff, and Wynne. Total 13.

The President declared the amendment lost.

Senator Blair offered the following amendment: Line 6, page 16, Section 25, strike out 60 and insert 40.

The question being, shall the amendment prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Cloonan, Cordell Hatchett, Warren and Williams. Total 8.

Nays: Messrs. Allen, Colville, Cunningham, Curd, Denton, Eggerman, Graham, Goulding, Mitchell, Moore, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Wynne and Yeager. Total 22.

Absent and excused: Messrs. Beeler, Chapman, Davis, Echols, Franklin, Keys, Landrum, Memminger, Morris, Stewart, Strain, Thomas and Updegraff. Total 13.

The President declared the amendment lost.

Senator Roddie moved that a conference committee of three be appointed on Senate Bill No. 15 and that the House be requestd to appoint a like committee.

Vote was taken . The President declared the motion prevailed.

The President appointed Messrs. Roddie, Goulding and Cunningham as such committee.

The further consideration of House Bill No. 39-96 was taken up.

Senator Billups offered the following amendment: "Add at the end of Section —'And pay for the same from either the Court or Road and Bridge Fund'."

Vote was taken. The President declared the amendment adopted.

Senator Billups offered the following amendment: Section 38, Page 21. Line 8, after the word "provide" add "transportation and."

Vote was taken, the President declared the amendment adopted.

A message was received from the House as follows: Mr. President. I am directed by the House to inform the Senate that the House agrees to the request of the Senate for a conference committee on Senate Bill No. 15 and has appointed Messrs. Gilmer, Wilson, of Greer, and Porter as a Committee on the part of the House.

The further consideration of House Bill No. 39-96 was taken up.

Senator Yeager offered the following amendment: Page 2, Line 3, add after the word "section" the words "and County."

Vote was taken. The President declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Blair, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Newell Potter, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Chapman, Davis, Franklin, Moore, Morris, Smith, Stewart and Updegraff. Total 8.

The President declared the bill passed.

The question being, shall there be an emergency section the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Cloonan, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 33.

Nays: Messrs. Warren and Stafford. Total 2.

Absent and excused: Messrs. Brownlee, Chapman, Davis, Franklin, Moore, Smith, Stewart and Updegraff. Total 8.

The President declared the emergency having received a two-thirds majority, had passed.

Senate Bill No. 2 was read the fourth time at length.

President Pro Tem. Mr. Graham, signed the enrolled copy of Senate Bill No. 2, same was ordered transmitted to the House.

Senator Mitchell asked unanimous consent to add the emergency section to Senate Bill No. 275.

Request granted.

The question being, shall there be an emergency section to Senate Bill No. 275, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Cordell, Cunningham, Curd, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Warren, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Colville. Total 1.

Absent and excused: dessrs. Brownlee, Chapman, Cloonan, Davis, Franklin, Moore ,Potter, Smith, Stewart and Updegraff. Total 10.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Stafford asked to have House Bill No. 418 withdrawn from Committee on Municipal Corporations and referred to Committee on Public Service Corporations.

Request granted.

A message was received from the House transmitting the enrolled copies of House Bills Nos. 87 and 242, signed by the Speaker.

Senator Landrum moved that the Senate agree to the House amendments to Senate Concurrent Resolution No. 3.

Vote was taken. The President declared the motion prevailed.

A communication was received from the State Auditor and was read.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copies of House Bills Nos. 73, and 362, and engrossed copies of House Bills Nos. 304 and 534 signed by the Speaker.

House Bill No. 304 by Mr. Moore, "An Act to provide for the stay of execution or other process upon judgment of Courts of this State" was read the first time.

House Bill No. 534 by Mr. Durant, "An Act making an appropriation for the erection of buildings and equipment for the Southeastern State Normal at Durant." was read the first time.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 173, as amended by the House, signed by the Speaker.

Senator Blair moved that the Senate agree to the House amendments to Senate Bill No. 173.

Vote was taken. The President declared the motion prevailed.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House as follows:

Mr. President: In answer to your inquiry relative to the status of Senate Concurrent Resolution No. 21 by Mr. Smith, I am directed by the House to inform your honorable body that the above named resolution was referred to the House Committee on Expenses and Accounts and has not up to this time been reported out.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 2, signed by the Speaker.

Senate Bill No. 2 was ordered transmitted to the Governor.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House requesting the Status of House Bill No. 282 by Mr. Anthony which was transmitted to the Senate on February 17, 1909.

The Secretary was instructed to inform the House that House Bill No. 282 was on the calendar and awaited a motion to reconsider the vote by which the emergency section had lost.

A message was received from the House transmitting the engrossed

copy of Senate Concurrent Resolution No. 27 as amended by the House and signed by the Speaker.

Senator Thomas moved that the Senate do not agree to the House amendments to Senate Concurrent Resolution No. 27.

Vote was taken. The President declared the motion prevailed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 371 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Senate Bill No. 65(by Messrs. Cunningham and Brownlee, signed by the Speaker.

Senate Bill No. 65 was ordered enrolled.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House informing the Senate that the House had agreed to the Senate amendments to House Concurrent Resolution No. 24.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 277 signed by the Speaker.

House Bill No. 277, by Messrs. Earle and Murphy, "An Act for the encouragement of Farmer's Institutes and authorizing the County Clerks to draw warrants under certain conditions," was read the first time.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate of the adoption by the House of the report of the Conference Committee on Senate Bill No. 155 by a vote of Ayes, 78; Nays, 0. Absent 31.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House informing the Senate that the House had receded from its amendments to Senate Concurrent Resolution No. 27.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Senate Bill No. 261 by Mr. Graham, signed by the Speaker.

A message was received from the House transmitting the enrolled copy of House Bill No. 36, signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 400 signed by the Speaker.

House Bill No. 400 by Messrs. Ross and Gilmer, "An Act to appropriate certain school lands for maneuver grounds for the National Guard," was read the first time.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of House Bill No. 350, signed by the Speaker.

House Bill No. 350 by Mr. Acton, "An Act to repeal an Act for the

removal of obstructions from water courses, approved March 11, 1905" was read the first time.

A message was received from the House transmitting the enrolled copy of House Bill No. 493 signed by the Speaker.

A message was received from the House transmitting the enrolled copy of House Concurrent Resolution No. 24 signed by the Speaker.

House Bill No. 493 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 493, same was ordered transmitted to the House.

House Concurrent Resolution No. 24 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of House Concurrent Resolution No. 24, same was ardered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bills Nos. 85, 54, 250, 81, 245, 115, 151, 309, 290 and 120 do pass; and Senate Bills Nos. 295, 123, and 189 do pass as amended; and that Senate Bill No. 354 be stricken from the Calendar; and that Senate Bill No. 144 be indefinitely postponed; and that the above bills be put on third reading and final passage.

Senator Russell moved that part of the report in reference to Senate Bill No. 144 be not concurred in.

The question being, shall the motion prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Keys, Landrum, Newell, Potter, Russell, Smith, Strain, Sorrells, Taylor, Warren, Williams and Yeager. Total 22.

Nays: Messrs. Blair, Colville, Hatchett, Memminger and Soldani. Total 5.

Absent and excused: Messrs. Billups, Brownlee, Chapman, Cloonan, Franklin, Graham, Mitchell, Moore, Morris, Redwine, Roddie, Stafford, Stewart, Thomas, Updegraff, and Wynne. Total 16.

The President declared the motion prevailed.

The report was adopted as amended.

Senator Russell moved that the rules be suspended, and that he be allowed to offer an amendment to this bill on third reading.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 163 as amended by the House was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Brownlee, Chapman, Cloonan, Franklin,

Graham, Moore, Redwine, Roddie, Stewart, Taylor, Thomas and Updegraff. Total 12.

The President declared the bill passed.

Senate Bill No. 88 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Mr. Hatchett. Total 1.

Absent and excused: Messrs. Brownlee, Chapman, Cloonan, Franklin, Graham, Moore, Redwine, Roddie, Stewart, Taylor, Thomas and Updegraff. Total 12.

The President declared the bill passed.

Senate Bill No. 287 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Keys Landrum, Mitchell, Newell, Potter, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Hatchett, Memminger and Stafford. Total 3.

Absent and excused: Messrs. Chapman, Cloonan, Graham, Franklin, Moore, Morris, Redwine, Roddie, Stewart, Thomas and Updegraff. Total 11.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Keys, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Hatchett, Memminger and Roddie. Total 3.

Absent and excused: Messrs. Chapman, Cloonan, Franklin, Graham, Moore, Landrum, Redwine, Stewart, Thomas and Updegraff. Total 10.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senate Bill No. 349 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Hatchett, Keys, Memminger, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 30.

Nays: None.

Absent and excused: Messrs. Beeler, Brownlee, Chapman, Cloonan,

Franklin, Graham, Landrum, Moore, Redwine, Roddie, Stewart, Thomas and Updegraff. Total 13.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Hatchett, Keys, Memminger, Morris, Newell, Potter, Smith, Stafford, Strain Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Mr. Russell. Total 1.

Absent and excused: Messrs. Chapman, Cloonan, Franklin, Graham, Mitchell, Landrum, Moore, Redwine, Roddie, Stewart, Thomas and Updegraff. Total 12.

The President declared the emergency section having received a two-thirds majority, had passed.

Senate Bill No. 120 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Colville, Brownlee, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 28.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Chapman, Cloonan, Denton, Landrum, Franklin, Graham, Moore, Potter, Redwine, Roddie, Stafford, Stewart and Updegraff. Total 15.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called, the vote resulted as follows:

Yeas: Messrs. Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Hatchett, Keys, Memminger, Morris, Newell, Russell, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Allen, Mitchell and Stafford. Total 3.

Absent and excused: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Franklin, Graham, Landrum, Moore, Potter, Redwine, Roddie, Smith, Stewart and Updegraff. Total 15.

The President declared, the emergency section, having failed to receive a two-thirds majority, of the votes cast, was declared lost.

A message was received from the House transmitting the engrossed copy of House Bill No. 535 signed by the Speaker.

House Bill No. 535 by Messrs. Ratcliff and Coyne, "An Act to appropriate funds for the building and equipment of the Eastern Hospital for the insane and declaring an emergency." was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 511 signed by the Speaker.

House Bill No. 511 by Mr. Burnette, "An Act providing for the ownership of cemeteries by cities or towns, etc." was read the first time.

A message was received from the House requesting a complete record of the Status in the Senate of House Bill No. 51.

The Committee on Legal Advisory reported, recommending that Senate Joint Resolution No. 20 do pass, that House Bills Nos. 332 and 516 do pass, that House Bills Nos. 300 and 510 be referred back without recommendation, and that House Bill No. 500 do not pass.

Report adopted.

The Committee on Public Printing reported, recommending that Senate Bill No. 279 do pass.

Report received.

The Committee on State and County Affairs reported, recommending that House Bill No. 519 do pass.

Report received.

House Bill No. 536 by Messrs. Ratcliff and Coyne, "An Act to Appropriate Funds for the Maintenance of the Eastern Hospital for the Insane, and declaring an emergency," was read the first time.

The Senate Recessed until 8 P. M.

The Senate was called to order by the President Pro Tem, Mr. Graham.

The President announced a quorum present.

The Committee on Appropriations reported recommending that House Bill No. 435 do pass, and that Senate Bills Nos. 380 and 381 do pass.

Report received.

The Committee on Legal Advisory reported as follows:

Mr. President: We, your committee on Legal Advisory, to whom was referred House Bill No. 495, "A bill entitled an Act to provide for holding sessions of the County Court at Coweta, Wagoner County, Oklahoma," have had same under consideration and beg leave to report it back to the Senate with the recommendation that it do not pass.

J. ELMER THOMAS,
J. C. GRAHAM,
REUBEN M. RODDIE,
E. L. MITCHELL.

The following members of the Committee on Legal Advisory recommend that House Bill No. 495 do pass.

RICHARD A. BILLUPS,
WILLIAM M. FRANKLIN.

Report received.

The Committee on Legal Advisory reported, recommending that House Bills Nos. 413 and 433 do not pass.

Report adopted.

A message was received from the House transmitting the enrolled copy of House Bill No .93 signed by the Speaker.

The Committee on Public Printing reported as follows:

Guthrie, Oklahoma, March 9, 1909.

Mr. President:

We, your Committee on Public Printing, to whom was referred the matter of Senate Printing, beg leave to report, that we have examined the bill rendered by the Leader Company for Printing bills, rsolutions, calendars and journals, of the Senate from January 5 to February 9, inclusive,

The amount of the bill rendered was for $4493 90 which amount was reduced by the State Printer to conform with the contract price $4041 46.

We also find that since January 15, extra copies of nearly all bills and resolutions were printed and charged for in the bill rendered. The Secretary of Senate informs your Committee that orders were given for extra copies only as same were ordered by the Senate. On the other hand, Mr. Derwin, of the Printing Company, states that the order is a standing order until countermanded. We also find that extra copies of the journals and calendars are charged for each day since January 15. On this item the Secretary of the Senate informs us that no order was given him for extra copies of the journal and calendar. The amount charged for these extra copies of the journal and calendar is $537 60.

We respectfully refer the above statements to the Senate for further instructions. Respectfully submitted,

T. F. MEMMINGER, R. P. WYNNE, R. E. STAFFORD, S. J. SOLDANI J. S. MORRIS.

Senator Roddie moved that the report be received, and that the Committee be instructed and authorized by the Senate to settle said account, and be authorized to order a warrant to be drawn in settlement of the claim for the printing done as per contract with the State printer, including therein the extra work ordered by the Senate.

Vote was taken. The President declared the motion prevailed.

Senator Thomas moved that when the Committee makes its final report that they make it in the form of a Senate Concurrent Resolution.

Vote was taken. The President declared that the motion had prevailed.

President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bills Nos. 275, 88, 287 and 349 same were ordered transmitted to the House.

The titles of the bills were agreed to.

Senate Bill No. 245 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Hatchett, Keys, Landrum, Mitchell, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 30.

Nays: None.

Absent and excused: Messrs. Beeler ,Cloonan, Colville, Denton, Franklin, Goulding, Memminger, Moore, Morris, Redwine, Stewart, Thomas, and Updegraff. Total 13.

The President declared the bill passed.

Senator Davis asked unanimous consent to withdraw the emergency section.

Request granted.

The title of the bill was agreed to.

Senate Bill No. 81 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Brownlee, Potter and Stafford. Total 3.

Absent and excused: Messrs. Allen, Beeler, Denton, Franklin, Moore, Morris, Redwine, Stewart and Updegraff. Total 9.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 250 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Davis, Eggerman, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Moore, Newell, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Echols, Keys, Potter and Warren. Total 10.

Absent and excused: Messrs. Allen, Beeler, Denton, Franklin, Moore, Morris, Redwine, Stewart and Updegraff. Total 9.

The President declared the bill passed.

On motion the emergency section was stricken from the bill.

Senate Bill No. 54 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cordell, Cloonan, Colville, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne, and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Denton, Franklin, Memminger, Moore, Morris, Redwine, Stewart and Updegraff. Total 11.

The President declared the bill passed.

Senator Roddie was called to the Chair.

Senate Bill No. 115 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Davis, Denton, Franklin, Moore, Morris, Redwine, Stewart and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 309 was read the third time at length.

The question being shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Echols, Eggerman, Goulding, Hatchett, Keys, Landrum, Mitchell, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Cloonan, Cunningham and Curd. Total 3.

Absent and excused: Messrs. Allen, Beeler, Brownlee, Davis, Denton, Franklin, Graham, Memminger, Moore, Morris, Redwine, Stewart, and Updegraff. Total 13.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 85 was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Goulding, Hatchett, Kays, Landrum, Memminger, Mitchell, Newell, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Denton, Franklin, Moore, Morris, Redwine, Stewart and Updegraff. Total 9.

The President declared the bill passed.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the engrossed copy of Committee substitute for House Bill No. 39-96, same was ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of House Bill No. 156 by Mr. Dunn.

House Bill No. 156 by Mr. Dunn, "An Act to empower the building Commissioner, assistant Building Commissioner, Chief of the fire department of cities of the first class, state factory, etc.", was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 194 by Mr. Cook.

House Bill No. 194 by Mr. Cook, "An Act to provide for the service of writs, capiases and other process, both civil and criminal, upon sheriffs," was read the first time.

Senate Bill No. 295 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Davis, Echols, Eggerman, Graham, Goulding, Keys, Memminger, Mitchell, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams and Yeager. Total 29.

Nays: Messrs. Cloonan and Hatchett. Total 2.

Absent and excused: Messrs. Allen, Beeler, Curd, Denton, Franklin,

Landrum, Moore, Morris, Roddie, Stewart, Updegraff, and Wynne. Total 12.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapmna, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Allen, Beeler, Denton, Franklin, Landrum, Moore, Morris, Stewart, Updegraff and Wynne. Total 10.

The President declared the emergency section, having received a two thirds majority, had passed.

The title of the bill was agreed to.

A message was received from the House transmitting the enrolled copy of House Bill No. 505, signed by the Speaker.

The following bills were read the fourth time: House Bills Nos. 505, 87, 368, 362, 242, 73, and 93. The enrolled copies of the same were signed by the President Pro Tem, Mr. Graham, the titles were agreed to, and they were ordered transmitted to the House.

The Special Committee reported on Senate Bill No. 356 recommending that same do pass.

Report received.

Senate Bill No. 356 was read the third time at length, as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Cordell, Goulding, Hatchett, Keys, Landrum, Smith, Thomas and Warren. Total 10.

Nays: Messrs. Billups, Blair, Chapman, Cloonan, Colville, Cunningham, Curd, Eggerman, Graham, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Wynne and Yeager. Total 22.

Absent and excused: Messrs. Beeler, Davis, Denton, Echols, Franklin, Moore, Morris, Stewart, Taylor, Updegraff and Williams. Total 11.

The President declared the bill had lost.

A message was received from the House informing the Senate that the House had refused to agree to the amendments of the Senate to House Bill No. 39-96 and asked for a conference on same and had appointed Messrs. Smith of Caddo, Cope and Glover as a committee on the part of the House.

Senator Hatchett moved that the request of the House be granted, and that a conference committee be appointed.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Denton, Hatchett and Russell as such committee.

The Special Committee reported, recommending that Senate Bill No. 151 do pass.

Report received.

Senate Bill No. 151 was read the third time at length as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys Mitchell,, Newell, Redwine, Roddie, Russell, Smith, Stafford Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams and Yeager. Total 30.

Nays: Messrs. Allen, Colville, Cunningham and Potter. Total 4.

Absent and excused: Messrs. Beeler, Franklin, Landrum, Memminger, Moore, Morris, Stewart, Updegraff and Wynne. Total 9.

The President declared the bill passed.

Senate Bill No. 334 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goudling, Hatchett, Keys, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Beeler, Franklin, Landrum, Moore, Morris, Potter, Stewart, Updegraff, and Wynne. Total 9.

The President declared the bill passed.

Senate Bill No. 380 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Davis, Denton, Echols, Graham, Goulding, Keys, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, and Yeager. Total 29.

Nays: Messrs. Brownlee, Cloonan, Curd, Eggerman and Hatchett. Total 5.

Absent and excused: Messrs. Beeler,. Franklin, Landrum, Moore, Morris, Potter, Stewart, Updegraff, and Wynne. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Davis, Denton, Echols, Graham, Goulding, Keys, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams and Yeager. Total 30.

Nays: Messrs. Cloonan, Curd, Eggerman and Hatchett. Total 4.

Absent and excused: Messrs. Beeler, Franklin, Landrum, Moore, Morris, Potter, Stewart, Updegraff. and Wynne. Total 9.

The President declared the emergency having received a two-thirds majority, had passed.

The Senate adjourned until 9:30 A. M. Wednesday, March 10, 1909.

SENATE JOURNAL.

SIXTY-FIFTH DAY.

Wednesday, March 16, 1905.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by President Pro Tem, Mr. Graham.

On roll call the followng Senators were present: Messrs. Allen, Beeler. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Moore, Stewart and Updegraff. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

Bills read the second time and referred to the following committees:

House Bill No. 277 by Mr. Earle, to Committee on Appropriations.

House Bill No. 304 by Mr. Moore, to Committee on Legal Advisory.

House Bill No. 400 by Messrs. Ross and Gilmer, to Committee on School Lands.

House Bill No. 511 by Mr. Burnette, to Committee on Legal Advisory.

House Bill No. 350 by Mr. Acton, to Committee on State and County Affairs.

House Bill No. 534 by Mr. Durant, to Committee on Appropriations.

House Bill No. 535 by Messrs. Ratcliff and Coyne, to Committee on Appropriations.

House Bill No. 536 by Messrs. Ratcliff and Coyne, to Committee on Appropriations.

House Bill No. 156 by Mr. Dunn, to Committee on Municipal Corporations.

House Bill No. 194, by Mr. Cook, to Committee on Judiciary No. 1.

Senator Thomas asked that House Bill No. 433 be referred to the Committee on Legal Advisory.

Request granted.

Senator Thomas moved that the rules be suspended and that the following House Bills be put on third reading and advanced to engrossment: 431, 138, 476, 488, 525, 45, 526, 527, 205, 437, 513, 516, 332, 328 and 519.

Vote was taken. The President declared the motion prevailed.

The Conference Committee on Senate Bill No. 15 was excused.

Senator Hatchett moved to have the rules suspended and that Senate Bill No. 228 be considered engrossed and placed on third reading and final passage.

Vote was taken. The President declared the motion prevailed.

A message was received from the House transmitting the engrossed copy of House Bill No. 537.

House Bill No. 537 by Mr. Durant, "An Act making an appropriation to pay for the Legislative Printing and to pay the salaries of the officers and employees of the Senate and House etc.", was read the first time.

Senator Allen moved that the rules be suspended and that Senate Joint Resolution No. 4 be placed on third reading and final passage.

Vote was taken. The President declared the motion prevailed.

Senator Russell moved that the rules be suspended and that Senate Bill No. 222 be placed on third reading and final passage.

Vote was taken and the President declared the motion prevailed.

The House Amendment to Senate Bill No. 261 was read.

Senator Thomas moved that the Senate agree to the House amendments to Senate Bill No. 261.

Senator Hatchett offered as a substitute that the Senate agree to all the House amendments except amendment No. 1 and that the House be asked to recede from same.

Vote was taken. The President declared the substitute prevailed.

Senator Thomas moved to take up House Bill No. 431.

Vote was taken. The President declared the motion prevailed.

House Bill No. 431 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Roddie, Stafford, Potter, Stewart, Strain, Soldani, and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 138 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Roddie, Potter, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

The question being, shall there be an emergency section, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Col-

ville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

House Bill No. 476 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cunningham, Curd, Cordell, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 488 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 45 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 526 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nys: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote ressulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldnai and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority, had passed.

House Bill No. 527 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 205 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 437 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Potter, Moore, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 513 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 322 was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 516 was read the third time at length.

The question being, shall the bill pass t,he roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

The account of the Patterson Furniture Company was brought up.

On motion of Senator Thomas same was given to the Auditor of the Senate and ordered inserted in a concurrent resolution.

House Bill No. 519 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Sorrells, Smith, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler, Hatchett, Russell and Stafford. Total 4.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stewart, Strain, Soldani and Updegraff. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Hatchett, Graham, Russell and Stafford. Total 5.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stewart, Strain, Soldani, and Updegraff. Total 9.

The President declared the emergency section, having failed to receive a two-thirds majority, had lost.

House Bill No. 328 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani, and Updegraff. Total 10.

The President declared the bill passed.

The title of the Bill was agreed to.

Senate Bill No. 228 was read the third time at length.

Senator Hatchett offered the following amendment: Line 1, page 1, strike out "twenty days" and insert "eighty days".

Vote was taken. The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Williams, Wynne, and Yeager. Total 32.

Nays: Mr. Warren. Total 1.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Roddie, Potter, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Cloonan, Franklin, Roddie, Moore, Potter, Stafford, Stewart, Strain, Soldani and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 222 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Morris, Newell, Redwine, Russell Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Hatchett and Memminger. Total 2.

Absent and excused: Messrs. Cloonan, Franklin, Moore, Potter, Roddie, Stafford, Stewart, Strain, Soldani, and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Joint Resolution No. 4 was read the third time at length.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Chapman, Cordell, Cunningham, Eggerman, Keys, Memminger, Newell, Potter, Russell, Thomas, Williams and Wynne. Total 16.

Nays: Messrs. Colville, Curd, Echols, Graham, Goulding, Hatchett, Mitchell, Roddie, Smith, Stafford, Soldani, Sorrells, Taylor and Warren. Total 14.

Absent and excused: Messrs. Brownlee, Cloonan, Davis, Denton, Franklin, Landrum, Moore, Morris, Redwine, Stewart, Strain, Updegraff, and Yeager. Total 13.

The President declared the Resolution had lost.

Senator Williams moved that the Senate do not agree to the House amendments to Senate Bill No. 78 and ask that the House recede from its amendments.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 95 was read the third time at length.

Senator Goulding asked unanimous consent to introduce an amendment to Senate Bill No. 95.

Request granted.

Senator Goulding offered the following amendment: Correct the title of Senate Bill No. 95 by inserting after the figures "1899" and before the word "of" the following:

And Article 2, Chapter 16 of the Session Laws of 1901, in Section 28, strike out the words "Section five and seven of" after the word "and" and before the word "Chapter.'

Vote was taken. The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Davis, Denton, Graham, Goulding, Hatchett, Keys, Landrum, Mitchell, Morris, Newell, Potter, Russell, Smith, Stafford, Sorrells, Taylor, Thomas, Warren and Williams. Total 26.

Nays: Messrs. Cloonan and Curd. Total 2.

Absent and excused: Messrs. Allen, Beeler, Echols, Eggerman, Franklin, Memminger, Moore, Redwine, Roddie, Stewart, Strain, Soldani, Updegraff, Wynne and Yeager. Total 15.

The President declared the bill passed.

A message was received from the Governor and read as follows:

Guthrie, March 10, 1909.

To the Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved House Concurrent Resolution No. 24, "Requesting the President of the Board of Agriculture to Co-operate with the Agricultural Boards of other cotton growing States in the matter of gathering cotton statistics."

Also House Bill No. 493, being "An Act providing for the holding of sessions of the County Court at Davis, in Murray County."

Respectfully submitted,

C. N. HASKELL,
Governor.

A message was received from the Governor and read as follows:

March 8th, 1909.

To the Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved Senate Bill No. 9, same being ,"An Act entitled 'An Act defining the procedure for the mortgage or sale of the homesteads of an insane husband or wife.'"

Also Senate Concurrent Resolution No. 23 relating to the per diem of officers and employees of the Senate.

Also House Bill No. 97, same being "An Act providing for the holding of County Court at the town of Eldorado in Jackson County, Oklahoma."

Respectfully submitted,

C. N. HASKELL,
Governor.

Senate Bill No. 123 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Newell, Potter, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Curd and Mitchell. Total 2.

Absent and excused: Messrs. Beeler, Davis, Franklin, Memminger, Moore, Morris, Redwine, Stewart, Strain and Updegraff. Total 10.

The President declared the bill passed.

The question being, shall there be an emergency the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Denton, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Warren, Williams Wynne and Yeager. Total 31.

Nays: Messrs. Cloonan, Curd and Mitchell. Total 3.

Absent and excused: Messrs. Beeler, Davis, Franklin, Memminger, Moore, Redwine, Stewart, Strain and Updegraff. Total 9.

The President declared the emergency section, having received a two-thirds majority, had passed.

Senator Billups moved that Senate Bill No. 328 be referred to a special committee of five.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Billups, Thomas, Memminger, Warren and Hatchett as such committee.

Senator Yeager called up his motion to substitute the minority report on Senate Bill No. 359 for the majority report.

Senator Thomas was called to the Chair.

The question being, shall the minority report be substituted for the majority report of the Committee on Legal Advisory, on Senate Bill No. 359.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Brownlee, Cloonan, Colville, Cordell, Curd, Goulding, Memminger, Potter, Russell, Soldani, Sorrells and Yeager. Total 12.

Nays: Messrs. Allen, Billups, Blair, Cunningham, Davis, Echols, Graham, Keys, Mitchell, Morris, Newell, Redwine, Roddie, Smith, Taylor, Thomas, Warren, Williams and Wynne. Total 19.

Absent and excused: Messrs. Beeler, Chapman, Denton, Eggerman,

Franklin, Hatchett, Landrum, Moore, Stafford, Stewart, Strain and Updegraff. Total 12.

The President declared the substitute lost.

Senator Graham moved that the Committee report on Senate Bill No. 359 be adopted.

Vote was taken. The President declared the motion prevailed.

Senate Concurrent Resolution No. 27 was read at length the fourth time.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Concurrent Resolution No. 27, same was ordered transmitted to the House.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 526, same was ordered transmitted to the House.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

A message was received from the Governor and read as follows:

I have the honor to advise you that I have approved Senate Bill No. 2, entitled "An Act to protect fish, game and birds, etc."

C. N. HASKELL,
Governor.

Senate Concurrent Resolution No. 3 was read the fourth time at length.

President Pro Tempore, Mr. Graham, signed the enrolled copy of Senate Concurrent Resolution No. 3, same was ordered transmitted to the House.

Senate Joint Resolution No. 11 by Mr. Franklin, was read the fourth time at length.

The President Pro Tempore, Mr. Graham signed the enrolled copy of Senate Joint Resolution No. 11, same was ordered transmitted to the House.

Senate Bills Nos. 39 and 371 were read the fourth time at length and the President Pro Tem, Mr. Graham, signed the engrossed copies of the following: House Bills Nos. 205, 138, 488, 431, 476, 45, 527, 437, 513, 516, 519, 332 and 328; and Senate Bills Nos. 334, 151, 115, 245, 250, 295, 85, 54, 309, 81, 380 and 123, same were ordered transmitted to the House.

The Committee on Judiciary No. 1 reported, recommending that House Bills Nos. 295, 119, and 235 do pass.

Report received.

House Concurrent Resolution No. 28 was read.

Senator Memminger moved the adoption of the Resolution.

Vote was taken. The President declared the resolution adopted.

Senator Blair moved to recommit Senate Bill No. 144 to the Committee of the Whole with instructions to reduce the salary of the President of the Board of Agriculture.

Cote was taken. The President declared the motion adopted.

Senate Bill No. 189 was read the third time at length.

Senator Goulding moved to amend by striking out the first 8 sections and substituting in lieu thereof sections one and two of the original bill.

Senator Williams was called to the Chair.

The question being, shall the amendment be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Cloonan, Colville, Cordell, Curd, Davis, Denton, Goulding, Landrum, Memminger, Morris, Smith, Stafford, Soldani, Thomas, Warren and Yeager. Total 17.

Nays: Messrs. Allen, Billups, Brownlee, Cunningham, Echols, Keys, Mitchell, Newell, Potter, Roddie, Russell, Strain, Sorrells, Taylor, Williams and Wynne. Total 16.

Absent and excused: Messrs. Beeler, Chapman, Eggerman, Franklin, Graham, Hatchett, Moore, Redwine, Stewart and Updegraff. Total 10.

The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Cloonan, Colville, Cordell, Davis, Denton, Goulding, Keys, Landrum, Memminger, Morris, Newell, Smith, Stafford, Strain, Soldani, Thomas, Warren, Williams, Wynne and Yeager. Total 24.

Nays: Messrs. Brownlee, Cunningham, Curd, Echols, Graham, Hatchett, Mitchell, Potter, Roddie, Russell and Taylor. Total 11.

Absent and excused: Messrs. Chapman, Eggerman, Franklin, Moore, Redwine, Stewart, Sorrells, and Updegraff. Total 8.

The President declared the bill passed.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate of the amendment by the House of the enrolled copy of House Bill No. 65 which together with the amendments are transmitted to your honorable body.

A message was received from the House transmitting the enrolled copy of Senate Concurrent Resolution No. 27, signed by the Speaker.

Senator Hatchett moved to reconsider the vote by which Senate Bill No. 189 had passed.

Senator Goulding moved to lay the motion to reconsider the vote by which Senate Bill No. 189 had passed on the table.

The question being shall the motion prevail, the roll being called, the vote resulted as follows:

Yeas. Messrs. Beeler, Billups, Blair, Colville ,Cordell, Curd, Davis, Denton, Goulding, Landrum, Memminger, Morris, Redwine, Smith, Newell, Stafford, Strain, Soldani, Thomas, Wynne and Yeager. Total 21.

Nays. Messrs. Allen, Brownlee, Chapman, Cloonan, Cunningham, Echols, Eggerman, Graham, Hatchett, Keys, Mitchell, Potter, Roddie, Russell, Sorrells, Warren, and Williams. Total 17.

Absent and excused: Messrs. Franklin, Moore, Stewart, Taylor and Updegraff. Total 5.

The President declared the motion to lay on the table prevailed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 372 signed by the Speaker.

President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bills Nos. 222 and 228, same were ordered transmitted to the House.

Senator Russell moved that the rules be suspended and that Senate Joint Resolution No. 19 be put on third reading and final passage.

Vote was taken. The President declared the motion prevailed.

Senate Joint Resolution No. 19 was read the third time at length.

Senator Davis offered the following amendment: Page 1, Section 36a, Line 5, strike out the word "such" and insert in lieu thereof the words "common schools."

Vote was taken. The Amendment was adopted.

Senator Cunningham offered the following amendment:

After the word "county" in line 6, Section 36a, the words "State of Oklahoma and be distributed as other state school funds are appropriated by law."

Vote was taken. The President declared the amendment adopted.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Echols, Keys, Memminger, Mitchell, Morris, Potter, Roddie, Russell, Smith, Soldani, Warren, Wynne and Williams. Total 25.

Nays: Messrs. Cordell, Graham, Hatchett, Newell, Redwine, Stafford, Strain, Sorrells, Thomas and Yeager. Total 10.

Absent and excused: Messrs. Eggerman, Franklin, Goulding, Moore, Landrum, Stewart, Taylor and Updegraff. Total 8.

The President declared the resolution passed.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of Senate Bill No. 39 signed by the Speaker.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Joint Resolution No. 20, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Senate Bill No. 179 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of Senate Bill No. 371, Senate Concurrent Resolution No. 3, Senate Joint Resolution No. 11, signed by the Speaker.

Senate Bill No. 371, Senate Concurrent Resolution No. 3 and Senate Joint Resolution No. 11 were ordered transmitted to the Governor.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that Senate Bill No. 330 be referred to a special committee, that Senate Bill No. 144 do pass as amended and be placed on third reading and final passage; that Senate Bill No. 116 be stricken from the calendar, that Senate Bills Nos. 179, 203 and 377 do pass, and that Senate Bill No. 305 do pass as amended.

Report adopted.

Senator Wynne explains his motion as follows:

"I move to strike Senate Bill No. 116 from the calendar for the reason that I believe it impossible to secure the passage of this bill at this late day."

The Committee on Legal Advisory reported, recommending that House Bill No. 371 do pass.

Report received.

The Committtee on School Lands reported, recommending that House Bill No. 400 do pass.

Report received.

The Committee on Appropriations reported, recommending that House Bills Nos. 536, 535 and 534, do pass.

Report received.

A message was received from the House transmitting the engrossed copy of House Bill No. 308 signed by the Speaker.

House Bill No. 308, by Mr. Butts, "An Act amending section 6411, Article 6, Chapter 74 of the Session Laws of 1908.", was read the first time.

A message was received from the House transmitting the engrossed copy of House Bill No. 451, signed by the Speaker.

House Bill No. 451 by Mr. Huddleston, "An Act to amend certain sections of the law governing the practice of pharmacy, etc.", was read the first time.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 189, same was ordered transmitted to the House.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by the President, Mr. Bellamy.

The President announced a quorum present.

The President, Mr. Bellamy, signed the engrossed copy of Senate Bill No. 315, same was ordered transmitted to the House.

A message was received from the House transmitting the enrolled copies of House Bills Nos. 513, 138, 431, 205, 328, 476 and 488, signed by the Speaker.

The following House Bills were read the fourth time at length, and signed by the President, Mr. Bellamy: House Bills Nos. 467, 328, 205, 431, 138, 488, 513, and the same were ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 95 as amended by the House.

A message was received from the House informing the Senate that the House adheres to its amendments to Senate Bill No. 261 and that the Speaker had appointed Messrs. McCalla, Cook and Ross as a conference committee on same.

The President appointed Messrs. Graham, Thomas and Billups as a committee on the part of the Senate to confer with the Committee from the House on Senate Bill No. 261.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 5 as amended by the House, and the enrolled copy of Senate Bill No. 95 signed by the Speaker.

A message was received from the House informing the Senate that

the House had refused to recede from its amendments to Senate Bill No. 78 and had further amended the same, said amendments transmitted herewith, and that the Speaker had appointed Messrs. Dunn, Harrison and Brownlee as a conference committee on the part of the House.

The President appointed Messrs. Williams, Memminger and Brownlee as a conference committee on the part of the Senate to confer with the committee from the House on Senate Bill No. 78.

A message was received from the Governor and read as follows:

March 10th, 1909.

To the Legislature:

I have the honor to report to you the approval of Senate Bill No. 371 to legalize the incorporation of the town of Shattuck, Okla."

Respectfully,
C. N. HASKELL,
Governor.

The Journal of the 63d, day's session was approved.

The Committee on Judiciary No. 2 reported recommending that House Bill No. 399 do pass, as amended, and that House Bill No. 324 do pass as amended.

Senate Bill No. 144 was read the third time at length.

Senator Russell offered the following amendment:

Strike out $2000 and insert $2500.

Senator Hatchett moved to lay the amendment on the table.

The question being, shall the motion prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Colville, Cordell, Curd, Graham, Hatchett, Memminger, Mitchell, Stafford, Sorrells and Taylor. Total 11.

Nays: Messrs. Billups, Chapman, Cloonan, Cunningham, Davis, Echols, Eggerman, Goulding, Keys, Landrum, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Thomas, Warren, Williams, Wynne and Yeager. Total 23.

Absent and excused: Messrs. Allen, Beeler, Brownlee, Denton, Franklin, Moore, Morris, Stewart and Updegraff. Total 9.

The President declared the motion lost.

A message was received from the House inquiring into the Status of House Bill No. 246 by Mr. Rogers.

A message was received from the House transmitting the engrossed copies of House Bills Nos. 378, 528, and of Senate Bills Nos. 186, 174, and 131 signed by the Speaker.

House Bill No. 378 by Mr. Maris, "An Act relating to briefs and procedure in the Supreme Court," was read the first time.

House Bill No. 528 by Messrs. Cope and Wilson, "An Act authorizing the Commissioners of the Land Office to sell a part of the northwest quarter of Section 16, Twp. 12 north of range 7, to the Commercial Club of El Reno" was read the first time.

The further consideration of Senate Bill No. 144 was taken up.

The question being, shall the Russell amendment to Senate Bill No. 144 be adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Chapman, Cloonan, Cunningham, Curd, Davis, Echols, Goulding, Keys, Landrum, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams and Yeager. Total 27.

Nays: Messrs. Blair, Colville, Cordell, Graham, Hatchett, Mitchell, and Potter. Total 7.

Absent and excused: Messrs. Denton, Eggerman, Franklin, Memminger, Morris, Moore, Stewart, Updegraff and Wynne. Total 9.

The President declared the amendment adopted.

A message was received from the House transmitting the engrossed copies of House Bills Nos. 471 and Committee Substitute for House Bill No. 32 signed by the Speaker.

Committee Substitute for House Bill No. 32 by the Committee on Education, "An Act authorizing the Regents of the Normal Schools of the State of Oklahoma and the Board of the Colored A. & M. University to lease public school lands, etc.", was read the first time.

House Bill No. 471 by Mr. Acton "An Act authorizing the changing of township boundary lines and for relief of land owners along rivers and streams in Oklahoma," was read the first time.

Further consideration of Senate Bill No. 144 was taken up.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Brownlee, Chapman, Cloonan, Cunningham, Davis, Echols, Goulding, Keys, Landrum, Newell, Russell, Smith, Stafford, Strain, Taylor, Thomas, Warren and Yeager. Total 21.

Nays: Messrs. Blair, Colville, Cordell, Curd, Hatchett, Memminger, Mitchell, Redwine, Roddie, Soldani, Sorrells and Williams. Total 12.

Absent and excused: Messrs. Denton, Eggerman, Franklin, Graham, Moore, Morris, Potter, Stewart, Updegraff, and Wynne. Total 10.

The President declared the bill lost.

Senate Bill No. 95 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 95, same was ordered transmitted to the House.

A message was received from the House informing the Senate that the House had recalled Senate Bill No. 186 for the purpose of adopting the committee amendments to same.

Senate Bill No. 372 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 372, same was ordered transmitted to the House.

Senate Bill No. 173 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 173, same was ordered transmitted to the House.

Senator Thomas filed the following conference committee report:

To the Honorable Senate and House of Representatives:

We, your conference committee to whom was referred House amend-

ment No. 1 to Senate Bill No. 261 beg leave to recommend that the Senate do agree to said amendment.

Respectfully submitted,

J. C. GRAHAM,
J. ELMER THOMAS,
Senate Committee.

J. R. McCALLA,
CHARLES A. COOK,
LESLIE P. ROSS,
House Committee.

Senator Thomas moved the adoption of the report.

Vote was taken. The President declared the report adopted.

The question being, shall Senate Bill No. 261 pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Echols, Graham, Goulding, Keys, Landrum, Mitchell, Newell, Potter, Redwine, Roddie, Stafford, Strain, Soldani, Sorrells, Thomas, Warren, and Yeager. Total 26.

Nays: Messrs. Blair, Cloonan, Memminger, Russell, Smith and Williams. Total 6.

Absent and excused: Messrs. Billups, Denton, Eggerman, Franklin, Hatchett, Moore, Morris, Stewart, Taylor, Updegraff, and Wynne. Total 11.

The President declared the bill passed.

A message was received from the House transmitting the engrossed copies of Senate Bills Nos. 288, 186, and 275, and House Bill No. 203, signed by the Speaker.

House Bill No. 203 by Mr. Haymes, "An Act to amend Section 16, Article 39, of Chapter 17 of the General Statutes of Oklahoma, 1908 etc.", was read the first time.

Senate Bill No. 330 was read the third time at length.

Senator Stafford moved to strike out the Williams amendment to Section 1.

Vote was taken. The President declared the motion lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Denton, Curd, Graham, Goulding, Hatchett, Keys, Landrum, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Thomas and Warren. Total 27.

Nays: Messrs. Cloonan, Davis and Williams. Total 3.

Absent and excused: Messrs. Allen, Billups, Echols, Eggerman, Franklin, Memminger, Moore, Morris, Stewart, Taylor, Updegraff, Wynne and Yeager. Total 13.

The President declared the bill passed.

Senate Bill No. 377 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Graham, Goulding, Keys, Landrum, Mitchell, Newell, Potter, Redwine, Roddie, Smith, Stewart, Strain, Taylor, Thomas, Warren, Williams and Wynne. Total 29.

Updegraff and Wynne. Total 14.

The President declared the bill passed.

Senate Bill No. 374 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Graham, Goulding, Keys, Landrum, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Thomas, Warren, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Echols, Eggerman, Franklin, Hatchett, Memminger, Mitchell, Moore, Morris, Stafford, Stewart, Taylor, Updegraff, and Wynne. Total 14.

The President declared the bill passed.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 173, 372 and 95, signed by the Speaker.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 332, signed by the Speaker.

President Pro Tem, Mr. Graham, signed the engrossed copies of Senate Bills Nos. 377 and 374, same were ordered transmitted to the House.

Senate Bill No. 203 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Thomas, Warren, Williams and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Cloonan, Echols, Eggerman, Franklin, Hatchett, Moore, Morris, Stafford, Stewart, Taylor, Updegraff, and Wynne. Total 14.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Soldani, Sorrells, Thomas, Warren, Williams and Yeager. Total 30.

Nays: None.

Absent and excused: Messrs. Allen, Echols, Eggerman, Franklin, Hatchett, Moore, Morris, Stafford, Stewart, Strain, Taylor, Updegraff, and Wynne. Total 13.

The President declared the emergency section, having received a two-thirds majority, had passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate

Bill No. 203, same was ordered transmitted to the House.

Senator Thomas offered the following concurrent resalution:

Senate Concurrent Resolution No. 28, by Mr. Thomas, "Whereas, The Second Legislature will adjourn sine die on March 12, and Whereas, on said date there will be due the officers and employees, per diem, as per itemized statement of the House Auditor the sum of Two Thousand six hundred fifty four ($2,654.00) dollars, and Whereas on said date there will be due the officers and employees of the Senate per diem, as per itemized statement of the Senate Auditor, the sum of One Thousand Eight Hundred Thirty-nine ($1,839.00) Dollars,

Therefore, Be it Resolved, by the Senate, the House of Representatives concurring therein, that the said sum of Two Thousand Six Hundred Fifty-four ($2654.00) Dollars, as itemized in the pay-roll for said officers and employees of the House, and the said sum of One Thousand Eight Hundred Thirty-nine ($1839.00) Dollars as itemized in the pay roll for said officers and employees of the Senate, be allowed, and the State Auditor is hereby authorized and directed to issue warrants to the Officers and employees of the Senate and House, as itemized in said pay roll, said warrants to be drawn against the Legislative Contingent expenses.

On motion of Senator Thomas, Resolution No. 28 was adopted.

Senate Bill No. 155 was read the fourth time at length.

The President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 155, same was ordered transmitted to the House.

Senator Thomas moved that the Senate agree to the House amendments to Senate Bill No. 288.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 288 was read the third time at length.

The question being, shall the bill pass as amended,, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Denton, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Redwine, Roddie, Stafford, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Blair, Cordell, Echols, Eggerman, Franklin, Moore, Morris, Potter, Russell, Smith, Stewart, Strain and Updegraff. Total 14.

The President declared the bill passed.

The Committee on Public Printing reported in the form of a Concurrent Resolution as follows:

Senate Concurrent Resolution No. 29, "Whereas, Heretofore the State Printing Board entered into a contract with the Leader Printing Company for the Legislative Printing for the present session of the Legislature, and

Whereas, pursuant to said contract there is due the Leader Printing Company, for printing bills, resolutions, journals, calendars, and the Governor's messages for the Senate from January 5th to February 9th, 1909 inclusive, the sum of Twenty-two Hundred Fifty-nine and fifty-eight hundredths ($2259.58) Dollars, therefore,

Be It Resolved By the Senate, the House of Representatives concurring

therein, that the State Auditor be, and is hereby authorized and directed to issue his warrant on the State Treasurer in favor of the Leader Printing Company for the payment of the said sum of twenty-two hundred fifty-nine and fifty-eight hundredths ($2259.58) Dollars, out of the Legislative Contingent fund, being in full payment thereof.

Senator Thomas moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution adopted.

The Committee on Legal Advisory reported, recommending that House Bill No. 177 be referred back to the Senate without recommendation, that House Bill No. 433 do pass, that House Bill No. 51 do pass as amended.

Report received.

The Committee on Municipal Corporations reported, recommending that House Bill No. 207 do pass as amended.

Senator Warren called up the motion he had lodged to reconsider the vote by which the Committee report was adopted on House Bill No. 413.

The question being, shall the vote be reconsidered by which the committee report on House Bill No. 413 was adopted.

Vote was taken. The President declared the vote reconsidered.

Senator Warren moved to substitute do pass for do not pass.

The question being, shall the motion prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Davis, Goulding, Hatchett, Keys, Landrum, Newell, Stafford, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 21.

Nays: Messrs. Billups, Cordell, Denton, Graham, Potter, Roddie and Thomas. Total 7.

Absent and excused: Messrs. Allen, Echols, Eggerman, Franklin, Memminger, Mitchell, Moore, Morris, Redwine, Russell, Smith, Stewart, Strain, Taylor and Updegraff. Total 15.

The President declared the motion prevailed.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Goulding, Hatchett, Keys, Landrum, Memminger, Newell, Stafford, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 21.

Nays: Messrs. Billups, Cordell, Denton, Graham, Mitchell, Potter, Roddie and Thomas. Total 8.

Absent and excused: Messrs. Allen, Davis, Echols, Eggerman, Franklin, Moore, Morris, Redwine, Russell, Smith, Stewart, Strain, Taylor and Updegraff. Total 14.

The President declared the bill had lost.

Senate Bill No. 305 was read at length the third time.

Senator Williams offered the following amendment: "Except in cases of emergencies and after two thirds of the elective State Officers have voted for said expenditure, or the creating of a deficit."

Vote was taken. The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Curd, Goulding, Hatchett, Keys, Landrum, Mitchell, Newell, Roddie, Warren, Williams and Yeager. Total 18.

Nays: Messrs. Cloonan, Cunningham, Graham, Potter, Soldani, Sorrells, Thomas and Wynne. Total 8.

Absent and excused: Messrs. Allen, Davis, Denton, Echols, Eggerman, Franklin, Memminger, Moore, Morris, Redwine, Russell, Smith, Stafford, Stewart, Strain, Taylor and Updegraff. Total 17.

The President declared the bill lost.

Senate Bill No. 185 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Roddie, Soldani, Sorrells, Thomas, Warren, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused: Messrs. Allen, Echols, Eggerman, Franklin, Moore, Morris, Redwine, Russell, Smith, Stafford, Stewart, Strain, Taylor and Updegraff. Total 14.

The President declared the bill passed.

The President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Bill No. 185, same was ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of House Bill No. 233 signed by the Speaker.

House Bill No. 233 by Mr. Rogers, "An Act for the protection of cer tain raliway employees and fixing the number of hours they shall work in any one day," was read the first time.

Senate adjourned until 9:30 A. M., Thursday, March 11, 1909.

SENATE JOURNAL.

SIXTY-SIXTH DAY.

Thursday, March 11, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by Acting President Pro Tem, Mr. Russell.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Morris, Franklin, Graham, Goulding Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Roddie, Russell, Redwine, Stafford, Smith, Strain, Soldani, Sorrells, Thomas, Taylor, Warren, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Moore, Stewart and Updegraff. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

A message was received from the Governor and read as follows:

To the Legislature:

March 10, 1909.

I have the honor to report to your Honorable Body that I have approved Senate Concurrent Resolution No. 27.

C. N. HASKELL,
Governor.

Bills read the second time and referred to the following committees:

House Bill No. 233 by Mr. Rogers, to Committee on Public Service Corporations.

House Bill No. 537 by Mr. Durant, to Committee on Appropriations.

Committee Substitute for House Bill No. 451 by Mr. Hudleston, to Committee on Drugs and Pure Foods.

Committee substitute for House Bill No. 32 by the Committee on Education, to Committee on School Lands.

House Bill No. 203 by Mr. Haymes, to Committee on Judiciary No. 2.

House Bill No. 378 by Mr. Maris, to Committee on Judiciary No. 1.

House Bill No. 471 by Mr. Acton, to Committee on State and County Affairs.

House Bill No. 528 by Messrs. Cope and Wilson, to Committee on School Lands.

House Bill No. 308 by Mr. Butts, to Committee on Education.

The Senate went into the Committee of the Whole to consider House Bills and Special Orders.

The Committee of the Whole arose temporarily the receive a message from the House transmitting the engrossed copy of House Concurrent Resolution No. 25, recalling House Bill No. 93 from the Governor for correction.

House Concurrent Resolution No. 25 was read at length.

Senator Billups moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution adopted.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a report from the Committee on State and County Affairs, recommending that House Bill No. 430 do pass as amended.

Report received.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the enrolled copy of Senate Bill No. 155 signed by the Speaker.

Senate Bill No. 155 was ordered transmitted to the Governor.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Senate Concurrent Resolution No. 26 signed by the Speaker.

A message was received from the House informing the Senate of the adoption by the House of the Joint Conference Committee report on Senate Bill No. 261.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House transmitting the engrossed copy of Senate Bill No. 170 signed by the Speaker.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 220 as amended by the House, signed by the Speaker.

Senator Russell moved that the Senate do not agree to the House amendments to Senate Bill No. 220 and that the House be asked to recede from its amendments.

Vote was taken. The President declared the motion prevailed.

A message was received from the House transmitting the engrossed copies of Senate Bills Nos. 318, 246, 304, and 303, signed by the Speaker.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 378 signed by the Speaker.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 275 signed by the Speaker.

Senate Bills Nos. 275, 261 and 131 were read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copies of Senate Bills Nos. 275, 261, and 131, the same were ordered transmitted to the House.

Senator Cunningham moved that the Senate do not agree to the House amendments to Senate Bill No. 170 and that the House be asked to recede from its amendments.

Vote was taken. The President declared the motion prevailed.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bills Nos. 404, 509, 300 and 433 do pass; that House Bills Nos. 430, 337, 83, and 230 do pass as amended, and that House Bill No. 177 be indefinitely postponed.

Report adopted.

The Senate recessed until 1:30 P. M.

Afternoon Session.

The Senate was called to order by the President, Mr. Bellamy.

The President announced a quorum present.

The Committee on State and County Affairs reported, recommending that House Bills Nos. 290 and 218 do not pass.

Senator Hatchett moved that the report be adopted.

Vote was taken. The President declared the motion prevailed.

The Committee on State and County Affairs reported, recommending that House Bill No. 350 do pass as amended.

Report received.

The Committee on Education reported, recommending that House Bill No. 308 do pass.

Report received.

The Committee on Municipal Corporations reported, recommending that House Bill No. 156 do pass.

Report received.

The Committee on School Lands reported, recommending that House Bill No. 528 do pass.

Report received.

On motion of Senator Wynne the Senate agreed to the House amendments to Senate Bill No. 332.

On motion of Senator Newell the Senate agreed to the House amendments to Senate Bill No. 186.

The Committee on School Lands reported, recommending that House Bill No. 32 do pass.

Report received.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 131, 261, and 275 signed by the Speaker and the same were ordered transmitted to the Governor.

A message was received from the House as follows:

Mr. President:

I am directed by the House to inform the Senate that the House refuses to recede from its amendments to Senate Bill No. 220 and has appointed Messrs. Harrison, Faulkner and Terral as a conference Committee on the part of the House.

The President appointed Messrs. Russell, Goulding, and Cordell as a Committee to confer with the Committee from the House on Senate Bill No. 220.

President, Mr. Bellamy, asked unanimous consent to have the rules suspended and that House Bill No. 528 be considered engrossed and put on its third reading and final passage.

Request granted.

House Bill No. 528 was read the third time at length.

House Bill No. 528 was referred to a special committee consisting of Messrs. Stafford, Hatchett and Billups.

The Journals of the 64th and 65th days were approved.

The Committee on Agriculture, Quarantine and Animal Industry re-

ported, recommending that House Bills Nos. 423, 277 and 472 do pass and that the same be not printed.

Report received.

On motion of Senator Russell House Bills Nos. 423, 277 and 472 were put on third reading and final passage.

House Bill No. 423 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Chapman, Colville, Cordell, Curd, Denton, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Cloonan, Cunningham, Davis, Echols, Graham, Hatchett, Mitchell, Moore, Stafford, Stewart, Strain, Soldani and Warren. Total 16.

The President declared the bill passed.

House Bill No. 472 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Blair, Brownlee, Chapman, Colville, Cordell, Curd, Denton, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Cloonan, Cunningham, Davis, Echols, Graham, Hatchett, Mitchell, Moore, Stafford, Stewart, Strain, Soldani and Warren. Total 16.

The President declared the bill passed.

House Bill No. 277 was read the third time at length.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Chapman, Colville, Cordell, Curd, Denton, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 27.

Nays. None.

Absent and excused. Messrs. Allen, Beeler, Billups, Cloonan, Cunningham, Davis, Echols, Graham, Hatchett, Mitchell, Moore, Stafford, Stewart, Strain, Soldani and Warren. Total 16.

The President declared the bill passed.

Senator Cordell asked unan, mous consent to have House Bill No. 400 considered engrossed and put on third reading and final passage.

Vote was taken. The President declared the request granted.

House Bill No. 400 ws read the third time at length.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas. Messrs. Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Denton, Eggerman, Franklin, Goulding, Keys, Land-

rum, Memminger, Newell, Potter, Roddie, Russell, Smith, Soldani, Sorrells, Warren, Thomas, Updegraff, Williams, Wynne and Yeager. Total 28.

Nays. None.

Absent and excused. Messrs. Allen, Beeler, Billups, Davis, Echols, Graham, Hatchett, Mitchell, Moore, Morris, Redwine, Stafford, Stewart, Strain and Taylor. Total 15.

The President declared the bill passed.

President, Mr. Bellamy signed the engrossed copies of House Bills Nos. 432, 472, 277, and 400, same were ordered transmitted to the House.

The Committee on Drugs and Pure Food reported, recommending that House Bill No. 451 do pass, as amended and be not printed.

The Senate went into the Committee of the Whole to consider special orders.

The Committee of the Whole arose temporarily and Senate Bill No. 378 was read the fourth time at length.

President, Mr. Bellamy signed the enrolled copy of Senate Bill No. 378, same was ordered transmitted to the House.

Senate Bill No. 174 ws read the fourth time at length.

President, Mr. Bellamy signed the enrolled copy of Senate Bill No. 174, same was ordered transmitted to the House.

A message was received from the House, transmitting the enrolled copies of House Bills, Nos. 437, 332, 527, 516 and 519, signed by the Speaker, which were read the fourth time at length, signed by the President, Mr. Bellamy, and ordered transmitted to the Huose.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily and Senator Hatchett presented Senate Concurrent Resolution No. 29 by Mr. Taylor, recalling Senate Bill No. 155 from the Governor.

On motion of Senator Hatchett the resolution was adopted.

Acting President Pro Tem., Mr. Williams, signed the engrossed copy of Senate Concurrent Resolution No. 29, same was ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copies of Senate Bills Nos. 174 and 378, signed by the Speaker.

A message was received from the House, transmitting the engrossed copy of Senate Concurrent Resolution No. 29 signed by the Speaker.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive the report of the Special Committee appointed to consider the amendment to House Bill No. 528 as follows: New Section: Section 1: The Commissioners of the land office are hereby authorized to sell and convey any portion of section sixteen of the common school lands of this State, lying in a separate tract at the time of the p assage of this bill, containing not exceeding eight acres, surrounded by railroad tracks on two or more sides and abutting upon a section line, whenever the same is adjacent to

or lying within any city of the first class.

Senator Hatchett moved the adoption of the report.

Vote was taken. The President declared the report adopted.

The Committee on Legal Advisory reported, recommending that House Bill No. 511 do pass.

Report received.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily and Senate Bills Nos. 288, 304 and 318 were read the fourth time at length, the same were signed by the President, Mr. Bellamy, and ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copies of House Bills Nos. 423, 45, 400 and 526, the same were read the fourth time at length, signed by the President, Mr. Bellamy, and ordered transmitted to the House.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House, transmitting the enrolled copies of Senate Bills, Nos. 318, 304 and 288 signed by the Speaker.

Senate Bills Nos. 318, 304, and 288 were ordered transmitted to the Governor.

The Committee of the Whole resumed business.

The committee of the Whole reported, recommending that House Bills Nos. 336, 412, 404, 311, 435, 536, 535, 511, 322, 371, 155, do pass; and that Committee Substitute No. 2, for House Bill No. 91 do pass; and that House Bills Nos. 411, 446, 534, 5, and Committee Substitute No. 1 for House Bill No. 91, do pass as amended.

Senate Bills Nos. 332, 317, 246, 303 and 186 were read the fourth time at length.

President Pro Tem., Mr. Graham, signed the enrolled copies of Senate Bills Nos. 332, 317, 246, 303 and 186, same were ordered transmitted to the House.

Senator Taylor moved that the Senate agree to the House amendments to Senate Bills Nos. 5 and 179, and that action on same be deferred until the evening session.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by President Pro Tem, Mr. Graham.

The President announced a quorum present.

Senator Taylor moved to reconsider the vote by which Senate Bill No. 155 had passed and that same be placed on the calendar.

Vote was taken. The President declared the motion prevailed.

A message was received from the House informing the Senate of the adoption by the House of the Joint Conference Report on Senate Bill No. 78.

A message was received from the House transmitting the enrolled copies of House Bill Nos. 277 and 472 signed by the Speaker.

House Bills Nos. 277 and 472 were read the fourth time at length.

President Pro Tem. Mr. Graham signed the enrolled copies of House Bills Nos. 277 and 472, same were ordered transmitted to the House.

A message was received from the House transmitting the engrossed cpoies of Senate Bills Nos. 199 and 150 signed by the Speaker.

Senator Taylor moved that the House be notified of the action taken by the Senate on Senate Bill No. 155.

Senator Hatchett moved to reconsider the vote by which House Bill No. 65 had passed.

Vote was taken. The President declared the vote had been reconsidered.

House Bill No. 65 was read the third time at length as amended.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Hatchett, Keys, Mitchell, Newell, Potter, Roddie, Russell, Stafford, Soldani, Sorrells, Thomas, Warren, Williams, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Denton, Echols, Eggerman, Goulding, Landrum, Memminger, Moore, Redwine, Morris, Smith, Stewart, Strain, Taylor and Updegraff. Total 16.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Hatchett, Keys, Landrum, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Warren, Williams and Wynne. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Denton, Echols, Eggerman, Goulding, Memminger, Moore, Redwine, Stewart, Strain, Updegraff, and Yeager. Total 12.

The President declared the emergency section having received a two-thirds majority, had passed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 168, as amended by the House.

A message was received from the House informing the Senate that the House had reconsidered the vote by which Senate Bill No. 155 had passed.

Senator Taylor offered the following amendment to Senate Bill No. 155: amend by adding to Section One, the following: "Provided that in all cities in which a commission form of government has been adopted, as provided in article Eighteen of the Constitution, the elective officers provided for therein, shall be elected at the same time and in the same manner as herein provided for the election of officers in other cities and towns in this State; and,

Provided, further, that, in all casees, in which a commission form of government shall be adopted, more than four months before any general

election for municipal officers, as herein provided, the Legislative authority of such city shall have power to call a special election for the election of the elective officers, provided for therein, which election shall in all respects be governed by the general election laws of this State.

Vote was taken. The President declared the amendment adopted.

Senate Bill No. 155 was read the third time as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Davis, Franklin, Graham, Hatchett, Keys, Mitchell, Morris, Newell, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 24.

Nays: Messrs. Beeler, Cloonan, Cunningham, Curd, Potter and Warren. Total 6.

Absent and excused: Messrs. Allen, Brownlee, Denton, Echols, Eggerman, Goulding, Landrum, Memminger, Moore, Redwine, Stewart, Strain and Updegraff. Total 13.

The President declared the bill passed.

Senator Billups moved that a call of the Senate be made.

The question being, shall there be a call of the Senate, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Hatchett, Keys, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Stafford and Soldani. Total 2.

Absent and excused: Messrs. Allen, Brownlee, Cloonan, Denton, Echols Eggerman, Goulding, Landrum, Memminger, Moore, Redwine, Stewart, Strain and Updegraff. Total 14.

The President declared the motion prevailed.

The Sergeant-at-Arms was instructed to bring in all the absent members.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 122, as amended.

Senator Cordell moved that the Senate agree to the House amendments to Senate Bill No. 122.

Vote was taken. The President declared the motion prevailed.

The question being, shall Senate Bill No. 122 pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Hatchett, Keys, Landrum, Mitchell, Morris, Newell, Potter, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Williams and Yeager. Total 28.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Allen, Billups, Denton, Echols, Eggerman, Goulding, Memminger, Moore, Redwine, Stewart, Strain, Updegraff, Warren and Wynne. Total 14.

The President declared the bill passed.

A message was received from the House informing the Senate that the

House refused to recede from its amendments to Senate Bill No. 170, and that the Speaker had appointed Messrs. Faulkner, Dunn and Lovelace as a conference committee for the House and asked the Senate to appoint a like committee.

Senator Cunningham moved that the request be granted.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Cunningham, Billups and Wynne as such committee.

Senator Williams called for the reading of the Conference Committee report on Senate Bill No. 78, same was read as follows:

Guthrie, Oklahoma, March 11, 1909.

Mr. President:

We, your Confecenre Committee of the Senate and House of Representatives, to whom was referred Senate Bill No. 78, entitled "An Act making an appropriation to pay the deficiencies for the support of the State Government for the fiscal year ending June 30, 1909, and declaring an emergency," beg leave to make the following report: We recommend that the Senate agree to all of the House amendments to said bill except the one on page two, which is as follows:

"For Investigating Committee, traveling expenses of delegates to various National Conferences and other emergency cases, $3,000.00."

Also the one changing the total deficiency under the Governor's items.

Also the one on page 11 under the heading of the House of Representatives, the item which read as follows:

C. H. Pitman, for services on House Journal and codifying committee, approved voucher on file with the State Auditor, $210.00.

We also recommend that the House recede from the amendments as enumerated above.

On request of Mr. Harrison unanimous consent was granted to insert the following amendment in the conference report to be adopted herewith.

Expenses Incurred to Carry Into Effect House Bill No. 1.

Claim of H. Gerner was paid out of the State Examiner and inspector's Contingent Fund and is to revert to said fund.

Name	Office Exp.	Services,	Traveling Exp.	Total
J. L. McKeown		$107 40	$ 63 62	$171 02
J. P. Roetzel		150 00	88 74	238 74
John E. Haynes		150 00	88 56	238 56
Nash, R. M.		180 00	93 49	273 49
E. A. Edmondson		100 00	43 00	143 00
W. E. Bray		180 00	85 78	265 78
H. C. Hammonds		185 00	69 88	254 88
J. H. Wright		$200 00	64 65	264 65
W. J. Cole		75 00	10 30	85 30
Geo. J. Meekling		150 00	82 26	232 26
J. K. Stone		185 00	71 90	256 90
John L. Pickens		200 00	113 00	313 00
J. M. Sanders		225 00	114 05	339 05
Jacob A. Mercer		195 00	68 72	263 72
G. A. Smith		220 00	105 00	325 00

J. A. Alderson	225 00	88 00	313 00
M Gerner	150 00	111 22	261 22
Chas. W. Meyers	150 00	75 73	225 73
M. E. Franc	200 00	121 60	321 60
J. B. Steele	150 00	86 50	236 50
J. G. Condit	150 00	85 14	235 14
Phone Messages, Stamps, etc			50 00
	$3527 40	$1740 76	$5318 16

Total Appropriation necessary.....$5318 16

J. J. WILLIAMS,
T. F. MEMMINGER,
EMORY D. BROWNLEE,
Senate Committee.

ED L. DUNN,
BEN F. HARRISON,
R. M. BROWNLEE,
House Committee.

Senator Williams moved the adoption of the Conference Committee report.

Vote was taken. The President declared the motion prevailed.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Cordell, Curd, Davis, Graham, Keys, Landrum, Mitchell, Morris, Newell, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Warren, Williams and Yeager. Total 23.

Nays: Messrs. Brownlee, Cloonan, Franklin, Hatchett and Potter. Total 5.

Absent and excused: Messrs. Allen, Billups, Colville, Cunningham, Denton, Echols, Eggerman, Goulding, Memminger, Moore, Redwine, Stewart, Strain, Updegraff, and Wynne. Total 15.

The President declared the bill passed.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 155 as amended by the House.

The House amendments to Senate Bill No. 179 were read at length.

Senator Taylor moved that the Senate agree to the House amendments to Senate Bill No. 179.

The question being, shall the Senate agree to House amendments to Senate Bill No. 179.

The roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Davis, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Potter, Updegraff and Warren. Total 10.

Absent and excused: Messrs. Allen, Eggerman, Moore and Stewart. Total 4.

The President declared the Senate had agreed to the House amendments to Senate Bill No. 179.

Senate Bill No. 179 was read the third time at length as amended.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Davis, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 29.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Potter, Updegraff, and Warren. Total 10.

Absent and excused: Messrs. Allen, Eggerman, Moore and Stewart. Total 4.

The President declared the bill passed.

The title of the bill was agreed to.

Senator Taylor moved that the Senate agree to the House amendments to Senate Bill No. 5.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 5 was read the third time at length as amended.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Mitchell, Morris, Newell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas Williams, Wynne and Yeager. Total 27.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Colville, Curd, Potter, Updegraff, and Warren. Total 9.

Absent and excused: Messrs. Allen, Cunningham, Denton, Memminger, Moore, Roddie and Stewart. Total 7.

The President declared the bill passed.

Senator Smith called up the motion he had lodged to reconsider the vote by which the emergency section to House Bill No. 282 had lost.

Vote was taken. The President declared the vote reconsidered.

The question being, shall there be an emergency section declared to House Bill No. 282, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Curd, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Updegraff, Williams, Wynne and Yeager. Total 36.

Nays: None.

Absent and excused: Messrs. Allen, Cunningham, Denton, Memminger, Moore, Roddie and Stewart. Total 7.

The President declared the emergency section having received a two-thirds majority, had passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 282 as amended, same was ordered transmitted to the House.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 65.

Senate Bill No. 65 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 65 same was ordered transmitted to the Governor.

The President appointed Senators Cunningham and Brownlee as a

committee to transmit Senate Bill No. 65 to the Governor.

Senator Strain moved that the Senate agree to House amendments to Senate Bill No. 168.

Senator Davis moved as a substitute that the amendments be type written and layed on the desks of each Senator.

Vote was taken. The President declared the substitute lost.

House amendments to Senate Bill No. 168 were read at length.

The question being, shall the Senate agree to the House amendments to Senate Bill No. 168, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Brownlee, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas Updegraff, Warren, Williams, Wynne and Yeager. Total 36.

Nays: Mr. Davis. Total 1.

Absent and excused: Messrs. Allen, Beeler, Denton, Moore, Morris and Stewart. Total 6.

The President declared the Senate had agreed to the House amendments to Senate Bill No. 168.

Senate Bill No. 168 was read the third time at length.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Echols, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 33.

Nays: Mr. Davis. Total 1.

Absent and excused: Messrs. Allen, Beeler, Denton, Moore, Morris and Stewart. Total 6.

The President declared the bill passed.

The question being shall there be an emergency, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 35.

Nays: Messrs. Cloonan and Davis. Total 2.

Absent and excused. Messrs. Allen, Beeler, Denton, Moore, Morris and Stewart. Total 6.

The President declared the emergency section, having received a two-thirds majority, had passed.

The Conference Committee report on Senate Bill No. 170 was read as follows:

We, the members of the Joint Conference Committee on Senate Bill No. 170, "An Act making an appropriation for the support and maintenance of the Normal University at Langston, Oklahoma, for the biennieal period beginning July 1st, 1909, and ending June 30, 1911 and for other

sity,"

That pagse 2, 3, 4, 5 and 6 of said bill be stricken out.

HARPER S. CUNNINGHAM,
R. P. WYNNE,
RICHARD A. BILLUPS.
Senate Committee.

J. V. FAULKNER,
E. L. DUNN,
LON LOVELACE.
House Committee.

Senator Cunningham moved the adoption of the report.

Vote was taken. The President declared the report adopted.

Senate Bill No. 170 was read as amended, the third time at length.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningahm, Curd, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Memminger, Mitchell, Newell, Potter, Redwine, Roddie Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Warren, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused. Messrs. Allen, Beeler, Denton, Landrum, Moore, Morris, Stewart and Strain. Total 8.

The President declared the bill passed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 88, as amended by the House.

Senator Billups moved that the Senate agree to the House amendments to Senate Bill No. 88.

Vote was taken. The President declared the motion prevailed.

Senate Bil lNo. 88 was read the third time at length as amended.

The question being shall the bill pass as amended; the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Mitchell, Newell, Potter, Redwine, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 33.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Beeler, Davis, Denton, Memminger, Moore, Morris, Roddie, Stewart and Strain. Total 9.

The President declared the bill passed as amended.

A message was received from the House informing the Senate of the adoption by the House of the Joint Conference Report on Senate Bill No. 15.

Senator Allen took the Chair.

Senator Roddie filed the following Conference Committee Report on Senate Bill No. 15:

Guthrie, Okla., March 11, 1909.

Mr. President:

We, your Conference Committee, on Senate Bill No. 15, beg leave to submit the following report:

The House agrees to recede from amendments No. 4 to Section 5, line 6, page 5.

The Senate agree to the House amendment No. 15 to Section 33, line 3, page 21.

The Senate agrees to House amendment No. 18 page 26, section 42.

The Senate agrees to House amendment No. 19 page 28, section 44.

The Senate agrees to House amendment No. 20 inserting new Section 44-A amended to read as follows:

Section 44-A. Companies or associations organized under the laws of any other State of the United States carrying on the business of life insurance on the assessment plan, and having net assets of not less than Two Hundred Fifty Thousand dollars and funds pledged for the payment of three months calls, or assessments, and complying with the provisions of this act, shall be licensed to do business in this State; provided, that all policies or certificates of membership shall have plainly printed on or stamped on the face and back thereof the words "Assessment Insurance," and policies hereafter issued shall be valued as yearly renewable term contracts.

The Senate agrees to House amendment No. 21 to section 56.

The Senate agrees to House amendment No. 22 amended to read as follows:

Page 44, Section 73, end of line 2, add the following:

Nor shall sections 5, 67, 68 and 70 of this act apply to foreign companies or associations operating upon the assessment plan.

Respectfully submitted,

Rueben M. RODDIE,	W. F. GILMER,
P. J. GOULDING,	G. L. WILSON,
HARPER S. CUNNINGHAM,	J. M. PORTER,
Senate Committee.	House Committee.

Senator Roddie moved the adoption of the Committee report.

Vote was taken. The President declared the roport adopted.

Senate Bill No. 15 was read the third time at length as amended.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Goulding, Hatchettt, Keys, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 34.

Nays. Mr. Cloonan. Total 1.

Absent and excused. Messrs. Denton, Beeler, Franklin, Graham, Landrum, Moore, Stewart and Strain. Total 8.

The President declared the bill passed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 302 signed by the Speaker.

A message was received from the House informing the Senate that the House had agreed to the Senate amendments to House Bill No. 282.

House Bill No. 337 was read at length the third time.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas. Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Goulding, Keys, Landrum, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 31.

Nays. None.

Absent and excused. Messrs. Beeler, Chapman, Davis, Denton, Franklin, Graham, Hatchett, Moore, Morris, Stewart Strain and Potter. Total 10.

The President declared the bill passed.

The question being shall there be an emergency section; the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Blair, Brownlee, Cloonan, Colville, Cordell, Cunningham, Curd, Echols, Eggerman, Graham, Keys, Landrum, Memminger, Mitchell, Newell, Redwine, Roddie, Russell, Smith, Stafford, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 31.

Nays. None.

Absent and excused. Messrs. Beeler, Chapman, Davis, Denton, Hatchett, Franklin, Graham, Moore, Morris, Potter, Stewart and Strain. Total 12.

The President declared the emergency section having received a two-thirds majority had passed.

Senator Russell filed the following conference committee report on Senate Bill No. 220 which was read as follaws:

Guthrie, Okla., March 11, 1909.

Mr. President:

We, your conference committee, on Senate Bill No. 220, recommend that the House amendment be agreed to with the following additional amendments:

Amend the title to read, "An Act making an appropriation for the support and maintenance of the Oklahoma State School for the Blind, temporarily located at Fort Gibson, Oklahoma."

Amend Section 10 by inserting after the word "blind" in the third line of said section the words "Temporarily located at Fort Gibson, Oklahoma."

Respectfully submitted,

CAMPBELL RUSSELL,
P. J. GOULDING,
S. A. CORDELL,
Senate Committee.

C. G. Jones.
J. V. Faulkner,
JAS. E. TERRAL.
House Committee.

Senator Russell moved the adoption of the report.

Vote was taken. The President declared the report adopted.

Senate Bill No. 220 was read the third time as amended.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Keys. Landrum, Memminger, Mitchell, Newell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne, and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Beeler, Blair, Cloonan, Denton, Hatchett, Moore, Morris, Roddie, Potter, and Stewart. Total 10.

The President declared the bill passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 337, same was ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 223, as amended by the House.

Senate Bill No. 223, with the House amendments was referred to the Committee on State and county Affairs.

Senator Billups called up the Committee report on House Bill No. 495, "Establishing a court town at Coweta, Wagoner, County.

Senator Billups moved to substitute the minority report for the majority report.

Vote was taken. The President declared the motion prevailed.

Senator Billups moved that the rules be suspended and that House Bill No. 495 be put on third reading and final passage.

The question being shall the rules be suspended; the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Cloonan, Cordell, Davis, Echols, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Potter, Russell, Soldani, Sorrells, Taylor, Thomas, Updegraff, Wynne and Yeager. Total 25.

Nays: Messrs. Allen, Colville, Cunningham, Curd, Graham, Roddie, Smith, Stafford, Warren and Williams. Total 10.

Absent and excused: Messrs. Beeler, Chapman, Denton, Mitchell, Moore, Redwine, Stewart and Strain. Total 8.

The President declared the rules suspended.

Senator Blair was called to the Chair.

House Bill No. 495 was read the third time as amended.

Senator Cloonan offered the following amendment: Page 1, Section 1, Line 7, strike out all of lines 7 and 8 after the word "weeks" in line 7.

Vote was taken. The President declared the amendment adopted.

Senator Cloonan offered the following amendment: Section 1, Page 1, line 8 at the end of the section add the following "Provided that all necessary offices, court rooms, and places of detention of prisoners shall be furnished free of cost to the County."

Vote was taken. The President declared the amendment lost.

Senator Graham offered the following amendment: Section 2, page 2, by striking out the proviso.

Vote was taken. The President declared the amendment lost.

Senator Cloonan offered the following amendment: Page 2, Section 2, Line 5, strike out the word "Probated."

Vote was taken. The President declared the amendment lost.

Senator Smith offered the following amendment: Strike out Section 3.

Senator Hatchett moved to lay the amendment on the table.

Senator Blair moved the previous question.

Senator Memminger moved to reconsider the vote by which the Cloonan amendment had been adopted.

Senator Cloonan moved to lay the motion on the table.

The question being, shall the motion to lay on the table prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Chapman, Cloonan, Colville, Cunningham, Curd, Graham, Roddie, Smith, Stafford and Thomas. Total 12.

Nays: Messrs. Billups, Blair, Cordell, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Newell, Potter, Russell, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 21.

Absent and excused: Messrs. Beeler, Echols ,Mitchell, Moore, Morris, Redwine, Stewart, Strain, Taylor and Updegraff. Total 10.

The President declared the motion to lay on the table had lost.

Senator Stafford moved to adjourn.

The question being, shall the motion to adjourn prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Denton, Graham ,Roddie, Smith, Stafford and Thomas. Total 13.

Nays: Messrs. Billups, Blair, Cloonan, Davis, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Russell, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 22.

Absent and excused: Messrs. Beeler, Echols, Moore, Redwine, Stewart, Strain, Taylor and Updegraff. Total 8.

The President declared the motion to adjourn had lost.

The question being, shall the previous question prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Cunningham, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Potter, Russell, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Allen, Brownlee, Chapman, Cloonan, Colville, Curd, Graham, Roddie, Smith, Stafford and Thomas. Total 11.

Absent and excused: Messrs. Beeler, Echols, Mitchell, Moore, Redwine, Stewart, Strain, Taylor and Updegraff. Total 9.

The President declared the previous question had carried.

The question being, shall the vote be reconsidred by which the Clooa-

an amndment had been adopted, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Davis, Eggerman, Franklin, Goulding, Hatchett, Landrum, Memminger, Morris, Newell, Potter, Russell, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 20.

Nays: Messrs. Allen, Brownlee, Cloonan, Colville, Cunningham, Curd, Denton, Graham, Keys, Roddie, Smith and Stafford. Total 12.

Absent and excused: Messrs. Beeler, Cordell, Echols, Mitchell, Moore, Redwine, Stewart, Strain, Taylor, Thomas and Updegraff. Total 11.

The President declared the vote had been reconsidered.

Senator Billups moved that the Cloonan amendment be laid on the table.

Vote was taken. The President declared the motion prevailed.

Senator Billups moved that the rules be suspended and that the bill be put on third reading and final passage.

Senator Cloonan offered the following amendment: Section4, Page 3, Line 4, after the word "transfer" insert the following "Provided that all probate records shall be at the County seat."

Senator Billups moved to lay the amendment on the table.

Vote was taken. The President declared the motion prevailed.

Senator Graham offered the following amendment: Strike out Section 5.

Senator Billups moved to lay the amendment on the table.

Vote was taken. The President declared the motion prevailed.

Senator Graham offered the following amendment: Amend Section 7, Page 4, Line 2, by striking out after the word "vault", the words, "and such other equipment."

Senator Memminger moved to lay the amendment on the table.

The question being, shall the motion to lay on the table prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Davis, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Potter, Soldani, Sorrells, and Warren. Total 15.

Nays: Messrs. Allen, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Denton, Eggerman, Graham, Roddie, Smith, Thomas and Wynne. Total 14.

Absent and excused: Messrs. Beeler, Curd, Echols, Mitchell, Moore, Redwine, Stafford, Stewart, Strain, Taylor, Updegraff, Williams and Yeager. Total 14.

The President declared the motion to lay on the table had carried.

Senator Roddie moved to adjourn.

Vote was taken. The President declared the motion lost.

The question being, shall House Bill No. 495 pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Potter, Russell, Soldani, Sorrells, Thomas, Warren, Williams, Wynne and Yeager. Total 23.

Nays: Messrs. Allen, Brownlee, Chapman, Cloonan, Colville, Cunningham, Graham, Roddie and Smith. Total 9.

Absent and excused: Messrs. Beeler, Curd, Echols, Mitchell, Moore, Redwine, Stafford, Stewart, Strain, Taylor and Updegraff. Total 11.

The President declared the bill passed.

The Senate adjourned until 9:30 A. M. Friday, March 12, 1909.

SENATE JOURNAL.

SIXTY-SEVENTH DAY.

Friday, March 12, 1909.

Senate met at 9:30 A. M. pursuant to adjournment.

Called to order by the President Pro Tem, Mr. Graham.

On roll call the following Senators were present: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Newell, Memminger, Mitchell, Morris, Potter, Redwine Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 40.

Absent and excused: Messrs. Moore, Stewart and Updegraff. Total 3.

The President announced a quorum present.

Prayer by the Chaplain.

A message was received from the House transmitting the engrossed copy of House Bill No. 238 as amended by the House.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 246, 303, 186, 317 and 332 signed by the Speaker.

The following bills were ordered transmitted to the Governor: Senate Bills Nos. 246, 303, 186, 317 and 332.

Senator Strain moved to reconsider the vote by which House Bill No. 238 had passed.

Vote was taken. The President declared the vote reconsidered.

Senator Strain moved that the Senate agree to the House amendments to House Bill No. 238.

Vote was taken. The President declared the motion prevailed.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani Sorrells Taylor, Thomas Warren, Williams, Wynne and Yeager. Total 30.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Allen, Billups, Brownlee, Chapman, Denton, Echols, Franklin, Mitchell, Moore, Potter, Stewart and Updegraff. Total 12.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll bing called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Eggerman, Graham, Goulding, Hatchett, Keys,

Landrum, Morris Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 32.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Brownlee, Denton, Echols, Franklin, Memminger, Mitchell, Moore, Stewart and Updegraff. Total 11.

The President declared the emergency section having received a two-thirds majority, had passed.

House Concurrent Resolution No. 26 was read at length.

Senator Thomas moved that further action on the resolution be deferred.

Senator Warren called up his motion to reconsider the vote by which House Bill No. 413 had lost.

Senator Thomas arose to the point of order that the time had expired under the rules.

Point of order sustained.

Senator Thomas moved to reconsider the vote by which House Bill No. 413 had lost.

Senator Thomas moved to lay the motion to reconsider the vote by which House Bill No. 413 had lost on the table.

Vote was taken. The President declared the motion prevailed.

Senate Concurrent Resolution No. 26 by Mr. Thomas was read at length.

Senator Roddie moved to reduce the item for printing cards.

Senator Roddie withdrew his motion.

Senator Hatchett moved to strike out all old claims appearing in this Resolution.

Vote was taken. The President declared the motion lost.

The question being, shall the resolution pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Cordell, Cunningham, Curd, Davis, Echols, Graham, Goulding, Keys, Memminger, Morris, Redwine ,Russell, Strain, Soldani, Thomas and Williams. Total 20.

Nays: Messrs. Brownlee, Cloonan, Franklin, Hatchett, Roddie, Smith, Stafford, Sorrells, Warren and Yeager. Totala 10.

Absent and excused: Messrs. Chapman, Colville, Denton, Eggerman, Landrum, Mitchell, Moore, Newell, Potter, Stewart, Taylor, Updegraff, and Wynne. Total 13.

The President declared the resolution adopted.

Senator Stafford moved that the rules be suspended and that House Bills Nos. 401 and 537 be put on third reading and final passage.

Motion prevailed.

Senate Bill No. 122 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 122 same was ordered transmitted to the House.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Concurrent Resolution No. 26, same was ordered transmitted to the House.

Senator Thomas affered House Concurrent Resolution No. 26.

President Pro Tem, Mr. Graham, signed the engrossed copy of House

Concurrent resolution No. 26, same was ordered transmitted to the House.

House Bill No. 401 was read the third time at length.

Senator Stafford offered the following amendment: Line 10, Page 1, add "both the fund and".

Vote was taken. The President declared the amendment adopted.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford Strain, Soldani, Sorrells, Warren, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Cloonan, Denton, Echols Eggerman, Hatchett, Moore, Stewart, Taylor, Thomas and Updegraff. Total 12.

The President declared the bill passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 401, as amended by the Senate.

Same was ordered transmitted to the House.

Senate Bills Nos. 150 and 199 were read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copies of Senate Bills Nos. 150 and 199, same were ordered transmitted to the House.

A message was received from the House informing the Senate that the House had agreed to Senate amendments to House Bill No. 537.

House Bill No. 537 was read the third time at length as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Davis, Echols, Eggerman, Hatchett, Moore, Morris, Stafford, Stewart, Thomas and Updegraff. Total 12.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Denton, Echols, Eggerman, Hatchett, Moore, Morris, Stafford, Stewart, Thomas and Updegraff. Total 12.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 537, same was ordered transmitted to the House.

House Bill No. 83 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler, and Cloonan. Total 2.

Absent and excused: Messrs. Allen, Brownlee, Denton, Echols, Eggerman, Hatchett, Moore, Stafford, Stewart, Thomas, and Updegraff. Total 11.

The President declared the bill passed.

The question being, shall there be an emergency declared the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Goulding, Keys, Landrum, Memminger. Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Beeler and Cloonan. Total 2.

Absent and excused: Messrs. Allen, Brownlee, Denton, Echols, Eggerman, Hatchett, Moore, Stafford, Stewart, Thomas, and Updegraff. Total 11.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 83, same was ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of House Bill No. 304, signed by the Speaker.

House Bill No. 5 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Davis, Goulding, Keys, Landrum, Mitchell, Morris, Newell, Redwine, Russell, Stafford, Strain, Taylor, Sorrells, Williams and Yeager. Total 22.

Nays: Messrs. Cloonan, Curd, Echols, Graham, Hatchett, Memminger and Roddie. Total 7.

Absent and excused: Messrs. Allen, Brownlee, Denton, Eggerman, Franklin, Moore, Potter, Smith, Stewart, Soldani, Thomas, Updegraff, Warren and Wynne. Total 14.

The President declared the bill lost.

Senator Billups moved to reconsider the vote by which the bill had lost.

Vote was taken. The President declared the vote had been reconsedired.

The question being, shall House Bill No. 5 pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Davis, Eggerman, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Stafford, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 25.

Nays: Messrs. Cloonan, Curd, Echols, Franklin, Graham, Hatchett, Potter, Roddie and Smith. Total 9.

Absent and excused: Messrs. Allen, Brownlee, Denton, Moore, Redwine, Stewart, Strain, Updegraff and Warren. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Davis, Echols, Graham, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams, Wynne and Yeager. Total 30.

Nays: Messrs. Cloonan, Curd, Hatchett and Roddie. Total 4.

Absent and excused: Messrs. Allen, Brownlee, Denton, Franklin, Eggerman, Moore, Stewart, Updegraff and Warren. Total 9.

The President declared the emergency section, having received a two-thirds majority, had passed.

A message was received from the House transmitting the enrolled copies of House Bill No. 282 and Senate Bills Nos. 199, 122 and 150, signed by the Speaker.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 5, same was ordered transmitted to the House.

House Bill No. 282 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 282, same was ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 323 as amended by the House.

Senator Williams moved that the Senate agree to the House amendments to Senate Bill No. 323.

Senator Hatchett moved as a substitute that the Senate do not agree to the House amendments to Senate Bill No. 323.

The question being, shall the substitute prevail, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Cloonan, Colville, Curd, Hatchett, Memminger, Morris, Potter, Smith, Stafford, Strain and Yeager. Total 13.

Nays: Messrs. Allen, Chapman, Cordell, Davis, Echols, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Newell, Redwine, Roddie, Russell, Soldani, Sorrells, Taylor, Thomas, Williams, and Wynne. Total 21.

Absent and excused: Messrs. Billups, Brownlee, Cunningham, Den-

ton, Eggerman, Moore, Stewart, Updegraff, and Warren. Total 9.

The President declared the substitute lost.

Vote was taken on the original motion.

The President declared the motion prevailed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 266 as amended by the House.

The Committee on State and County Affairs reported, recommending that House Bill No. 471 do pass.

Report received.

House Bill No. 155 was read the third time at length.

Senator Brownlee offered the following amendment: Page 5, Line 3, strike out $60,000.00 and insert in lieu thereof, $30,000.00 and in Line 4, change the total from $120,000.00 to $60,000.00.

Vote was taken. The Presdient declared the amendment lost.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Chapman, Cordell, Echols, Graham, Cunningham, Franklin, Keys, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams Wynne and Yeager. Total 24.

Nays: Messrs. Brownlee, Cloonan, Colville, Curd and Potter. Total 5.

Absent and excused: Messrs. Allen, Beeler, Blair, Davis, Denton, Eggerman, Goulding, Hatchett, Landrum, Moore, Roddie, Stewart, Updegraff, and Warren. Total 14.

The President declared the bill passed.

Senator Brownlee asked to be recorded as voting "no" on House Bill No. 155.

Request granted.

Senator Potter asked to be recorded as voting "no" on House Bill No. 155

Request granted.

The Committee on Public Service Corporations reported. House Bill No. 233 in without any recommendation.

Report received.

Senator Redwine moved to adjourn.

Senator Cloonan moved as a substitute to recess until 1 P. M.

Vote was taken on the substitute. The President declared the substitute carried.

President Pro Tem, Mr. Graham, signed the engrossed copies of House Bills Nos. 155 and 495, same were ordered transmitted to the House.

The Senate recessed until 1 P. M.

Afternoon Session.

The Senate was called to order by Acting President Pro Tem, Mr. Russell.

The President announced a quorum present.

The Senate went into the Committee of the Whole to consider general orders.

The Committee of the Whole arose temporarily to receive a message

from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to Senate amendments to House Bill No. 83 and House Bill No. 401 also agrees to Senate amendments to House Concurrent Resolution No. 26.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House informing the Senate that the House had refused to agree to the Senate amendments to House Bill No. 537 and insists that the Senate recede from its amendments.

Senator Memminger moved that the Senate refuse to recede from the Senate amendments to Hous Bill No. 537 and that the Senate ask for a conference on the same.

Vote was taken. The motion prevailed.

The President appointed Messrs. Memminger, Roddie and Thomas as a conference committee on the part of the Senate.

Senator Memminger called up Senate Cnocurrent Resolution No. 29.

Senate Concurrent Resolution No. 29 by Mr. Memminger was read.

Senator Memminger moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution adopted.

Senator Taylor moved that the Senate agree to the House amendments to Senate Bill No. 266.

Vote was taken. The President declared the motion prevailed.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 324, 213, 243, 353, 373, 117, 315, 101, 190, 136, 245, 357 and 69, signed by the Speaker.

Senate Bill No. 266, as amended, was read the third time at length.

The question being, shall the bill pass, the roll being called ,the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Curd, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 30.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Allen, Billups, Brownlee, Cunningham, Davis, Denton, Echols, Graham, Hatchett, Moore, Potter, Stewart. Total 12.

The President declared the bill passed.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarilty to receive a message from the House transmitting the engrossed copy of Senate Bill No. 266 as amended by the House.

A message was received from the House transmitting the engrossed copy of House Concurrent Resolution No. 27.

House Concurrent Resolution No. 27 was read at length.

Senator Thomas offered the following as a substitute for House Concurrent Resolution No. 27: Senate Concurrent Resolution No. 30 by Mr. Thomas, Whereas, it will be necessary to have certain officers and employees of the Senate and House of Representatives remain after the final

adjournment of the Legislature for the purpose of closing the affairs and preserving the records and furniture of said Legislature,

Therefore, Be It Resolved, by the Senate, the House of Representatives Concurring Therein, that the President of the Senate is hereby authorized and directed to retain such officers and employees as may be necessary to properly check up and close the affairs of the Senate including the preserving of the records, furniture and fixtures, and a proper storing of the same, and the Speaker of the House of Representatives is herein authorized and directed to retain such officers and employees as may be necessery to properly check up and close the affairs of the House of Representatives, including the preserving of the records, furniture and fixtures and a proper storing of the same,

Provided that no officer or employee shall be retained as herein provided more than ten days; and,

Be It Further Resolved, that when said officers and employees of the Senate, so retained, have performed the work assigned them, they shall file a voucher with the State Auditor and when the same shall have been approved by the President of the Senate, the State Auditor is hereby authorized and directed to issue a warrant on the Legislative contingent expense fund in favor of such officer or employee; and when officers and employees of the House of Representatives so retained have performed the work assignd them, they shall file a voucher with the State Auditor and when the same shall have been approved by the Speaker of the House of Representatives, the State Auditor is hereby authorized and directed to issue a warrant against the Legislative contingent expense fund in favor of such officer or employee.

Senator Thomas moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution adopted.

Senator Thomas offered the following Resolution: Senate Concurrent Resolution No. 31 by Mr. Thomas, Whereas, the State Auditor reports that House Concurrent Resolution No. 18, authorizing the payment of the sum of $1701.80 to the Oklahoma Printing and Engraving Company contained a slight irregularity in that it might be construed to attempt to make an appropriation for said sum rather than to allow and order the payment thereof out of the Legislative contingent fund;

Therefore, Be It Resolved by the Senate, the House of Representatives Concurring therein, that the acts of the State Auditor in issuing warrants in the total sum of $1701.80 to the said Oklahoma Printing and Engraving Company, pursuant to House Cnocurrent Resolution No. 18, be approved, and the same is herein ratified and confirmed.

Senator Thomas moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution adopted.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bills Nos. 384, 173, 217 and 390 do pass and that House Bill No. 350 do pass as amended.

Report received.

President Mr. Bellamy signed the engrossed copies of Senate Concur-

rent Resolutions Nos. 30 and 31, same were ordered transmitted to the House.

Senator Russell was called to the Chair.

A message was received from the House informing the Senate that the Speaker of the House had appointed Messrs. Cope, McCalla and Burnette as a conference committee on the part of the House on House Bill No. 537.

A message was received from the House informing the Senate of the adoption of the Joint conference Report on Senate Bill No. 220.

The Committee on State and County Affairs reported, recommending that House Bills Nos. 471 and 432 do pass.

Report received.

Senator Denton filed the Conference Committee report on House Bill No 39-36, same was read as follows:

Guthie, Oklahoma, March 12, 1909

Mr. President:

We, your conference committee, appointed to consider House Bill No. 39-36 beg leave to report that the House Committee recedes from the first twelve sections of the House Bill, and accepts the first nine sections of the bill as amended by the Senate.

The Committee agrees to the Senate amendments to Section 13, viz:

In line 18, after the word "Commissioners" strike out the remainder of the section.

The Senate recedes from its amendment to section 14.

The House agrees to the Senate amendment to section 15 by striking out the words "more than nine square miles" and inserting in lieu thereof the words "less than four square miles."

The House agrees to the Senate amendment at the end of Secttion 15 by striking out the words "time by" and inserting in lieu thereof the words "meeting of said board."

The Senate recedes from amendments to Section 16 and Section 17.

The House agrees to Senate amendment to Section 18, striking out after the words "road duty" and before the words "highway commissioners" the remainder of the Section.

The House agrees to Senate amendments to Section 18, by striking out the words "two dollars and fifty cents" and inserting "two dollars."

The Senate recedes from their amendment to section 19.

The House agrees to Senate amendment to section 20, but amends the same by striking out all after the word "duty" in line five also in line 7, after the word "of" and before the word "not' by striking out the words "not less than"; also in the same line after the word "days" and before the word "nor" by striking out the words "nor more than six days," and in the following line after the word "year" and before the word "the" strike out "the number of days to be determined by the township board at the first meeting in each year" also in line 16 strike out "one dollar" and insert "one dollar and a quarter."

The House agrees to Senate amendment to section 21.

The Senate recedes from its amendments to Sections 22, 23, 24 and 25.

The House agrees to Senate amendment to Section 26 and amends the

Senate amendment in line 2 by striking out the words "township board" and inserting in lieu thereof the words "Clerk of the Highway Commissioners," and in line 1 by striking out the word "Overseer" and inserting the word "Supervisor."

The Senate recedes from its amendment to Section 27.

The House agrees to Senate amendment to Section 28, in line 12 and line 13, by striking out the words "thirty" and "sixty" wherever they appear in said section, and inserting in lieu thereof the words "ten" and "thirty" also by striking out the words "twenty-six" where they appear in figures and words in said section; also at the end of the section, add the following: "but such procedure shall not relieve the defendant from further road duty."

The Senate recedes from its amendments to sections 29, 30, and 31.

The House agrees to Senate amendments to section 32, and changes the word "Overseer" to the word "Supervisor" in said section wherever it appears.

The Senate recedes from its amendment to section 33.

The Committee amends section 34 in the fourth line from the end, after the word "expended," by striking out the words "and used upon the roads and bridges of said township." In section 35 after the word "commissioners,' and before the words, "in addition," insert the following "said bridges to be built by the County Commissioners at such places as may be necessary for public convenience."

Section 36, line 11, the committee changes the word "and" to the word "or"'.

Strike out section 37.

In section 38, line 9, change the word "Commission" to the word "Commissioner."

The Senate recedes from its amendments to sections 39, 40, 41, 42 and 43.

In section 44 change "$1.50" to "$1.25" wherever it occurs in the section, by committee amendment.

The Senate recedes from its amendments to Sections 45, 46, 47, 48, 49, 50 and 51.

The House agrees to Senate amendments after Section 51.

H. J. DENTON, SMITH, OF CADDO,
M. F. EGGERMAN, COPE,
JESSE M. HATCHETT, GLOVER,
Senate Committee. House Committee.

Senator Denton moved the adoption of the report.

Vote was taken. The President declared the report adopted.

House Bill No. 119 was read the third time at length.

Senator Blair offered the following amendment: Amend the title to read as follows: Change the reference from "2136" of the Session Laws 1890, to read "2126," of the Statutes of 1893.

Vote was taken. The President declared the amendment adopted.

Senator Taylor offered the following amendment: Strike out 10 and Insert 5.

Vote was taken. The President declared the amendment adopted.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cloonan, Cordell, Curd, Davis, Denton, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Roddie, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Warren, Williams Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Allen, Cunningham, Echols, Eggerman, Graham, Moore, Stewart, Thomas and Updegraff. Total 9.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 39-96 was read the third time as amended.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows :

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine Roddie, Russell Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman ,Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section, having received a two thirds majority, had passed. . . . . .

The title of the bill was agreed to.

House Bill No. 411 was read the third time as amended by the Committee on Appropriations.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 412 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter,

Nays: None.

Redwine, Roddie, Russell, Smith, Stafford, Srorells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

Committee Substitute No. 2 for House Bill No. 91 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine Roddie Russell, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being, shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the Bill was agreed to.

Committee Substitute No. 1 for House Bill No. 91 was read the third time at length.

The question being, shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Redwine, Roddie, Russell, Smith ,Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Potter. Total 1.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Wynne Yeager and Williams. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority, had passed.

The title of the bill was agreed to.

House Bill No. 371 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Colville, Cordell, Curd, Cunningham, Davis, Goulding, Hatchett, Keys, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Williams and Yeager. Total 28.

Nays: Messrs. Cloonan, Smith, and Warren. Total 3.

Absent and excused: Messrs. Allen, Denton, Echols, Eggerman, Franklin, Graham, Landrum, Moore, Stewart, Thomas, Updegraff, and Wynne. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

A message was received from the House informing the Senate that the House refused to recede from its amendments to Senate Bill No. 223 and had appointed Messrs. Dunn, Ewell and Edgington as a conference committee on the part of the House.

Senator Billups moved that the Senate refuse to recede from its amend ments and that a conference committee be appointed.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Hatchett, Billups and Beeler as such committee.

A message was received from the House transmitting the enrolled copy of House Bill No. 238 signed by the Speaker.

House Bill No. 336 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie ,Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wyne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 322 was read the third time at length.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 311 was read the third time at length.

The question being shall the bill pass, the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Cunningham, Colville, Cordell, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrels, Taylor, Warren, Williams Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

Senate Bill No. 373 was read the third time at length.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldan i,Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency section; the roll being called on the emergency section, vote resultd as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren,

Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

House Bill No. 446 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorreis, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 435 was read the third time at length.

Senator Strain offered the following amendment:

Amend by adding a new section to be know as section 3. "Section 3. There is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, the sum of One Hundred Thousand ($100,000) dollars, or so much thereof as may be necessary for building, equipment, support and maintenance of the State Preparatory School located at Claremore, to be appropriated as follows:

For building and equipment, Sixty-five Thousand ($65,000) Dollars.

Estimated salaries and general expenses for the biennial period beginning July 1st. 1909 and ending June 30th, 1911, Thirty-Five Thousand ($35,000) Dollars."

Change section 3 of the bill to section 4.

Amend the title to read as follows:

"An Act making an appropriation for the support and maintenance of the University Preparatory School at Tonkawa, and the State Preparatory School at Claremore, etc."

Vote was taken. The President declared the amendment adopted.

The question being shall the bill pass as amended; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 31.

Nays: Messrs. Cloonan and Franklin. Total 2.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

Senator Roddie moved to reconsider the vote by which Senate Bill No. 15 had passed.

Vote was taken. The President declared the vote reconsidered.

Senator Roddie offered the following amendment: Strike out Section 73, and in lieu thereof insert the following: "Section 73. This Act shall not apply to annuities, industrial policies, nor to associations operating on the fraternal plan, nor to farm mutual insurance companies, nor shall sections 5, 67, 68 and 70 of this Act apply to foreign companies or associations operating upon the assessment plan."

Vote was taken. The President declared the amendment adopted.

Senate Bill No. 15 was read the third time at length as amended.

The question being shall the bill pass as amended; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

A message was received from the House transmitting the enrolled copy of House Concurrent Resolution No. 26.

House Bill No. 404 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency section; the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Neys: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-

thirds majority had passed.

The title of the bill was agreed to.

House Bill No. 230 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Franklin. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency declared; the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Hatchett, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Franklin. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Strain, Stewart, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

The title of the bill was agreed to.

House Bill No. 430 was read the third time at length.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency section, the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-third majority had passed.

The title of the hill was agreed to.

A message was received from the House ransmitting the engrossed copy of Senate Joint Resolution No. 12 as amended by the House, which was read at length.

The resolution was laid over.

House Bill No. 433 was read the third time at length.

The question being shall the bill pass; the roll being called the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency section; the roll being called on the emergency section, the vote resultd as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

The title of the bill was agreed to.

House Bill No. 528 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cloonan, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency section; the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell,

Potter, Redwine Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays. None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

The title of the bill was agreed to.

House Bill No. 511 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency; the roll being called on the emergency section; the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

The title of the bill was agreed to.

House Bill No. 534 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 32.

Nays: Mr. Cloonan. Total 1.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 535 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne, and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The title of the bill was agreed to.

House Bill No. 536 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the bill passed.

The question being shall there be an emergency declared, the roll being called on the emergency section, the vote resulted as follows.

Yeas: Messrs. Beeler, Billups, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Sorrells, Taylor, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Allen, Brownlee, Echols, Graham, Moore, Stewart, Strain, Soldani, Thomas and Updegraff. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

The title of the bill was agreed to.

House Bill No. 300 was read the third time at length.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Soldani, Taylor, Thomas, Williams and Yeager. Total 23.

Nays: Messrs. Brownlee, Cloonan, Graham, Potter, Redwine, Russell, Smith, Stafford and Updegraff. Total 9.

Absent and excused: Messrs. Allen, Billups, Chapman, Echols, Moore, Roddie, Stewart, Strain, Sorrells, Warren and Wynne. Total 11.

The President declared the bill passed.

The title of the bill was agreed to.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 83, signed by the Speaker.

House Bill No. 173 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Colville, Cordell, Cunningham, Davis, Denton, Eggerman, Graham, Goulding, Keys, Landrum, Mitchell, Morris, Potter, Redwine, Russell, Smith, Strain, Soldani, Taylor, Thomas, Williams and Yeager. Total 25.

Nays: Messrs. Beeler, Brownlee, Cloonan, Curd, Hatchett and Updegraff. Total 6.

Absent and excused: Messrs. Allen, Echols, Franklin, Memminger, Moore, Newell, Roddie, Stafford, Stewart, Sorrells, Warren and Wynne. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

Senator Thomas asked unanimous consent to introduce a concurrent resolution.

Request granted.

Senate Concurrent Resolution No. 32 by Mr. Thomas, "Be It Resolved By the Senate, the House Concurring Therein, That all accounts of the Senate and House of Representatives remaining unpaid at the time of the adjournment of the Second Legislature, shall be audited by the President of the Senate and the Speaker of the House of Representativs, and the State Auditor is hereby ordered and directed to draw his warrant for any claim so audited and approved out of any appropriation provided therefor.

Senator Thomas moved the adoption of the Resolution.

Vote was taken. The President declared the Resolution adopted.

Senator Cloonan lodged a motion to reconsider the vote by which House Bill No. 500 was lost.

Senator Davis objected.

Senator Cloonan moved to suspend the rules so that the Committee Report on House Bill No. 500 could be considered.

The question being, shall the rules be suspended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Curd, Hatchett, Keys, Landrum, Newell, Sorrells, Updegraff, Warren and Yeager. Total 14.

Nays: Messrs. Billups, Colville, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Memminger, Mitchell, Morris, Russell, Smith, Stafford, Strain, Taylor, Thomas, Williams and Wynne. Total 21.

Absent and excused: Messrs. Allen, Goulding, Moore, Potter, Redwine, Roddie, Stewart and Soldani. Total 8.

The President declared the motion to have the rules suspended had lost.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 30, signed by the Speaker.

resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Russell, Roddie, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 35.

Nays: None.

Absent and excused: Messrs. Allen, Echols, Moore, Newell, Smith, Stewart, Soldani and Warren. Total 8.

The President declared the bill passed.

A message was received from the House transmitting the enrolled copy of Senate Concurrent Resolution No. 26 signed by the Speaker.

House Bill No. 509 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Goulding, Keys, Landrum, Mitchell, Redwine, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 28.

Nays: Messrs. Graham, Hatchett, Potter, Roddie, Russell and Smith. Total 6.

Absent and excused: Messrs. Allen, Blair, Echols, Franklin, Memminger, Moore, Morris, Newell and Stewart. Total 9.

The President declared the bill passed.

The question being, shall there be an emergency, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Redwine, Russell Stafford, Soldani, Taylor, Updegraff, Warren, Wynne and Yeager. Total 30.

Nays: Messrs. Graham, Hatchett, Roddie and Smith. Total 4.

Absent and excused: Messrs. Allen, Echols, Moore, Newell, Stewart, Strain, Sorrells, Thomas and Williams. Total 9.

The President declared the emergency section, having received a two-thirds majority, had passed.

The title of the bill was agreed to.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has refused to adopt the Conference report on Senate Bill No. 223 and asks further conference, and has appointed Messrs. Faulkner, Carson and Rogers as conferees on the part of the House.

Senator Billups moved that the request of the House be acceded to.

Vote was taken. The President declared the request granted.

Th President appointed Messrs. Billups, Potter and Hatchett as such Committee.

President Bellamy signed the engrossed copies of House Bills Nos. 300, 536, 230, 535, 534, 91a, 91b, 511, 433, 430, 404, 311, 446, 173, 217, 350, 119, 411, 372, 336, 371, 412, 528, 332, and Senate Concurrent Resolution No. 31, same were ordered transmitted to the House.

House Bill No. 390 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Memminger, Mitchell, Morris, Newell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Warren, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Brownlee, Curd, Echols, Hatchett, Keys, Landrum, Moore, Potter, Roddie, Stewart, Sorrells, Thomas, Updegraff, and Williams. Total 16.

The President declared the bill passed.

The question being, shall there be an emergency declared, the roll being called, on the emergency section, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Cloonan, Colville, Cordell, Cunningham, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Memminger, Mitchell, Morris, Newell, Redwine, Russell Smith, Stafford, Strain, Soldani Taylor, Warren, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Brownlee, Curd, Echols, Hatchett, Keys, Landrum, Moore, Potter, Roddie, Sorrells, Stewart, Thomas, Updegraff and Williams. Total 16.

The President declared the emergency section, having failed to receive a two-thirds majority, had lost.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 268 as amended and signed by the Speaker.

Senator Wynne moved that the Senate agree to the House amendments to Sentae Bill 268.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 268 was read the third time as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Keys, Landrum, Memminger, Newell, Redwine, Roddie, Russell, Smith, Stafford, Strain Soldani Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 31.

Nays: None.

Absent and excused: Meessrs. Allen, Billups, Brownlee, Cloonan, Denton, Hatchett, Mitchell, Moore, Morris, Potter, Stewart, and Sorrells. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

A message was received from the House transmitting the engrossed copies of Senate Bills Nos. 380, 322 and 365 as amended by the House, signed by the Speaker.

Senator Williams moved that the Senate do not agree to the House amendments to Senate Bill No. 365 and that the House be asked for a conference on the same.

Vote was taken. The President declared the motion prevailed.

A message was received from the House transmitting the engrossed copies of Senate Bills Nos. 333 by Mr. Redwine, and 351 by Mr. Williams, as amended by the House, signed by the Speaker.

Senator Redwine moved that the Senate agree to House amendments to Senate Bill No. 351.

Vote was taken. The President declared the motion prevailed.

The question being, shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Franklin, Graham, Landrum, Memminger, Mitchell, Newell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 28.

Nays: Mr. Brownlee. Total 1.

Absent and excused: Mesrs. Allen, Billups, Blair, Denton, Eggerman, Goulding, Hatchett, Keys, Moore, Morris, Roddie, Stewart and Sorrells. Total 14.

The President declared the bill passed.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 297 as amended by the House, signed by the Speaker.

Senator Williams moved that the Senate do not agree to the House amendments to Senate Bill No. 297 and ask the House recede from their amendments.

Vote was taken. The President declared the motion prevailed.

House Bill No. 338 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 338, same was ordered transmitted to the House.

House Concurrent Resolution No. 26 was read at length the fourth time.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Concurrent Resolution No. 26, same was ordered transmitted to the House.

House Bill No. 495 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of House Bill No. 495, same was ordered transmitted to the House.

Senate Bill No. 302 was read the fourth time at length.

President Pro Tem, Mr. Graham, signed the enrolled copy of Senate Bill No. 302, same was ordered transmitted to the House.

Senator Franklin moved to have Senate Bill No. 78 withdrawn from the enrolling department.

Vote was taken. The motion prevailed.

A message was received from the House as follows:

Mr. President: I am directed by the House of Representatives to in-

form the Senate of the adoption by the House of Representatives of the report of the Joint Conference Committee on Senate Bill No. 170 relating to the Langston University Appropriation.

A message was received from the House as follows:

Mr. President: I am directed by the House of Representatives to inform the Senate that the House of Representatives has agreed to a confrence on Senate Bill No. 323 and has appointed Messrs. Cope, Ross and Anthony as conferees on the part of the House.

Senator Williams moved that the request be granted.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Williams, Redwine and Thomas as such committee on the part of the Senate.

The Senate went into the Committee of the Whole to consider Court Town Bills and other bills on the Calendar.

Committee of the Whole arose temporarily to receive a message from the House transmitting enrolled copies of Senate Bills Nos. 302, 401, 337 and House Concurrent Resolution No. 27, signed by the Speaker.

House Bill No. 337 was read the fourth time at length.

President, Mr. Bellamy, signed the enrolled copy of House Bill No. 337, same was ordered transmitted to the House.

House Concurrent Resolution No. 27, was read the fourth time.

President, Mr. Bellamy, signed the enrolled copy of House Concurrent Resolution No. 27, same was ordered transmitted to the House.

House Bill No. 401 was read the fourth time at length.

President, Mr. Bellamy, signed the enrolled copy of House Bill No. 401, same was ordered transmitted to the House.

Committee of the Whole resumed business.

Committee of the Whole arose temporarily to receive a message from the House.

Mr. President: I am directed by the Speaker of the House of Representatives to inquire as to the present condition of House Bill No. 412, an immediate reply is urgently requested.

The Committee of the Whole resumed business.

The Committee of the Whole arose temporarily to receive a message from the House.

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has agreed to the Senate amendment to House Bill No. 155.

The following bills were read the fourth time at length: the enrolled copies of Senate Bills Nos. 88, 268, 190, 373, 357, 266, 245, same were signed by the President Pro Tem, Mr. Graham, and ordered transmitted to the House.

The following House Bills Nos. 390, 509, and 384 were read the third time at length.

The engrossed copies of the same were signed by the President Pro Tem, Mr. Graham, and ordered transmitted to the House.

Senator Franklin moved to reconsider the vote by which Senate Bill No. 78 had passed.

Vote was taken. The President declared the motion prevailed.

Senator Franklin offered the following amendment to Senate Bill No. 78, "I move to amend Senate Bill No. 78 by inserting on Poge 4, under the head of Commissioner of Labor, after the item of 'Postage $100.00' the following item: 'For maintenance of Department of Commissioner of Labor from January 1st, 1909 to June 30, 1909, $500.00' and change total to conform with this amendment."

Vote was taken. The President declared the amendment adopted.

The question being, shall Senate Bill No. 78 pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Billups, Blair, Brownlee, Colville, Cordell, Cunningham, Curd, Davis, Franklin, Graham, Goulding, Landrum, Memminger, Mitchell, Morris, Newell, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Williams, Wynne and Yeager. Total 29.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Allen, Chapman, Denton, Echols, Eggerman, Hatchett, Kays, Moore, Potter, Redwine, Roddie, Stewart and Warren. Total 13.

Senator Williams filed the following conference committee report on Senate Bill No. 323.

Guthrie, March 12, 1909.

Mr. President: We, your Conference Committee, appointed on Senate Bill No. 323, having had the same under consideration, beg leave to submit the following report:

We recommend that the Senate recede from the original bill appropriating eighty thousand dollars ($80,000) per year for two years, total One Hundred Sixty Thousand Dollars, ($160,000), and that the House recede from its amendments appropriating sixty thousand ($60,000) dollars per year for two years, total One Hundred Twenty Thousand Dollars, ($120,000), and that the Senate and House of Representatives agree that the appropriation be seventy thousand ($70,000) dollars per year for two years, total One Hundred Forty Thousand ($140,000) Dollars, also change total of $171,960 to $151,960.

Signed:

COPE,	WILLIAMS,
ROSS,	REDWINE,
RATCLIFF,	THOMAS,
House Committee.	Senate Committee.

Senator Williams moved the adoption of the report.

Vote was taken. The President declared the report adopted.

Senate Bill No. 323 was read at length the third time as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Graham, Goulding, Landrum, Memminger, Mitchell, Morris, Newell, Pot-

ter, Redwine, Russell, Smith, Stafford, Strain, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Echols, Hatchett, Keys, Moore, Roddie, Stewart and Soldani. Total 9.

The President declared the bill passed.

A message was received from the House transmitting the enrolled copy of House Bill No. 528, signed by the Speaker.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House agrees to Senate amendments to House Bills Nos. 311, 435, 446, 336, and 411.

The Committee of the Whole resumed business.

The Committee of the Whole reported, recommending that House Bills Nos. 537, 372, 401, do pass; that House Bills Nos. 510 and 158 do pass as amended, and as to House Bill No. 399 report progress and ask leave to sit again.

Report received.

The President, Mr. Bellamy, signed the enrolled copy of Senate Concurrent Resolution No. 32, same was ordered transmitted to the House.

The Senate went into Executive Session.

The business of Executive Session having been completed, the doors were opened and the regular order was resumed.

The Senate recessed until 8 P. M.

Evening Session.

The Senate was called to order by Acting President Pro Tem, Mr. Williams.

The President announced a quorum present.

The Journal of the 66th day's session was approved.

Senator Russell moved that the rules be suspended and that House Bill No. 204 be placed on the Calendar.

Vote was taken. The President declared the motion lost.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 78 as amended, and signed by the Speaker.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 277 as amended, and signed by the Speaker.

Senator Williams moved that the Senate do not agree to the House amendments to Senate Bill No. 78.

Vote was taken. The President declared the motion prevailed.

Senator Williams moved that the House be asked for a Conference on Senate Bill No. 277 and that a conference committee be appointed. appointed.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Williams, Thomas and Cunningham as such committee.

A message was received from the House transmitting the enrolled copies of House Bills Nos. 83, 173, and 433 signed by the Speaker.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that

the House has agreed to the Senate amendment to House Bill No. 509.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has agreed to Senate amendments to House Bills Nos. 5, 217 Committe Substitute No. 1 for House Bill No. 91, and Committee Substitute No. 2 for House Bill No. 91.

A message was received from the House transmitting the engrossed copy of Senate Bill No. 46 as amended by the House, and signed by the Speaker.

Senator Cordell moved that the Senate agree to the House amendments to Senate Bill No. 46.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 46 was read the third time at length.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Franklin, Graham, Goulding, Keys, Memminger, Morris, Newell, Redwine, Roddie, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Wynne and Yeager. Total 27.

Nays: None.

Absent and excused: Messrs. Allen, Billups, Blair, Brownlee, Denton, Hatchett, Landrum, Mitchell, Moore, Potter, Russell, Smith, Stafford, Stewart, Updegraff, and Williams. Total 16.

The President declared the bill passed.

A message was received from the House informing the Senate that the Speaker had appointed Messrs. Dunn, Durant and Maris as conferees on the part of the House on Senate Bill No. 277.

A message was received from the House informing the Senate of the adoption by the House of the Joint Conference Report on Senate Bill No. 323; also of the passage of Senate Bill No. 376 as amended by the House.

Senator Redwine moved that the Senate agree to the House amendments to Senate Bill No. 376.

Vote was taken. The President declared the motion prevailed.

Senate Bill No. 376 was read the third time at length, as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Chapman,, Cloonan, Colville, Cordell, Curd, Davis, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Memminger, Morris, Newell, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren and Yeager. Total 26.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Cunningham, Denton, Franklin, Hatchett, Mitchell, Moore, Potter, Roddie, Stewart, Updegraff, Williams, and Wynne. Total 17.

The President declared the bill passed.

A message was received from the House transmitting the enrolled copies of House Bills Nos. 5, 534, 435, and 300, signed by the Speaker.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 266, 373, 245, 268, and House Bills Nos. 535,

536, signed by the Speaker; also that the House had agreed to Senate amendments to House Bills Nos. 534, 435, 311 and 372; also transmitting engrossed copies of Senate Concurrent Resolutions Nos. 30 and 31; also the engrossed copy of Senate Bill No. 297 as amended, signed by the Speaker.

Senate Bill No. 297 was read at length the third time as amended by the House.

Senator Newell moved that Senate Bill No. 297 be returned to the House, and that the House be asked to recede from its amendments.

Vote was taken. The President declared the motion prevailed.

A message was received from the House transmitting the enrolled copy of House Bill No. 217, signed by the Speaker.

A message was received from the House transmitting the enrolled copy of House Bill No. 412, signed by the Speaker, also that the House insists on its amendments to Senate Bills Nos. 322, 365, and 351; also transmitting the engrossed copy of House Concurrent Resolution No. 28 signed by the Speaker.

House Concurrent Resolution No. 28 was read at length.

Senator Davis moved the adoption of the Resolution.

Vote was taken. The President declared the motion prevailed.

Senator Davis moved that the Senate do not agree to the House amendments to Senate Bill No. 322 and that the House be asked to recede from same.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Chapman, Soldani and Stafford as a conference committee on the part of the Senate on Senate Bill No. 322.

Senator Davis moved that the Senate do not agree to the House amendments to Senate Bill No. 351 and ask for a conference on same.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Davis, Redwine and Beeler as such conference committee.

Senator Davis moved that the Senate do not agree to the House amendments to Senate Bill No. 365.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Taylor, Morris and Cordell as a conference Committee on the part of the Senate on Senate Bill No 365.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that Senate Bill No. 330 is reported to the House "Do Pass."

A message was received from the House transmitting the enrolled copy of House Bill No. 371 signed by the Speaker.

The following bills were read the fourth time at length: Senate Bills Nos. 334, 136, 324, 380, 243, 220, 315, 333, 69, 213, 83, and House Bills Nos. 217, 371, 300 and 5.

President Pro Tem, Mr. Graham, signed the enrolled copies of the same, which were ordered transmitted to the House.

The following bills were read the fourth time at length:

Senate Bills Nos. 358, 5, and House Bills Nos. 534, 435, 433, 173, 412, 528, 535, 83, 536. President Bellamy signed the enrolled copies of the same, which were ordered transmitted to the House.

A message was received from the House transmitting the enrolled copies of House Bills Nos. 91a and 91b.

House Bill No. 91a was read the fourth time at length.

President Bellamy signed the enrolled copy of House Bill No. 91a, same was ordered transmitted to the House.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 91b.

House Bill No. 91b was read the fourth time at length.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate of the appointment by the House of conference committees on Senate Bills Nos. 323, 365, and 351 of Messrs. McCalla, Gilmer, and Boyle.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 83 signed by the Speaker; also House Bill No. 311, signed by the Speaker.

House Bill No. 311 was read the fourth time at length.

President Bellamy signed the enrolled copy of House Bill No. 311, same was ordered transmitted to the House.

A message was received from the House as follows:

Mr. President: I am directed by the House to inform the Senate that the House has not receded from its amendments to Senate Bill No. 297, and insists upon the Senate agreeing to same.

Senator Williams moved that the Senate do not agree to the House amendments to Senate Bill No. 297, and that a conference committee be appointed.

Vote was taken. The President declared the motion prevailed.

The President appointed Messrs. Williams, Newell and Cunningham as such committee.

The House amendments to Senate Joint Resolution No. 12 were read.

Senator Morris moved that the Senate agree to the House amendments to Senate Joint Resolution No. 12.

Senator Graham moved as a substitute that the Senate do not agree and ask the House to recede.

Senator Russell moved the previous question.

Vote was taken. The President declared the motion prevalied.

The question being, shall the substitute motion prevail, the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Cunningham, Graham, Hatchett, Keys, Memminger, Potter, Redwine, Roddie, Smith, Strain, Soldani, Sorrells, Williams, Wynne and Yeager. Total 16.

Nays: Messrs. Allen, Blair, Cordell, Brownlee, Curd, Chapman, Clooman, Colville, Davis, Denton, Eggerman, Franklin, Goulding, Landrum, Mitchell, Morris, Russell, Stafford, Taylor, Thomas, Updegraff and Warren. Total 22.

Absent and excused: Messrs. Beeler, Echols, Moore, Newell and Stewart. Total 5.

The President declared the substitute lost.

Senator Billups filed the following conference report on Senate Bill No. 322 and moved its adoption:

Mr. President: We, your conference committee on Senate Bill No. 322, beg to recommend that the House recede from all of its amendments to said boll.

J. R. McCALLA,
W. F. GILMER,
ED BOYLE,
House Committee.

E. B. CHAPMAN,
R. E. STAFFORD,
S. J. SOLDANI,
Senate Committee.

Vote was taken. The President declared the report was adopted.

Senator Billups filed the conference report on Senate Bill No. 223, same was read as follows:

Mr. President: We, your conference committee report as follows on Senate Bill No. 223: On House amendment No. 1 the House recedes therefrom. On House amendment No. 2, the House recedes therefrom. On House amendment No. 3, the Senate agrees to the House Amendment. On House Amendment No. 4, the Senate agrees to the House Amendment. On House Amendment No. 5, the Senate agrees to the House Amendment. On House Amendment No. 6, the House recedes therefrom. On House Amendment Nos. 7 and 8, the Senate agrees thereto.

Respectfully submitted,

Wm. S. ROGERS,
W. S. CARSON,
House Committee.

RICHARD A. BILLUPS,
R. T. POTTER,
JESSE M. HATCHETT,
Senate Committee.

Senator Billups moved the adoption of the report.

Vote was taken. The President declared the report adopted.

Further consideration of House amendments to Senate Joint Resolution No. 12 was resumed.

Senator Potter moved to reconsider the vote by which the Graham substitute had lost.

The question being, shall the vote be reconsidered, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Landrum, Morris, Potter, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Warren and Yeager. Total 27.

Nays: Messrs. Billups, Cloonan, Graham, Hatchett, Keys, Memminger, Mitchell, Redwine, Roddie, Sorrells, Williams and Wynne. Total 12.

Absent and excused: Messrs. Echols, Moore, Newell and Stewart. Total 4.

The President declared the vote reconsidered.

Senate Joint Resolution No. 12 by Mr. Morris, was read the third time as amended by the House as follows:

Senate Joint Resolution No. 12 by Mr. Morris, " A Resolution authorizing the submission of a proposed amendment to the Constitution, to the people for their approval or rejection, said proposed amendment being a repeal of section nine of article nine of the Constitution of the State of Oklahoma.

Be It Resolved By the People of Oklahoma, That the following proposed amendment to the Constitution of the State of Oklahoma shall be

referred to the people for their ratification or rejection at the general election to be held in the year 1910; said proposed amendment shall be submitted under articles five and twenty-four of the Constitution and under the provision of article one of Chapter forty-four of the Session Laws of Oklahoma 1907-08; said proposed amendment being amendment to and in lieu of Section 9 of Article 9 of the Constitution of the State of Oklahoma, and as follows, to-wit:

If any railroad company, transportation company or transmission company, organized under the laws of this State, shall consolidate by sale or otherwise, with any railroad company, transportation company or transmission company, organized under the laws of any other State, or of the United States, the same shall not thereby become a foreign corporation, but the courts of this state shall retain jurisdiction in all matters which may arise, as if said consolidation had not taken place.

Shall the Amendment be adopted?

Said proposed amendment of the Constitution of the State of Oklahoma shall, upon receiving a majority of all electors voting in said election voting in favor of said amendment, be adopted.

The question being, shall the resolution be adopted as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Blair, Brownlee, Chapman, Cloonan, Colville, Cordell, Cunningham, Curd, Davis, Denton, Eggerman, Franklin, Goulding, Landrum, Morris, Potter, Russell, Smith, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Warren and Yeager. Total 28.

Nays: Messrs. Billups, Keys, Graham, Hatchett, Memminger, Mitchell, Redwine, Roddie, Sorrells, Williams and Wynne. Total 11.

Absent and excused: Messrs. Echols, Moore, Newell and Stewart. Total 4.

The President declared the resolution adopted.

Senator Williams filed the following conference committee report on Senate Bill No. 277.

Guthrie, March 12, 1909.

Mr. President: We, your Conference Committee of the Senate and House of Representatives, on Senate Bill No. 277, regarding House amendments to said bill, have had the same under consideration, and beg leave to make the following report:

First. In amendment No. 1 Section 1, in line 3, strike out $934,575 and insert in lieu thereof $940,575, we recommend that the Senate and House agree to said amendment.

Second. We recommend that House amendment No. 2 in section 1, line 20, be concurred in by the Senate.

Third. In House amendment No. 3, on Page 2, under the contingent expenses of the Governor, item No. 4, we recommend that the House recede from its amendment.

Fourth. In House amendment No. 4, in the contingent expenses of the Governor, regarding the sale of certain lands, we recommend that the Senate agree to said amendment.

Fifth. We recommend that the Senate agree to House amendment No. 5.

Sixth. We recommend that the Senate agree to House amendment No. 6.

Seventh. We recommend that the Senate agree to the House amendment.

Eighth. We recommend that the Senate agree to the House amendment No. 8.

Ninth. We recommend that the Senate agree to the House amendment amending totals under the department of the State Auditor.

Tenth. We recommend that that the Senate agree to House amendment No. 10.

Eleventh. We recommend that the Senate agree to House amendment No. 11.

Twelfth. We recommend that the Senate agree to House amendment No. 12.

Thirteenth. We recommend that the Senate agree to House amendment No. 13.

Fourteenth. We recommend that the Senate agree to House amendment No. 14.

Fifteenth. We recommend that the Senate agree to House amendment No. 15.

Sixteenth. We recommend that the Senate agree to House amendment No. 16.

Seventeenth. We recommend that the Senate agree to House amendment No. 17.

Eighteenth. We recommend that the Senate agree to House amendment No. 18.

Nineteenth. We recommend that the Senate agree to House amendment No. 19.

Twentieth. We recommend that the House recede from House amendment No. 20.

WILLIAMS,
CUNNINGHAM,
THOMAS,
Senate Committee

ED L. DUNN,
MARIS,
W. A. DURANT,
House Committee.

Senator Williams moved the adoption of the report.

Senator Hatchett moved as a substitute that the Senate do not agree to the report.

Senator Billups moved to lay the substitute motion on the table.

Vote was taken. The President declared the motion prevailed.

Senator Williams moved the previous question.

The question being shall the previous question prevail; the roll being called, the vote resulted as follows:

Yeas. Messrs. Billups, Cordell, Denton, Eggerman, Graham, Newell, Redwine, Russell, Strain, Taylor, Thomas and Williams. Total 12.

Nays: Messrs. Beeler, Blair, Brownlee, Chapman, Cloonan, Cunningham, Curd, Davis, Goulding, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Potter, Smith, Stafford, Sorrells, Updegraff, Warren and Yeager. Total 22.

Absent and excused. Messrs. Allen, Colville, Echols, Franklin, Moore, Roddie, Stewart, Soldani and Wynne. Total 9.

The President declared the previous question lost.

The question being shall the conference committee report on Senate Bill No. 277 be adopted; the roll being called the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Cunningham, Denton, Echols, Franklin, Graham, Keys, Landrum, Mitchell, Newell, Russell, Smith, Strain, Sorrells, Taylor, Thomas, Williams and Wynne. Total 20.

Nays: Messrs. Beeler, Brownlee, Chapman, Cloonan, Curd, Davis, Goulding, Hatchett, Memminger, Potter, Redwine, Stafford, Soldani, Updegraff, Warren and Yeager. Total 16.

Absent and excused. Messrs. Allen Colville, Eggerman, Moore, Morris, Roddie and Stewart. Total 7.

The President declared the conference report adopted.

Senate Bill No. 277 was read the third time at length as amended.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Chapman, Cordell, Cunningham, Davis, Echols, Franklin, Graham, Goulding, Keys, Landrum, Mitchell, Newell, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Williams and Wynne. Total 25.

Nays: Messrs. Beeler, Brownlee, Cloonan, Curd, Hatchett, Memminger, Potter, Updegraff, Warren and Yeager. Total 10.

Absent and excused. Messrs. Blair, Colville, Denton, Eggerman, Moore, Morris, Redwine and Stewart. Total 8.

The President declared the bill passed.

The title of the bill was agreed to.

Senator Thomas filed the following conference committee report on Senate Bill No. 351.

Guthrie, March 12, 1909.

To the President of the Senate and the Speaker of the House:

We, your conference committee to whom was referred the differences between the House and Senate on Senate Bill No. 351 by Mr. Williams, beg to submit the following: 1st. We recommend that the House recede from its first amendment. 2nd. We recommend that the House recede from its second amendment. 3rd. We recommend that the Senate agree to the third amendment. 4th. We recommend that the House recede from its fourth amendment. 5th. We recommend that the total amount appropriated as provided in section 1 be changed from $59,000 to $69,000.

Respectfully submitted.

CLARENCE DAVIS,	J. R. M'CALLA,
W. N. REDWINE,	ED BOYLE.
J. ELMER THOMAS.	W. F. GILMER,
Senate Committee.	House Committee.

Senator Thomas moved the adoption of the report.

Vote was taken. The President declared the report adopted.

Senate Bill No. 351 was read at length the third time as amended.

The question being shall the bill pass as amended, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Chapman, Cordell Cunningham, Curd, Davis, Echols, Franklin, Graham, Goulding, Memminger, Redwine, Roddie, Russell, Stafford, Strain, Soldani, Taylor, Thomas, Updegraff, Warren and Williams. Total 23.

Nays: Messrs. Beeler, Cloonan, Hatchett, Potter, Smith and Yeager. Total 6.

Absent and excused. Messrs. Blair, Brownlee, Colville, Denton, Eggerman, Keys, Landrum, Mitchell, Moore, Morris Newell, Stewart, Sorrells and Wynne. Total 14.

The President declared the bill passed.

A message was received from the House transmitting the enrolled copies of House Bills Nos. 446, 119, 390, 336, 372, and Substitute for House Bill No. 39-96, signed by the Speaker.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 167, 291, and 295, and of House Bills Nos. 155, 322, 350, 404, 384, signed by the Speaker.

A message was received from the House informing the Senate that the Speaker had appointed Messrs. Durant, Gilmer and Porter as a conference committee on the part of the House on Senate Bill No. 297.

A message was received from the House informing the Senate of the adoption of the Joint Conference Report on Senate Bill No. 223.

A message was received from the House transmitting the enrolled copies of House Bills, Nos. 430, 243, 334, 136, 213, 5, 333, 315, 324, 358, 380, 69, 220, and 411, signed by the Speaker.

A message was received from the House informing the Senate of the adoption by the House of the Joint Conference Report on Senate Bill No. 322.

A message was received from the House transmitting the enrolled copies of House Bills Nos. 230 and 509, and the engrossed copy of Senate Bill No. 216, as amended by the House Committee on State and School Lands, signed by the Speaker.

Senator Billups moved that the Senate do not agree to the House amendments to Senate Bill No. 216 and that the House be asked to recede from same.

Senator Thomas moved as a substitute that the Senate agree to the House amendments to Senate Bill No. 216.

The question being shall the Senate agree to the House amendments to Senate Bill No. 216; the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Brownlee, Chapman, Cloonan, Cordell, Eggerman, Goulding, Mitchell, Morris, Newell, Strain, Thomas, Updegraff and Wynne. Total 14.

Nays: Messrs. Beeler, Billups, Blair, Cunningham, Davis, Denton, Echols, Graham, Franklin, Hatchett, Keys, Memminger, Potter, Redwine, Roddie, Smith, Soldani, Taylor, Warren, Williams and Yeager. Total 21.

Absent and excused. Messrs. Colville, Curd, Landrum, Moore, Russell, Stafford, Stewart and Sorrells. Total 8.

The President declared the substitute lost.

The question being shall the original motion prevail; vote was taken and the President declared the motion prevailed.

A message was received from the House as follows:

I am directed by the House to inform the Senate that the House has agreed to conference on Senate Bill No. 216, and have appointed Messrs. Anthony, Castell and Edgington as conferees on the part of the House.

The President appointed Messrs. Billups, Thomas and Blair as a conference committee on the part of the Senate to confer on Senate Bill No. 216 with a like committee from the House.

House Bill No. 510 was read the third time at length.

Senator Taylor offered the following amendment. Add after the word "thirteen" in section 2 the following "and number 23" and strike out the word "and" after the word "seven" and before the word "number."

The question being shall the amendment be adopted the roll being called the vote resulted as follows:

Yeas: Messrs. Smith, Taylor, Williams and Memminger. Total 4.

Nays: Messrs. Allen, Beeler, Brownlee, Chapman, Blair, Cordell, Cunningham, Curd, Davis, Denton, Echols, Franklin, Graham, Goulding, Hatchett, Keys. Landrum, Mitchell, Morris, Newell, Potter, Redwine, Russell, Stafford, Strain, Soldani, Sorrells, Updegraff, Warren and Wynne. Total 30.

Absent and excused. Messrs. Billups, Cloonan, Colville, Eggerman, Moore, Roddie, Stewart, Thomas and Yeager. Total 9.

The President declared the amendment lost.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Davis, Echols, Eggerman, Franklin, Graham, Hatchett, Keys, Memminger, Mitchell, Morris, Potter, Redwine, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff, Warren, Wynne and Yeage. Total 31.

Nays. Mr. Curd. Total 1.

Absent and excused. Messrs. Cloonan, Colville, Denton, Goulding, Landrum, Moore, Newell, Roddie, Stewart, Thomas and Williams. Total 11.

The President declared the bill passed.

The question being shall there be an emergency; the roll being called on the emergency section; the vote resultd as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Cordell, Cunningham, Curd, Davis, Echols, Eggerman, Graham, Franklin, Hatchett, Keys, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell Smith, Strain, Soldani, Sorrells, Taylor, Updegraff, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused. Messrs. Chapman, Cloonan, Colville, Denton, Goulding, Landrum, Moore, Stafford, Stewart and Thomas. Total 10.

The President declared the emergency section having received a two-thirds majority had passed.

The title of the bill was agreed to.

The following bills and resolutions were read the fourth time at length. House Bills Nos. 155, 336, 372, 119, 446, 384, 390, 509, 230, 404, 322, 430, 117, 411, 350, 511, Committee Substitute for House Bill No. 39-96, and Senate Bills Nos. 268, 15, 101, Senate Concurrent Resolutions Nos. 26, 30 and 31 and Senate Joint Resolution No. 12.

President, Mr. Bellamy, signed the enrolled copies of House Bills Nos. 155, 336, 372, 119, 446, 390, 500, 230, 404, 322, Committee Substitute for House Bill No. 39-96, Senate Bill No. 268, Senate Joint Resolution No. 12, and Senate Concurrent Resolution No. 31. Same were ordered transmitted to the House.

President Pro Tem Graham, signed the enrolled copies of House Bills Nos. 430, 117, 411, 350, 511, 384, Senate Bills Nos. 15, 101, and Senate Concurrent Resolutions Nos. 26 and 30. Same were ordered transmitted to the House.

Senator Williams filed the following conference committee report on Senate Bill No. 297.

Guthrie, Oklahoma, March 12, 1909.

Mr. President:

We, your conference committee to whom was referred Senate Bill No. 297, having had same under consideration, beg leave to report back with the recommendation that the House recede from its amendments to said bill.

W. F. GILMER,
J. W. PORTER,
W. A. DURANT,
House Committee.

WILLIAMS,
NEWELL,
HARPER S. CUNNINGH
Senate Committee.

Senator Williams moved the adoption of the report.

Vote was taken. The President declared the report adopted.

Senate Bill No. 297 was read the third time at length as amended.

The question being, shall the bill pass as amended; the roll being called, the vote resulted as follows:

Yeas. Messrs. Allen, Blair, Colville, Curd, Davis, Denton, Echols, Eggerman, Franklin, Graham, Hatchett, Keys, Memminger, Mitchell, Newell, Potter, Redwine, Roddie, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Updegraff,Warren, Williams, Wynne and Yeager. Total 29.

Nays: None.

Absent and excused. Messrs. Beeler, Billups, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Goulding, Landrum, Moore, Morris, Stafford, Stewart and Thomas. Total 14.

The President declared the bill passed.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 510, and the enrolled copy of House Bill No. 511, Same were order transmitted to the House.

Senator Thomas took the Chair.

Senator Taylor filed the following conference committee report on Senate Bill No. 365.

Guthrie, March 12, 1909.

Mr. President: We, your conference committee on Senate Bill No. 365 beg leave to report the following:

We recommend that House Amendment wherein item of $600 is inserted in lieu of item of $2000 be adopted.

We recommend that the House recede from its amendments striking out the word "stenographer for the fiscal year ending June 30, 1911, $1200."

We recommend that the House recede from its amendment striking out the item of printing and stationery $15,000 and recommend that in lieu of said amendment the item should read "printing and stationery $1,000."

We recommend that the House recede from its amendment striking out the item of "special service incidentals, and extra help in office $2,500" and that in lieu thereof the following be inserted for said item: "special service, incidentals, and extra help in office $500."

We recommend that the total of appropriation be changed from $31,230 to $15,330.

TAYLOR,
S. A. CORDELL,
H. J. DENTON,
Senate Committee.

J. R. M'CALLA,
ED BOYLE,
W. F. GILMER,
House Committee.

Senator Taylor moved the adoption of the report:

Vote was taken. The President declared the report adopted.

Senate Bill No. 365 was read the third time at length as amended.

The question being shall the bill pass as amended; the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Cordell, Cunningham, Curd, Echols, Eggerman, Franklin, Goulding Hatchett, Keys, Memminger, Mitchell, Morris, Redwine, Roddie, Russell, Smith, Strain, Sorrells. Taylor, Thomas, Williams, Wynne and Yeager. Total 26.

Nays: Messrs. Beeler, Brownlee, Cloonan, Potter and Warren. Total 5.

Absent and excused. Messrs. Allen, Colville, Davis, Denton, Graham, Landrum, Moore, Newell, Stafford, Stewart, Soldani and Updegraff. Total 12.

The President declared the bill passed.

The title of the bill was agreed to.

Senator Russell moved that the rules be suspended and that House Bill No. 204 be placed upon third reading and final passage without debate.

Senator Beeler arose to the point of order that he voted in the minority.

Point of order was sustained.

Senator Potter moved to lay the motion on the table.

Vote was taken. The President declared the motion lost.

The question being shall the original motion prevail; the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Brownlee, Chapman, Cloonan, Cunningham, Curd, Keys, Potter, Redwine, Soldani, Updegraff and Warren. Total 12.

Nays: Messrs. Billups, Blair, Cordell, Echols, Eggerman, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Morris, Roddie, Russell, Strain, Sorrells, Taylor, Thomas, Wynne and Yeager. Total 20.

Absent and excused. Messrs. Allen, Colville, Davis, Denton, Franklin, Moore, Newell, Smith, Stafford, Stewart and Williams. Total 11.

The President declared the motion lost.

Senator Billups filed the following conference committee report on Senate Bill No. 216.

We, your conference committee on Senate Bill No. 216 by Messrs. Morris and Billups, recommend that the Senate agree to the House amendments thereto.

BILLUPS,
THOMAS,
Senate Committee.

ANTHONY,
CASTEEL,
EDGINGTON,
House Committee.

Senator Billups moved the adoption of the report.

Senate Bill No. 216 was read at length the third time as amended.

The question being shall the bill pass as amended; the roll being called the vote resulted as follows:

Yeas: Messrs. Allen, Billups, Brownlee, Chapman, Cordell, Denton, Echols, Eggerman, Graham, Goulding, Keys, Landrum, Morris, Newell, Russell, Smith, Strain, Soldani, Sorrells, Taylor, Thomas, Williams and Wynne. Total 23.

Nays: Messrs. Beeler Blair, Cloonan, Cunningham, Curd, Davis, Franklin, Hatchett, Potter, Redwine, Roddie, Updegraff, Warren and Yeager. Total 14.

Absent and excused. Messrs. Colville, Memminger, Mitchell, Moore, Stafford and Stewart. Total 6.

The President declared the bill passed.

Senator Russell moved to reconsider the vote by which House Bill No. 204 was lost.

Vote was taken and the President declared the motion prevailed.

The question being shall House Bill No. 204 pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Cordell, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Landrum, Memminger, Mitchell, Morris, Roddie, Russell, Strain, Sorrells, Taylor, Thomas, Wynne and Yeager. Total 22.

Nays: Messrs. Allen, Beeler, Brownlee, Chapman, Cloonan, Cunningham, Curd, Keys, Newell, Potter, Redwine, Smith, Soldani, Updegraff and Warren. Total 15.

Absent and excused. Messrs. Colville, Hatchett, Stafford, Stewart, Moore and Williams. Total 6.

The President declared the bill lost.

The following bills were read the fourth time at length: House Bill

No. 510, and Senate Bills Nos. 295, 78, and 376; President Bellamy signed the enrolled copies of the same which were ordered transmitted to the house.

A message was received from the House as follows:

Mr. President: I am directed by the House of Representatives to inform the Senate of the signing by the Speaker of the House of Senate Bill No. 117, 15 and 101; and Senate Concurrent Resolutions Nos. 30 and 26.

A message from the House:

Mr. President: I am directed by the House of Representatives to inform the Senate of the siging by the Speaker of the House of Senate Bill No. 268, Senate Joint Resolution No. 12, and Senate Concurrent Resolution No. 31; also the House has agreed to the Senate amendments to House Bill No. 510.

A message from the House:

Mr. President: I am directed by the House of Representatives to inform the Senate of the signing by the Speaker of House Bill No. 511.

A message from the House:

Mr. President: I am directed by the House of Representatives to inform the Senate of the signing by the Speaker of the House of House Bill No. 510.

Amessage from the House:

Mr. President: I am directed by the House of Representatives to inform the Senate of the adoption, by the House of Representatives, of the Joint Conference Report on Senate Bill No. 297, by a vote of Yeas 63, Nays, 1, absent 45. And on Senate Bill No. 365 by a vote of Yeas 66, Nays none, absent 43.

President Bellamy signed the enrolled copy of Senate Bill No. 30 same was ordered transmitted to the House.

Senate Resolution No. 14 by Mr. Landrum.

WHEREAS, the engrossing and enrolling force has done efficient and faithful service, and

WHEREAS, the Post Master and Auditor, and Assistant Sergeant-at-Arms have performed services for which two employees were paid wages for each place at the last session, and

WHEREAS, the pay they have been receiving has not been on a parity with that of other employees, whose work has been less burdensome or less scientific.

THEREFORE, be it resolved, that it is the sense of this Senate that the post-master and auditor and the Assistant Sergeant-at-Arms, and the regular employees in the engrossing Department should be paid at the rate of five dollars per day and the Auditor is hereby directed to amend the pay roll so as to allow those above mentioned per diem at the rate of five dollars per day for the entire time of the session of the Second Legislature.

Vote was taken. The President declared the resolution adopted.

Senator Eggerman was called to the Chair.

Senator Potter introduced the following resolution:

Be it resolved by the Senate of the Second Legislature of the State of Oklahoma, that the thanks of this body be, and they are hereby extended to the Honorable George W. Bellamy for the fair and impartial manner in which he has discharged the duties of his office.

Vote was taken on the Resolution and the same was unanimously adopted.

Senator Potter introduced the following resolution:

Be it resolved by the Senate of the Second Legislature of the State of Oklahoma that we acknowledge the fair, honorable and impartial manner in which the Honorable J. Clint Graham has discharged the duties of his office as President Pro Tempore of this Senate, and the thanks of this body are hereby extended to him in recognition of his services as one of its Presiding Officers.

Vote was taken and the resolution was unanimously adopted.

Senator Potter introduced the following resolution:

Be it resolved by the Senate of the Second Legislature of the State of Oklahoma, that the thanks of this body be, and they are hereby extended to its Officers for the faithful and meritorious manner in which they have discharged the duties of their respective positions.

Vote was taken and the resolution was unanimously adopted.

Resolution by Senator Potter:

Be it resolved by the Senate of the Second Legislature of the State of Oklahoma, that the thanks of this body be and they are hereby extended to its employees for the faithful and meritorious manner in which they have discharged the duties of their respective positions.

Vote was taken and the resolution was adopted unanimously.

Senator Thomas offered the following resolution:

Senate Resolution No. 15—By Mr. Thomas.

Be it resolved by the Senate that the official reporter is herby directed to collect all note books containing notes of any and all Senate proceedings, and to make a list of same then deliver said books to the Secretary of State, to be by said Secretary of State preserved as other public records.

Senator Thomas moved the adoption of this Resolution.

Vote was taken and the President declared the resolution adopted.

Committee Substitute No. 1 for House Bill No. 451 was read the third time at length.

The question being "Shall the bill Pass?" and the roll being called, the vote resulted as follows:

Yeas: Messrs. Beeler, Blair, Chapman, Cunningham, Davis, Echols, Eggerman, Graham, Goulding, Landrum, Morris, Newell, Potter, Roddie, Russell, Stafford, Strain, Soldani, Sorrells, Taylor, Updegraff Warren, Wynne and Yeager. Total 24.

Nays: Messrs. Redwine, Smith and Thomas. Total 3.

Absent and excused. Messrs. Allen, Billups, Brownlee, Cloonan, Colville, Cordell, Curd, Denton, Franklin, Hatchett, Keys, Memminger, Mitchellfi, Moore, Stewart and Williams. Total 16.

The President declared the bill passed.

The title of the bill was agreed to.

The President Pro Tem Mr. Graham signed the enrolled copy of Senate Bill No. 291. Same was ordered transmitted to the House.

House Bill No. 207 was read at length the third time.

Senator Yeager offered the following amendment:

Before the word "pure" add the word "any".

Vote was taken and the President declared the amendment adopted.

The question being "shall the bill pass as amended?" the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused. Messrs. Allen, Beeler, Colville, Curd, Keys, Moore, Stewart, Williams and Russell. Total 9.

The President declared the bill passed.

The question being "shall there be an emergency declared?" and the roll being called on the emergency section, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cloonan, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Wynne and Yeager. Total 34.

Nays: None.

Absent and excused. Messrs. Allen, Beeler, Colville, Curd, Keys, Moore, Russell, Stewart and Williams. Total 9.

The emergency section having received a two-thirds majority was declared passed.

Senator Davis moved to have the rules suspended and have House Bill No. 324 put upon third reading and final passage.

The vote was taken.

Motion prevailed.

House Bill No. 324 was read at length the third time.

The question being shall the bill pass; the roll being called, the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Chapman, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Landrum, Memminger, Mitchell, Morris, Newell, Roddie, Russell, Smith, Strain, Taylor, Thomas, Updegraff, Warren and Yeager. Total 24.

Nays: Messrs. Redwine and Stafford. Total 2.

Absent and excused. Messrs. Allen, Beeler, Brownlee, Cloonan, Colville, Curd, Graham, Goulding, Hatchett, Keys, Moore, Potter, Stewart, Soldani, Sorrells, Williams and Wynne. Total 17.

The President declared the bill passed.

The following bills were read the fourth time at length. Senate Bills Nos. 250, 322, 273 and 277. President Pro Tem. Mr. Graham, sign-

ed the enrolled copies of the same, which were ordered transmitted to the House.

A message from the House:

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has appointed Messrs, McCalla and Faulkner to notify the Senate that the House will be ready to adjorun Sine Die in thirty minutes.

President Pro Tem, Mr. Graham, signed the engrossed copy of House Bill No. 324, and the same was ordered transmitted to the House.

Senator Roddie was called to the Chair.

Senator Landrum introduced the following resolution:

Senate Resolution No., 16—By Mr. Landrum:

Be it resolved by the Senate that the officers of the Senate and the Assistant Reporter be paid at the rate of Six Dollars per day for the Session, and that Mr. Lew Huber ,day watchman, be paid at the rate of five dollars per day for the Session, and the Senate Auditor is hereby instructed to amend the pay roll so as to make up the balance due them.

Senator Landrum moved the adoption of the resolution.

Vote was taken and Acting President, Senator Roddie declared the motion carried.

President Mr. Bellamy took the Chair.

Senator Blair raised the point of order that the resolutions by Mr. Landrum increasing the pay of certain officers and employees of the Senate were out of order unless we reconsider the vote by which the services of the employees was set.

The President, Mr. Bellamy, sustained the point of order.

Senate Bill No. 46 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 46, and the same was ordered transmitted to the House.

A message was received from the House transmitting enrolled copies of Senate Bills Nos. 120 and 189 signed by the Speaker.

The following bills were read the fourth time at length.

Senate Bills Nos. 167, 327, 179, 216, 170, 120, 351, 166 and 223.

President Pro Tem, Mr. Graham, signed the enrolled copies of Senate Bills Nos. 167, 327 and 179 and same were ordered transmitted to the House.

President, Mr, Bellamy, signed the enrolled copies of Senate Bills Nos. 216, 170, 120, 351, 166 and 223. Same were ordered transmitted to the House.

A message was received from the House informing the Senate that the House had agreed to Senate amendments to House Bill No. 207 and transmittnig the enrolled copy of House Bill No. 451 signed by the Speaker.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 273, 295, 376, 78, 30, 166, 291, 322, 250, 277, 167, 323, 46, 179, 170, 216, 120 and House Bill No. 207 signed by the Speaker.

A message was received from the House informing the Senate that the House had adopted the Joint Conference report on Senate Bill No.

351 also of the adoption of the Joint Conference report on Senate Bill No. 277.

A message was received from the House informing the Senate that the House had agreed to Senate amendments to Commitee Substitut No. 1 for House Bill No. 451.

Senator Williams filed the following conference committee report:

Guthrie, Okla., March 12, 1909.

Mr. President:

We, your conference committee to whom was referred House Bill No. 297, having had same under consideration, beg leave to report back with the recommendation that the House recede from its amendments to said bill.

W. F. GILMER,
J. M. PORTER,
W. A. DURANT,
House Committee.

WILLIAMS,
NEWELL,
Senate Committee.

A message was received from the House transmitting the enrolled copy of House Bill No. 324 signed by the Speaker.

A message was received from the House transmitting the engrossed copy of senate Bill No. 314 as amended by the House, signed by the Speaker.

House Bill No. 207 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of House Bill No. 207 and the same was ordered transmitted to the House.

Senate Bill No. 297 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 297, and the same was ordered transmitted to the House.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 265 signed by the Speaker.

House Bill No. 324 was read the fourth time at length.

President Mr. Bellamy signed the enrolled copy of House Bill No. 324, and the same was ordered transmitted to the House.

A message was received from the House transmitting the enrolled copies of Senate Bills Nos. 223, 166, 189, 351, 297, and 365 signed by the Speaker.

Senator Graham moved that the Governor be notified that the Senate was about to adjourn, and was ready to receive any advice or information that he might care to impart.

Vote was taken and the President declared the motion carried, and appointed Messrs. Billups, Landrum and Williams as a Committee to so notify the Governor.

Senator Thomas offered the following resolution:

Senate Resolution No. 17 by Mr. Thomas, "Be It Resolvde by the Members of the Senate: That, as a slight token of our appreciation of the uniform fairness and devotion to the duties of his office, we do herein tender to the President Pro Tempore, Mr. Graham, the Chair which he has so ably and satisfactorily filled during the session now at an end.

Vote was taken. The President declared the Resolution adopted.

On behalf of the members of the Senate, Senator H. S. Cunningham presented to the President. Geo. W. Bellamy, a jewel, as a token of the appreciation of the members of the Senate for the able and satisfactory way in which he has dispatched the duties of his office during session now at an end.

Senator Brownlee moved that the Senate agree to the House amendments to Senate Bill No. 114.

Vote was taken. The President declared the Senate agrees to the House amendments to Senate Bill No. 114.

The question being, shall the bill pass as amended, the roll being called and the vote resulted as follows:

Yeas: Messrs. Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Davis, Denton, Echols, Eggerman, Franklin, Graham, Goulding, Hatchett, Landrum, Memminger, Mitchell, Morris, Potter, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Updegraff, Warren, Williams, Wynne and Yeager. Total 33.

Nays: None.

Absent and excused: Messrs. Allen, Beeler, Cloonan, Colville, Curd, Keys, Moore, Newell, Redwine and Stewart. Total 10.

The President declared the bill passed.

A message was received from the House, transmitting the enrolled copy of House Bill No. 537 signed by the Speaker.

House Bill No. 537 was read the fourth time at length.

President, Mr. Bellamy signed the enrolled copy of House Bill No. 537, same was ordered transmitted to the House.

Senate Bill No. 314 was read the fourth time at length.

The President, Mr. Bellamy, signed the enrolled copy of Senate Bill No. 314 and same was ordered transmitted to the House.

The President appointed Messrs. Hatchett and Memminger as a Committee to investigate the status of House Bill No. 537.

Senator Graham moved that the House be notified that the Senate refuses to adjourn until the records of House Bill No. 537 shall have been corrected.

Vote was taken and the President declared the motion carried, and appointed Messrs. Graham, Strain and Beeler as a Committee to notify the House.

A message from the Governor:

Guthrie, March 11th, 1909.

To The Honorable Legislature:

I have the honor to report to your honorable body that I have this day signed and approved House Bill No. 387, same being, "An Act making an appropriation for the support and maintenance of a school now temporarily located at Sulphur, Oklahoma."

Also Senate Bill No. 371, same being "An Act to legalize the incorporation of the town of Shattuck, in the County of Ellis in the State of Oklahoma and to legalize the election of the trustees and also other officers in the said town in their actions and doings, etc."

Also House Bill No. 369, same being "An Act authorizing the township of Jenks, in Tulsa County to use its surplus bridge and road fund in

building a bridge across the Arkansas River exceeding one hundred feet in length."

Respectfully submitted,
C. N. HASKELL,
Governor.

A message from the Governor:

Guthrie, March 11th, 1909.

To the Honorable Legislature:

I have the honor to report the approval of Senate Bill No. 39 entitled, "An Act to Amend Chapter 6, Session Laws of Oklahoma, 1907, relating to banks and banking, etc."

Respectfully submitted,
C. N. HASKELL,
Governor.

A message from the Governor:

Guthrie, March 11th, 1909.

To the Honorable Legislature:

I have the honor to report to you the approval of Senate Bill No. 372, entitled, "An Act to provide for the calling of special elections under the initiative and referendum, etc."

Also the approval of Senate Concurrent Resolution No. 3 by Mr. Landrum, relating to the Sequoyah Statue.

Respectfully submitted,
C. N. HASKELL,
Governor.

A message from the Governor:

Guthrie, March 11th, 1909.

To the Honorable Legislature:

I have the honor to advise you that I have approved House Bill No. 368, "An Act creating a separate district for the District Agricultural and Mechanical School in the old Beaver County, or Panhandle section of the State."

I want to add in this connection that I believe the Legislature has done a special act of justice and propriety in this instance, as the peculiar geography of that portion of our State is such that it has not heretofore been able to share in the conveniences and benefits of Statehood.

I therefore announce my special satisfaction of having this opportunity to approve this act.

Respectfully submitted,
C. N. HASKELL,
Governor.

A message from the Governor:

Guthrie, March 11th, 1909.

To the Honorable Legislature:

I have the honor to report to your honorable body that I have approved Senate Bill No. 261 entitled "An Act to provide for the compiling, collating, revising, digesting and suggesting additional legislation, etc."

Also that I have approved Senate Bill No. 228 entitled "An Act to

etc."

Respectfully submitted,
C. N. HASKELL,
Governor.

A message from the Governor:

Guthrie, March 11th, 1909.

To the Honorable Legislature:

I have the honor to advise you that I have approved Senate Bill No. 378 entitled "An Act for the sale of the Northeast quarter of Section 36, township 23, north range 21, W. I. M. in Woodward County, etc."

Respectfully submitted,
C. N. HASKELL,
Governor.

A message from the Governor:

Guthrie, March 12th, 1909.

To the Honorable Legislature:

I have the honor to report to you that I have approved House Bill No. 495 entitled "An Act to provide for the holding of sessions of Court in Coweta, Waggoner County, Oklahoma."

Respectfully submitted,
C. N. HASKELL,
Governor.

A message was received from the House transmitting the enrolled copy of Senate Bill No. 314 signed by the Speaker. Same was ordered transmitted to the Governor.

Senator Hatchett moved to reconsider any and all actions taken by this Senate on Senate Concurrent Resolution No. 32.

Vote was taken. The President declared the motion prevailed.

Senator Hatchett moved that the House of Representatives be requested to return to this Senate the enrolled copy of House Bill No. 537 for the purpose of striking therefrom the signature of the presiding officer. of this Senate.

Vote was taken and the President declared the motion prevailed.

The Secretary was instructed to direct a message to the House making said request.

Senator Taylor moved to reconsider the vote by which Senate Concurrent Resolution No. 32 was passed by the Senate.

Vote was taken and the President declared the vote had been reconsidered.

Senator Memminger introduced the following Resolution:

Senate Concurrent Resolution No. 33 by Senate Committee on Public Printing, "Whereas, heretofore the State printing Board entered into a contract with the Leader Printing Company for the Legislative Printing for the present session of the Legislature, and

Whereas, pursuant to said contract there is due the Leader Printing Company, for printing bills, Resolutions, Journals, Calendars and the Governor's Messages, for the Senate, from January 15th to February 9, 1909.

inclusive, the sum of twenty-two hundred and fifty-nine dollars and fifty-eight cents ($2259.58),

Therefore, Be It Resolved by the Senate, The House of Representatives Concurring Therein, That the State Auditor be and he is hereby authorized and directed to issue his warrant on the State Treasurer in favor of the Leader Printing Company for the payment of said sum of Twenty-two hundred and fifty-nine and 58-100 dollars ($2259.58) out of the Legislative Contingent Fund in full payment thereof.

Passed the Senate 3-12-09.
Passed the House 3-12-09
Ayes 59, absent 50.
D. W. CRUM,

GEO. W. BELLAMY,
Pres. of the Senate.
BEN F. WILSON,
Speaker.

Vote was taken. The President declared the resolution adopted.

President Pro Tem, Mr. Graham, signed the engrossed copy of Senate Concurrent Resolution No. 33, same was ordered transmitted to the House.

A message was received from the House transmitting the engrossed copy of Senate Concurrent Resolution No. 33, signed by the Speaker.

Senator Memminger filed the following conference report:

Mr. President: We, your Conference Committee on House Bill No. 537 beg leave to report that the Senate recede from its amendments.

R. M. RODDIE,
T. F. MEMMINGER,
R. E. STAFFORD,
Senate Conferees.

S. C. BURNETTE.
M. B. COPE,
J .R. McCALLA,
House Conferees.

Senator Memminger moved the adoption of the report.

Vote was taken and the President declared the report adopted.

House Bill No. 537 was read at length the third time as amended.

The question being, shall the bill pass, the roll being called, the vote resulted as follows:

Yeas: Messrs. Allen, Beeler, Billups, Blair, Brownlee, Chapman, Cordell, Cunningham, Davis, Denton, Eggerman, Franklin, Graham, Hatchett, Keys, Landrum, Memminger, Mitchell, Morris, Newell, Potter, Redwine, Roddie, Russell, Smith, Stafford, Strain, Soldani, Sorrells, Taylor, Thomas, Warren, Williams, Wynne and Yeager. Total 35.

Nays: Mr. Cloonan. Total 1.

Absent and excused: Messrs. Colville, Curd, Echols, Goulding, Moore, Stewart and Updegraff. Total 7.

President declared the bill passed, same was ordered transmitted to the House.

A message was received from the House transmitting the enrolled copy of House Bill No. 537, signed by the Speaker.

House Bill No. 537 was read the fourth time at length.

President, Mr. Bellamy, signed the enrolled copy of House Bill No. 537, same was ordered transmitted to the House.

A message from the Governor:

Guthrie, March 12th, 1909.

To the Honorable Legislature:

I have the honor to advise you that I have signed concurrent resolution No. 32.

Respectfully submitted,

C. N. HASKELL,

Governor.

Final Report of the Senate Auditor:

Members

Names	Days: Extra:	Days: Per Day:	Mileage:	Per Diem:	Total	No. Days	Amount	Total	Grand Total
Allen, Harry K.		60	$26 00	$360 00	386 00	7	$2 00	$14 00	$400 00
Beeler, H. B.		60	36 20	360 00	396 20	7	2 00	14 00	410 00
Billups, Richard A.		60	36 00	360 00	396 00	7	2 00	14 00	410 00
Blair, H. S.		60	20 40	360 00	380 00	7	2 00	14 00	394 40
Brownlee, E. D.		60	7 60	360 00	367 60	7	2 00	14 00	381 60
Chapman, E. B.		60	17 60	360 00	377 60	7	2 00	14 00	391 60
Cloonan, J. H.		60	54 80	360 00	414 80	7	2 00	14 00	428 80
Colville, F. M.		60	14 00	360 00	374 00	7	2 00	14 00	388 00
Cordell, S. A.		60	7 60	360 00	367 60	7	2 00	14 00	381 60
Cunningham, H. S.		60	00 00	360 00	360 00	7	2 00	14 00	374 00
Curd, E. S.		60	29 20	360 00	389 20	7	2 00	14 00	403 20
Davis, Clarence		60	18 80	360 00	378 80	7	2 00	14 00	392 80
Denton, H. J.		60	37 20	360 00	397 20	7	2 00	14 00	411 20
Echols, R. E.		60	31 00	360 00	391 00	7	2 00	14 00	405 20
Eggerman, M. F.		60	15 00	360 00	375 00	7	2 00	14 00	389 00
Franklin, W. M.		60	31 20	360 00	391 00	7	2 00	14 00	392 80
Graham, J. C.		60	30 00	360 00	390 00	7	2 00	14 00	404 00
Goulding, P. J.		60	11 20	360 00	371 20	7	2 00	14 00	385 20
Hatchett, Jesse M.		60	35 40	360 00	395 40	7	2 00	14 00	409 40
Hurst, Homer S		56	22 40	336 00	358 40	0	0 00	00 00	358 40
Johnson, Geo. O		37	21 60	222 00	243 60	0	0 00	00 00	243 60
Keys, J. M.		60	40 00	360 00	400 00	7	2 00	14 00	414 00
Landrum, E. M.		60	40 00	360 00	400 00	7	2 00	14 00	414 00
Memminger, T. F.		60	32 20	360 00	392 20	7	2 00	14 00	406 20
Mitchell, E. L.		60	40 00	360 00	400 00	7	2 00	14 00	414 00
Moore, Tom		60	40 00	360 00	400 00	7	2 00	14 00	414 00

(Continued on next page

Final Report of the Senate Auditor:
(Continued)

Morris, J. S.	60	80 00	360 00	440 00	7	2 00	14 00	454 00
Newell, J. Q.	60	14 00	360 00	374 00	7	2 00	14 00	388 00
Potter, R. T.	60	25 20	360 00	385 20	7	2 00	14 00	399 20
Redwine, W. N.	60	30 00	360 00	390 00	7	2 00	14 00	404 00
Roddie, R. M.	60	23 00	360 00	383 00	7	2 00	14 00	397 00
Russell, Campbell	60	36 00	360 00	396 00	7	2 00	14 00	410 00
Smith, D. M.	60	26 20	360 00	386 20	7	2 00	14 00	400 20
Stafford, R. E.	60	6 00	360 00	366 00	7	2 00	14 00	380 00
Stewart, W. P.	60	50 60	360 00	410 60	7	2 00	14 00	424 60
Strain, J. H.	60	30 00	360 00	390 00	7	2 00	14 00	404 00
Soldani, S. J.	60	13 00	360 00	397 00	7	2 00	14 00	411 00
Sorrells, E. T.	60	37 00	360 00	373 00	7	2 00	14 00	387 00
Taylor, L. K.	60	18 80	360 00	378 80	7	2 00	14 00	392 80
Thomas, J. Elmer	60	24 40	360 00	384 40	7	2 00	14 00	398 40
Updegraff, A. G.	60	32 00	360 00	392 00	7	2 00	14 00	406 00
Williams, J. J.	60	21 60	360 00	381 60	7	2 00	14 00	395 60
Wynne, R. P.	60	13 00	360 00	373 00	7	2 00	14 00	387 00
Warren, Frank L.	60	21 60	360 00	381 60	7	2 00	2 14	395 60
Yeager, P. J.	60	21 60	360 00	381 60	7	2 00	14 00	395 60
Totals		$1219 40	$16038 00	$17257 40			$602 00	$17859 40

(Continued on next page)

Final Report of the Senate Auditor:
(Continued)

Officers

Names:	Position:	No. Days:	Amt. Per Day:	Total
Caldwell, Cliff	Reading Clerk	67	$5 00	$335 00
Demland, Wm.	Messenger	67	4 00	268 00
Etter, F. J.	Sergt-at-Arms	67	5 00	335 00
Finley, J. R.	Secretary	67	6 00	402 00
Haskell, Joe	Messenger	67	4 00	268 00
Smith, J. Flem	Official Reporter	67	5 00	335 00
Tucker, Rev. H. A.	Chaplain	67	3 00	201 00
Totals:				$2,144 00

Employees:

Names:	Position	No. Days:	Amt. Per Day	Total
Bynum, Anna	Sten. Lieut. Gov.	72	$5 00	$360 00
Buckner, W. V.	Ast. Reading Clerk	67	4 00	268 00
Baird, C. C.	Door Keeker	67	4 00	268 00
Capshaw, Enoch	Door Keeker	67	4 00	268 00
Childers, Wm.	Ast. Ser. at Arms	67	4 00	268 00
Cook, Herbert	Journal Clerk	67	5 00	335 00
Coffland, Glen	Page	67	2 00	134 00
Duffy, P. P.	Secy to Lieut. Gov.	67	5 00	335 00
Johnston, Joseph E.	Asst Enrolling and engrossing clerk	67	4 00	268 00
Koester, Emma	Committee Clerk	67	5 00	335 00
Heuber, Lew A.	Calendar Clerk	67	5 00	335 00
Hasley, Ida F.	Asst. Journal Clerk	57	5 00	280 00
Lotspeich, Kenny	Auditor and Postmaster	67	4 00	268 00
Murchison, Austin H.	Committee Clerk	53	5 00	265 00
Moore, R. L.	Chief Steno. Dept.	67	5 00	335 00
McCracken, H. L.	Janitor	67	3 00	201 00
Patterson, G. V.	Committee Clerk	43	5 00	215 00
Pardue, J. L.	Asst. Reporter	67	5 00	335 00
Ratlege, R. A.	Asst. Enrolling and Engrossing Clerk	67	4 00	268 00
Reeves, George	Night Watch	67	4 00	268 00
Roberts, Mrs. L. M.	Asst. Janitor	67	2 00	134 00
Riner, W. H.	Cloak Room Keeper	64	$2 00	$128 00
Tilghman, Frank	Page	67	2 00	134 00
Treadwell, Judson	Page	67	2 00	134 00
Thomason, Wells	Asst. Eng. Clerk	67	4 00	268 00
Underwood, Eddie	Committee Clerk	67	5 00	335 00
Wilson, Emma	Page	67	2 00	134 00
Waterberry, May	Committee Clerk	15	5 00	75 00
Wolf, Frank	Asst. Janitor	41	2 50	102 50
Abbott, Jennie V.	Asst. Eng. Clerk	67	4 00	268 00
Abernathy, James				
Cowling, A. D.				
Totals:				$7924 50

(Continued on next page.)

Final Report of the Senate Auditor:
(Continued)

Stamp Account:

March 6, 1909	To Stamps	$291 60	
March 6, 1909	By Stamps issued to members		$291 60
March 6, 1909	To Stamps	135 25	
March 6, 1909	By Stamps issued to members		106 94
March 12, 1909	By Stamps on hand		28 31
		$426 85	$426 85

Incidental Expenses:

January 21, 1909	To Warrant for Incidental exp.	$25 00	
February 6, 1909	To Warrant for Incidental exp.	45 00	
January 23,	By Express		$ 40
24,	By Gold Dust		25
25,	By Telephone Message (Tom Moore)		50
28,	By Wells-Fargo Exp. Co.		15 90
29,	By J. R. Thacker, Supplies		60
February 3,	By J. R. Thacker, Supplies		20
3,	By Telephone Message (Tom Moore)		50
3,	By J. F. Etter for Brooms		1 45
6,	By Bill Case (By order of Committee)		1 00
6,	" Exp to J. R. Finley		30
6,	" Towel Service (Star Laundry)		6 10
9,	" Miss Patterson by O. K. J. J. Williams		25
10,	" Emil Japp for G. O. Johnson's funeral		10 00
12,	" J. R. Finley for express		30
13,	" A. L. Druse for maps		1 00
13,	" Cash for Stamps		26 00
13,	" Cash for Post Office Box		1 75
March 5,	" Cash for freight		1 40
9,	" Express (Herbert Cook)		30
February 9,	" Express		40
January 12,	" Invoice (Kress')		1 35
		$70 00	$70 00

Senator Thomas moved that the Journal of the Sixty-seventh day's session be approved.

Vote was taken. The President declared the motion prevailed.

President Bellamy appointed Messrs. Roddie, Williams and Brownlee as a Committee of three to notify the House of Representatives that this Senate was now ready to adjourn.

The Committee repaired to the House of Representatives and returned to the Senate and reported that the House of Representatives would adjourn in one minute.

On motion of Senator Williams the Senate adjourned SINE DIE.

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ABBREVIATIONS

Aye and Nay	Aye and Nay Vote.
Int.	Introduced.
Rep. Com.	Report of Committee.
R. Com. W.	Report of Com. Whole.
2r	Second Reading.
3r	Third Reading.
4r	Fourth Reading.
Com. Con.	Committee Conference.
Com. fr. Con.	Free Con. Committee.
Amd.	Amended.
E. W. S. O.	Enacting Words Stricken Out.
Mes.	Message.
Recom.	Re-committed.
Recalled	Recalled from Committee and Placed on Calendar Without Ref.
O. P.	Other Proceedings.
Rej.	Rejected.
Recon.	Reconsidered.
L. T.	Laid on Table.
Indef. Post	Indefinitely Postponed.
Rat.	Ratified.
P.	Passed.
Ref.	Referred to Committee.
Ap. Gov.	Approved by Governor.
S. H.	Sent to House.
R. H.	Returned from House.
Rec. 1r.	Received from House and first reading.

Senate Bills.

Reference to pages of Journal.

Senate Bill No. 1. By Mr. Eggerman, "An Act providing for the sale of indemnity school lands."

Int. 40; 2r. 44; rep. com. 89; rep. com. w. 97; 167; rep. c. w. 180; 3dr, 186, 187, 188; s. and s. h. 191; ret. .f. h. amend, 274; op. 277, 278; 4r, 308; op. 314, 327, 353; ap. gov. 362.

Senate Bill No. 2. By Mr. Keys, "An Act amending session laws relating to fish and game."

Int. 40; 2r, 44; rep. c. 129; rep. com. w. 181, 202, 3r, 240; op. 252, 345, 361; 377, 392, 407, 411, 464; ap. gov. 484.

Senate Bill No. 3. By Mr. Williams, "An Act to establish a State Training School for Girls, defining its powers and duties, providing for construction of a suitable building and equipment of the same repealing all acts and parts of acts in conflict herewith and declaring an Emergency."

Int. 40; 2r, 44.

Senate Bill No. 4. By Mr. Franklin, "An Act amending the primary election law."

Int. 40; 2r. 44; rep. com. 47 op. 64; rep. c. w. 70; amend 74; 3r, 75; op. 294; 4r. 308; op. 314; ap. gov. 333.

Senate Bill No. 5. By Mr. Franklin. "An Act amending the primary election law.

Int. 40; 3r, 44; rep. com. 291; rep. com. w. 334; 3r, 347, 348; op. 372, 373, 487, 500, 505; 4r, 542.

Senate Bill No. 6. By Mr. Hatchett, "An Act repealing articles One and Two, of Chapter 45, of the Statutes of 1908, and amending section 4034 of the same, and declaring an emergency."

Int. 40; 2r, 44; rep. com. 96.

Senate Bill No. 7. By Mr. Morris, "An Act providing for the holding of County Court in the town of Hooker, in Texas County."

Int. 40; 2r. 44 w. f. con. 203.

Senate Bill No. 8. By Mr. Redwine, "An Act amending Sections 6132, Article5, of the General Statutes of 1908, of the State of Oklahoma."

Int. 40; 2r, 45; rep. com., 245, 344.

Senate Bill No. 9. By Mr. Billups, "An Act defining the procedure for the mortgage or sale of the homestead of an insane husband or wife."

Int. 40; 2r, 45; rep. com. 111, rep, com. w. 126; o. p. 136; 3rd, 136, 138; s. and s. h. 141; op. 330, 350, 353.

Senate Bill No. 10. By Mr. Cordell, "An Act to provide for the sale of indemnity school lands, etc."

Int. 41; 2r, 45; rep. com. 89.

Senate Bill No. 11, by Mr. Franklin, "An Act to carry into effect Sections 3, 4, and 5 of Article 23 of the Constitution relative to Child Labor."

Int. 42; 2r, 51; rep. com. 86; o. p. 97, 111; 3rd, 205, 206; rep. com. w. 208, op. 238, 239, 293, 336, 344, ap. gov. 370.

Senate Bill No. 12, by Mr. Williams, "An Act to make the appropriation for the payment of the mileage and per diem and contingent expenses of the Second Legislature, and declaring an emergency."

Int. 42; 2r, 51; rep. com. 53; 3r, 62; op. 63, 64, 71; 4r, 80; ap. gov. 83.

Senate Bill No. 13, by Mr. Yeager, "An act to regulate the carrying of concealed weapons and penalty therefor."

Int. 43; 2r, 51; rep. com. 69,125; o. p. 133, 135, 296; rep. com. w. 434; 3r, 438; 448. op. 457.

Senate Bill No. 14, by Mr. Yeager, "An Act to instruct the members of the Legislative Assembly to vote for and elect the candidate for United States Senator who received the highest number of votes at the General Election."

Int. 43; 2r, 51.

Senate Bill No. 15 by Mr. Roddie, "An Act relating to insurance and declaring an emergency."

Int. 43; 2r, 51; rep. com. 69; o. p. 88, 89, 92, 97, rep. com. w. 111, o. p. 133, 144; 3dr, 157; op. 416, 421, 424, 425, 445, 462; rep. com. w. 508; recon. 529; 4r, 550; op. 553.

Senate Bill No. 16, by Mr. Cordell, "An Act to divide the State intc Judicial Districts and fixing the time for holding District Courts."

Int. 43; 2r, 51; rep. com. 228.

Senate Bill No. 17, by Mr. Smith, "An Act to amend Section 3917 and 3918 of Chapter 43, Article ....., the revised statutes of 1908, and repeal all laws in conflict with this act."

Int. 43; 2r, 51.

Senate Bill No. 18, by Mr. Brownlee, "An Act to repeal Section 1, to Section 53 and Chapter 27 of Session Laws of 1899."

Int. 43; 2r, 51; rep. com. 160.

Senate Bill No. 19, by Messrs. Russell and Keys, "An Act amending Section 1, Chapter 8, Session Laws of Oklahoma of 1897, relating to conveyance and declaring an emergency."

Int. 43; 2r, 51; o. p. 77, 83; 3r, 89; o. p. 117, 125, 244, 295, 296, 327, 336, 344; ap. gov. 419.

Senate Bill No. 20 by Mr. Hatchett, "An Act providing for the designation of County and City depositories, etc."

Int. 43; 2r, 51; rep. com. 182; rep. com. w. 309, 319, op. 336.

Senate Bill No. 21 by Mr. Landrum, "An Act providing for the creation and location of the Northeastern Normal School at Tahlequah, Cherokee County, Oklahoma, for the purchase of the Cherokee Female Seminary for that purpose and for the maintenance of the same."

Int. 43; 2r, 51.

Senate Bill No. 22, by Mr.Landrum . "An Act repealing Art. 1, Chap. 60, of the Session Laws of the State of Oklahoma, the same being an Act to prohibit officers from appointing relatives."

Int. 43; 2r, 51; rep. com. 75.

Senate bill No. 23, by Mr. Landrum, "An Act regulating numbers of

trustees of religious, charitable, educational and benevolent organizations, and the fees for granting charters to such organizations."

Int. 43; 2r, 51; rep. com. 72; op. 83; 3r, 89 op. 169; 190, 192, 194; rep. com. s. com. 197; op. 202; 4r, 219, op. 220; ap. gov. 257.

Senate Bill No. 24, by Mr. Russell, "An Act authorizing the Board of Agriculture to establish County Demonstration Farm, etc."

Int. 43; 2r, 51; rep. com. 69; op. 83; 3r, 90; op. 92, 137, 139,; 4th r, 145.

Senate Bill No. 25, by Mr. Sorrels, "An Act defiining lawful fences in any county or district where stock are permitted to run at large and providing punishment for a violation of any provision of this act."

Int. 43; 2r, 51; rep, com. 117; rep. com. w. 291, 299; 3r, 336.

Senate Bill No. 26, by Mr. Eggerman, "An Act relating to roads and bridges and empowering counties and townships to levy taxes for the construction, improvement and maintenance of bridges and for other purposes."

Int. 43; 2r, 51.

Senate Bill No. 27, by Mr. Davis, "An Act providing for certain publications and declaring an emergency."

Int. 43; 2r, 51; rep. com. 185.

Senate Bill No. 28, by Mr. Williams, "An Act to establish the Oklahoma State Reformatory; for a Board of Managers, and defining their power, etc."

Int. 43; 2r, 51.

Senate Bill No. 29, by Mr. Redwine, "An Act providing for the confinement of persons convicted of any crime in this State, and who have been sentenced by the Courts to the Lansing Penitentiary, located at Lansing, Kansas, and now confined in the various County jails of the State; and for all persons hereafter convicted in any Court of this State, and declaring an emergency."

Int. 46; 2r, 61; rep. com. 72; 3r, 88; s. s. h. 139; ret. h. 139; s. con. 139, 147.

Senate Bill No. 30, by Mr. Williams, "An Act to establish an institution for the care, training and custody of feeble-minded, idiotic and imbecile children and the care and custody of feeble-minded, idiotic and imbecile female adults; providing for the appointment of a superintendent defining his powers and duties, and making an appropriatoin for the purchase of suitable land; the construction of buildings and equipment of same and declaring an emergency."

Int. 47; 2r, 61; op. 83, 133; rep. com. 158; 3r, 400, 401, op. 416, 534, 553,556.

Senate Bill No. 31, by Mr. Soldani, "An Act creating the Oklahoma State Military School; designating the military department of the University Preparatory School, Tonkawa, Kay County, Oklahoma, as such; providing for appointments thereto and prescribing a military organization, government and discipline of said school."

Int. 47; 2r, 61.

Senate Bill No. 32, by Mr. Smith, "An Act to amend Sections 5356 and 5357, of Chapter 65, Article 3, of the General Statutes of the State

Int. 47; 2r, 61; rep. com. 110; 125; o. p. 158; rep. com. w. 167.

Senate Bill No. 33, by Mr. Billups, "An Act amending General Section 1935, Wilson's Revised Statutes of Oklahoma."

Int. 47; 2r, 61; rep. com. 125; o. p. 133.

Senate Bill No. 34, by Mr. Eggerman, "An Act authorizing the payment by the State of a reward for the arrest and conviction of any person guilty of stealing a horse or mule within the State."

Int. 47; 2r, 61; rep. com. w. 127, 151; 3dr, 158; op. 274, 277,303; ap. gov. 322.

Senate Bill No. 35, by Mr. Eggerman, "An Act to amend Section 2226, Article 12, Chapter 18, of the General Statutes of Oklahoma, 1908.

Int. 47; 2r, 61; rep. com. 99; rep. com. w. 119; o. p. 198; 3dr, 200; o. p. 207, 208; 4th r, 222 o. p. 223; ap. gov. 257.

Senate Bill No. 36, by Mr. Yeager, "An Act to regulate the pay of viewers, chain carriers, and overseers."

Int. 47; 2r, 61; rep. com. 110.

Senate Bill No. 37, by Mr. Thomas, "An Act providing for the platting and selling of the east half of the northeast quarter of Section 36, T. 2, N. of R. 12, W. I. M., in Comanche County for townsite purposes."

Int. 47; 2r, 61.

Senate Bill No. 38, by Mr. Thomas, "An Act legalizing and validating the editing, preparing, compiling and publishing of the session laws of the First Legislative Assembly, and declaring an emergency."

Int. 47; 2r, 61.

Senate Bill No. 39, by Mr. Roddie, "An Act to amend Chapter 6, of the Session Laws of Oklahoma, 1907, and 1908, relating to Banks and Banking, and declaring an emergency."

Int. 47; 2r, 61; rep. com. 75; op. 97, 104; rep. com. w. 111; op. 125, 133, 139; 3dr, 172 to 175; o. p. 219, 378, 379, 381, 417, 420, 429, 430, 432, 4r, 484; ap. gov. 559.

Senate Bill No. 40, by Mr. Russell, "An Act to repeal Section 5, of Article 4, Chapter 31, of the Session Laws of 1903, relating to kindergarten."

Int. 47; 2r, 61.

Senate Bill No. 41, by Mr. Russell, "An Act providing penalty for assault with intent to rape, also amending Section 2, Article 2, Chapter 20, Session Laws, 1895, defining rape in first degree, and providing penalty therefor."

Int. 47; 2r, 61; rep. com. 106; rep. com. w. 126; 3dr, 135, s. and s. h. 136.

Senate Bill No. 42 by Mr. Franklin, "An Act to protect public funds and to amend Section 1, Article 9, Chapter 17, of the Statutes of Oklahoma, 1908 being running Section 1385, and carrying into effect Section 11, of Article 10, of the Constitution, and declaring an emergency.

Int. 53; 2r, 61; rep. com 93; rep. com. w. 97, 111, 3dr, 116; s. and s. h. 125; op. 248; 249; 4r, 262, 266; ap. gov. 311.

Int. 58; 2r, 70; rep. com. 96; rep. com w. 111; 3r, 118, 119; 4r, 178; s. gov. 180; ap. gov. 209.

Senate Bill No. 69, by Mr. Graham, "An Act to provide for the compensation of the Clerk of the Supreme Court and the Criminal Court of Appeals and to create clerical and stenographic positions for the office of clerk of Supreme Court and Criminal Court of Appeals, and to fix the compensation and salaries thereof."

Int. 58; 2r, 70; rep. com. 110; rep. com. w. 127, 208; 3r, 259, 260; op. 520; 4r, 542; op. 548.

Senate Bill No. 70, by Mr. Goulding, "An Act amendatory of Sec. 2, Art. 10, Chap. 70. Statutes of Oklahoma 1893."

Int. 58; 2r, 70; rep. com. 111; rep. com. w. 151; 3dr, 158, 159; indef. post. 244.

Senate Bill No. 71, by Mr. Goulding, "An Act to establish a District Agricultural School of secondary grade for instruction in agriculture, mechanics and economics, in the Fifth Supremo Court Judicial District."

Int. 58; 2r, 70.

Senate Bill No. 72, by Mr. Morris, "An Act to provide for the renewal of certain leases on school lands and authorizing the Commissioners of the Land Office to make the leases thereafter, and declaring an emergency."

Int. 67; 2r, 73.

Senate Bill No. 73, by Mr. Hatchett, "An Act creating a lien to secure the price of service of male animals, etc."

Int. 68; 2r, 73; rep. com. 118.

Senate Bill No. 74, by Mr. Franklin, "An Act providing that if any freight received by any common carrier for further transportation arises at the place of delivery in a broken or damaged condition, or some part thereof be lost or destroyed, the last carrier shall be presumed to have caused such damage, unless such carrier complies with the conditions prescribed in this Act."

Int. 68; 2r, 73; rep. com. w. 111; 3dr, 116, 131; op. 132.

Senate Bill No. 75, by Mr. Allen, "An Act to establish the Southeastern Normal School at the City of Ardmore, and making an appropriation therefor."

Int. 68; 2r, 73.

Senate Bill No. 76, by Mr. Taylor, "An Act locating the Oklahoma Industrial Institution and College for Girls at Chickasha in the State of Oklahoma."

Int. 68; 2r, 73.

Senate Bill No. 77, by Mr. Newell, "An Act perpetuating the Criminal Court of Appeals, defining its jurisdiction, etc."

Int. 68; 2r, 73; rep. com. 110.

Senate Bill No. 78, by Mr. Williams, "An Act making an appropriation to cover the deficiencies in the appropriations made by the First Legislature of the State of Oklahoma for the expenses of the State Department for 10 1-2 months ending June 30, 1909."

Int. 68; 2r, 73; rep. com. 184; rep. com. w. 231, 236, 237, 265; 3r, 265; op. 286, 459, 461, 482, 485, 500, 504, 537, 538, 540; 4r, 553; op. 556.

Senate Bill No. 79, by Mr. Roddie, "An Act creating the Southeastern State Normal School and locating it at the town of Ada, and making an appropriation therefor."

Int. 68; 2r, 73; rep. com. 417.

Senate Bill No. 80, by Mr. Memminger, "An Act to amend Section 2958, of Chapter 28, of the general statutes of Oklahoma, 1908, and declaring an emergency."

Int. 68; 2r, 73; rep. com. 99; rep. com. w., 127, 151; 190; 3d, r, 157 recon. 157; op. 196, 224.

Senate Bill No. 81, by Mr. Yeager, "An Act to amend Section 3978, Article 3, Chapter 44, general statutes of Oklahoma."

Int. 68; 2r, 73; rep. com. 192; rep. com.. w. 466; 3dr, 470; op. 484..

Senate Bill No. 82 by Mr. Denton, "An Act to provide a uniform system of teacher's certificates."

Int. 68; 2r, 73; rep. com. 118.

Senate Bill No. 83 by Mr. Smith, "An Act to create a Normal School at Duncan, Oklahoma, and making an appropriation for the erection of suitable buildings therefor."

Int. 68; 2r, 73; p. cal. 273; rep. com. 417; rep. com. w. 449; 3r, 452; op. 457, 534; 4r, 542; op. 543.

Senate Bill No. 84, by Mr. Yeager, "An Act entitled, "Kidnapping for Ransom."

Int. 68; 2r, 73; rep. com. 125.

Senate Bill No. 85, by Mr. Stafford, "An Act in relation to mill products."

Int. 68; 2r, 73; rep. com. 228; rep. com. w. 466; 3r, 472; op. 484.

Senate Bill No. 86, by Mr. Stafford, "An Act amending the session laws of 1895, relating to larceny of domestic animals."

Int. 68; 2r, 73; rep. com. 125.

Senate Bill No. 87, by Mr. Stafford, "An Act creating a State Board of Purchasing Agents and declaring an emergency."

Int. 68; 2r, 73.

Senate Bill No. 88, by Mr. Stafford, "An Act to define dependent, neglected and delinquent children, and to regulate the treatment, control and custody thereof by County Courts."

Int. 68; 2r, 73; rep. com. 130; rep. com. w. 272, 460; 3r, 467; op. 470, 507; 4r, 538.

Senate Bill No. 89, by Mr. Thomas, "An Act relating to the validating of certain instruments of record."

Int. 68; 2r, 73.

Senate Bill No. 90, by Messrs, Hatchett and Morris.

"An Act for submitting the matter of building county court houses and county jails.

Int. 72; 2r, 86; rep. com. 145; rep. com. w. 434. 3r, 446, 447.

Senate Bill No. 91, by Mr. Colville.

"An Act to prevent spread of noxious weeds."

Int. 72; 2r, 86.

Senate Bill No. 92, by Mr. Cordell.

"An Act to amend Section 3206, Chapter 30, of the General Statutes of Oklahoma, 1908, entitled Guardian and Ward."

Int. 72; 2r, 86; rep. com. 148.

Senate Bill No. 93, by Mr. Yeager.

"An Act to pension the blind."

Int. 72; 2r, 86; rep. com. 92; rep. com. w.97; 3r, 104, 142, 143; op. 146.

Senate Bill No. 94, by Mr. Redwine.

"An Act providing for an attorney's lien on causes of action, papers, or judgments; and repealing Section 581, of the General Statutes of Oklahoma, 1908, and declaring an emergency."

Int. 72; 2r, 86; rep. com. 99; o. p. 125, 127.

Senate Bill No. 95, by Mr. Goulding.

An Act relating to mutual insurance companies, and repealing Chapter XVII, Article 1, of Session Laws of 1899, of Oklahoma, and all other Acts and parts of Acts in conflict therewith."

Int. 72; 2r, 86; rep. com. 115; rep. com. w. 230, 262; 3r, 271, 272; op. 273, 408, 413, 482, 487; 4r, 489; op. 491.

Senate Bill No. 96, by Mr. Thomas.

"An Act repealing Sections 1145, 1146, 1147, 1148, 1149, 1150 and 1151 of the General Statutes of Oklahoma 1908."

Int. 72; 2r, 86; rep. com. 111; rep. com. w. 126; 3dr, 141, 143; s. and s. h. 145; indef. post. 244.

Senate Bill No. 97, by Mr. Stafford.

"An Act providing the manner in which, and the terms on which, the now mineral lands granted to the State of Oklahoma, by Act of Congress of the United States, for Educational Building and Charitable purposes, shall be disposed of."

Int. 72, 73;2r, 87; 3d, r, 384.

Senate Bill No. 98 by Mr. Stafford.

"An Act to define contributory dependency and contributory delinquency and to make the same a misdemeanor and to provide for the punishment of persons guilty thereof."

Int. 73; 2r, 87; rep. com. 158.

Senate Bill No. 99, by Mr. Morris, "An Act to recognize the town of Hooker in the County of Texas, in the State of Oklahoma, and to recognize the election and proceedings of the trustees and other officers of said town and their actions and doings as such officers and for other purposes; and declaring an emergency.

Int. 75; 2r, 87; with fr. con. 203.

Senate Bill No. 100, by Mr. Strain, "An Act fixing the location of the Oklahoma Industrial Institute and College for Girls at Claremore, Oklahoma."

Int. 79; 2r, 87.

Senate Bill No. 101, by Mr. Williams, "An Act relating to the tax paid by fire Insurance companies upon premiums received by them in this State and providing for the appropriation and expenditure thereof."

Int. 79; 2r, 87; rep. com. 181; rep. com. w. 434; 3r, 445; op. 457, 520, 4r, 550.

Senate Bill No. 102 by Mr. Redwine, "An Act for the protection of certain railroad employees and fixing the number of hours they shall work in any one day."

Int. 79; 2r, 87; rep. com. 203.

Senate Bill No. 103, by Mr. Chapman, "An Act making counties and townships liable for defects in bridges, culverts and highways in certain cases."

Int. 79; 2r, 87.

Senate Bill No. 104, by Mr. Hatchett, "An Act creating a lien in favor of laborers on the production of their labor and providing for the enforcement thereof."

Int. 79; 2r, 87; rep. com. 237.

Senate Bill No. 105, by Mr. Mitchell, "An Act to punish the giving provocation for assault."

Int. 79; 2r, 87; rep. com. 115; 3d, r, 150, 168; s. and s. h. 168.

Senate Bill No. 106, by Mr. Graham and Mr. Allen, "An Act permanently locating the Oklahoma School for the Deaf at Sulphur, Oklahoma, and declaring an emergency."

Int. 79; 2r, 87.

Senate Bill No. 107, by Mr. Eggerman, "An Act to prevent cruel treatment, neglect and abuse of animals, to provide methods for the protection thereof, and to provide penalties therefor."

Int. 79; 2r, 87.

Senate Bill No. 108, by Mr. Landrum, "An Act amending sub-division 2, Section 2589, Chapter 20, of the General Statutes of Oklahoma, 1908."

Int. 79; 2r, 87; rep, com. w. 127; rep. com. 148.

Senate Bill No. 109, by Mr. Smith, "An Act to amend Chapter 71, of the Revised Statutes of the State of Oklahoma, 1908, and to authorize judges and clerks of the District Court, etc. To repeal Sections one to fourteen."

Int. 79; 2r, 87; rep. com. 210.

Senate Bill No. 110, by Mr. Taylor, "An Act classifying corporations providing a method by which foreign corporations may domesticate, defining the rights and privileges of the several classes and prescribing certain restrictions upon foreign and domestic corporations, etc."

Int. 79; 2r, 87.

Senate Bill No. 111, by Mr. Brownlee, "An Act providing for notice of assignments of real estate mortgages."

Int. 79; 2r, 87.

Senate Bill No. 112, by Mr. Brownlee, "An Act to provide the method of filling vacancies in the city council of cities and in the Board of Trustees of towns, villages, and of the Board of Education of cities of the first class, when the vacancies include all of the members."

Int. 79; 2r, 87; rep. com. .226.

Senate Bill No. 113, by Mr. Brownlee, "An Act requiring contracts

employing agents and brokers to buy and sell real estate for compensation or on commission to be in writing."

Int. 80; 2r, 87; rep. com. 193.

Senate Bill No. 114 by Mr. Williams. "An Act making an appropriation to pay Patterson Furniture Company for furniture and supplies for the First Legislature and declaring an emergency."

Int. 80; 2r, 87; rep. com. 198, rep. com. w. 315. 3r, 325; op. 328, 329, 349, 414; 4r, 423; op. 426, ap. gov. 457.

Senate Bill No. 115, by Mr. Wynne, "An Act for the organization of the State Board of Education and duties as required by Article XIII."

Int. 83; 2r, 87; rep. com. 185; rep. com. w. 466; 3r, 471.

Senate Bill No. 116, by Mr. Wynne, "An Act to authorize counties, cities, towns, townships, school districts, and other municipal corporations to borrow money for current expenses and declaring an emergency."

Int. 83; 2r, 87; rep. com. 308; rep. com. w. 486.

Senate Bill No. 117, by Mr. Stafford, "An Act authorizing the Board of Regents of Normal Schools of the State of Oklahoma, to construct and equip an additional building at the Cenrtal Normal School at Edmund, Oklahoma, and making an appropriation therefor."

Int. 85; 2r, 92; rep. com. 148; rep. com. w. 344; 3r, 403; op., 407, 520; 4r, 550; op. 553.

Senate Bill No. 118, by Mr. Wynne, "An Act to amend Section 6355, General Statutes of Oklahoma, 1908, relating to Boards of Education in cities of the first class."

Int. 85; 2r, 92; rep. com. 99; rep. com. w. 125; 3dr, 135, 142.

Senate Bill No. 119, by Mr. Yeager, "An Act creating the Northeastern Normal School at Tulsa, Oklahoma, and appropriating money for the construction of same."

Int. 85; 2r, 92.

Senate Bill No. 120 by Mr. Williams, "An Act providing for the Creation and Incorporation of Trade Insurance Companies not conducted for profit, and insuring the property and interest of but one line of business, to-wit: The Business of Cotton Ginning and insuring only the members of such companies as provided for in Section 3, Article XIX of the Constitution, etc., and further defining the powers and duties of such companies and providing penalties for the violation of this Act."

Int. 85; 2r, 92; rep. com. 148; rep. com. w. 466; 3r, 468; 4r, 556.

Senate Bill No. 121, by Mr. Mitchell, "An Act making the theft of cotton a felony and fixing penalty therefor."

Int. 85; 2r, 92; rep. com. 203.

Senate Bill No. 122, by Mr. Cordell, "An Act to amend Section 2659, of the General Statutes of Oklahoma, of 1908, entitled, 'Descent and Distribution."

Int. 85; 2r, 92; o. p. 133; rep. com. 148; rep. com. w. 344; 3r, 364, 365; op. 372, 502; 4r, 515; op. 518.

Senate Bill No. 123, by Mr. Smith, "An Act providing for prosecution of felonies and misdemeanors upon presentment or indictment or information, regulating the procedure therein, and repealing Section 1874

and 1888, of Article 1, Chapter 18, of the General Statutes of the State of Oklahoma, 1908, and declaring an emergency."

Int. 85; 2r, 92; rep. com. 125; rep. com. w. 466; 3r, 483; op. 484.

Senate Bill No. 124, by Mr. Smith, "An Act to authorize all incorporated cities of the first class and Boards of Education therein and all incorporated cities, towns, and villages, to invest the sinking fund in certain securities, and to authorize said cities of the first class and Boards of Education therein, and all cities, towns, and villages, to establish public depositories for all funds of whatsoever kind, and prescribing penalties for failure to do so, and other purposes and declaring an emergency.'

Int. 85; 2r, 92; rep. com. 185.

Senate Bill No. 125 by Mr. Sorrells, "An Act appropriating moneys for the maintenance, equipment, and for the erection of buildings for the State School of Mines and Metallurgy at Wilburton, Oklahoma."

Int. 85; 2r, 92; rep. com. 270; rep. com. w. 306; op. 352.

Senate Bill No. 126, by Mr. Sorrells, "An Act to amend Section 4200 of Chapter 50, Article 8, of the General Stautes of Oklahoma, relating to the State Mining Board."

Int. 85; 2r, 92; rep. com. 96; op. 111, 126; 3d, r, 220. rep com. w. 137; op. 231; 4r, 237; op. 240; ap. gov. 268.

Senate Bill No. 127, by Mr. Johnson, "An Act to authorize the establishment and maintenance of a high school in consolidated school districts and townships."

Int. 86; 2r, 92.

Senate Bill No. 128, by Mr. Brownlee, " An Act regulating the price of law books sold within this state by foreign persons or corporations.

Int. 86; 2r, 92.

Senate Bill No. 129, by Mr. Soldani, "An Act amending laws of 1907, chapter 30, article 1, section 18, same being 2605, General Statutes of Dklahoma, 1908, and declaring an emergency.

Int. 90; 2r, 92; 3d, r. 111, 112; op. 119, 169, 272; 4r, 301; op. 303; ap. gov. 322.

Senate Bill No. 130, by Mr. Franklin, "An Act defining what shall constitute an appearance in civil actions and declaring an emergency."

Int. 92; 2r, 96; rep. com. 115; rep. com. w. 151; o. p. 158; 3d, r, 219; s. and s. h. 224

Senate Bill No. 131, by Messrs. Memminger of the Senate and Humphreys and Durant of the House, "An Act to provide for County Commissioners to buy bridges erected on public highways and elsewhere, and providing for procedure and appeal to District Court from any such purchase and providing an emergency."

Int. 92; 2r, 96; op. 133; rep. com. w. 306; 3r, 313; op. 315; 4r, 496; op. 497.

Senate Bill No. 132, by Mr. Williams, "An Act making an appropriation to pay the salaries of the officers and employees of the Senate and House of Representatives, legalizing the election and appointment of, and the salaries as now fixed by the respective bodies, and declaring an emergency."

Int. 93; 2r, 96; rep. com. 99; 3r, 100, op. 103; 4r, 116; op. 117.

Senate Bill No. 133, by Mr. Echols, "An Act to provide for shorthand reporters for the District Courts of this State."

Int. 93; 2r, 96; rep. com. 99; op. 125.

Senate Bill No. 134, by Mr. Echols, "An Act to amend Chapter 6, Article 2, Oklahoma Annotated Statutes, 1908, relating to garnishments,"

Int. 93; 2r, 96; rep. com. 125.

Senate Bill No. 135, by Mr. Landrum, "An Act to provide for the appointment of a temporary Judge of the County Court when the same is necessary because of sickness."

Int. 93; 2r. 96; rep. com. 168; o. p. 181; 3d r. 182.

Senate Bill No. 136 by Mr. Franklin, "An Act creating the office of Supreme Court Reporter, ex-officio Reporter of the Criminal Court of Appeals; defining duties and fixing salaries.

Int. 95; 2r, 100; rep. com. w. 330; 3r, 338, 339; op. 345, 520; 4r, 542; op. 548.

Senate Bill No. 137, by Messrs. Strain, Williams and Hurst, "An Act to regulate the use and preservation of oil and gas and providing a penalty for the violation thereof."

Int. 96; 2r, 100.

Senate Bill No. 138, by Mr. Cunningham, "An Act authorizing domestic, mutual building and loan associations, organized under the laws of the State of Oklahoma to increase their capital stock, and prescribing the procedure therefor."

Int. 96; 2nd r, 100; rep. com. 125; rep. com. w. 151; 3d, r, 155; op. 156, 243; 4r, 245, op. 249; ap. gov. 268.

Senate Bill No. 139, by Mr. Williams, "An Act providing for the payment of bounties on the scalps of wolves, wild cats, coyotes and gophers.

Int. 96; 2r, 100.

Senate Bill No. 140, by Mr. Billups, "An Act to regulate the sale of Intoxicating Liquor for certain purposes, and amending Chapter 69, Session Laws of Oklahoma, 1907-'08; Chapter 45, General Statutes of Oklahoma, 1908, and declaring an emergency."

Int. 96; 2r, 100; rep. com. 117; rep. com. w. 291; 3r, 292, 293; op. 302.

Senate Bill No. 141, by Mr. Hatchett, "An Act prescribing the manner of making and preserving exceptions to the charge or instructions of the Court."

Int. 99; 2r, 106; rep. com. 210.

Senate Bill No. 142 by Mr. Echols, "An Act requiring the deposit of all public funds in banks whose deposits are guaranteed by Depositor's Guaranty Fund' of Oklahoma."

Int. 100; 2r, 106; rep. com. 125.

Senate Bill No. 143 by Mr. Echols, "An Act providing for the payment of expenses incurred by district judges in their districts in counties not resided in, etc."

Int. 100; 2r, 106; rep. com. 125.

Senate Bill No. 144, by Mr. Russell, "An Act to amend Section 255 of the General Statutes of Oklahoma, 1908."

Int. 100; 2r, 106; rep. com. 118; rep. com. w. 466; recon. 484; rep. com. w. 486; 3r, 488, 489.

Senate Bill No. 145, by Mr. Billups, "An Act to provide for the improvement of the Public Highways of the State, creating the office of State Engineer and Surveyor, fixing his compensation and defining his duties."

Int. 102; 2r, 106.

Senate Bill No. 146 by Mr. Russell, "An Act providing penalty for assault with intent to rape and declaring an emergency."

Int. 103; 2r, 106; rep. com. 110; 3d, r, 135, 168; s. and s. h. 169.

Senate Bill No. 147, by Mr. Russell, "An Act making an appropriation for the payment of premiums upon Oklahoma farm products for the years 1909 and 1910, and providing for equitable distribution of the same."

Int. 103; 2r, 106; rep. com. 118.

Senate Bill No. 148, by Mr. Davis, "An Act providing for the publication and distribution of the laws and journals, repealing all acts and parts of acts in conflict herewith and declaring an emergency."

Int. 105; 2nd r, 109.

Senate Bill No. 149, by Mr. Wynne, "An Act authorizing the creation of Educational Corporations".

Int. 105; 2nd r, 109; rep. com. 184.

Senate Bill No. 150, by Mr. Redwine, "An Act to provide for clerk hire for county treasurers of the State of Oklahoma, and fixing the amount of bonds of the county treasurers and providing for the kind of bond and payment of the same."

Int. 105; 2nd r, 109; rep. com. 229; rep. com. w. 434; 3r, 446; op. 457, 501; 4r, 516; op. 518.

Senate Bill No. 151, by Mr. Yeager, "An Act to prevent the disclosure of information or the solicitation thereof concerning shipments made by common carriers of this State and prescribing penalties therefor."

Int. 105; 2nd r, 109; rep. com. 203, 351; rep. com. w. 466; rep. s. com. 473; 3r, 473; op. 484.

Senate Bill No. 152, by Mr. Billups, "An Act appropriating funds for the erection and maintenance of a District Agricultural School for the Fifth Supreme Court Judicial District of the State of Oklahoma."

Int. 105; 2nd r, 109; rep. com. 130; rep. com. w. 139; 3r, 206; op. 209, 244; 4r, 253; op. 254; ap. gov. 310.

Senate Bill No. 153, by Mr. Billups, "An Act providing for the taking of the Scholastic Census; amending Section 5784 of Wilson's Statutes; changing the date of taking the enumeration from the 15th of January, and designating the period from the 1st day of May to the 1st day of June."

Int. 105; 2nd r, 109; rep. com. 184.

Senate Bill No. 154 by Mr. Memminger, "An Act to amend Article Two, Chapter Thirteen, Session Laws of 1907-08, entitled 'An Act prohibiting corporate ownership of real estate, etc.'"

Int. 110, 2nd r, 115; rep. com. 296; 3r, 386, 387; op. 399.

Senate Bill No. 155 by Mr. Taylor, "An Act regulating elections in cities and towns, requiring nominations by primaries, prescribing the time

for such elections, repealing Sections 708, 709, and 710 being a part of Chapter 12, Article 1 and Sections 867, 868, 869, 870, 871, and 872 being a part of Chapter 13, Article 1 of the General Statutes of Oklahoma, 1908, and declaring an emergency."

Int. 110; 2nd r, 115; rep. com. 230; rep. com. w. 274; 3r, 283; op. 286, 431, 432, 433, 447, 449, 454, 455, 458,
465; 4r, 492; s. s. gov. 495; recalled, 499; op. 501, 502, 504.

Senate Bill No. 156 by Mr. Yeager, "An Act relating to the manufacture, transportation and storage of nitro-glycerine and other explosives; prohibiting the same in certain localities; providing penalties for the violation of this Act; and declaring an emergency."

Int. 110; 2nd r, 115; o. p. 201; rep. com. 145; rep. com. w. 272.

Senate Bill No. 157 by Mr. Cordell, "An Act to permit the sale of apple cider in this State."

Int. 110; 2nd r. 115; rep. com. 127.

Senate Bill No. 158 by Mr. Cordell, "An Act to amend Section 3885 of the General Statutes of Oklahoma, 1908."

Int. 110; 2nd r, 115; rep. com. 168.

Senate Bill No. 159 by Mr. Thomas, "An Act to make valid defective instruments of writing that have been on record, or recorded in the Recording Office of the Recording District in the Indian Territory in which said land was situated, up to and including the 16th day of November, 1907, in the office of the Register of Deeds of the Several Counties of the State of Oklahoma, and to provide for their use as evidence."

Int. 110; 2nd r, 116; rep. com. 321.

Senate Bill No. 160 by Mr. Thomas, "An Act relating to the rights of spouses who have not joined in the conveyance of real estate, made prior to November 16th, 1907, and prescribing the time in which said persons may bring suit to recover any interest in such real estate or file notice of such claim in the office of the Register of Deeds.

Int. 110; 2nd r, 116.

Senate Bill No. 161, by Mr. Blair, "An Act to amend Section 6109 of the General Statutes of Oklahoma of 1908, relating to the discovery of property not listed, and declaring an emergency."

Int. 110; 2nd r, 116; rep. com. 129; s. o. 196; rep. com. w. 227, 254, 256; 3r, 263, 264; op. 266, 269, 364,379, 388, 421, 426; 4r, 444; op. 449; ap. gov. 457.

Senate Bill No. 162, by Mr. Goulding, "An Act to amend Articles 3, chapter 55, Section 4437 of the General Statutes of Oklahoma, 1908, permitting county clerks to plat, for purposes of assessment and taxation congressional sub-divisions of land of forty acres or less, when owned by two or more persons in severalty.

Int. 112; 2nd r, 116; rep. com. 135.

Senate Bill No. 163 by Mr. Redwine, "An Act providing for the appointment of two additoinal county commissioners in all counties having a population of more than thirty-five thousand and to amend Section 4556 of the General Statutes of Oklahoma, 1908, relating to County Commissioners.

Int. 114; 2nd r, 116; rep. com. 190ffi 3r, 466.

Senate Bill No. 164 by Mr. Cordell, "An Act prescribing the disqualifications for judges of courts of record, and providing for the election or appointment of a special judge, or judge pro tem, when the regular judge is disqualified, and repealing Section 1154 of the General Statutes of Oklahoma, 1908.

Int. 114; 2nd r, 124; rep. com. 193.

Senate Bill No. 165 by Mr. Cunningham, "An Act for the care and disposition of estrayed stock."

Int. 115; 2nd r, 124.

Senate Bill No. 166, by Mr. Cunningham, "An Act to locate and establish an institute for the deaf, dumb, and blind and orphans home for the Colored youths of the State of Oklahoma, and making an appropriation therefor."

Int. 115; 2nd r, 124; rep. com. 273; rep. com. w. 432; 3r, 442, 443; op. 444; 4r, 556; op. 557.

Senate Bill No. 167 by Mr. Thomas, "An Act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof."

Int. 117; 2nd r. 124; rep. com. 321; rep. com. w. 434; 3r, 437; op. 444, 548; 4r, 556.

355, to 359; op, 360, 486, 500, 504, 505; 4r, 56. 556.

Senate Bill No. 168 by Messrs. Yeager and Strain, "An Act to regulate all corporations, associations or persons, carrying crude petroleum and all its products through pipe lines in this State and to regulate operation of oil wells, providing punishment for violation thereof, and declaring an emergency."

Int. 117; 2nd r, 124; rep. com. 129; op. 269; rep. com. w. 306; 3r, 306, 307; op. 319, 324; rep. com. w. 378; op. 501, 506.

Senate Bill No. 169 by Mr. Allen, "An Act to amend Section 5343 of the General Statutes of Oklahoma 1908, relating to abstracts of titles."

Int. 117! 2r, 124.

Senate Bill No. 170 by Mr. Cunningham, "An Act making an appropriation for the Colored Agricultural and Normal University at Langston, Oklahoma."

Int. 119; 2nd r, 124; rep. com. 193; rep. com. w. 384; 3r, 403; op. 407, 496, 502, 503, 506, 507; 4r, 556.

Senate Bill No. 171 by Mr. Echols, "An Act providing for the election of a Chief Justice and an Acting Chief Justice of the Supreme Court and prescribing for the filling of a vacancy in either of said offices."

Int. 119; 2nd r, 124; rep. com. 189.

Senate Bill No. 172, by Mr. Stafford, "An Act for the improvement and maintenance of Public Highways."

Int. 119; 2nd r, 124.

Senate Bill No. 173 by Mr. Williams, "An Act to establish a State training school for boys, to provide for a board of control, defining its powers and duties, providing for the appointment of a superintendent. Defining his powers and duties, and making an appropriation for the construction of a suitable building, etc."

Int. 119; 2nd r, 124; rep. com. w. 353; combined with sen. bill No.

43, 353, 364; 3r, 368, 369; op. 372, 464; 4r, 489; op. 491.

Senate Bill No. 174 by Mr. Taylor, "An Act to enable the County Commissioners of any county in the State of Oklahoma, to issue the bonds of such county for the purpose of building, constructing, repairing or acquiring bridges."

Int. 123; 2nd r, 131; rep. com. 233; rep. com. w. 306; 3r, 312; op. 315; 4r, 499.

Senate Bill No. 175 by Mr. Williams, "An Act requiring the Treasurer of the State Banking Board to give bond and declaring an emergency."

Int. 123; 2nd r, 131.

Senate Bill No. 176 by Mr. Russell, "An Act to amend Section 633, Chapter 8, Article 2, of the General Statutes of Oklahoma, relating to bank guaranty fund."

Int. 123; 2nd r, 131; rep. com. 181.

Senate Bill No. 177 by Mr. Thomas, "An Act relative to certain mortgage releases and assignments, and providing that suits to cancel the same shall be begun in one year from taking effect of this Act."

Int. 123; 2nd r, 131; rep. com. 193.

Senate Bill by Mr. Echols, "An Act regulating procedure under the anti-trust laws of the State of Oklahoma.

Int. 125; 2nd r, 131; rep. com. 203.

Senate Bill No. 179 by Mr. Billups, "An Act providing for conducting the general primary, and special elections, creating state, county and precinct election boards; repealing amended Senate Bill No. 168 of the Act of 1908 and providing penalties for the violation of this Act."

Int. 126; 2nd r, 131; rep. com. 291; rep. com. w. 334; op. 339; 3r, 355 to 359; op. 367; 486, 500, 504, 505; 4 r. 556.

Senate Bill No. 180 by Mr. Thomas, "An Act to prohibit the elective and appointive officers, clerks, etc, from being pecuniarily interested in any contract, purchase or sale made by, or with, such city, etc, from being interested in any co-partnership, corporation, etc."

Int. 126; 2nd r, 131; rep. com. 461.

Senate Bill No. 181 by Mr. Thomas, "An Act to prohibit and make unlawful for any and all city officials, etc, to take, receive or retain, more than one salary on account of services rendered as such officials, etc, and to prescribe penalties for the violation thereof, and for other purposes."

Int. 126; 2nd r, 131.

Senate Bill No. 182 by Mr. Thomas, "An Act to prohibit the reserving etc, of the free and unlimited use of streets, avenues, etc., by the public."

Int. 126; 2nd r. 131; rep. com. 227.

Senate Bill No. 183 by Mr. Thomas, "An Act to authorize cities of the first class, etc., to levy and collect a license tax in addition to all other taxes, etc.'

Int. 126; 2nd r. 131.

Senate Bill No. 184 by Mr. Wynne, "An Act to authorize the citizens of certain townships to vote bonds for the purpose of building a bridge across the South Canadian River."

Int. 126; 2nd r. 131.

Senate Bill No. 185 by Mr. Wynne, "An Act to provide for systematic hygienic and temperance intsruction in public schools."

Int. 126; 2nd r. 131; rep. com. 184; 3r. 494.

Senate Bill No. 186 by Mr. Newell, "An Act authorizing and giving power to the County Commissioners of any County in the State of Oklahoma, to pay for the reconstruction or repairing of county bridges destroyed by flood, and declaring an emergency."

int. 126; 2nd r. 131; rep. com. 182; 3 r. 314; op. 315, 489, 490, 497; 4r. 500; op. 514.

Senate Bill No. 187 by Mr. Brownlee, "An Act legalizing the special election at Kingfisher, Oklahoma, and declaring an emergency."

Int. 127; 2nd r. 131; rep. com. 160; 3d r 225 S. and S. H. 226; 4 r. 308; op. 314; ap. gov. 333.

Senate Bill No. 188 by Mr. Hatchett, by request. "An Act providing for organization of Justice of the Peace Districts prescribing fees for the Justice of the Peace and Constables; repealing House Bill No. 218 of Chapter 47 of the Session Laws of Oklahoma, 1907-08."

Int. 127; 2nd r. 131.

Senate Bill No. 189 by Mr. Goulding, "An Act relating to Fire Insurance, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency."

Int. 127; 2nd r. 131; rep. com. 148; 3d r. 484, 485; op. 487.

Senate Bill No. 190 by Mr. Echols, "An Act authorizing the State Auditor to appoint an assistant and clerical and stenographical employees in his office, to fix their compensation, to repeal all laws i conflict herewith and declaring an emergency."

Int. 127; 2nd r. 131; rep. com. 203; 3 r. 443; op. 444, 520; 4 r. 538.

Senate Bill No. 191 by Mr. Smith, "An Act to amend charter 17, article 11, section 1416 of the General Statutes of Oklahoma, 1908, being chapter 25, article 27, section 2173 and 2174 of the Statue of Oklahoma, 1893, relating to adultery, and to repeal all laws in conflict herewith.

Int. 129; 2nd r. 135; rep. com, 189; rep. com. w. 432.

Senate Bill No. 192 by Mr. Allen, "An Act defining the offense of carrying deadly weapons and providing for the punishment therefor, and declaring an emergency."

Int. 129; 2nd r. 135, rep. com. 193.

Senate Bill No. 193 by Mr. Allen, "An act to amend section 777 and 778 of article 5, of the General Statutes of Oklahoma, 1908, providing for the improvement of state and other public places, etc."

Int. 129; 2nd r. 135.

Senate Bill No. 194 by Mr. Johnson, "An Act relating to costs in justice of the peace courts, repealing section 3614 of the General Statutes of Oklahoma, 1908."

Int. 129; 2nd r. 135.

Senate Bill No. 195 by Mr. Billups, "An Act relating to the sale of goods, wares and merchandise by itinerant peddlers aand providing penalties for the violation of this act."

Int. 134; 2nd r. 140; rep. com. 193.

Senate Bill No. 196 by Mr. Landrum, "An Act providing for certain changes in township laws and creating other duties for the township board, fixing a poll tax, providing for the collection thereof, fixing a specific dog tax, manner of collection and disbursement of same."

Int. 134; 2nd r. 140.

Senate Bill No. 197 by the Committee on Penal Institutions, Allen, chairman, "An Act conferring authority upon the board of prison control to designate, locate and prepare for temporary detention of prisoners.

Int. 139; 2nd r. 140.

Senate Bill No. 198 by Mr. Echols, "An Act craeting the office of law clerk to each of the justices of the Supreme Court of the State of Oklahoma, defining his duties, and fixing his compensation therefor.

Int. 139; 2nd r. 140; rep. com. 296.

Senate Bill No. 199, by Mr. Echols, "An Act to amend sections 11 and 41 of the General Statutes of Oklahoma, 1908, and to provide for resident agents for foreign corporations, etc."

Int. 139; 2nd r. 140; rep. com. 296; rep. com. w. 344; 3 r. 364; op. 372, 501; 4 r. 516 op. 518, 557.

Senate Bill No. 200 by Mr. Franklin, "An Act providing for the publication of school text books by the state, and the furnishing of school books and supplies free of cost to pupils attending the public schools of the state."

Int. 140; 2nd r. 148.

Senate Bill No. 201 by Mr. Redwine, "An Act repealing sections 1, 2, 3, 4 and 5, Session Laws of 1907 and 1908, etc., the same being sections 6070, 6071, 6072, 6073 and 6074 of the General Statutes of 1908, entitled 'An Act to provide for a graduated tax on land, etc.' "

Int. 146; 2nd r. 148; rep. com. 270.

Senate Bill No. 202 by Mr. Yeager, "A n Act to provide for the inspection of oil, the appointment and compensation of chief oil inspector and deputy inspectors, and for other purposes, repealing chapter 27, of the Session Laws of 1908."

Int. 146; 2nd r. 148.

Senate Bill No. 203 by Messrs. Landrum and Keys, "An Act re-establishing a state home at Pryor Creek and naming it, providing for a board of control, fixing the compensation of its members, declaring their duties and providing for the admission of inmates and placing therein families."

Int. 146; 2nd r. 148; rep. com. 166; rep. com. w. 486; 3 r. 491.

Senate Bill No. 204 by Mr. Goulding, "An Act providing for the creation of a board of abstractors, defining their powers and duties, and declaring an emergency."

Int. 147; 2nd r. 155; rep com. 321.

Senate Bill No. 205 by Mr. Billups, "An Act to protect the wages of mechanics and laborers."

Int. 147; 2nd r. 155; rep. com. 381.

Senate Bill No. 206, by Mr. Brownlee, "An Act to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, chapter 34, Session Laws of Oklahoma 1895, entitled, 'An Act to provide for public inspector

of oil etc.,' also to repeal sections 1 to 7, inclusive, chapter 21, Session Laws of 1899, entitled, An Act to amend an act entitled an act to provide for the public inspector, etc.' "

Int. 147; 2nd r. 155.

Senate Bill No. 207 by Mr. Brownlee, "An act to provide for the division of Blaine county into two county court districts, designating court, towns, terms of court, and class of cases to be tried in each district."

Int. 147; 2nd r. 155.

Senate Bill No. 208 by Mr. Brownlee, "An Act ratifying a bond election held in the city of Geary, Blaine county, Oklahoma, and attached territory; and authorizing the board of education of the city of Greary, Blaine county, Oklahoma and attached territory to issue the bonds of said board of education in compliance with said election."

Int. 150; 2nd r. 155; rep. com. 192; 3d r. 226; S. and S. H. 226; op. 294, 303; ap. gov. 354.

Senate Bill No. 209 by Mr. Stewart, "An Act to regulate the holding of elections by counties, cities, towns, townships, and school districts, to authorie the same to become indebted to an amount not exceeding in any year the income and revenue provided for such year.

Int. 151; 2nd r. 155.

Senate Bill No. 210 by Mr. Johnson, "An Act to provide for the appointment of a state board of examiners, and for the examination and registration of nurses, and to provide penalties for the violation thereof.

Int. 151; 2nd r. 155.

Senate Bill No. 211 by Mr. Stafford, "An Act amending sections 1697, 1691 and 1701 of the General Statutes of Oklahoma, 1908, relating to libel and slander."

Int. 154; 2 r., 166; rep. com, 225; rep. com. w. 353; 3r. 367, 368; op. 372.

Senate Bill No. 212 by Mr. Stafford, "An Act to amend sections 598 of article 46, chapter 25, Wilson's Statutes of Oklahoma."

Int. 154; 2 r. 166.

Senate Bill No. 213 by Mr. Williams, "An Act to authorize the board of regents of the Normal Schools of the State of Oklahoma, to construct a heating plant for the southwestern Normal School at Weatherford, Oklahoma, making an appropriation, and declaring an emergency."

Int. 155; 2nd r. 166; rep. com. w. 432; 3r. 442; op. 444, 520; 4 r. 542; op 548.

Senate Bill No. 214 by Mr. Taylor, "An Act relating to burglary, defining the punishment therefor, and amending section 1450 of the General Statutes of Oklahoma, 1908."

Int. 155; 2nd r. 166.

Senate Bill No. 215 by Mr. Taylor, "An Act regulating procedure in the trial of civil actions by requiring notice as to whether a jury is demanded or not, and repealing all laws in conflict herewith."

Int. 155; 2nd r. 166.

Senate Bill No. 216 by Mr. Billups, "An Act providing for the man-

ner and procedure in leasing the public lands of the state, and declaring an emergency."

Int. 155; 2nd r. 166; rep com. 245; rep. com. w. 416; 417, 3 r. 424, 426, 427, 428; op. 431, 548, 549, 552; 4 r. 556.

Senate Bill No. 217 by Mr. Williams, "An Act defining and regulating the practice of optometry, and providing for the creation of a board of examiners in optometry."

Int. 159; 2nd r. 166; rep. com. 262.

Senate Bill No. 218 by Mrr. Billups, "An Act regulating the driving or operation of automobiles, or motor cycles on the public roads, highways or public streets of the State of Oklahoma."

Int. 159; 2nd r. 166; rep. com. 192.

Senate Bill No. 219 by Messrs. Franklin and Russell, "An Act providing for the appropriation for the maintenance and support of the district agricultural schools located at Tishomingo, Oklahoma ,and Warner, Oklahoma."

Int. 159; 2nd r. 166; rep. com. 181.

Senate Bill No. 220 by Mr. Russell, "An Act providing for the maintenance and government of the Oklahoma State School for the Blind, located and situated at Fort Gibson, Muskogee county, Oklahoma, and making an appropriation therefor."

Int. 160; 2nd r. 166; rep. com. 230; rep. com. w. 384; 3d r. 403, 404; op. 496, 497, 509, 510, 522; 4 r. 542; op. 548.

Senate Bill No. 221 by Mr. Russell, "An Act creating a Northwestern Normal School for the State of Oklahoma, making an appropriation therefor, and providing for the location thereof at the city of Muskogee."

Int. 160; 2nd r. 166; rep. com. 237; rep. com. w. 432.

Senate Bill No. 222 by Mr. Russell, "An Act to amend section 425 of the General Statues of Oklahoma, 1908.

Int. 160; 2nd r. 166; 3 r. 481 ;op 485.

Senate Bill No. 223 zy Messrs, Echols, Memminger and Stafford, "An Act creating a state board of public affairs prescribing their duties and compensation and declaring an emergency."

Int. 160; 2nd r. 166; rep. com. 333; op. 417, 418; 3 r. 429, 430; op. 431, 510, 526, 535, 548; 4 r. 556, 557.

Senate Bill No. 224 by Mr. Denton, "An Act regulating the divorce laws of Oklahoma."

Int. 160; 2nd r. 166.

Senate Bill No. 225 by Mr. Brownlee, "An Act concerning the payment of taxes to county treasurers, and sepcifying the manner in which said payment may be made and receipts executed therefor."

Int. 160; 2nd r. 166.

Senate Bill No. 226, by Mr. Brownlee, by request, "An Act creating liens upon female animals and the products, in favor of owners of stallions, jacks, bulls and other domestic animals kept for breeding purposes, for services rendered by any such animal, and providing for the recording of

breeders' hand-bills, certificates and acknowledgments of service of any female animal, and specifying the effect of such record."

Int. 160; 2nd r. 166; rep. com. 177, 237.

Senate Bill No. 227 by Mr. Wynne, "An Act to provide for improvement of streets and alleys, and the construction of sewers within towns and cities; and providing for the assessment of the cost thereof against property within organized districts.

Int. 160; 2nd r. 166; rep. com. 254; rep. com. w. 450; op 485.

Senate Bill No. 228 by Mr. aHtchett, "An Act relating to recorded and filed liens in counties of this state, limiting the time in which counties other than counties where such records are located; and providing that copies thereof may be filed in other counties."

Int. 164; 2nd r. 166; op. 269, 417; rep. com. 434; op. 475; 3 r. 480, 481; Ap. Gov. 559, 560.

Senate Bill No. 229 by Mr. Russell, "An Act to provide for the selection by the people of Oklahoma of a 'New Jerusalem, etc.' "

Int. 165; 2nd r. 171; rep. com. 552, 553; op. 317; rep. com. w. 352; 3 r. 366; op. 372, 381.

Senate Bill No. 230 by Mr. Billups, "An Act providing for the planting and cultivation of forest trees, and giving a bounty for the same."

Int. 165; 2nd r. 171.

Senate Bill No. 231 by Mr. Billups, "An Act providing that inmates of an asylum, may have one correspondent, and letters addressed to such correspondent to have no censorship.

Int. 165; 2nd r. 171; rep. com. 251.

Senate Bill No. 232 by Mr. Mitchell, "An Act providing salaries, for the clerks, of the district courts, and amending section 2928, chapter 27, of the General Statutes of Oklahoma, 1908."

Int. 166; 2nd r. 172.

Senate Bill No. 233, by Mr. Mitchell, "An Act relating to salaries of County Superintendents and amending Section 2923 of the General Statutes of Oklahoma, 1908."

Int. 166; 2nd r. 172.

Senate Bill No. 234 by Mr. Landrum: "An Act providing for publishing the laws or parts of laws of the State of Oklahoma, in some of the Indian languages, etc."

Int. 169; 2nd r. 172.

Senate Bill No. 235 by Mr. Russell: "An Act making an appropriation for the expenditures of the State Board of Agriculture."

Int. 169; 2nd r. 172.

Senate Bill No. 236 by Mr. Brownlee: "An Act to instruct the Senators and Representatives of the Legislative Assembly of the State of Oklahoma as to the Election of Senators in Congress and amending Section 11, of Article 2, Chapter 31 Session Laws of 1907-1908.'

Int. 170; 2nd r. 172.

Senate Bill No. 237 by Messrs. Smith and Franklin of the Senate and Mr. White of the House. "An Act creating the Office of County Tax As-

sessor, defining his qualifications, powers and duties, and abolishing the office of township assessor."

Int. 171; 2nd r. 179; rep. com. 333.

Senate Bill No. 238 by Mr. Taylor. "An Act providing a method by which proposed amendments to the Constitution shall be printed upon the official ballot."

Int. 171; 2nd r. 179; rep. com. 189, 273.

Senate Bill No. 239 by Messrs. Smith and Franklin of the Senate and Mr. White of the House, "An Act defining the qualifications, powers and duties of the County Clerks and Clerks of District Courts in certain counties."

Int. 171; 2nd r. 179.

Senate Bill No. 240 by Mr. Sorrells: "An Act to amend Section 1347 1349, 1357, 1360 and 1365 of the General Statutes of Oklahoma, relative to Sabbath Breaking."

Int. 177; 2nd r. 179.

Senate Bill No. 241 by Mr. Sorrells: "An Act creating district Miner's Examining Board; defining their duties and qualifications and providing for the maintenance thereof."

Int. 177; 2nd r. 179; rep. com. 270.

Senate Bill No. 242 by Mr. Taylor, by request, "An Act creating the office of Inspector of Steam Boilers and defining the duties and scope thereof."

Int. 177; 2nd r. 179; rep. com. 192.

Senate Bill No. 243 by Mr. Thomas, "An Act to provide the necessary expense, and for the payment of salaries of the employes of the bank commissioner; and making an appropriation therefor, from the State Treasury of Oklahoma."

Int. 178; 2nd r. 180; rep. com. 254; op. 520; 4 r. 542; op. 548.

Senate Bill No. 244 by Mr. Russell. "An Act relating to insects and diseases which are injurious to growing crops, etc., for the inspection of nursery agents."

Int. 178; 2nd r. 180.

Senate Bill No. 245 by Mr. Davis, "An Act making an appropriation for certain State Educational Institutions."

Int. 178; 2nd r. 180; rep. com. 320; rep. com. w. 466; 3r. 470; op 484, 520; 4 r. 538.

Senate Bill No. 246 by Mr. Davis. "A n Act making appropriations to the Oklahoma State Agricultural and Mechanical College for the erection and equipment of certain buildings and heating plants."

Int. 178; 2nd r. 180; rep. com. 227, 321; rep. com. w. 353, 384; 3 r. 392; op. 496, 514.

Senate Bill No. 247 by Mr. Graham. "An Act proposing an amendment to the Constitution of the State of Oklahoma, by adding to Article XXI of said Constitution a provision relating to the permanent location of the State Capital, and calling a special election at which said amendment shall be submitted to the qualified electors of the State, and declaring an emergency."

Int. 180; 2nd r. 185; rep. com. 319.

Senate Bill No. 248 by Mr. Graham. "An Act providing special election or elections in the State of Oklahoma to determine the permanent location of the State Capital, authorizing any city, town or place to become a candidate for the location of the State Capital, creating a State Capital Commission and defining its powers and declaring an emergency."

Int. 180; 2nd r. 186; rep. com. 252, 253; op. 317; rep. com. w. 352.

Senate Bill No. 249 by Mr. Goulding. "An Act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition of property of any corporation, joint stock association, co-partnership or individual, which said statements or publications are intended to give a less or greater apparent value to the shares, bonds or property or any part thereof of said corporation, joint stock association, co-partnership or individual than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor."

Int. 181; 2nd. r. 186; rep. com. 321.

Senate Bill No. 250 by Mr. Franklin. "An Act providing for the taking of the State census and collecting agricultural statistics and repealing all laws and parts of laws in conflict with this Act."

Int. 181; 2nd r. 186; rep. com. 228; rep. com. w. 466; 3r. 471; op. 484; 4 r. 555; op. 556.

Senate Bill 251 by Mr. Hatchett. "An Act providing rules for the impeachment of witnesses."

Int. 182; 2nd r. 186; rep com. 316.

Senate Bill No. 252 by Mr. Redwine. "An Act authorizing the Board of Control to build, construct, and equip a State Penitentiary at McAlester, Oklahoma, to be known as the State Penitetiary. Providing for the officers, guards and employees of said penitentiary, and fixing their salaries; providing for the management, control and government of said penitentiary, and making an appropriation for the building of said penitentiary and declaring an emergency."

Int. 182; 2nd r. 186; rep. com. w. 450.

Senate Bill No. 253 by Messrs. Franklin and Hatchett. "An Act providing for the judicial annullment of invalid marriages; the granting of divorce and regulating the procedure thereunder; providing for alimony and the care, custody and maintenance of children of divorced persons."

Int. 185; 2nd r. 195; rep. com. 319.

Senate Bill No. 254 by Mr. Memminger. "An Act defining usury, fixing the legal rate of interest, and requiring all plaintiffs in suits upon promisory notes, due bills, bonds or other evidence of indebtedness to allege that there is no usurious interest in the amount sued for; and providing that false swearing as to the same shall be perjury."

Int. 185; 2nd r. 195.

Senate Bill No. 155 by Messrs. Memminger of the Senate and Humphries of the House. "An Act to locate and establish the Oklahoma School for the deaf and making an appropriation for building thereof."

Int. 185; 2nd r. 195; rep. com. 230, 350.

Senate Bill No. 256 by Mr. Goulding. "An Act to amend Section

1065, Chapter 14, of the General Statutes of Oklahoma, 1908, entitled, Building and Loan Associations."

Int. 190; 2nd r. 195; rep. com. 373.

Senate Bill No. 257 by Mr. Sorrells, "An Act amending section 5642 of the General Statutes of Oklahoma, 1908, and declaring an emergency."

Int. 190; 2nd r. 195; rep. com. 286; op. 444.

Senate Bill No. 258 by Mr. Yeager. "An Act providing for the transfer of guardianship proceedings, and the removal of guardians in certain cases and providing a procedure therefor."

Int. 190; 2nd r. 195.

Senate Bill No. 259 by Mr. Brownlee. "An Act defining the qualifications of district and county judges in certain cases, and providing the manner for the selection of a judge pro tem to try said cause; and declaring an emergency."

Int. 191; 2nd r. 195; rep. com. 209.

Senate Bill No. 260 by Mr. Thomas. "An Act to establish a board of Commissioners for the promotion of Uniformity of Legislation in the United States."

Int. 193; 2nd r. 196.

Senate Bill No. 261 by Mr. Graham. "An Act to provide for the compiling, collecting, revising, digesting, suggesting additional legislation, adopting to the Constitution of the State and public laws of the State of Oklahoma, creating a commission to form a code of laws of the State of Oklahoma, defining their duties and providing for their compensation and expenses."

Int. 193; 2nd r. 196; rep. com. 227; rep. com. w. 277; 3 r. 273, 294, 295, 296, 297, 298; op. 295, 302, 465, 476, 487, 489, 490, 496; 4 r. 496; op. 497; Ap. Gov. 559.

Senate Bill No. 262 by Mr. Davis of the Senate and Mr. White of the House. "An Act to provide better protection for the exemption of the wages and earnings of laborers, servants and employees of any individual, firm or corporation, engaged in interstate business, and declaring an emergency."

Int. 193; 2nd r. 196.

Senate Bill No. 263 by Mr. Brownlee, by request. "An Act repealing Section 18, Article 14 of Chapter 25 of the Statutes of 1893 and declaring an emergency."

Int. 195; 2nd r. 200.

Senate Bill No. 264 by Mr. Brownlee. "An Act providing for the condemning and buying of land on Salt Creek in Blaine county, Oklahoma."

Int. 195; 2nd r. 200; rep. com. 321.

Senate Bill No. 265 by Mr. Davis. "An Act relating to Judicial Districts, defining the boundaries of the 9th, 12th, 21st and 22nd Judicial districts, and providing for holding terms of court therein and providing for a District Judge in the 22nd District and declaring an emergency."

Int. 198; 2nd r. 200; rep. com. 325; rep. com. w. 353; 3 r. 368; op. 372; op. 416; 4 r. 432; op. 449, 557.

Senate Bill No. 266 by Mr. Taylor. "An Act amending Sections 9

and 10 of the Session laws of Oklahoma, 1907 and 1908, relating to County Weighers, defining their powers and duties."

Int. 198; 2nd r. 200; 3 r. 296, 297, 380, 389; op. 393, 519, 520; 4 r. 538.

Senate Bill No. 267 by Mr. Cunningham. "An Act authorizing Boards of County Commissioners in the counties of Oklahoma to purchase and sell real and personal property under certain restrictions."

Int. 198; 2nd r. 200.

Senate Bill No. 268 by Mr. Wynne. "An Act making an appropriation for the support and maintenance of the State University at Norman for the biennial period beginning July 1st, 1909, and ending June 30th, 1911 and for other and miscellaneous purposes."

Int. 198; 2nd r. 200; rep. com. 361; rep. com. w. 432; 3 r. 455, 456, op. 457, 536; 4r. 538; op. 550.

Senate Bill No. 269 by Johnson and Keys. "An Act repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 12, of chapter 12, of the Session Laws of 1908."

Int. 201; 2 r. 205.

Senate Bill No. 270 by Mr. Goulding. "An Act to amend section 3,of chapter 6, of the Session Laws, of 1907-08, relating to banks and banking."

Int. 201; 2nd r. 205.

Senate Bill No. 271 by Mr. Davis. "An Act creating a commission to revise, digest, and codify the laws of Oklahoma, defining its duties; providing for clerical assistance, and for the publication and distribution of its report; and declaring an emergency."

Int. 201; 2nd r. 205.

Senate Bill No. 272 by Mr. Echols. " An Act for the encouragement of Farmers' Institutes, and authorizing the county clerks to draw warrants, under certain conditions."

Int. 201; 2nd r. 205; rep. com. 228.

Senate Bill No. 273 by Mr. Morris. "An Act providing for holding county court at the town of Hooker, in Texas county ,Oklahoma."

Int. 203; 2nd r. 205; rep com. 286; rep. com. w. 319; 3 r. 337; op. 345; 4 r. 555, op. 556.

Senate Bill No. 274 by Mr. Franklin. "An Act to amend Section 5 of Article 13, Chapter 25, of the General Statutes of Oklahoma, 1893, being running Section 2007, and repealing all laws in conflict with this Act."

Int. 203; 2nd r. 205; rep. com. 223.

Senate Bill No. 275 by Mr. Mitchell. "An Act amending sections 14 and 15, Chapter 31 of the Session Laws of the Territory of Oklahoma for the year 1897, and making an appropriation for animals killed in accordance with its provisions."

Int. 203; 2nd r. 205; rep. com. 343; rep. com. w. 434; 3 r. 457, 458; op. 463, 490; 4 r. 496; op 497.

Senate Bill No. 276 by Mr. Stafford, by request. "An Act to prevent white lead poisoning."

Int. 205; 2nd r. 219.

Senate Bill No. 277 by Mr. Williams. "An Act to provide the necessary expense of the state government for the fiscal years ending June 30th, 1910, and June 30th, 1911; and making appropriations therefor from the state treasury of the State of Oklahoma."

Int. 208; 2nd r. 219; rep. com. 256; 3 r. 337, 355; op. 355; 540, 541, 545, 546, 547, 4 r. 555; op. 556, 557.

Senate Bill No. 278 by Mr. Soldani. "An Act relating to fees and salaries of clerks of the District Court."

Int. 209; 2nd r. 219.

Senate Bill No. 279 by Mr. Davis. "An Act to provide for the publication of measures and questions submitted to a vote of the people and declaring an emergency."

Int. 209; 2nd r. 219; rep. com. 469.

Senate Bill No. 280 by Mr. Thomas. "An Act to authorize the Board of County Commissioners and other officers to contract for public printing, stationery and supplies and declaring an emergency."

Int. 209; 2nd r. 219.

Senate Bill No. 281 by Mr. Keys. "An Act providing for the holding of sessions of the County Court of Mayes county, Oklahoma, at Salina, in said county."

Int. 210; 2nd r. 219; rep. com. 296; rep. com. w. 319.

Senate Bill No. 282 by Mr. Morris. "An Act to amend Section 1, Chapter 24 of the Session Laws of Oklahoma, 1895."

Int. 214; 2nd r. 219; rep. com. 291; 3 r. 386; op. 399.

Senate Bill No. 283 by Mr. Davis. "An Act to regulate the use of natural gas and fixing penalties for the violation of this Act and declaring an emergency."

Int. 214; 2nd r. 223; rep. com. 273.

Senate Bill No. 284 by Mr. Hatchett. "An Act providing for collection of costs and attorneys' fees in suits to acquire title or remove cloud from real estate."

Int. 214; 2nd r. 223.

Senate Bill No. 285 by Mr. Russell. "An Act to amend Section 4 of Article 1, of Chapter 33, of the Session Laws of Oklahoma, 1905, relating to consolidating of school districts.

Int. 221; 2nd r. 223; rep. com. 310.

Senate Bill No. 286 by Mr. Blair. "An Act authorizing witnesses in any case, civil or criminal, upon cross-examination to be interrogated as to offenses with which they may have been charged and for which they have been imprisoned or for which they have been convicted involving moral turpitude, and prohibiting persons convicted of felony from testifying in any court in this State, unless such person has been pardoned and had his citizenship restored by the Governor, except a defendant in his own behalf."

Int. 221; 2nd r. 223; rep com. 262.

Senate Bill No. 287 by Mr. Cunningham. "An Act authorizing the establishment of a State Rescue Home for fallen women and girls."

Int. 221; 2nd r. 223, op. 228; rep. com. 251; 3 r. 467; op. 470.

Senate Bill No. 288 by Mr. Morris. "An Act to determine the steps requisite to be taken by certain public service corporations under the constitution and laws of this State to become a domestic corporation and limiting the right of such corporation organized under the laws of other states or territories of the United States to become such domestic corporation."

Int. 221; 2nd r. 223; op. 278; rep. com. 299; rep. com. w. 344; 3 r. 349; op. 490, 492; 4 r. 500.

Senate Bill No. 289 by Mr. Roddie. "An Act to provide for the location and establishment of a factory for the manufacture of cotton bags, cotton sacks and cotton twine by the Board of prison control of the State Penitentiary, for the employment of managing experts, and of certain state convicts in the operation of said factory and to make an appropriation therefor."

Int. 221; 2nd r. 223; rep. com. 237.

Senate Bill No. 290 by Mr. Strain. " An Act to provide for the filing of claims and accounts against the State, the issuing of warrants in payment thereof, the repeal of all laws in conflict, and declaring an emergency.'

Int. 223; 2nd r. 229; rep. com. 362; rep. com. w. 432; 3 r. 443; op. 444; rep. com. w. 466.

Senate Bill No. 291 by Mr. Soldani of the Senate, and Mr. Maris of the House. "An Act providing for the construction of bridges, and repealing section 7, of article11, of chapter 23, of the Laws of Oklahoma, 1903."

Int. 228; 2nd r. 229; rep. com. 270; rep. com. w. 306; 3 r. 313; op. 315, 548, 555, 556.

Senate Bill No. 292, by Mr. Hatchett. "An Act providing for a pardon attorney to the governor; defining his duties and compensation, and declaring an emergency."

Int. 228; 2nd r. 229.

Senate Bill No. 293 by Mr. Strain. "An Act to provide for holding sessions of the County court of Nowata county, Oklahoma, at Wann Oklahoma."

Int. 229; 2nd r. 235; rep. com. 310; rep. com. w. 319; with f. con. 347.

Senate Bill No. 294 by Mr. Mitchell. "An Act providing for the construction of a system of improved highways; for the creation of improved highway districts; authorizing and providing for the issuance of bonds, and other evidence of indebtedness of such districts; and, providing for the levy of tax in payment of such indebtedness; and expense of construction; and providing for viewers and the appointment of improved highway commissioners, and engineers; conferring additional powers on certain officers and extending the right of eminent domain; and carrying into effect certain provisions of the constitution."

Int. 230; 2nd r. 235.

Senate Bill No. 295 by Mr. Echols. "An Act authorizing boards of education to construct and maintain two or more school houses in any school district in this state."

Int. 231; 2nd r. 235; rep. com. 308; rep. com. w. 466; 3 r. 472, 473; op. 484, 548; 4 r. 553; op. 556.

Senate Bill No. 296 by Mr. Landrum. "An Act to amend section 6, of chapter 10, article 2, of the Session Laws of Oklahoma, 1905."

Int. 231; 2 r. 235.

Senate Bill No. 297 by Mr. Williams. "An Act making an appropriation for the improvement, support, care and maintenance of the Hospital for the Insane at Fort Supply for the fiscal years ending June 30th, 1910 and June 30th, 1911.

Int. 232; 2nd r. 235; rep. com. 332; rep. com. w. 432; 3 r. 444; op. 437, 542, 543, 548, 550, 553; 4 r. 557.

Senate Bill No. 298 by Mr. Thomas. "An Act authorizing and directing the commissioners of the land office to plat and sell the east half of the northeast quarter of section thirty-six (36), township two (2) north, range twelve (12), west of the Indian meridian, in Comanche county for townsite purposes."

Int. 232; 2 r. 235; rep. com. w. 319; 3 r. 338; op. 345.

Senate Bill No. 299 by Mr. Taylor. "An Act providing for the appointment of a city or town marshal, amending section 19, of article 4, of chapter 12, and section 40, of article 1, of chapter 13, of Wilson's Revised Statutes, 1903."

Int. 232; 2nd r. 235; rep. com. 278; 3 r. 278, 279, 283; op. 286.

Senate Bill No. 300 by Mr. Graham. "An Act for the better protection of homes, defining certain acts and things to be a nuisance, providing punishment therefor; and declaring an emergency."

Int. 233; 2 r. 235.

Senate Bill No. 301 by Mr. Russell, by request. "An Act in regard to unfairness in business."

Int. 235; 2 r. 239.

Senate Bill No. 302 by Mr. Sorrells. "An Act prescribing the conditions upon which public work shall be done, in behalf of the state, or its municipalities, prescribing penalties for the violation thereof."

Int. 236; 2 r. 239; rep. com. 273; 3 r. 390; op. 407, 509; 4 r. 537; op. 538.

Senate Bill No. 303 by Mr. Williams. "An Act making an appropriation for the expenses of the state board of health for the fiscal years ending June 30th, 1910, and June 30th, 1911."

Int. 236; 2 r. 240; rep. com. 254; 3 r. 390; op. 496; 4 r. 500; op. 514.

Senate Bill No. 304 by Mr. Williams. "An Act making an appropriation for the support and maintenance of the board of agriculture for the fiscal years ending June 30th, 1910, and June 30th, 1911."

Int. 236; 2 r. 240; rep. com. 291; 3 r. 401; op. 411, 496; 4 r. 500.

Senate Bill No. 305 by Mr. Williams. "An Act to prohibit the state officers, either elected or appointed, from expending any money, or creating any deficit in his department, in excess of the amount of money appropriated by the legislature for any fiscal year, or any part of any fiscal year, during his tenure of office; prescribing penalties for the violation of this act, and declaring an emergency."

Int. 236; 2 r. 240; rep. com. 319; rep. com. w. 486; 3 r. 493, 493.

Senate Bill No. 306, by Mr. Franklin. "An Act to amend section 33

article 9, of the constitution, providing for the establishment of switch tracks to local industries, and authorizing the corporation commissioners to apportion the expense of the same."

Int. 237; 2 r. 240; rep. com. 278; rep .com. w. 434; 3 r. 450; op. 457.

Senate Bill No. 307 by Mr. Franklin. "An Act to extend the jurisdiction of the corporation commission, to require proper and suitable crossings for all streets and highways, and private farm crossings over all railroad tracks, in the State of Oklahoma."

Int. 237; 3 r. 240; rep. com. 248; rep. com. w. 434; 3 r. 450; op. 457.

Senate Bill No. 308 by Mr. Franklin. "An Act prescribing the procedure in cases appealed from the corporation commission to the Supreme court."

Int. 237; 2 r. 240; rep. com. 267; rep. com. w. 434; 3 r. 450, 451; s. s. 457.

Senate Bill No. 309 by Mr. Franklin. "An Act to amend section 1, of article 4, of An Act of the Legislature of the State of Oklahoma, approved May 22nd, 1908, entitled, An Act defining the duties of the commissioner of labor; prescribing the duties of the chief clerk thereof, and providing laws in relation to labor in the mining, transportation, mechanical and manufacturing industries of the state; to create the state board of arbitration and conciliation, to create a free employment bureau, and providing for the regulation of private employment agencies; to provide for sanitary inspection of factories and workshops and the proper equipment thereof, and declaring a nemergency; and repealing all laws in conflict with this Act."

Int. 237; 2 r. 240; rep. com. 266; rep. com. w. 466; 3 r. 471, 472; op. 484.

Senate Bill No. 310 by Mr. Cunningham. "An Act providing for the purchase of a half section of land for the use and extension of the agricultural department of the Colored Agricultural and Normal University at Langston, Oklahoma."

Int. 237; 2 r. 240; op. 295.

Senate Bill No. 311 by Mr. Cunningham. "An Act to authorize all incorporated cities of the first class, and the boards of education therein all and all incorporated cities and towns to establish public depositories for all funds whatsoever kind, and prescribing for failure to do so, and other purposes; and declaring an emergency."

Senate Bill No. 312 by Mr. Brownlee. "An Act to provide for the division of Kingfisher county, into two county court districts, designating Hennessey and Kingfisher as court towns at which places respectively, shall be held alternate sessions of the County court."

Int. 239; 2 r. 249; rep. com. 352; 3 r. 386; op. 399.

Senate Bill No. 313 by Mr. Stafford. "An Act relating to the incorporation and government of cities and towns of Oklahoma; and declaring an emergency."

Int. 239; 2 r. 249.

Senate Bill No. 314 by Mr. Brownlee. "An Act authorizing the sale of forty-six acres of public land in section sixteen in township sixteen, north

of range seven, west of the Indian meridian, in Kingfisher county, Oklahoma; and authorizing the city of Kingfisher to purchase at its appraised value, the said real estate for cemetery purposes; and declaring an emergency."

Int. 239; 2 r. 249; rep. com. 319; 3 r. 385; op. 399, 557; 4 r. 558; op 560.

Senate Bill No. 315 by Mr. Williams. "An Act making an appropriation for the support and maintenance of the Oklahoma State Mining Board for the two fiscal years ending respectively June 30th, 1910, and June 30th, 1911.

Int. 242; 2 r. 249; rep. com. 270; 3 r. 390, 391; o p. 387, 520; 4 r. 542; op. 548.

Senate Bill No. 316 by Mr. Williams. " An Act making an appropriation for the support and maintenance of the pure food , dairy and drug commission for the two fiscal years ending respectively, June 30, 1910, and June 30, 1911.

Int. 242; 2 r. 249; rep. com. 270; rep. com. w. 432; 3 r. 438; op. 458.

Senate Bill No. 317 by Mr. Williams. "An Act making an appropriation for the support and maintenance of the Oklahoma State Library for the two fiscal years ending respectively June 30, 1910 and June 30, 1911.

Int. 242; 2 r. 249; rep. com. 270; 3 r. 391; op. 416; 4 r. 500; s. gov. 514.

Senate Bill No. 318 by Mr. Williams. "An Act making an appropriation to pay the expenses of the Oklahoma Geological Survey, for the fiscal years ending June 30th, 1910, and June 30th, 1911.

Int. 242; 2 r. 249; rep. com. 270; 3 r. 391, 392, 399, 400; op. 496; 4 r. 500.

Senate Bill No. 319 by Mr. Stafford. "An Act to amend section 1 of article 1, of chapter 9 of the Session Laws of the Territory of Oklahoma, for the year 1903, as the same amends section 12, of article 1, chapter 17 of the statutes of 1893."

Int. 242; 2 r. 249; rep. com. 319.

Senate Bill No. 320 by Mr. Johnson. "An Act making an appropriation for the purpose of paying the necessary expenses incurred by the county election officers in the election held, September 17, 1907; and declaring an emergency."

Int. 243; 2 r. 249; op. 291; rep. com. 350.

Senate Bill No. 321 by Mr. Cordell. "An Act as substituted by the joint committee fixing the fees and salaries of the clerks of the District court, Register of Deeds, County Surveyors, County Superintendents of Public Instruction, Notary Public; and providing for the assistance and clerical help for such officers."

Int. 246; 2 r. 249.

Senate Bill No. 322 by Mr. Chapman. "An Act to provide for making available to various educational institutions, the income, rentals, interest and proceeds from certain lands; and making an appropriation of such funds, designing a name by which such funds shall hereafter be known; and declaring an emergency."

Int. 246; 2 r. 249; rep. com. 320; 3 r. 408; op. 416; 537; 542, 544, 548, 556.

Senate Bill No. 323 by Mr. Williams, "An Act making an appropriation to pay the expense of state printing, and the expense of the state printing department for the two fiscal years ending June 30th, 1910, and June 30th, 1911."

Int. 246; 2 r. 249; rep. com. 270; 3 r. 400; op. 416, 518, 538, 539, 541, 542.

Senate Bill No. 324 by Mr. Williams, "An Act making an appropriation for the support and maintenance of the Oklahoma National Guard, for the two fiscal years ending respectively June 30th, 1910, and June 30th, 1911."

Int. 247; 2 r. 249; rep. com. 350; 3 r. 401, 402; op. 416, 520; 4 r. 542; op. 548.

Senate Bill No. 325 by Mr. Williams, "An Act making an appropriation to pay the expenses of the State Bank Commissioner's office for the two fiscal years ending respectively June 30th, 1910, and June 30th, 1911."

Int. 247; 2 r. 249; rep. com. 315.

Senate Bill No. 326 by Mr. Newell, "An Act to amend section 6, chapter 29, of the Session Laws of Oklahoma, 1903, relating to roads and highways."

Int. 247; 2 r. 250.

Senate Bill No. 327 by Mr. Billups, "An Act entitled 'and Act legalizing Indian marriages entered into by authority of the department of the interior.' "

Int. 247; 2 r. 250; rep. com. 308; 3 r. 383; op. 399; 4 r. 556.

Senate Bill No. 328 by Mr. Billups, "An Act entitled 'An Act to legalize acknowledgements, oaths and affirmations, etc.' "

Int. 247; 2 r. 250; ref. s. com. 483.

Senate Bill No. 329 by Mr. Goulding, "An Act to amend 'An Act creating the office of county attorney, and defining the duties of such officers, and making provisions for the compensation of the same; and providing for the appointment of a deputy county attorney, or deputies, and his compensation, amending section 1775 of the Session Laws of 1890, of Oklahoma; and repealing all acts, and parts of acts in conflict with this act."

Int. 248; 2 r. 251.

Senate Bill No. 330 by Mr. Stafford, "An Act to create the office of state printer, establish a state printing commission, define their respective powers and duties, and regulate state and county printing in certain cases; and declaring an emergency."

Int. 255; 2 r. 257; rep. com. 350; rep. com. w. 486; 3 r. 490; op. 542.

Senate Bill No. 331 by Mr. Hatchett, "An Act to prohibit pool selling, book making, bets and wagers, and providing penalty for the violation thereof; and declaring an emergency."

Int. 255; 2 r. 257.

Senate Bill No. 332 by Mr. Wynne, "An Act to authorize the citizens of certain townships to vote bonds for the purpose of building a bridge across the South Canadian River."

Int. 255; 2 r. 257; rep. com. 308; rep. com. w. 319; 3 r. 326, 327; op. 336, 491, 497; 4 r. 500; op. 514.

Senate Bill No. 333 by Mr. Redwine. "An Act making an appropriation for the care and maintenance of the state prisouers for the fiscal year ending June 30th, 1910, and the fiscal year ending June 30th, 1911."

Int. 255; 2 r. 257; rep. com. 308; rep. com. w. 319; 3 r. 326, 327; op. 491, 497; 4 r. 542; op. 548.

Senate Bill No. 334 by Mr. Redwine. 'An Act making an appropriation for the transportation of prisoners to the state penitentiary."

Int. 256; 2 r. 257; rep. com. 308, 320; 3 r. 474; op. 484, 520; 4 r. 542; op. 548.

Senate Bill No. 335 by Mr. Cordell. "An Act to amend section 108, of article 7, of chapter 19, of Wilson's Revised Statutes."

Int. 256; 2 r. 257.

Senate Bill No. 336 by Mr. Cordell. "An Act to amend section 12, article 1, of chapter 14, of the Session Laws of Oklahoma, 1905, entitled 'Children's Aid Societies.' "

Int. 256; 2 r. 257; rep. com. 315.

Senate Bill No. 337 by Mr. Roddie. "An Act establishing the Industrial and Mechanical Art School for Negroes at Boley, Oklahoma, and making an appropriation therefor."

Int. 256; 2 r. 258; p. cal. 372; rep. com. 417; 3 r. 441, 442; rep. com. w. 450; op. 459.

Senate Bill No. 338 by Mr. Morris. "An Act legalizing the incorporation of the town of Hooker, in the County of Texas, State of Oklahoma, and to legalize the election and proceedings of the Trustees and all other officers of said town and their actions and doings as suhch officers."

Int. 266; 2 r. 269; rep. com. 286; rep. com. w. 319; 3 r. 337, 338; op. 345; 4 r. 424; op. 426; Ap. Gov. 457.

Senate Bill No. 339 by Mr. Eggerman. "A bill to prevent the use of cigarettes by minor children in the State of Oklahoma, making it a misdemeanor for any person to furnish cigarettes, etc."

Int. 273; 2 r. 276; rep. com. 308.

Senate Bill No. 340 by Mr. Williams. "An Act making an appropriation to pay the salaries of the Clerk of the Supreme court and assistants, for the two fiscal years ending respectively, June 30th, 1910, and June 30th, 1911, and declaring an emergency."

Int. 273; 2 r. 276; rep. com. 315; 3 r. 403.

Senate Bill No. 341 by Mr. Memminger. "An Act to amend Section 214, Article 15, of Chapter 18 of the Statutes of Oklahoma, 1903."

Int. 278; 2 r. 282; rep. com. 461.

Senate Bill No. 342 by Mr. Cunningham. "An Act relating to the liability of railroad companies for damages to property resulting from the operation of railroads."

Int. 279; 2 r. 282.

Senate Bill No. 343 by Mr. Thomas. "An Act amending section 3951 of the Statutes of Oklahoma, 1893."

Int. 282; 2 r. 292; rep. com. 308; 3 r. 402, 403.

Senate Bill No. 344 by Mr. Goulding. "An Act ratifying and validating the action of the city council of the City of Enid, Oklahoma, vacating the alley in and through block 43 in Kenwood addition to the City of Enid, Oklahoma; and providing that said alley, in and through said block, shall revert back to the owner of the abutting property and depriving the said City of Enid, Oklahoma, and the City Council of said City, of any power to reclaim the said alley in the said block, so vacated; and vesting the title to said alley so vacated in the owner of the abutting property; and declaring an emergency."

Int. 286; 2 r. 292; rep. com. w. 319; 3 r. 326; op. 411; 4 r. 411; Ap. Gov. 457.

Senate Bill No. 345 by Mr. Mitchell. "An Act legalizing the incorporation of Arnett, Ellis county, Oklahoma, and to legalize the proceedings and all acts done by the election officials and the Board of Trustees of said Town of Arnett."

Int. 286; 2 r. 292; rep. com. w. 319; 3 r. 326; 328; op. 411; 4 r. 411; Ap. Gov. 456.

Senate Bill No. 346 by Mr. Morris. " An Act to legalize the incorporation of the town of Texhoma, in the county of Texas, State of Oklahoma, and to legalize the election and proceedings of the trustees and other officers of said town, and their actions and doings as such officers; and for other purposes."

Int. 290; 2 r. 292; rep. com. 308; rep. com. w. 319; 3 r. 325; op. 328; 336; 4 r. 411; Ap. Gov. 456.

Senate Bill No. 347 by Mr. Hatchett. "An Act to legalize and validate the bonds of boards of education of cities."

Int. 296; 2 r. 302.

Senate Bill No. 348 by Mr. Wynne. "An Act amending Section 18, of Article 8, Chapter 77, of the Session Laws of Oklahoma, 1908, and declaring an emergency."

Int. 298; 2 r. 302; rep. com. 315.

Senate Bill No. 349 by Mr. Smith. "An Act providing for the qualification and jurisdiction of the clerks of the District courts, fixing their fees and salaries and providing for the appointment of deputies to clerks and providing compensation for the same, repealing all laws in conflict, and declaring an emergency."

Int. 301; 2 r. 302; rep. com. 311 op. 343; rep. com. w. 460 3 r. 467; 468; S. S. H. 470.

Senate Bill No. 350 by Mr. Cunningham. "An Act requiring Boards of County Commissioners to repay taxes collected under Article 9, Chapter 31, Laws of 1908, and declaring an emergency."

Int. 305; 2 r.. 311; rep. com. 460.

Senate Bill No. 351 by Mr. Williams. "A bill to be entitled an act making an appropriation to defray the expenses incident to codifying and revising the laws of the State of Oklahoma, and declaring an emergency."

Int. 305, 306; 2 r. 311; rep. com. 332; rep. com. w. 432; 3 r. 439; 448; op. 457, 537, 542, 543, 547; 4 r. 556, 557.

Senate Bill No. 352 by Mr. Yeager. "An Act to create and locate the

Technical and Manual Training School for Young Men at Tulsa, Oklahoma, and providing for an appropriation."

Int. 308; 2 r. 311; P. Cay. 372; rep. com. 417; 3 r. 454; op. 457.

Senate Bill No. 353 by Mr. Cunningham. "An Act to enable the County Clerk to divide the total amount of taxes on land of two or more parties that has been assessed to one party, and declaring an emergency."

Int. 308; 2 r. 311.

Senate Bill No. 354 by Mr. Goulding. "An Act relating to Mutual Hail Insurance Companies."

Int. 309; 2 r. 311; rep. com. 319; rep. com. w. 466.

Senate Bill No. 355 by Mr. Allen, by request. "An Act providing for twenty-one district court judicial districts in the State of Oklahoma, and judges therefor; providing for an additional judge in the Seventh district, and declaring an emergency."

Int. 318; 2 r. 323.

Senate Bill No. 356 by Mr. Goulding. "An Act repealing Section 2026 of the Session Laws of 1893 of Oklahoma, etc."

Int. 321; 2 r. 335; rep. com. 332, 437; rep. s. com. 473; 3 r. 473.

Senate Bill No. 357 by Mr. Williams. "An Act creating the position of Warrant Clerk of the State Treasurer's Office and fixing compensation therefor."

Int. 332; 2 r. 335; rep. com. w. 434; 3 r. 441; op. 444, 520; 4 r. 538.

Senate Bill No. 358 by Messrs Chapman and Williams. "An Aca converting the surplus funds derived from Territorial levies to the use and benefit of the Educational Institutions for which these levies were made, and declaring an ememgency."

Int. 332; 2 r. 335; rep. com. 350; rep. com. w. 432; 3 r. 442; op. 444, 520; 4 r. 542; op. 548.

Senate Bill No. 359 by Mr. Yeager, by request. "An Act making an appropriation for the expenses of the litigation involving the use of the highways in this State for the piping of natural gas.

Int. 332; 2r. 335; rep. com. 350; rep. com. w. 432; op. 483, 484.

Senate Bill No. 360 by Mr. Russell. "An Act creating the Eastern Normal School at Bokoshe, Leflore county, and making an appropriation for a suitable building therefor.'

Int. 333; 2 r. 335.

Senate Bill No. 361 by Mr. Franklin. "An Act to vitalize section two of article fourteen of the constitution, prescribing the rate of interest; defining usury and what shall constitute extortion; and prescribing penalties for the violation of this Act.'

Int. 335; 2 r. 347.

Senate Bill No. 362 by Mr. Landrum. "An Act prohibiting the use of wooden Indians as signs or advertisements by dealers in tobacco and cigars.'

Int. 335; 2 r. 347.

Senate Bill No. 363 by Mr. Updegraff. "An Act for the sale of the northeast quarter of section thirty-six (36), township twenty-three (23),

north, of range twenty-one (21), west of the Indian meridian in Woodward county Oklahoma, etc.'

Int. 340; 2 r. 347.

Senate Bill No. 364 by Mr. Redwine. "An Act vitalizing and extending the provisions of Section 43, Article IX of the Constitution, requiring corporations to publish annual reports, and declaring an emergency."

Int. 340; 2 r. 347.

Senate Bill No. 365 by Mr. Williams. "An Act providing the necessary expense for the State Election Board and for conducting elections for the fiscal years ending June 30th, 1910 and June 30th, 1911 and making an appropriation therefor."

Int. 350; 2 r. 355; rep. com. 361; rep. com. w. 432; 3 r. 442; op. 444, 537, 542, 543, 551, 553, 557.

Senate Bill No. 366 by Mr. Allen. "An Act to amend Section 2, of Article 1, Chapter 27, Session Laws 1907-08, relating to the jurisdiction of County court."

Int. 350; 2 r. 355.

Senate Bill No. 367 by Mr. Stafford. "An Act authorizing the Commissioners of the Land Office to sell a part of the northwest quarter (1-4) of section numbered sixteen (16) of township numbered twelve (12) of range numbered seven (7) west of the Indian meridian to the Commercial club of El Reno."

Int. 352; 2 r. 355.

Senate Bill No. 368 by Mr. Warren, by request. "An Act to regulate the practice of public accounting, etc."

Int. 362; 2 r. 355.

Senate Bill No. 369 by Mr. Soldani. "An Act creating a separate judicial district of the counties of Washington and Osage, to be known as District No. 24."

Int. 352; 2 r. 355; op. 362.

Senate Bill No. 370 by Mr. Yeager. "An Act to detach the County of Payne from the Twenty-first district Court Judicial district, and add to the Twelfth District Court Judicial district."

Int. 253; 2 r. 355.

Senate Bill No. 371 by Mr. Mitchell. "An Act to legalize the incorporation of the town of Shattuck, in the county of Ellis, State of Oklahoma, and to legalize the election of the trustees and all othe officers of the said town, and their actions and doings as such officers, and for other purposes."

Int. 360; 2 r. 371; 3 r. 385, 386; op. 399 465; 4 r. 484; op. 486; Ap. Gov. 488, 588.

Senate Bill No. 372 by Messrs. Franklin, Billups, and Taylor. "An Act to provide for the calling of special elections under the initiative and referendum powers reserved to the people by the Constitution."

Int. 362: 2 r. 371; rep. com. 372; rep. com. w. 384; 3 r. 397; op 399; 485; 4 r. 489; op. 491; Ap. Gov. 559.

Senate Bill No. 373 by Mr. Taylor. "An Act authorizing the Commissioner of Labor to establish a Branch Free Employment agency on the east side of this state, etc."

Int. 362; 2 r. 371; rep. com. 381; rep. com. w. 434; 3 r. 438; op. 433, 520; 4 r. 538.

Senate Bill No. 374 by Mr. Redwine. "An Act to require the Supreme court to give its opinion upon important questions and upon solemn occasions, and declaring an emergency."

Int. 373; 2 r. 383; rep. com. 399; 3 r. 491.

Senate Bill No. 375 by Mr. Wynne. "An Act creating a board of state bridge commissioners, etc."

Int. 389; 2 r. 406.

Senate Bill No. 376 by Mr. Roddie. "An Act authorizing the commissioners of the land office to issue patents and accept first mortgages in certain cases, and declaring an emergency."

Int. 399; 2 r. 406; rep. com. 417; 3 r. 448; op. 457, 541; 4 r. 553; op. 556.

Senate Bill No. 377 by Mr. Warren. "An Act to regulate the sale of cocaine and preparations containing cocaine, etc."

Int. 399; 2 r. 406; op. 433; rep. com. w. 486; 3 r. 490; S. S. H. 491.

Senate Bill No. 378 by Mr. Morris. "An Act for the sale of the northwest quarter of section thirty-six of township 23 north of range twenty-one west of the Indian meridian in Woodward county, etc."

Int. 399; 2 r. 406; rep. com. 419; 3 r. 420; op. 426, 496; 4 r. 493; Ap. Gov. 560.

Senate Bill No. 379 by Mr. Wynne. "An Act making an appropriation for additional buildings for the State University of Oklahoma, at Norman, Oklahoma."

Int. 404; 2 r. 406.

Senate Bill No. 380 by Mr. Williams. "An Act to provide for the necessary expense and for the payment of salaries of the members of the state board of public affairs, etc., and declaring an emergency."

Int. 426; 2 r. 437; rep. comp. 469; 3 r. 476; op. 484, 537; 4 r. 542; op 548.

Senate Bill No. 381 by Mr. Landrum. "An Act making an appropriation to carry into effect senate concurrent resolution No. 3."

Int. 460; 2 r. 461; rep. com. 469.

House Bills.

House Bill No. 1, by Messrs Bryan, Harrison and Coyne. "An Act relating to revenue for state, county, city, town, township, and school purposes for the fiscal year ending June 30, 1909, and for the deficiency for the year ending July 1, 1908; and declaring an emergency."

Rec. f. h. 1 r. 59; 2 r. 70; op. 75, 80; 3 r. 81; 4 r. 82; Ap. Gov. 85.

House Bill No. 5 by Mr. Casteel of Cimarron county. "An Act making an appropriation for the cyclone and drouth sufferers in Cimarron and Texas counties, Oklahoma, and declaring an emergency."

Rec. f. h. 207; 1 r. 208; 2 r. 219; rep. com. 437; rep. com. w. 500; 3 r. 517; rethamend, 518; H. A. A. 541; 4 r. 542; op. 548.

House Bill No. 12 by Mr. White. "An Act to prevent fraud between attorneys, clients and defendants, by making agreements between attorneys and clients a lien upon their claim or cause of action. etc."

Rec. f. h. 126; 1 r. 131; 2 r. 134; rep. com. w. 244; 3 r. 258, 259; op. 267, 270, 273, 277; 4 r. 324; Ap. Gov. 406.

House Bill No. 13 by Mr. White. "An Act defining the crime of disturbing the peace of any neighborhood, family or person, and prescribing the penalties therefor; and declaring an emergency."

Rec. f. h. 1 r. 253; 2 r. 257; rep. com. 336.

House Bill No. 17 by Mr. Boyle. "An Act to regulate the payment of wages of employes of firms, corporations, association, companies or persons in this state."

Rec. f. h. 1 r. 177; 2 r. 180; rep. com. 192; rep. com. w. 227; 3 r. 229, 241; op. 242, 253, 254; Ap Gov. 311.

House Bill No. 25 by Messrs. Durant, Semple and Ewell. "An Act creating the Southeastern State Normal at Durant and making an appropriation for the erection of a suitable building therefor."

Rec. f. h. 1 r. 270; 2 r. 276; rep com. 369; rep. com. w. 412; 3 r. 412, 413; 4 r. 423; Ap Gov. 433.

Committee Substitute for House Bill No. 32 by the Committee on Education. "An Act authorizing the regents of the Normal Schools of the State of Oklahoma, and the boards of Colored A. and M. University to lease public school lands, etc."

Rec. f. h. 1 r. 489; 2 r. 495; rep. com. 497.

House Bill No. 33 by Mr. Ross. "An Act continuing the criminal court of appeals, defining duties, powers and jurisdiction."

Rec. f. h. 1 r.191; 2 r. 195; rep. com. 228; rep. com. w. 270; 272; 3 r. 284, 285, 286, 287; op. 307, 314, 318; Ap. Gov. 371.

House Bill No. 36 by Mr. Tillotson. "An Act prescribing the manner

of leasing of lands of minors and incompetents for oil and gas mining purposes, etc."

Rec. f. r. 106; 2 r. 106; op. 465.

House Bill No. 38 by Mr. White. "An Act providing for the issue of writs on Sundays, and on legal holidays, in certain cases."

Rec. f. h. 1 r. 157; 2 r. 166; rep. com. 461.

House Bill No. 39-96 House Substitute Bill by Messrs Putman and Smith. " An Act declaring section lines public highways, and prescribing the manner of opening the same to the public, etc."

Rec. 1 r. 372; 2 r. 383; 3 r. 461, 462, 463; op. 472; s. to con. 473; rep. con. com. 522, 523, 524; op. 448; 4 r. 550.

House Bill No. 40 by Mr. Durant. "An Act to regulate the practice of veterinary medicine, and surgery and dentistry, in the State of Oklahoma, and providing penalties for the violation thereof."

Rec. h. 126; 1 r. 131; 2 r. 134; rep. com. 237; indef. post. 244; op. 271.

House Bill No. 42 by Mr. Wortman. "An Act to amend section 1450, chapter 17, article 16, of the general stateutes of Oklahoma, 1908, by increasing punishment for burglary in certain cases."

Rec. 126; 1 r. 131; rep. com. 135; 429; op. 475.

House Bill No. 45, Committee Substitute, by Mr. Whitson. "An Act providing for holding sittings of the County court of McLain county, etc."

Rec. 1 r. 416; 2 r. 420; rep. com. 460; 3 r. 477; op. 484.

House Bill No. 51 by Messrs Cope and Dunn. "An Act re-organizing the Thirteenth Judicial district of the State of Oklahoma, fixing time for holding court in each county, etc."

Rec. 1 r. 322; 323; 2 r. 335; op. 468; rep. com. 493.

House Bill No. 65 by Mr. Maxey. "An Act to provide for the bonding school districts, etc."

Rec. 1 r. 192; 2 r. 196; rep. com. 270; rep. com. w. 296, 309; 3 r. 325; op. 344, 356; 4 r. 361; op. 381, 485, 501.

House Bill No. 66 by Mr. Maxey. "An Act providing for one trial only in action for the recovery of real property, and repealing section 5356 of article 3, of chapter 65 of the General Statutes of Oklahoma, 1908."

Rec. 133; 1 r. 134; 2 r. 158; rep. com. w. 167; 3 r. 175; 4 r. 181; Ap. Gov. 209.

House Bill No. 69 by Mr. Ross. "An Act definig court files, and providing for their preservation and service."

Rec. 133; 1 r. 134; 2 r. 140.

House Bill No. 73 by Mr. Turner. "An Act permanently locating the Oklahoma School for the Deaf at Sulphur."

Rec. 298; 1 r. 299; 2 r. 302; op. 217; rep. com. 417; rep. com. w. 450; 3 r. 453; op. 457, 464; 4 r. 473.

House Bill No. 74 by Mr. Wallace. "An Act appropriating funds reimbursing the state treasurer for necessary expenses incident to printing, lithographing and selling state bonds."

Rec. 126; 1 r. 131; 2 r. 135; rep. com. 140; 3 r. 156; op. 157, 181, 202; Ap. Gov. 203.

House Bill No. 83 by Mr. Smith, as amended by the committee. "An Act amending an Act entitle, 'An Act relating to the office of state examiner in compliance with section 152 of the constitution of the State of Oklahoma."

Rec. 1 r. 319, 320; 2 r. 323; rep. com. 345; rep. com. w. 496; 3 r. 517; op. 520, 540; 4 r. 542.

House Bill No. 87 by Messrs Glover and Ireton. " An Act locating the Oklahoma Industrial Institute and College for Girls at Chickasha, in the State of Oklahoma; and making an appropriation therefor."

Rec. 253; 1 r. 253; 2 r. 257; op. 372; rep. com. 417; rep. com. w 449; 3 r. 451; 452; op. 457. 464; 4 r. 473.

House Bill No. 88 by Mr. Price. "An Act to amend section 646, article 3, chapter 8, of the general statutes of Oklahoma, 1908."

Rec. 207, 1 r. 209; 2 r. 219; rep. com. 252; rep. com. w. 274; 3 r. 284 324; op. 330, 333; 4 r. 336; Ap Gov. 371.

House Bill No. 91 by Mr. Lovelace, Committee Substitute No. 1. "An Act appropriating money for the maintenance, equipment, erection of buildings for the State School of Mines at Wilburton, Oklahoma."

Rec. 1 r. 322, 323; 2 r. 335; rep. com. 361; rep. com. w. 500; 3 r. 525; 526; op. 536, 541; 4 r. 542.

House Bill No. 91 by Mr. Lovelace, Committee Substitute No. 2. "An Act appropriating money for the maintenance, equipment, and for the erection of buildings for the State School of Mines and Metallurgy, at Wilburton, Oklahoma."

Rec. 1 r. 329; 2 r. 336; rep. com. 361; rep. com. w. 500; 3 r. 525; op. 536, 541; 4 r. 542.

House Bill No. 93 by Mr. Boyle. "An Act to amend section 4170 and 4171 of the General Statutes of Oklahoma, 1908."

Rec. 1 r. 177; 2 r. 180; rep. com. 237; rep. com. w. 296; 3 r. 302; 303; op. 312, 315; rep. con. com. 434; op. 449, 469.

House Bill No. 97 by Mr. Ashby. "An Act providing for holding County court at the town of Eldorado, in Jackson county, Oklahoma."

Rec. 1 r. 329; 2 r. 336; rep. com. 351; 3 r. 384; op. 399, 415; 4 r. 417; Ap. Gov. 483.

House Bill No. 104 by Mr. Rogers. "An Act to create and establish a County Superior court in each county having a population of 35,000 or more, etc."

Rec. 1 r. 315; 2 r. 323; rep. com. 345; op. 415; rep. com. w. 416; 3 r. 421, 422; op. 427; 4 r. 432.

House Bill No. 107 by Mr. Cope. "An Act repealing article 1, chapter 55 of the General Statutes of Oklahoma, 1908."

Rec. 126; 1 r. 131; 2 r. 135; rep. com. 182; rep. com. w. 192, 208; 3 r. 224; op. 231; Ap. Gov. 245, 246.

House Bill No. 119 by Mr. Rotenbery. "An Act defining and fixing the punishemnt of conjoint robbery and amending section 2136 of the Session Laws of 1890."

Rec. 1 r. 451; 2 r. 461; rep. com484; 3 r. 523, 524; op. 536, 548; 4 r. 550.

House Bill No. 134 by Mr. Ross, "An Act to make bartering, selling or giving to minors or persons of unsound mind, or habitual drunkards vinuous malt, spirituous, or other intoxicating liquors, a felony; and declaring an emergency.'

Rec. 1 r. 177; 2 r. 180; rep. com. 319; rep. com. w. 330; 3 r. 348, 349; op. 372, 379; 4 r. 381.

House Bill No. 138 by Mr. Cock. "An Act to increase the number of district judges to two in the Third Judicial District, etc."

Rec. 1 r. 343, 344; 2 r. 347; op. 375; 3 r. 476; op. 484; 4 .r 487.

House Bill No. 150 by Mr. Wilson, "An Act establishing a branch penitentiary at Granite, Greer county , Oklahoma, providing for a board of managers therefor; and declaring an emergency."

Rec. 1 r. 298; 2 r. 302; rep. com. 347; op. 351, 352; 3 r. 367; op. 372, 377, 402; 4 r. 407.

House Bill No. 155 by Messrs. Dunn and Durant, "An Act making an appropriation for the salaries of the members and employes of the corporation commission, for printing orders of the commission, for court expenses and for contingent expenses of said commission."

Rec. 1 r. 241; 2 r. 250; rep. com. 361; rep. com. w. 500; 3 r. 519; op. 538; 4 r. 550.

House Bill No. 156 by Mr. Dunn, "An Act to empower the building commissioner, assistant building commissioner, chief of the fire department, of cities of the first class, state factory, etc."

Rec. 1 r. 472; 2 r. 475; rep. com. 497.

House Bill No. 158, Committee Substitute, by Mr. Carson, "An Act to provide for the time of holding the term of the district court in several counties, etc."

Rec. 1 r. 459; 2 r. 461; rep. com. 540.

House Bill No. 168 by Mr. Anthony, "An Act to provide for raising and collecting revenue for the fiscal year ending June 30th, 1910, and each fiscal year thereafter, and to codify and revise the laws of the State relative to revenue, etc."

r. 429.

House Bill No. 173 by Mr. Tillotson, "An Act providing for the protection of mechanics, laborers, and other persons employed in the construction and repair of railway equipment, and providing punishment for the violation thereof."

Rec. 1 r. 322; 2 r. 336; rep. com. 362; 3 r. 534; op. 536, 540; 4 r. 542.

House Bill No. 177 by Mr. Butts, "An Act authorizing the board of county commissioners of Alfalfa county to convey the county high school building and site at Helena, to the State for Agricultural School, etc."

Rec. 1 r. 351; 2 r. 355; op. 361; rep. com. 493; rep. com. w. 496.

House Bill No. 194 by Mr. Cook. "An Act to provide for the service of writs, capiases and other process, both civil and criminal, upon sheriffs."

Rec. 1 r. 472; 2 r. 475.

Rec. 1 r. 295; 2 r. 302; rep. com. 350; rep. com. w. 362, 364, 372, 381; op. 384; 3 r. 408, 409; op. 416, 418, 423; rep. con. com. 425, 426;

House Bill No. 203 by Mr. Hayes, "An Act to amend section 16, article 39, of chapter 17, of the General Statutes of Oklahoma, 1908, etc.'

Rec. 1 r. 490; 2 r. 495.

House Bill No. 204 by Mr. Boyle, "An Act providing for holding terms of the county court of Haskell county, in the town of Chant, in said county."

Rec. 1 r. 229, 230; 2 r. 336; rep. com. 399; op. 540; 3 r. 551, 552.

House Bill No. 205 by Mr. Savage, "An Act legalizing the incorporation of the town of Hollis, Greer county, State of Oklahoma."

Rec. 1 r. 402; 2 r. 406; rep. com. 419; op. 475; 3 r. 478; op. 484; 4 r. 487.

House Bill No. 207, Committee Substitute, by Mr. Simmons, "An Act relating to the manufacture, transportation, storing of Nitroglycerine, etc."

Rec. 1 r. 458; 2 r. 461; rep. com. 493; 3 r. 555; op. 556, 557; 4 r. 557.

House Bill No. 217 by Messrs. Maxey and Whayne, "An Act to provide for the election of a special judge of the district and county courts in the cases where the regular judge is absent or disqualified, or for any reason he cannot hold court, and fixing the compensation of such special judge, etc."

Rec. 1 r. 254; 2 r. 258; rep. com. 319; rep. com. w. 521; 3 r. 535; op. 536, 541, 542; 4 r. 542.

House Bill No. 218 by Mr. Acton, "An Act to amend section 3, article 4, of chapter 7, Session Laws of 1903, to authorize the town of Coyle, Logan county , to control and operatae water works."

Rec. 1 r. 416; 2 r. 420; rep. com. 497.

House Bill No. 223 by Mr. Charles, "An Act to amend section 2, of article 10 of Wilson's Revised and Annotated Statutes, section 625 relating to cemeterys."

Rec. 1 r. 269, 270; 2 r. 276; rep. com. 298; rep. com. w. 330; 3 r. 339; op. 345, 349, 373, 388; 4 r. 399; op. 415, 449.

House Bill No. 224 by Mr. Charles, "An Act to permit the sale of apple cider in the state."

Rec. 147; 1 r. 151; 2 r. 155; rep. com. w. 167; 3 r. 175; op. 182, 183, 190, 191; 4 r. 192; Ap. Gov. 209.

House Bill No. 230 by Messrs. Wortman and Dunn, "An Act to provide for the payment of the expenses of the county superintendent; and declaring an emergency."

Rec. 1 r. 415; 2 r. 421; rep. com. 431; op. 476; rep. com. w. 496; 3 r. 530; op. 536, 548; 4 r. 550.

House Bill No. 233 by Mr. Rogers, "An Act for the protection of certain railway employes, and fixing the numberof hours they shall work in any one day."

Rec. 1 r. 494; 2 r. 495; rep. com. 519.

House Bill No. 235 by Mr. Ross, "An Act providing for the election of a chief justice and acting chief justice of the supreme court and providing their duties, etc."

Rec. 1 r. 449; 2 r. 461; rep. com. 484.

House Bill No. 236 by Messrs. Hughes and Ward, "An Act providing for the creation and location of a Northeastern State Normal at Tahlequah, Cherokee county, Oklahoma, and providing for the purchase of the Cherokee Female Semiary, etc."

Rec. 1 r. 322, 323; 2 r. 336; rep. com. 369; rep. com. w. 412; 3 r. 413; 4 r. 423; Ap. Gov. 433.

House Bill No. 238 by Mr. Tillotson, "An Act to regulate the use and preservation of oil and gas, and providing penalties for the violation thereof, providing for an inspector, his duties, etc."

Rec. 1 r. 253; 2 r. 258; rep. com. 273; rep. com. w. 299; 3 r. 303; op. 304, 307; 4 r. 324; recon. 514; op. 526.

House Bill No. 242 by Messrs. Ratliff and Coyne, "An Act to locate the Eastern Oklahoma Hospital for the Insane at Vinita; and declaring an emergency.

Rec. 1 r. 351; 2 r. 355; op. 372; rep. com. 425; rep. com. w. 450; 3 r. 453; op. 457, 464; 4 r. 473.

House Bill No. 246 by Mr. Rogers of Pittsburg county, "An Act providing for the payment of witnesses in the county courts; and declaring an emergency."

Rec. 1 r. 208; 2 r. 219; op. 377, 388.

House Bill No. 26 by Mr. Ross, "An Act providing for the holding county court at Temple, Comanche county."

Rec. 1 r. 229; 2 r. 330.

House Bill No. 277 by Messrs. Earle and Murphy, "An Act for the encouragement of Farmers Institutes, and authorizing the county clerks to draw warrants under certain conditions."

Rec. 1 r. 465; 2 r. 475; rep. com. 497, 498; 3 r. 498; op. 499; 4 r. 500.

House Bill No. 278 by Mr. Ross, "An Act creating the office of law clerk for each of the justices of the supreme court."
emergency.

Rec. 1r, 253; 2r, 258; rep. com. 301; rep. com. w. 330; 3r, 339, 340; op. 464, 505, 509; 4r, 518.

Rec. 1 r. 451; 2 r. 461.

House Bill No. 282, by Mr. Anthony, "An Act authorizing and directing the secretary of state to receive the field notes, maps, records, and all other papers relating to the United States Surveys in Oklahoma; Providing that they shall be kept as Public records; and declaring an

House Bill No. 286 by Mr. Johnson, "An Act to provide for the appointment of a State Board of Examiners, and for the examination and registration of nurses, and to provide penalties for the violation thereof."

Rec. 1r, 203; 2r, 219; rep. com. 262; rep. com. w. 298; 3r, 302, 303; op. 318; ap. gov. 370.

House Bill No. 289, by Messrs. Licoln and Dixon, "An Act creating a new judicial district to be known as the twenty-second judicial district."

Rec. 1r, 361; 2r, 371.

House Bill No. 290 by Mr. Acton, "An Act to amend Section 3, Article 4, of Chapter 7, of the session laws of Oklahoma, 1903, to authorize the

town of Crescent City, Logan County, to construct, own, control and operate water works."

Rec. 1r, 416; 2r, 420; rep. com. 497.

House Bill No. 293 by Mr. Durant, "An Act making an appropriation for the payment of moneys earned for work accomplished, no appropriation having been made by the legislature of 1905, for such purpose."

Rec. 207; 1r, 208, 209; 2r, 219; rep. com. 230; rep. com. w. 244; 3r, 258; op. 270; 4r, 270; ap. gov. 310.

House Bill No. 295, (Committee Substitute.) by Mr. Semple, "An Act amending sections 2, 3, and 5, of an Act entitled, "An Act providing for the selection of grand and petit jurors, etc."

Rec. 1r, 432; 2r, 437; rep. com. 484.

House Bill No. 300, by Mr. Semple, "An Act providing for the holding terms of county court in several counties of the State of Oklahoma.

Rec. 1r, 431; 2r, 437; rep. com. 468; rep. com. w. 496; 3r, 533; op. 536, 541; 4r, 542.

House Bill No. 301, by Mr. Dunn, "An Act making a deficiency appropriation for the expenses of the Board of Control of State Prisons for the year ending June 30th, 1908.

Rec. 147; 1r. 151; 2r. 155; rep. com. w. 167, 192; rep. com. 171; 3r, 192; op. 193, 202, 207; 4r, 219; ap. gov. 245.

House Bill No. 304 by Mr. Moore, "An Act to provide for the stay of execution or other process upon judgment of Courts of this State'

Rec. 1r, 464; 2r, 475; op. 517.

House Bill No. 308, by Mr. Butts, "An Act amending section 6411, article 6, chapter 74, of the session laws of 1908.

Rec. 1r, 487; 2r, 495; rep. com. 497.

House Bill No. 311 by Mr. Hughes, "An Act making an appropriation for Building, Equipage, and Current and Contingent expenses of the Whitaker Home, etc.

Rec. 1r, 378; 2r, 383; rep. com. 437; rep. com. w. 500; 3r, 527; op. 536, 540; 4r, 543.

House Bill No. 322, by Messrs. Japp and Budnette, "An Ate making an appropriation for the purpose of paying the necessary expenses incurred by the county election officers, in the election held September 17, 1907, and declaring an emergency.

Rec. 1r, 361; 2r, 371; rep. com. 456; rep. com. w. 500; 3r, 527; op. 548; 4r, 550.

House Bill No. 324 by Messrs. Jahn and McDuffie, "An Act repealing Section 1, of Article 1, Chapter 25, of the General Statutes of Oklahoma, 1903, etc."

Rec. 1r. 415, 416; 2r. 420; rep. com. 488; 3r. 555; op. 556, 557; 4r, 557.

House Bill No. 328, by Mr. McElhaney, "An Act authorizing the County Judge to hold Court at Crowder in Pittsburg County.'

Rec. 1r, 330; 2r, 336; rep. com. 461; op. 475; 3r, 480; op. 484; 4r, 537.

House Bill No. 332 by Br. Clark, "An Act to legalize the organization

of the Jordon Valley Township Company together with the acts and doings of the same.

Rec. 1r, 402; 2r, 406; rep. com. 468; op. 475; 3r, 479; op. 484; 4r, 439; op. 536.

House Bill No. 336 by Mr. Ross. "An Act providing for the support and maintenance of the Oklahoma A. and M. College and making an appropriation therefor."

Rec. 1r, 344; 2r, 347; rep. com. 361; rep. com. w. 500; 3r, 526; op. 536, 540, 548; 4r, 550.

House Bill No. 337, by Mr. Ross, "A Act providing for the eradication of ticks, and in other ways to protect the live stock of Oklahoma, against infections and contagious diseases and promote the interests of the live stock industry in the state, and declaring an emergency."

Rec. 1r, 253; 2r, 258; rep. com. w. 496; 3r, 509; op. 510; 4r, 538.

House Bill No. 348, by Messrs. Moore, Ratliff and Knox, "An Act providing for an appropriation for maintance and support of the district agricultural schools located at Tishomingo, Oklahoma, and Warner, Oklahoma.

Rec. 1r, 253, 254; 2r, 258; rep. com. 299; op. 312; rep. com. w. 330; 3r, 339; op. 345, 349, 352; 4r, 352. ap. gov. 383.

House Bill No. 350, by Mr. Acton, "An Act to repeal an Act for the removal of obstructions from water courses, approved March 11, 1905.

Rec. 1r, 465; 2r, 475; rep. com. 497; rep. com. w. 521; 3r, 533; op. 536, 548; 4r, 550.

House Bill No. 362, by Mr. Wortman, "An Act to create and locate the Eastern University Preparatory school at Claremore, Oklahoma.

Rec. 1r, 330; 2r, 336; op. 372; rep. com. 417; 3r, 452; op, 457, 464; 4r, 473.

House Bill No. 368 by Messrs. Casteel and Earl, as amended by the Committee "An Act dividing the fifth Judicial District into two Agricultural Districts and providing for the establishment of a District Agricultural School of secondary grade, and making an appropriation therefor."

Rec. 1r. 322, 323; 2r. 336; rep. com. 351; rep. com. w. 450; 3r, 459; 4r, 473; ap. gov. 558.

House Bill No. 369 by Mr. Haymes, "An Act authorizing the township of Jenks in Tulsa County to use its surplus bridge and road fund to aid it in building a bridge across the Arkansas River, etc."

Rec. 1r, 352; 2r, 355; 3r, 385; op. 399, 411; 4r, 412; ap. gov. 558.

House Bill No. 371 by Mr. Tillotson, "An Act providing for holding County Court at Lenapah in Nowata County."

Rec. 1r, 330; 2r, 335; rep. com. 487; rep. com. w. 500; 3r, 526; op. 536; 4r, 542.

House Bill No. 372, by Mr. Coyne, "An Act to amend section 6351, of article 4, of chapter 74, of the General Statutes of Oklahoma, 1908, legalizing the acts of board of education and etc., and declaring an emergency.

Rec. 1r, 417; 2r, 421; rep. com. 435; 3r, 527; op. 536; rep. com. w. 540; op. 542, 548; 4r, 550.

House Bill No. 373 by Messrs. McElhaney and Rodgers, "An Act authorizing the Board of Control to build, construct and equip a State Penitentiary at McAlester, Oklahoma, providing for the officers, guards and employees and fixing their salaries, etc."

Rec. 1r, 296; 2r, 302; rep. com. 347; op. 351; rep. com. w. 351; 3r, 365; op. 373, 377, 415; 4r, 417.

House Bill No. 378 by Mr. Maris, "An Act relating to briefs and procedure in the Supreme Court."

Rec. 1r, 488; 2r, 495.

House Bill No. 384 by Mr. Cope and Mr. Calhoun, "An Act relating to insects and diseases which are injurious to growing crops, etc.".

Rec. 1r. 418; 2r. 421 ;rep. com. 434; rep. com. w. 521; 3r. 538; op. 548; 4r. 550.

House Bill No. 385 by the Committee on Appropriations, "An Act making an appropriation for the expenses and per diem of the regents of the various State Institutions.

Rec. 1r, 254; 2r, 258; rep. com. 270; rep. com. w. 298; 3r, 303; op. 307, 317, 338; ap. gov. 419.

House Bill No. 387, by Messrs. Harrison, Ross Huddleson, and Lovelace, "An Act making an appropriation for the support and maintenance of a school for the deaf; onw temporarily located at Sulphur, Oklahoma.

Rec. 1r, 241; 2r, 250; rep. com. 315; rep. com. w. 330; 3r, 349; rep. com. 361; op. 371, 372, 402; 4r, 407; ap. gov. 558.

House Bill No. 390, by Messrs. Bryan anl Tillotson, "An Act to provide for the restoration of court and other public records which have been lost or destroyed."

Rec. 1r, 308; 2r, 311; rep. com. 461; rep. com. w. 521; 3r, 536; op. 538, 548; 4r, 550.

House Bill No. 399, by Mr. Ross, "An Act to amend section 3, article 1, section 1, of article3, section 1, of article 4, of the Act to define the jurisdiction of county court, fixing compensation therefor, etc."

Rec. 1r. 417; 2r. 421; rep. com. 488; rep. com. w. 540.

House Bill No. 400 by Messrs. Ross and Gilmer, "An Act to appropriate certain school lands for maneuver grounds for the National Guards.

Rec. 1r, 465; 2r, 475; rep. com. 487; 3r, 498; op. 499; 4r, 500.

House Bill No. 401 by Mr. Ross, "An Act to amend Section 3, of 'An Act entitled, 'An Act to provide for the improvement of streets and other public places within the cities of the first class, etc."

Rec. 1r, 351; 2r, 355; rep. com. 382; 3r, 515, 516; op. 516, 520; 4r, 538; rep. com. w. 560.

House Bill No. 404 by Mr. Bryan, of the House and Mr. Williams of the Senate, "An Act regulating the manufacture and sale of foods, drugs and medicines, providing penalties, etc., and declaring an emergency."

Rec. 1r, 404, 405; 2r, 407; rep. com. 417; rep. com.w. 496, 500; 3r, 529; op. 536, 548; 4r 550.

House Bill No. 411, by Mr. Harrison, "An Act providing for the support and maintenance of the General Normal at Edmond, the Northwest-

ern Normal school at Alva, and the Southwestern Normal school at Weatherford, etc."

Rec. 1r, 253, 254; 2r, 258; rep. com. 350; rep. com. w. 500; 3r, 524; op. 536, 540, 548; 4r. 555.

House Bill No. 412, by Mr. Harrison, a Bill entitled, "An Act making an appropriation for the support of the state board of education, etc."

Rec. 1r, 253, 254; 2r, 258; rep. com. 315; rep. com. w. 330; op. 350, 500; 3r, 525; op. 538; 4r, 542.

House Bill No. 413, by Mr. Dixon, "An Act providing for the holding county court at Weleetka, in Okfuskee county."

Rec. 1r, 330; 2r, 336; rep. com. 469; 3dr, 493.

House Bill No. 414, by Messrs. Harrison, Ross, Huddleson, and Lovelace, "An Act making appropriation for the fire escapes for the Colored Agricultural and Normal university."

Rec. 1r, 253, 254; 2r, 258; rep. com. 270; rep. com. w. 298; 3r, 304; op. 305, 306; ap. gov. 322.

House Bill No. 416, by Messrs. Harrison, Ross, Huddleson, and Lovelace, "An Act making an appropriation for the fire escapes for the Central Normal school at Edmond, the Northwestern Normal school at Alva, and the Southwestern Normal school at Weatherford, etc."

Rec. 1r, 255; 2r, 258; rep. com. 270, 271; rep. com. w. 298; 3r, 305; op. 308; ap. gov. 322.

House Bill No. 418 by Mr. Terral, "An Act to supervise, regulate and control companies and corporations supplying gas or electricity for light, etc."

Rec. 1r, 425; 2r, 437; op. 463.

House Bill No. 423 by Mr. Bell, "An Act requiring cotton ginners doing a ginning business within the State of Oklahoma to report to the President of the Board of Agriculture, etc."

Rec. 1r, 449; 2r, 461; rep. com. 497, 498; 3r, 498; 3r, 498; op. 499; 4r, 500.

House Bill No. 430 by Messrs. Bryan and Tillotson, "An Act creating a state dairy commission and defining its powers and duties."

Rec. 1r, 416; 420; rep. com. 496; rep. com. w. 496; 3r, 530; op. 536; 4r, 550.

House Bill No. 431, by Mr. Hutchins, "An Act providing for the holding county court at the town of Lexington, Cleveland county.'

Rec. 1r, 380; 2r, 383; rep. com. 399; op. 475; 3r, 476; op. 484; 4r, 487.

House Bill No. 432 by Mr. Dunn, "An Act to provide a clerk for the county court in those towns, etc"

Rec. 1r, 415; 2r, 421; rep. com. 522.

House Bill No. 433 by Mr. Maris, "An Act ratifying and approving an act of congress (H. R. 17186) etc."

Rec. 1r, 449; 2r, 461; rep. com. 469; op. 475, 493; rep. com. w. 496; 3r, 531; op. 536, 540; 4r, 542.

House Bill No. 435, by Mr. Maris, "An Act making an appropriation

for the support and maintenance of the University Preparatory school at Tonkawa, etc.

Rec. 1r, 381; 2r, 383; rep. com. 469; rep. com. w. 500; 3r, 528; op. 540, 541; 4r, 542.

House Bill No. 437 by Mr. Simmons, "An Act authorizing the County Commissioners of Tulsa County to buy a wagon bridge across the Arkansas River in Tulsa County, etc."

Rec. 1r, 402; 2r, 406; rep. com. 417; op. 475; 3r, 479; op. 484; 4r, 499.

House Bill No. 443 by Mr. Anthony, "An Act to amend Section 6 of the Session Laws of 1907-08 same being 'An Act providing for the levy and collection of a gross revenue tax from public service corporations, etc'."

Rec. 1r, 229; 2r, 336; rep. com. 360; rep. com. w. 381, 382; 3r, 387, 388; op. 399, 410; rep. com. com. 422, 423, 426; 4r, 431.

House Bills Nos. 446, by Mr. Whitson, "An Act making an appropriation for maintenance of the Oklahoma Historical Society from June 1st, 1909 to June 1st, 1911."

Rec. 1r, 378; 2r, 383; rep. com. 437; rep. com. w. 500; 3r, 528; op. 536, 548; 4r, 550.

House Bill No. 451 by Mr. Huddleston, "An Act to amend certain sections of the law governing the practice of pharmacy, etc."

Rec. .1r, 487; 2r, 495; rep. com. 499; 3r, 554; op. 556.

House Bill No. 460, by Mr. Maxey, "An Act providing for the holding of county court at the town of Prague, Lincoln county, Oklahoma."

Rec. 1r, 319; 2r, 323; rep. com. w. 330; 3r, 332; op. 344; 4r, 352; ap. gov. 383.

House Bill No. 461 by Mr. Burnette, "An Act amending Section 8 of Article 5, of Chapter 10 of the Session Laws of 1905 and declaring an emergency."

Rec. 1r, 361; 362; 2r, 371; rep. com. 380.

House Bill No. 471 by Mr. Acton "An Act authorizing the changing of township boundary lines and for relief of land owners along rivers and streams in Oklahoma."

Rec. 1r, 489; 2r, 495; rep. com. 519, 522.

House Bill No. 472, by Mr. Sherman, "An Act prohibiting the sale of any fruit trees or trees, etc."

Rec. 1r, 451; 2r, 461; rep. ocm. 497, 498; 3r, 498; op. 499; 4r, 500.

House Bill No. 476 by Mr. Edgington, "An Act legalizing the bond election held by the town of Watonga, on the 16ht day of February, 1909."

Rec. 1r, 402; 2r, 406; rep. com. 419; op. 475; 3r, 477, op. 484; 4r, 487.

House Bill No. 488 by Messrs. Merrick, Knox, and Cook, "An Act to legalize and validate the election held in the County of Muskogee on the 3d day of November, 1908, etc."

Rec. 1r, 416; 2r, 420; op. 475; 3r, 477; op. 484; 4r, 487.

House Bill No. 493, by Mr. Turner, "An Act providing for the holding sessions of county court at Davis, in Murray county."

Rec. 1r, 380; 2r, 383; rep. com. 399; rep. com. w. 450; 3r, 458; op. 458, 466; ap. gov. 482.

House Bill No. 495 by Mr. Calhoun, by request, "An Act providing for holding sessions of the county court at Coweta, Wagoner county, Oklahoma."

Rec. 1r, 402; 2r, 406; rep. com. 469; 3r, 510, 511, 512, 513; op. 519, 535; 4r, 537; ap. gov. 560.

House Bill No. 500 by Mr. Jacobs, "An Act providing for holding County Court at Muldrow, in Sequoyah County."

Rec. 1r, 402; 2r, 406; rep. com. 468.

House Bill No. 505, by Mr. Howe, "An Act providing for holding terms of the county court, in the town of Billings, in the said county."

Rec. 1r, 380; 2r, 383; rep. com. 399; 3r, 460; op. 461; 4r, 473.

House Bill No. 509 by Mr. Gilmer, "An Act relating to mutual hail insurance companies, etc."

Rec. 1r, 415; 2r, 421; rep. com. 434; rep. com. w. 496; 3r, 535; op. 538, 540, 541, 548; 4r, 550.

House Bill No. 510 by Messrs. Ratliff, and Jahn. "An Act providing for twenty-one district Court Judicial Districts in the State of Oklahoma and judges therefor; providing for an additional judge in the seventh district, and declaring an emergency."

Rec. 1r, 402; 2r, 407; rep. com. 468; rep. com. w. 540; 3r, 549; op. 550; 4r, 552, 553.

House Bill No. 511 by Mr. Burnette, "An Act providing for the ownership of cemeteries, by cities or towns, etc."

Rec. 1r, 468; 2r, 475; rep. com. 500; rep. com. w. 500; 3r, 532; op. 536; 4r, 550; op. 553.

House Bill No. 513 by Mr. Vogle, "An Act to legalize the incorporation of the town of Buffalo, in the County of Harper, and to legalize the election, etc."

Rec. 1r, 402; 2r, 407; rep. com. 419; op. 475; 3r, 479; op. 484; 4r, 487.

House Bill No. 516 by Mr. Price, "An Act providing for holding county court at the towns of Hominy and Fairfax, Osage County."

Rec. 1r, 402; 2r, 407; rep. com. 469; op. 475; 3r, 480; op. 484; 4r, 499.

House Bill No. 519 by Messrs. Terral and Faulkner, "An Act to provide for holding sessions of the county court of Kiowa County at Snyder and declaring an emergency."

Rec. 1r, 415; 2r, 420; rep. com. 469; op. 475; 3r, 480; op. 484; 4r, 493.

House Bill No. 525 by Mr. Bridges, An Act entitled "An Act for the sale of the NE quarter of Section 36, Township 23 North, Range twenty-one west of the Indian Meridian in Woodward County, etc."

Rec. 1r, 415; 2r, 421; op. 475.

House Bill No. 526 by Mr. Bryan, "An Act to amend Sections 2, 3, 15,

16, 17, 19, 22, 25, 28, and 35 of Article 1, Chapter 30, Session Laws of Oklahoma, 1907-08.

Rec. 1r, 402; 2r, 407; rep. com. 419; op. 475; 3r, 478; op. 484; 4r, 500.

House Bill No. 527 by Mr. Sherman, "An Act legalizing bond issue of School District No. 4 in Major County, Oklahoma, and declaring an emergency."

Rec. 1r, 402; 2r, 407; rep. com. 417; op. 475; 3r, 478; op. 484; 4r, 499.

SENATE RESOLUTIONS.

Senate resolution No. 1, by Mr. Eggerman, Informing the House that the senate was organized, etc.

Int. and adopt. 4.

Senate resolution No. 2, by Mr. Stafford, "Resolved that the secretary of the senate be authorized to furnish each senator, who is not supplied with the same, with a copy of Bunn's Annotated constitution.

It. and adopt. 12.

Senate resolution No. 3, by Mr. Denton, "Resolved that a committee of three be appointed to ascertain and determine the mileage accounts of the senators."

Int. and adopt. 44.

Senate resolution No. 4, by Mr. Stewart, "Be it resolved by the Senate of Oklahoma that the sergeant-at-arms of the senate be instructed to purchase for each member of the senate "Ten Dollars" worth of stamps, that said stamps be delivered to each senator when he gives his receipt for the same to the sergenat-at-arms."

Int. and adopt. 44.

Senate resolution No. 5, by Mr. Colville, "Be it resolved that the sergeant-at-arms be instructed to furnish a calendar for the use of the senate."

Int. and ref. 44.

Senate resolution No. 6, by Messrs. Memminger, Franklin, and Hatchett.

Int. 66; op. 67; adopt. 87.

Senate resolution No. 7, by Mr. Russell, "Requiring committee to report senate bills by name of committee having charge of same."

Int. 72; ref. 72.

Senate resolution No. 8, by Mr. Taylor, "Thanking the pupils of Alva Normal for a clock presented to the Senate on their behalf."

Int. 87; withdrawn, 87. Re-int. and adopted 91.

Senate resolution, by Mr. Allen, "Resolution expunging from the record of the senate all that portion of the letter of Commander Higgins, read as a part of the speech of Senator Cunningham, which reflects upon the members of the senate or which asperses the Confederate soldiers."

Int. 145; adopt. 145

Senate resolution, 10 (a) by Mr. Smith, Relating to the Indictments of Governor Haskell by the Federal grand jury at Muskogee, and expressing the high esteem and confidence of the senate, in the governor's integrity."

Int. 179; adopt. 183.

Senate resolution No. 10, (b) by Mr. Morris, "Inviting Ex-Senators Brazzell and Little to address the senate."

Int. and adopt. 248.

Senate resolution No. 11, by Mr. Allen, "Referring to the Warren-Hurst contest, and commending Mr. Hurst for his services and fidelity to duty while recognized as a member of the senate."

Int. and adopt. 298.

Senate resolution No. 12, by Mr. Thomas, "Directing the senate auditor to prepare a complete itemized statement of senate expenses for insertion in the senate journal."

Senate resolution No. 13, by Mr. Graham, "Opposing the location of any public institution at this session of the legislature."

It. and rej. 444, 445.

Senate resolution No. 14, by Mr. Landrum, "Proposing to increase the per diem of certain officers and employees."

Int. and adopted, 553; ruled out of order, 556.

Senate resolution No. 15, by Mr. Thomas, "Directing the official reporter to collect all note books containg notes of senate proceedings."

Int. and adopt. 554.

Senate resolution No. 16, by Mr. Landrum, "Authorizing the senate auditor to amend the pay roll of the officers ad employees."

Int. and adopt. but ruled out on point of order, 556.

Senate resolution No. 17, by Mr. Thomas, "Tendering to President Pro tem. Mr. Graham, the chair, which he used during the session."

Int. and adopt, 557.

Senate resolution No. 18, by Mr. Potter," Resolutions complimentary to officers and employees of the senate."

Int. and adopted, 554.

SENATE JOINT RESOLUTIONS.

Senate Joint Resolution No. 1. By Mr. Thomas, "An Act providing for the appointment of a Joint Committee to prepare, compile and publish the session laws of the Second Legislative Assembly."

Int. 41; 2r, 45; op. op. 83; 3dr, 118.

Senate Joint Resolution No. 2. Br Mr. Yeager, "An Act proposing a Constitutional Amendment for equal suffrage."

It. 41; 2r, 45; rep. com. 251.

Senate Joint Resolution No. 3. By Mr. Taylor, "An Act providing for an amendment to the Constitution further restricting the right of suffrage."

It. 41; 2r, 45; op. 51.

Senate Joint Resolution No. 4, by Mr. Allen, "An Act to submit to the people a proposed amendment to the Constitution authorizing installation of the Torrens Land System."

It. 44; 2r, 52; rep. com. 222; op. 233, 476; 3d r, 481 .

Senate Joint Resolution No. 5, by Mr. Yeager, "An Act proposing Constitutional amendment for the recall of any public officer."

Int. 46; op. 62, 68; 2r, 73; rep. com. 252, 253.

Senate Joint Resolution No. 6, by Mr. Billups, "An Act declaring the Oklahoma code of 1908, to be the official code of laws of the State, repealing all laws not embodied therein, and declaring an emergency."

Int. 58; op. 69; 2r, 70; rep. com. 111.

Senate Joint Resolution No. 7. By Mr. Thomas, "An Act authorizing the commissioners of the land office to cede grant and convey to the United States of America, to be used for public purposes, all of the fractional section 13, township 2, north range 12, West Indian meridian.

Int. 92; 2r, 96; rep. com. w. 127; op. 203, 208, 3r, 221; op. 226, 269, 270, 273, 276; ap. gov. 310.

Senate Joint Resolution No. 8. (a) By Mr. Taylor, "Authorizing the submission of a constitutional amendment liimting restrictions upon rights of suffrage."

It. 171; 2r, 179; rep. com. 189; rep. s. com. 359; op. 360; 3r, 397; s. s. h. 407.

Seate Joint Resolution No. 9. By Mr. Brownlee, "To submit to the people of the State of Oklahoma, a proposed amendment to the constitution repealing section 3, of article 9, etc."

Int. 178; 2r, 180.

Senate Joint Resolution No. 10. By Mr. Taylor, "Authorizing the submission of a constitutional amendment fixing the membership of the senate and house of representatives, and regulating the apportionment of senatorial and representative districts."

Int. 230; 2r, 235; rep. com. 319; 3r, 297, 298; recon. 456; adopt. 456.

Senate Joint Resolution No. 11. By Mr. Franklin, "Relating to a fund provided for in H. R. No. 26737, by Mr. Davis, pending in congress, for aid in agricultural and industrial education."

Int. 235; 2r, 240; rep. com. 248; 3r, 249; s. s. h. 286; 4th r, 484; o. p. 486. Ret. for h. 459.

Senate Joint Resolution No. 12...By Mr. Morris, "To submit to the people of the State of Oklahoma a proposed amendemtn to the constitution, repealing section 9, article 9, etc."

Int. 238; 2r, 240; rep. com. 308; 3r, 316, 317; o. p. 324; ret. f. h. amend, 531; op. 543, 544; 4th, 550; o. p. 553.

Senate Joint Resolution No. 13. By Mr. Memminger, "Authorizing the secretary of state to supervise the publication and distribution of the session laws and journals of the senate and house."

Int. 262; 2r. 269; 3r. 407; s. s. h. 411.

Senate Joint Resolution No. 14. By Mr. Smith.

Int. 300; ch'g'd to con. res. No. 21; 311.

Senate Joint Resolution No. 15. By Mr. Goulding, "Proposing an amendment to the constitution of the State of Oklahoma, submitting to the people the question of local option and high license."

Int. 307, 2r, 311; op. 319.

Senate Joint Resolution No. 16. By Mr. Davis, "Proposing an amnedment to the constiution of the State of Oklahoma, for local option."

Int. 308; 2r. 311 ;rep. com. 316; op. 319, 320, 388; 5r. 392 to 396.

Senate Joint Resolution No. 17. By Mr. Franklin, "Authorizing the submission of proposed amendments to sections 33 and 56, of article 5, of the constiution of the State of Oklahoma, to the people for their approval or rejection."

Int. 318; rep. com. 323.

Senate Joint Resolution No. 20. By Mr. Russell, "Proposing an amendment to the constitution of the State of Oklahoma."

Int. 431; 2r, 437; rep. com. 468; 3r, 486.

SENATE CONCURRENT RESOLUTIONS.

Senate Concurrent Resolution No. 1. By Mr. Davis, Pertaining to the manner of procedure in canvassing the returns of the election of state officers.

Int. and p. 10.

Senate Concurrent Resolution No. 2. By Mr. Thomas, Providing for the appointment of three senators to confer with a like number from the house to make arrangements for the election of a United States senator.

Int. 42. adopt. 42; op. 46, 49.

Senate Concurrent Resolution No. 3. By Mr. Landrum, Authorizing the placing of the bust of Sequoyah in Statuary Hall in Washington.

Int. 43; 2r, 52; rep. com. 75; rep. com. w. 97; 3r, 100; ret. f. h. 459; op. 464; 4th r, 484; op. 486; ap. gov. 559.

Senate Concurrent Resolution No. 4. By Mr. Redwine, Memorializing congress for the immediate sale of the surface of the Segregated coal and asphalt lands in the State of Oklahoma.

Int. 43; 2r, 51; op. 52, 63; amend 64; 3r, 65; op. 87, 89, 93, 95.

Senate Concurrent Resolution No. 5. By Mr. Stewart, Thanking Messrs. Pipes-Reed Book company.

Int. 46; 2r. 61; s. s. h. 66; Ind. post, 192; ref com. 130.

Senate Concurrent Resolution No. 6. By Mr. Russell, Providing for a "New Jerusalem" Committee.

Int. 46; 2r, 62; s. s. h. 66; Ind. post. 192.

Senate Concurrent Resolution No. 7. By Mr. Davis. Providing for a Joint Committee of five members of the Senate and five members of the house to report rules governing the joint sesions of the senate and house.

Int. 51; adopt. 51; s. s. h. 62.

Senate Concurrent Resolution No. 8. By Mr. Keys, Memorializing congress to pay. or reimburse the Indians of the Five Civilized Tribes for the lands and moneys shared with negro ex-slaves and their descendants.

Int. 58; 2r, 70; op. 80; s. s. h. 82; op. 89, 95.

Senate Concrurent Resolution No. 9. By Mr. Stewart, Regarding timber lands in Pushmataha, McCurtain and LeFlore counties.

Int. 67; 2r, 74; 3dr, 83; op. 84; 4r, 96.

Senate Concurrent Resolution No. 10. By Messrs. Hatchett, Memminger and Franklin. Requesting the Joint Codifying committee appointed by the president of the senate and speaker of the house of the First Legislature to prepare for publication the session laws, to make report, etc.

Int. 67; op. 69; 2r, 73; rep. com. 115; 3dr, 118; op. 169.

Senate Concurrent Resolution No. 11. By Messrs. Hatchett, Memminger and Franklin, Authorizing investigation of enrolled bills of the First Legislature to ascertain if alterations have been made.

Int. 67; op. 69; 2r, 73; rep. com. 115; 3r, 115; op. 115.

Senate Concurrent Resolution No. 12. By Mr. Goulding, An Act requiring the governor of the State of Oklahoma to parole certain convicts.

Int. 78; 2r, 87; rep com. 92; 3dr, 92, 93; recon. 102; op. 103.

Senate Concurrent Resolution No. 13. By Mr. Goulding, Requesting an opinion from the attorney general as to paroling prisoners.

Int. 103; adopt. 103; s. s. h. 196; op. 202.

Senate Concurrent Resolutions No. 14. By Mr. Franklin, Resolution memorializing congress to, as soon as practicable, terminate the affairs of the Five Civilized Tribes, adn pay to the members thereof all Tribal funds owing, or held in trust for them.

Int. 114; 2r, 124.

Senate Concurrent Resolution No. 15. By Mr. Wynne, That the criminal court of appeals be requested to examine the code of criminal procedure of this state.

Int. 120; 2r, 124.

Senate Concurrent Resolution No. 16. By Mr. Stewart, Resolution appointing three members from the public building committees of the two bodies to visit the location proposed for the Northeastern Hospital for the insane.

Int. 130; adopt 130; s. s. . 132.

Senate Concurrent Resolution No. 17. By Mr. Smith, Authorizing the submission of proposed amendments to section 33 and 56 of article 5 of the constitution.

Int. 134; ref. com. 134.

Senate Concurrent Resolution No. 18. By Mr. Allen, Providing for a special committee of three members from the senate and three members from the house, to examine the General Statutes.

Int. 139; adopt. 140; s. s. h. 146; op. 154, 164, 169.

Senate Concurrent Resolution No. 19. By Mr. Sorrells, Requesting congress to pass House Bill 2088, relating to mines.

Int. and adopt. 201; s. s. h. 202; op. 207.

Senate Concurrent Resolution No. 20. By Mr. Taylor, Recalling

Senate Bill No. 60 from the governor for the purpose of offering an amendment.

Int. 255; adopt. 255; op. 262, 265, 266.

Senate Concurrnet Resolution No. 21. By Mr. Smith, Directing the sergeant-at-arms of the senate and house, respectively, to take charge of the orginal bills and printed copies of the same, which do not become laws and deposit with the secretary of state, etc.

Int. as joint res. No. 14, 300; ch'g'd to con res. and 2r, 311; ref. s. com. 331; rep. s. com. 321; 3r, 321; op. 464.

Senate Concurrent Resolution No. 22. By Mr. Thomas, Relating to the per diem of the members of the legislature, the officers and employees of the same, and to a certain amount due the Leader Printing company, etc.

Int. 330; adopt. 331; op. 334; 340; ap. gov. 419.

Senate Concurrent Resolution No. 23. By Mr. Thomas, Correcting an error in concurrent resolution No. 22.

Int. and adopt. 344; s. s. h. 344; op. 351, 353, 358; ap. gov. 483.

Senate Concurrent Resolution No. 24. By Mr. Blair, Fixing a day for final adjournment.

Int. 354; adopt. 355; s. s. h. 355; ret. amend. f. h. 371; s. con. 377; rep. con. com. 422.

Senate Concurrent Resolution No. 25. By Mr. Thomas, Authorizing and directing the state auditor to issue warrants in favor of A. D. Cowling, Enoch Capshaw and James Abernathy; and for payment for stamps.

It. 404; adopt. 404; s. s. h. 416; op. 417.

Senate Concurrent Resolution No. 26. By Mr. Thomas, Authorizing the state auditor to issue warrants for the payment of certain bills and accounts.

Int. and adopt. 420; s. s. h. 420; ret. f. h. amend 496; s. a. to h. a. 515; op. 535; 4th r, 550 op. 553.

Senate Concurrent Resolution No. 27. By Mr. Thomas, Authorizing and directing the state auditor to issue warrant for one hundred and sixty dollars in favor of the Ardmoreite Printing company.

Int. 459; adopt. 460; ret. f. h. amend. 464; s. s. h. a. 465; 4r. 484; ap. gov. 495.

Senate Concurrent Resolution No. 28. By Mr. Thomas, Authorizing and directing the state auditor to issue warrants to the members of the senate and house, and the officers and employees of the two houses.

Int. and adopt. 492.

Senate Concurrent Resolution No. 29. By Senate Committee on Public Printing, Authorizing and directing the state auditor to issue warrant in favor of the Leader Printing company.

Int. and adopt. 492, 493; op. 520.

Senate Concurrent Resolution No. 29. (b) By Mr. Taylor, Recalling the Senate Bill No. 155 from the govenror.

Int. and adopt. 499; s. s. h. 499; op. 499.

Senate Concurrent Resolution No. 30. By Mr. Thomas, Authorizing the president of the senate and the speaker of the house to retain certain

officers and employees, to remain not longer than ten days after adjournment, etc.

Int. and adopt. as substitute for h. con. No. 27, 520, 521; op. 542; 4r, 550; op. 553.

Senate Concurrent Resolution No. 31. By Mr. Thomas, Ratifying and validating the action of the state auditor in isuuing warrants to the Oklahoma Printing Engraving company.

Int. and adopt. 521; s. s. h. 521; op. 542; 4thr, 550; op. 553.

Senate Concurrent Resolution No. 32. By Mr. Thomas, Authorizing the president of the senate and the speaker of the house to audit and approve any accounts remaining unpaid, at the time of adjournment of the Second Legislature; and directing the state auditor to issue warrants for the payment of same.

Int. and adopt. 534; s. s. h. 540; recon. 560; ap. gov. 562.

Senate Concurrent Resolution No. 33. By Senate Committee on Public Prtining, Authorizing and directing the state auditor to issue warrant to the Leader Printing company.

Int. and adopt. 560, 561.

HOUSE JOINT RESOLUTIONS.

House Joint Resolution No. 3. By Mr. Jahn, To expedite printing and delivery of the house journal, 1909.

Rec. f. h. 1r; 111; 2r, 116.

House Joint Resolution No. 4. By Mr. Lincoln, The legislature of the State of Oklahoma, to the Hon. James Wilson, Secretary of Agriculture, Washington, D. C.

Rec. f. h. 130; 1r, 134; rep. com. 177; rep. c. w. 192; 3d, r, 196, s. and ret. h. 196; ret. f. h. 207; ap. gov. 245.

House Joint Resolution No. 5. By Mr. Japp, Providing for the disposition of money received by the state treasurer from the United States Government for the benefit of publi cschools and public roads, and forest reserve.

Rec. f. h. 262; 1r, 262; 2nd r, 269; rep. com. w. 299; 3dr, 312; 4r, 317; s. s. h. 317; ap. gov. 370.

HOUSE CONCURRENT RESOLUTIONS.

House Concurrent Resolution No. 1. By Mr. Maxey, Placing the legislative hall under the control of state leasing board.

Res. f. h. 59; 2r, 70.

House Concurrent Resolution No. 3. By Mr. Japp, Providing for a joint committee of three members of the house and three members of the senate to make arrangements for the election of United States senator.

R. H. 48, adopt. 48; ret. h. 48.

House Concurrent Resolution No. 4. By Messrs. King and Japp,

Memorializing congress for the relief of setllers in the Kiowa, Comanche and Apache reservations.

R. h. 52; s. ret. h. 66; o. p. 130; ap. gov. 245.

House Concurrent Resolution No. 5. By Mr. Jahn, Memorializing congress for a national law protecting game birds.

R. h. 83; 2r, 87; ref. 87; adopt. 130; s. andsent h. 132, 133.

House Concurrent Resolution No. 8. By Messrs. Japp and Casteel, Requesting an extension of the time for the payment of rent to the state in certain cases.

Rec. f. h. 138; 1r, 141; 2nd r, 148; rej. 148.

House Concurrent Resolution No. 10. By Mr. Bryan, Memorialize congress to extend reclamation fund to include drainage.

Rec. f. h. 119; adopt. 123; s. ret. h. 124; op. 130.

House Concurrent Resolution No. 11. By Mr. Turner, Concerning Platt National park at Sulphur, Oklahoma.

Rec. f. h. 119; 1r, 123; adopt. 130; s. s. 132; op. 133.

House Concurrent Resolution No. 13. By Messrs. Bdyan and Jones, Memorializing congress to remove restrictions on Indian lands in drainage districts, organized under the Oklahoma drainage act, and to authorize the assessment, etc.

Rec. f. h. 191; 1r, 193; adopt. 196; s. s. h. 196; op. 207, 209, ap. gov. 245.

House Concurrent Resolution No. 15, Memorializing congress to aid in the construction of public highways.

Rec. h. 236; adopt. 236; s and ret. h. 24;4 ap. gov. 268.

House Councurrent Resolution No. 18. By Mr. Burnette, Authorizing the state auditor to issue a warrant on the state treasurer for the Oklahoma Engraving and Printing company.

Rec. f. h. 1r, 319; 2r, 323; adopt. 323; s. ret. h. 327; ap. gov.

House Concurrent Resolution No. 20. By Mr. Anthony, Directing the secretary of state to have 10,000 copies of Senate Bill No. 1, printed.

Rec. and adopt. 361.

No. 19 by Mr. Bryan, authorizing and directing the State Auditor to issue warrant to the Leader Printing Company for printing done for the Senate and House.

Rec. f. h. 333; 1st r. 333; rep. com. 379; adopt. 379; s. s. h. 380, o. p. 392, 402, 4th r. 407, Ap. Gov. 456.

No. 23 by Mr. Maxey, recalling House Bill No. 65 from the Governor.

Rec. f. h. 1st r. 449, adopted 449.

No. 24 by Mr. Bell directing the President of the Board of Agriculture to co-operate with the Agricultural Boards of other cotton growing states in gathering statistics.

Rec. f. h. 450; adopt. 457; s. s. h. 458; h. ag'rs to s. amend. 465; 4th r. 466; Ap. Gov. 482.

No. 25 by Mr. Boyle, recalling House Bill No. 93 for the purpose of making corrections.

Rec. f. h. and adopt. 495.

No. 26 by Mr. Burnette, Authorizing the payment of the employees of Senate and House of the Second Legislature.

Rec. f. h. Read 515; s. ret. h. 515; 4th r. 537.

No. 27 by Mr. Burnette, authorizing the payment of certain officers and employees for services necessary to complete the records, etc., after adjournment of the Legislature.

Rec. f. h. 520; sen. con. res. No. 30 substituted for this, 520, 521; 4th r. 538.

No. 28 by Mr. Cope. Authorizing the State Auditor to issue his warrant to pay the contingent expenses of the Second Legislature.

Rec. f. h. and adopt. 542.

No. 21 by Mr. Tillotson recalling House Bill No. 338 from the Governor.

Rec. f . h. and adopt. 381; H. A. S. A. 520.

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