ANTI-TRUST BILL AS IT IS

Amendments Adopted by the House in Proper Place.

THE SENATE WILL AGAIN PASS ON IT

Must Concur or Nonconcur in the Changes Made in the Bill—Will Be Taken Up Wednesday.

Austin, Texas, May 14.—The following is the text of the senate anti-trust act as it now reads, after passing the house. It has gone back to the senate to give that body an opportunity to concur in the house amendments; it will be taken up by the senate Wednesday:

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

Section 1a. A monopoly is any union or combination or consolidation or affiliation of capital, credit, property, assets, trade, custom, skill or acts, or of any other valuable thing or possession, by or between persons, firms or corporations, or associations of persons, firms or corporations, whereby any one of the purposes or objects mentioned in this act is accomplished or sought to be accomplished, or whereby any one or more of said purposes are promoted or attempted to be executed or carried ut, or whereby the several results described herein are reasonably calculated to be produced; and a monopoly as thus defined and contemplated includes not merely such combinations by and between two or more persons, firms or corporations acting for themselves, but is especially defined and intended to include all aggregations, amalgamations, affiliations, consolidations or incorporations of capital, skill, credit, assets, property, custom, trade or other valuable thing or possession, whether effected by the ordinary methods of partnership or by actual union under the legal form of a corporation or an incorporated body resulting from the union of one or more distinct firms or corporations, or by the purchase, acquisition or control of shares of certificates of stock or bonds, or other corporate property or franchises, and all corporations or partnerships that have been or may be created by the consolidation or amalgamation of the separate capital, stock, bonds, assets, credit, properties, custom, trade or corporate or firm belongings of two or more firms or corporations or companies are specifically declared to constitute monopolies within the meaning of this act, if so created or entered into for any one or more of the purposes named in this act.

Section 2. If any person, persons, company, partnership, association or corporation, engaged in the manufacture of any article of commerce or consumption from the raw materials produced or mined in this State, shall with the intent or purpose of driving out competition, or for the purpose of financially injuring competitors, sell at less than the cost of manufacture, or give away their manufactured products, for the purpose of driving out competition or financially injuring competitors engaged in the manufacture and refining of the raw materials in this State; said person, persons, company, partnership, association or corporation resorting to this method of securing a monopoly in the manufacture, refining and sale of the finished product produced or mined in this State, shall be deemed guilty of a conspiracy to form or secure a trust or monopoly in restraint of trade and on conviction shall be subject to the penalties of this act.

Section 2a. If any person, persons, company, partnership, association, corporation or agent engaged in the manufacture or sale of any article of commerce or consumption produced, manufactured or mined in this State or elsewhere, shall, with the intent or purpose of driving out competition or financially injuring competitors engaged in similar business, said person, persons, company, partnership, association, corporation or agent resorting to this method of securing a monopoly within this State in such business, shall be deemed guilty of a conspiracy to form or secure a trust or monopoly in restraint of trade, and on conviction thereof shall be subject to the penalties of this act.

Section 3. Any person, partnership, firm or association, or any representative or agent thereof, or any corporation or company, or any officer, representative or agent thereof violating any of the provisions of this act shall forfeit not less than two hundred dollars nor more than five thousand dollars for every such offense, and each day such person, corporation, partnership or association shall continue to do so shall be a separate offense, the penalty in such cases to be recovered by an action in the name of the State at the relation of the attorney general or the district or county attorney; the moneys thus collected to go into the State treasury, and to become a part of the general fund, except as hereinafter provided.

"Section 3a. If any two or more persons or corporations who are engaged in buying or selling any article of commerce, manufacture, mechanism, merchandise, commodity, convenience, repair, any product of mining or any article or thing whatsoever, shall enter into any pool, trust, agreement, combination, confederation, association or understanding to control or limit the trade in any such article or thing; or to limit competition in such trade by refusing to buy from or sell to any other person or corporation any such article or thing aforesaid, for the reason that such other person or corporation is not a member of or party to such pool, trust, agreement, combination, confederation, association or understanding; or shall boycott or threaten any person or corporation for buying from or selling to any other person or corporation who is not a member of or party to such pool, trust, agreement, combination, confederation, association or understanding any such article or thing aforesaid, it shall be a violation of this act."

Sec. 4. Any corporation created or organized by or under the laws of this State, which shall violate any of the provisions of the preceding sections of this act shall thereby forfeit its corporate rights and franchises; and its corporate existence shall, upon proper proof being made thereof in any court of competent jurisdiction in the State, be by the court declared forfeited, void and of non-effect, and shall thereupon cease and determine; and any corporation created or organized by or under the laws of any other State or country, which shall violate any of the provisions of the preceding sections of this act, shall thereby forfeit its right and privilege thereafter to do any business in this State, and upon proper proof being made thereof in any court of competent jurisdiction in this State, its right and privilege to do business in this State shall be declared forfeited; and in all proceedings to have such forfeiture declared, proof that any person who has been acting as agent of such foreign corporation in transacting its business in this State has been while acting as such agent, and in the name, behalf, or interest of such foreign corporation, violating any provisions of the preceding sections of this act, shall be received as prima facie proof of the act of the corporation itself; and it shall be the duty of the clerk of said court to certify the decree thereof to the secretary of state, and if it be an insurance company, to the commissioner of insurance, statistics and history of the State, who shall take notice and be governed thereby as to the corporate powers and rights of said corporation.

Sec. 5. It shall be the duty of the secretary of state on or about the first day of July of each year, to address to the president, secretary or treasurer of each incorporated company doing business in this State, a letter of inquiry as to whether the said corporation has all or any part of its business or interest in or with any trust, combination or association of persons or stockholders, as named in the preceding provisions of this act, and to require an answer, under oath, of the president, secretary or treasurer, or any director of said company; a form of affidavit shall be inclosed in said letter of inquiry, as follows:

AFFIDAVIT.

THE STATE OF TEXAS, |
County of ..... |

I, ..., ..., do solemnly swear that I am the ..... (president, secretary, treasurer or director) of the corporation known and styled ....., duly incorporated under the laws of ....., on the .... day of ....., 18.., and now transacting or conducting business in the State of Texas, and that I am duly authorized to represent said corporation in making this affidavit, and I do further solemnly swear that the said ....., known and styled as aforesaid, has not since the .... day of ..... (naming the day upon which this act takes effect) created, entered into or become a member of, or a party to, and was not, on the .... day of ....., nor at any day since that date, and is not now, a member of, or a party to, any pool, trust, agreement, combination, confederation, or understanding, with any other corporation, partnership, individual, or any other person, or association of persons, to regulate or fix the price of any article of manufacture, mechanism, merchandise, commodity, convenience, repair, any product of mining, or any article or thing whatsoever, or the premium to be paid for insuring property against loss or damage by fire, lightning, storm, cyclone, tornado, or any other kind of policy issued by the parties aforesaid; and that it has not entered into or become a member of, or a party to, any pool, trust agreement, contract, combination or confederation, to fix or limit the amount of supply or guaranty of any article of manufacture, mechanism, merchandise, commodity, convenience, repair, or any product of mining or any article or thing whatsoever, or the price or premium to be paid for insuring property against loss or damage by fire, lightning, storm, cyclone, tornado, or any other kind of policy issued by the parties aforesaid; and that it has not issued and does not own any trust certificates, and for any corporation, agent, officer or employe, or for the directors or stockholders of any corporation, has not entered into, and is not now with any combination, contract or agreement with any person or persons, corporation or corporations, or with any stockholders, or directors thereof, the purpose and effect of which said combination, contract or agreement, would be to place the management or control of such combination or combinations, or the manufactured product thereof, in the hands of any trustee or trustees, with the intent to limit or fix the price, or lessen the production and sale of any article of commerce, use or consumption, or to prevent, restrict or diminish the manufacture or output of any such article, that it has not entered into any conspiracy, defined in section 2 of this act, to form or secure a trust or monopoly in restraint of trade; that it has not been since the passage of this act and is not now a monopoly under the provisions of section 8 of this act, and is not the owner or lessee of a patent to any machinery, intended, used or designed for manufacturing any raw material or preparing the same for market by any wrapping, baling or other process, and while leasing, renting or operating the same, refuses or fails to put the same on the market for sale; that it has not issued, and does not own any trust certificates, and has not, for any corporation or any agent, officer or employe thereof, or for the directors or stockholders thereof, entered into and is not now in any combination, contract or agreement with any person or persons, corporation or corporations, or with the stockholders, directors or any officer, agent or employe of any corporation or corporations the purpose or effect of which combination, contract or agreement would be a conspiracy to defraud as defined in section 1 of this act, or to create a monopoly as defined in sections 2 and 8 of this act.

.....
(President, Secretary, Treasurer, or Director.)

Subscribed and sworn to before me, a ....., within and for the county of ——, this —— day of ———, 18—.
(Seal.) .....

And on refusal to make oath, in answer to said inquiry, or on failure to do so within thirty days from the mailing thereof, such failure shall be prima facie proof that such incorporated company is transacting business in the State of Texas, and has violated the provisions of this act every day after the expiration of thirty days from the mailing of said letter of inquiry, the secretary of state shall certify to the prosecuting attorney of the district or county wherein said corporation is located, and it shall be the duty of such prosecuting attorney, at his earliest practicable moment, in the name of the State, and at the relation of said prosecuting attorney, to proceed against such corporation, if a domestic corporation, for the recovery of the money forfeit provided for in this act, and also for the forfeiture of its charter or certificate of incorporation. If a foreign corporation, to proceed against such corporation for the recovery of the money forfeit provided for in this act, and to forfeit its right to do business in this State; and provided, that whatever money, bonds, or other securities may be on deposit in this State shall remain subject to the decision of said court to secure whatever penalties or costs may be adjudged against said corporation or individual. It is provided, however, that all parties making the affidavit provided for in this section, shall be exempt from criminal prosecution for any violation of law that may be disclosed by such affidavit. It is further provided, that the secretary of state shall, from time to time, when he may have reason to believe that individuals or partnerships are doing business in this State in violation of this act, address the letter of inquiry herein provided for to such individuals or partnerships and require of them the same answer under oath prescribed in this section for the officers of corporations, the affidavit to which must be made by the individual addressed or some member of the partnership addressed; the form of affidavit herein prescribed, with such changes as may be necessary to make it applicable to individuals and partnerships shall be inclosed in said letter of inquiry.

Sec. 6. It shall be the duty of the attorney general and the prosecuting attorney of each district or county, respectively, to enforce the provisions of this act. The attorney general and the prosecuting attorney shall institute and conduct all suits begun in the district courts, and upon appeal the attorney general shall prosecute said suits in the courts of civil appeals and supreme court. As compensation for his services in this behalf the district or county attorney representing the State shall be entitled to his actual expenses incurred in the prosecution of such suits, to be paid by the defendant or defendants when judgment is rendered for the State, to be taxed as costs by the court hearing the cause. The prosecuting attorney shall receive for his compensation one-fourth of the penalty collected.

Sec. 7. In all suits instituted to forfeit the charter of corporations, or to forfeit the right of a corporation to do business in this State, where a judgment of forfeiture is obtained, the district court rendering such judgment shall allow the prosecuting attorney a fee of not less than twenty-five dollars nor more than two hundred and fifty dollars, to be paid out of said corporation; and when the attorney general takes part in said prosecution he shall be entitled to his actual expenses, to be paid in like manner. All actions authorized and brought under this act shall have precedence, on motion of the prosecuting attorney or attorney general, of all other business, civil and criminal, except criminal cases where the defendants are in jail; and provided further, that this act shall not be held to apply to live stock and agricultural products in the hands of the producer or raiser, nor shall it be understood or construed to prevent the organization of laborers for the purpose of maintaining any standard or wages, provided the fees allowed prosecuting attorney representing the State, provided for in this section, shall be over and above the fees allowed him by the general fee bill now in force.

Sec. 8. Every corporation, co-partnership, firm or individual who may be the owner or lessee of a patent to any machinery, intended, used or designed for manufacturing any raw materials or preparing the same for market by any wrapping, baling or other process, who shall lease, rent or operate the same in their own name and refuse or fail to put the same on the market for sale, shall be adjudged a monopoly and subject to all the pains and penalties provided in this act.

Sec. 9. The sale of any article or commodity manufactured or controlled by a trust or monopoly is hereby declared illegal, and shall not be enforceable at law or in equity, and the consideration for such sale shall never be collectible; and when cash or anything of value is paid as the compensation of said sale, such cash or thing of value is hereby declared paid in violation of law, and may be recovered back.

Sec. 10. The following corporations, copartnerships, firms or individuals are also adjudged a monopoly and subject to all the pains and penalties provided in this act:

Every corporation, co-partnership, firm or individual which may gather items of news or press dispatches for sale to newspapers and which shall refuse to sell said items of news or press dispatches to more than one newspaper to a stated number of inhabitants in any city, town, or subdivision of the State of Texas or within a certain radius of territory.

Every association of newspapers formed for the purpose of exchanging items of news and press dispatches which may require of its members under pain of forfeiture their membership, that they do not sell to or exchange with newspapers not members of said association any item or press dispatches.

Sec. 11. Provided, that the foregoing sections of this act shall be construed to be cumulative to all laws now in force in this State. And all the penalties provided in the existing law of this State shall continue to exist as to violations of such law and be applied to all violations thereof that have, or may occur before this act takes effect, or which are not covered by this act. But after this act goes into effect the penalties provided herein shall control in all proceedings against corporations for any violation of this or existing laws. And in all cases against persons, co-partnerships or associations the penalties herein provided shall apply to such co-partnership or association, but if the offense committed is a felony under existing law the persons actually committing the same shall be punished under such law, in the manner therein provided. Should there be a different penalty provided for the same violation of any provision of this act, and that existing law, not herein specially provided for, the penalties provided in this act shall be the penalties in such cases. But this act shall not repeal or supersede the provisions of the penal code or code of criminal procedure of this State upon the subject matter of this act; provided that this act shall be enforced and take effect from and after the 31st day of January, A. D. 1900.

Sec. 12. The near approach of the end of the session and fact that we now have no adequate anti-trust law upon the statutes and the importance of such legislation, create an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted.

SENATOR DAVIDSON'S OPINION.

Says House Amendments Make the Bill Stronger.

Victoria, Texas, May 14.—Hon. A. R. Davidson, senator from this, the Twenty-second senatorial district, passed through here yesterday en route to his home in Cuero; he was the recipient of hearty congratulations from his constituents here on the passage by the house of his anti-trust bill. In conversation with The Post correspondent he stated that the amendments added by the house only served to make it stronger, and that in his opinion there was no doubt that they would be promptly concurred in by the senate. He further stated that the measure had had the very closest study; that all authorities had been consulted, and every decision of the courts bearing on the subject looked up, with the final conclusion that it would stand the test of the courts, whether State or Federal. He is of the opinion that the "trusts" will be one of the leading, if not the leading issue in the next campaign, and that the Texas law would serve as a good pattern for legislatures in other States seeking to suppress the great octopus.

A Young Boy Drowned.

Kenedy, Texas, May 14.—At the Nichols' tank this evening about 6 o'clock Willis Pullin, aged 16, son of Hiram Pullin, Sr., was drowned. From best information obtainable he and some friends went to the tank for the purpose of bathing. Young Pullin attempted to swim his horse across the tank; the horse became unruly, throwing him off and it is supposed he was hurt, which rendered him unable to reach the bank. When rescued life was extinct. This sad affair has cast a gloom over the entire community, he being prominently connected and a popular young man.

CASTORIA.
Bears the Signature of Chas. H. Fletcher. The Kind You Have Always Bought

AN IMPORTANT NEW LAW

It Defines Fraternal and Benevolent Organizations,

PROVIDES FOR THEIR CONTROL BY STATE

And Defines the Duties of the Commissioner of Insurance—It Affects Many Bodies.

Austin, Texas, May 14.—Following is the text of the law, the bill having been signed by the governor Saturday, defining fraternal and benevolent associations and providing for their regulation by the State and defining the duties of the commissioner of insurance with regard thereto; this bill affects every fraternal insurance organization in the State and is, therefore, of much importance.

A fraternal beneficiary association is hereby declared to be a corporation, society or voluntary association formed or organized and carried on for the sole benefit of its members and the beneficiaries and not for profit, or that issues benefit certificates to such of its members only as may apply therefor, and that maintains a separate branch composed of the members who hold such certificates, issued and governed by or through a separate board of management, authorized and appointed by such corporation, society or association for the sole purpose of managing and conducting such branch. Each association shall have a lodge system with ritualistic form of work and elective representative form of government, and shall make provision for the payment of benefits in case of death and may make provision for the payment of benefits in case of sickness, temporary or permanent disability, either as the result of disease, accident or old age; provided, that the period of life at which payment of physical disability benefits on account of old age commences shall not be under 70 years, subject to their compliance with its constitution and by-laws. The fund from which the payment of such benefits shall be paid, which shall be known as the benefit fund, and the fund from which the expenses of such association shall be defrayed, which shall be known as the general fund, shall be derived from assessments, monthly payments or dues collected from its members. Payment of death benefits shall be to the families, heirs, blood relatives, affianced husband or affianced wife, or to persons dependent upon the member at the time of his death, and should there be no one of the classes herein mentioned, capable of taking the benefit at the death of the member, then the same shall pass as provided by the laws and rules of the association. Such associations shall be governed by this act and shall be exempt from the provisions of the insurance laws of this State, and no law hereafter passed shall apply to them unless they be expressly designated therein.

Section 2. All such associations coming within the description as set forth in section 1 of this act, organized under the laws of this or any other State, province or territory, and now doing business in this State, may continue such business, and all associations of a fraternal beneficiary character not coming within the description as set forth in section 1 of this act, and now doing business in this State, may continue such business; provided, that all such associations of either character above mentioned, shall hereafter comply with the provisions of this act regulating annual reports and the designation of the commissioner of insurance as the person upon whom process may be served as hereinafter provided, and otherwise complying with the terms of this act hereinafter provided.

Section 3. Any such association coming within the description as set forth in section 1 of this act, organized under the laws of any other State, province or territory, and not now doing business in this State, shall be admitted to do business within this State when it shall have filed with the commissioner of insurance a duly certified copy of its charter and articles of association, and a copy of its constitution and by-laws, certified to by its secretary or corresponding officer, together with an appointment of the commissioner of insurance of this State as a person upon whom process may be served in any suit in which such association may be a party; and provided, that such association shall be shown to be authorized to do business in the State, province or territory in which it is incorporated or organized, in case the laws of such State, province or territory do not provide for any formal authorization to do business on the part of such association, then such association shall be shown to be conducting its business in accordance with the provisions of this act, for which purpose the commissioner of insurance of this State may personally, or by some person to be designated by him, examine into the condition, affairs, character and business methods, accounts and books of such association at its home office, which examination shall be conducted at the expense of such association, such expense not to exceed $5 per day and actual expenses of travel and reasonable hotel bills of the person making such examination; provided, the cost of such examination shall never exceed the total sum of $50; and provided, further, that such association shall be required to furnish such annual statement on entering this State for the preceding year's business, such as set forth in the requirements of section 5 of this act.

Section 4. When legal process against any such association is served upon the commissioner of insurance of this State, in any suit in which such association may be a party, he shall immediately notify the association of such service by letter prepaid and directed to its secretary or corresponding officer, and shall within three days after such service, forward in the same manner a copy of the process served on him. The plaintiff in such suit shall at the time such process is served pay the commissioner of insurance a fee of $2, which shall be recovered by him as part of the costs if he prevails in the suit. The commissioner of insurance shall keep a record of all process served on him, showing the day and hour of such service, and any process served on said commissioner as herein provided shall be valid and binding on such association.

Section 5. Every such association doing business in this State shall, on or before the first day of March of each year, make and file with the commissioner of insurance of this State a report of its affairs and operations during the year ending on the 31st day of December of the previous year, which annual report shall be in lieu of all other reports required by any other law. Such reports shall be upon blank forms to be provided by the commissioner of insurance and shall be verified under oath by the duly authorized officer of such association and shall be published, or the substance thereof, in the annual report of the commissioner of insurance under a separate part, titled, "Fraternal Beneficiary Associations," and shall contain answers to the following questions:

1. Number of certificates issued during the year, or members admitted.
2. Amount of indemnity effected thereby.
3. Number of losses or benefit liabilities incurred.
4. Number of losses or benefit liabilities paid.
5. The amount received from each assessment for the year.
6. Total amount paid members, beneficiaries or heirs.
7. Number and kind of claims for which assessments have been made.
8. Number and kinds of claims compromised or resisted, and brief statement of reasons.
9. Does association charge annual or other periodical dues or admission fees?
10. How much on each one thousand dollars, annually or per capital, as the case may be?
11. Total amount received, from what source, and distribution thereof.
12. Total amount of salaries paid to officers.
13. Does association guarantee in its certificates fixed amounts to be paid regardless of amount realized from assessments, dues, admission fees and donations?
14. If so, state what amount guaranteed, and the security of such guarantee.
15. Has the association a reserve or emergency fund?
16. If so, how is it created, and for what purpose, the amount thereof and how invested?
17. Has the association more than one class?
18. If so, how many and the amount of indemnity in each?
19. Number of members in each class.
20. If voluntary, so state and give date of organization.
21. If organized under the laws of this State, under what law and at what time, giving chapter, and year and date of the passage of the act.
22. If organized under the laws of any other State, under what law and at what time, giving chapter and year and date of the act.
23. Number of certificates of beneficiary membership lapsed during the year.
24. Number in force at the beginning of the year and end of the year; if more than one class, number in each class.
25. Name and addresses of its president, secretary and treasurer or corresponding officer.

The commissioner of insurance is authorized and empowered to address any additional inquiries to any such association in relation to the matters embraced in such report and such officers of such association as the commissioner of insurance may require, shall promptly reply in writing, under oath, in all such inquiries.

Sec. 6. Any such association refusing or neglecting to make the report, as provided in this act, shall be excluded from doing business within this State. Said commissioner of insurance must, within sixty days after failure to make such report, or in case any such association shall exceed its powers or shall conduct its business fraudulently, or shall fail to comply with any of the provisions of this act, give notice in writing to the attorney general, who shall immediately commence an action against any such association to enjoin the same from carrying on any business. And no injunction against any such association shall be granted by any court except on application by the attorney general, after the request of the commissioner of insurance, whether the State or a member or other party seeks relief. No association so enjoined shall continue business until such report shall be made, or overt act or violations complained of shall have been corrected, nor until the costs of such action be paid by it; provided, the court shall find that such association was in default, as charged, whereupon the commissioner of insurance shall reinstate such association, and not until then shall such association be allowed to again do business in this State.

Sec. 7. Every such association coming within the description as set forth in section 1, of this act, shall pay annually to the commissioner of insurance the following fees in connection with its entrance into the State:

Fee for filing certified copy of charter, $5; fee for certificate of authority to association, $1; fee for filing annual statement, $1.

Sec. 8. Any person who solicits for or organizes lodges of such associations as are described in the first section of this act without first obtaining from the commissioner of insurance a certificate of authority showing that the association has complied with the provisions of this act, and is entitled to do business in this State, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than $100 nor more than $250, or by imprisonment in the county jail for not less than three nor more than six months, or by both such fine and imprisonment; provided, the provisions of this section shall not be so construed as to prohibit any member or members of a local or subordinate lodge from soliciting any person or persons to become a member of any local or subordinate lodge already in existence; and provided further, the provisions of this section shall not apply to any member of members of any local or subordinate lodge who participates in, supervises, directs or conducts the organization or establishment of any local or subordinate lodge within the limits of the county of his or their residence or lodge district.

Sec. 9. Any fraternal beneficiary association organized under the laws of this State or any other State, province or Territory, doing business in this State under the provisions of this act, which shall provide in its constitution or bylaws for the collection of assessments from its members at a rate higher than may be necessary to pay ordinary death or disability claims or benefits, for the purpose of creating a reserve fund to be used in cases of emergency, or for the purpose of maintaining a maximum rate of assessment, shall have the right to do so, and such reserve fund shall constitute a part of the benefit fund, and such association shall not be permitted to use such fund for any purpose except the payment of death or disability benefits, and such reserve funds shall be invested in such securities and in such manner as may be directed and approved by the board of trustees of such association.

Sec. 10. The benefit fund and the general fund of any fraternal beneficiary association doing business in this State under the provisions of this act, shall each be kept as a separate fund, and it shall be unlawful to transfer or use any part of the benefit for any other purpose than the payment of benefits or expenses incurred in the settlement of beneficiary claims.

Sec. 11. The money or other benefits, charity, relief or aid to be paid, provided or rendered by any association authorized to do business under the provisions of this act, shall not be liable for the debts of the beneficiary or holder of any certificate and shall not be subject to garnishment or other process at the suit of any creditor, nor shall it be taken, seized, appropriated or applied by any legal or equitable process, or by operation of law, to the debts of the certificate holder or any beneficiary named in such certificate or any person who may have any rights thereunder.

Sec. 12. Any fraternal beneficiary association organized under the laws of this State or doing business in this State, may provide for the meetings of its legislative or governing body in any other State, province or Territory wherein such associations shall have subordinate bodies, and all business transacted at such meetings shall be valid in all respects, as if such meetings were held in this State, and when the laws of such associations provide for the election of its officers by votes to be cast in its subordinate bodies, the vote so cast in such bodies in another State, province or territory shall be valid as if cast within this State.

Sec. 13. Any fraternal beneficiary association doing business in this State, which, by their laws, rules and constitution have and maintain reciprocal relations with any supreme or grand body of any other corporation or association resident of another province, State or Territory, shall have the right to assess, levy and collect from its members, and pay the same over to such supreme or grand body, as may be due them as provided by the laws and constitution of such local association.

Sec. 14. Seven or more persons, citizens of the United States and two of whom must be citizens of this State, may apply for and receive articles of incorporation for the organization of a fraternal beneficiary association. Such application must be in writing and signed by the applicant and must be acknowledged before some authorized officer to take acknowledgements of deeds, and same shall set forth:

1. The names and places of residence of the applicants.
2. Proposed corporate name of the association, which shall not too closely resemble the name of any other similar organization.
3. The object and purpose for which association is formed, and same shall not include more liberal powers than are granted by this act.
4. The location of the principal office of the corporation, which may be in any State, province or Territory, where the association has subordinate bodies.
5. Number of trustees, directors or similar officers, who shall manage the business of the corporation, and the names of such directors for the first year or until the governing body shall meet.
6. The term for which such corporation shall exist shall not exceed fifty years. Such charter shall be filed with the secretary of state, who shall record the same at length in a book kept for that purpose and return the original on file in his office. A copy of the charter or of the record thereof certified under the great seal of the State of Texas shall be evidence of the creation of the corporation. Such charter may be amended at any time, by filing with the secretary of state the desired amendments properly acknowledged as required in obtaining a charter.

Sec. 15. The fee for such charter shall be $50, and for each amendment $25, which shall be paid to the secretary of state at the date of the filing of such charter and amendments.

Sec. 15a. The provisions of this act shall not apply to nor include the Order of Railway Conductors, Order of Locomotive Engineers, Order of Locomotive Firemen or Brotherhood of Railway Trainmen, or Order of Railway Telegraphers, which issue policies of insurance of benefit certificates only to members of their respective organizations, and said organization shall be exempt from the provisions of this act.

Sec. 16. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 17. The crowded condition of the calendar and the fact that there is no law in this State regulating fraternal beneficiary associations, thereby causing great inconvenience to large numbers of people, creates an emergency and an imperative public necessity requiring that the constitutional rule which requires bills to be read on three several days in each house, be suspended, and that this act take effect and be enforced from and after its passage, and it is so enacted.

CORPUS CHRISTI CULLINGS.

Farmers' Annual Picnic Held, to Be Followed by a Barbecue.

Corpus Christi, Texas, May 14.—The farmers of the section surrounding Corpus Christi held their annual spring picnic Friday at the Privur place, about two miles west of this city. The gardeners of the Nuecestown neighborhood will also give a grand barbecue and ball at Nuecestown next Wednesday. It seems that the truck farmers are highly elated over the copious rains which have fallen and the abundant yield of their diversified crops and are unanimously determined to celebrate the success of their energetic labors in grand style.

The Fairview public school, under the efficient management of Miss Mary McBride, held its closing exercises at the spacious school house, three miles west of this city Friday evening. The school room was artistically decorated for the occasion with flags, bunting, evergreens, etc., and presented a very beautiful and conspicuous appearance. An elaborate programme consisting of recitations, orations, singing, etc., constituted the evening's amusement and the large crowd which packed the room to its utmost capacity enjoyed a very pleasant afternoon.

The construction gang of the San Antonio and Aransas Pass railway has arrived here and is now at work making some very badly needed repairs on the three-mile bridge across the reef north of this city. The present force of workmen may be detained at work here several months.

Five young ladies and three young men received the sacraments of first communion at the Catholic cathedral here this morning, which were administered by Rev. C. Jaillet, the pastor.

THE MEXICAN CYCLONE.

Most of the Victims Were Natives and Chinamen.

Eagle Pass, Texas, May 13.—The remains of Lawrence McKinney, who was killed in the cyclone at Hondo, Mexico, were brought here today and interred. He was 20 years old and a son of Superintendent R. M. McKinney of the Hondo coal mines.

Further particulars of the cyclone are to the effect that twenty-three persons are known to have been killed, and four are missing. Sixty-eight were injured, including Superintendent McKinney, whose injuries are serious. All of the killed, with the exception of Lawrence McKinney were Mexicans or Chinamen.

The cyclone showed the usual freaks of such storms, completely destroying some houses and leaving others uninjured. Hondo is about 100 miles south of here and as this country is considered to be below the belt of destructive cyclones, this unprecedented disaster has caused much comment and speculation.

TERRELL TOPICS.

Limits of the City Extended by the Council.

Terrell, Texas, April 13.—At special session of city council this afternoon on petition of citizens of the special locality, the city council expanded sufficiently to take in a strip 1160 feet wide, running nearly the entire length of the city, being 1160 feet wide by 7920 feet in length.

Terrell is arranging for the Methodist district conference, which meets in this city next Wednesday. Also for the summer normal, which meets a few days later on.

United States Marshal R. M. Warden today served notice on A. S. Purvine to appear before United States District Judge Meek next Monday and show cause, if any, why he should not be punished for contempt of court. This is the bankrupt case that has attracted so much attention in Terrell.

The potato bugs are doing a big business with the Irish potatoes.

WOMAN'S PRESS ASSOCIATION.

Temple Preparing to Entertain Her Guests Handsomely.

Temple, Texas, May 13.—The meeting of the Texas Woman's Press association here next Monday, Tuesday and Wednesday is eliciting quite a good deal of interest among the citizens and everything for their comfort and entertainment is being done.

A carriage drive is being arranged for Monday afternoon and a reception just after the drive at the home of Mr. and Mrs. John A. Cole by the members of the Self-Culture club.

A reception is also being arranged for at the home of Mr. C. M. Campbell and a Shakespearean drama by home talent rehearsed.

Judge Willson's Friends Encouraged

Jacksonville, Texas, May 13.—A delegation of attorneys from Rusk and Jacksonville arrived here this morning from Austin, where they had been in interest of Judge S. P. Willson of Rusk for court of civil appeals. They report good prospects for their man.

Mr. Willson is a son of the late Judge Sam A. Willson and is considered one of the best civil lawyers in East Texas.

A Picnic at Lexington.

Lexington, Texas, May 14.—The San Antonio and Aransas Pass railway ran an excursion to this place yesterday consisting of seven coaches, all loaded with people from Yoakum, Shiner, Flatonia, Giddings and other stations, to attend a picnic at the Lexington park. The day passed pleasantly and all returned apparently pleased with their outing.

CASTORIA.
Bears the Signature of Chas. H. Fletcher. The Kind You Have Always Bought

[LETTER TO MRS. PINKHAM NO. ...

"I had female c... plaints so bad th... caused me to ... hysterical fits; have ... as many as nine in ... day.

"Five bottles ... Lydia E. Pinkh... Vegetable Compo... cured me and it ... been a year since I ... an attack.

Mrs. Edna Jack... Pa...

If Mrs. Pinkham's Compound w... such severe cases as this ... must be a great medicine—... any sufferer foolish enough ... give it a trial?

THE TEXAS T. P. A. PIC...

Arrived Safely at Texarkana ... Somewhat Late.

Texarkana, Ark., May 14.—The Texas ... gation to the National convention of the ... eiers Protective Association of America ... ed through here today with banners ... The party is in charge of General Pa... Agent E. P. Turner of the Texas and ... ably assisted by Mr. J. P. Hogerman ... Baltimore and Ohio Southwestern.

The delegates from South Texas—Al... mann, J. E. Ludlow, Joseph G. Rosc... H. Everett—had two unavoidable ... route to Longview and were two hours ... in arriving. They found the Dallas ... Worth members—George D. Brace... Marchbank, John J. Simmons, E. T. ... Howard Peak, Dan Lasker, A. C. Sh... S. E. Holland, Elmo Sledd—and E. P. ... and J. P. Hogerman awaiting them ... Texas and Pacific quartette. It was ... for the San Antonio crowd that Mr. ... was along, or they would now be ... in Longview. The Texas and Pacific ... ductor had orders not to wait, but Mr. ... took matters in his own hands and ... train two hours.

H. L. Benson, J. E. Newton and ... Boldt joined the party at Palestine. C... dore Hightower of the International ... panied the delegation from Austin ... tine, and the party is indebted ... courtesies at his hands. Major John ... of the Iron Mountain was left at ... much to his regret. General Passenger ... Price of the International met the ... Palestine and gave them the glad tidings ... delegation will arrive in St. Louis ... morning and leave at once for Louisville.

Mrs. Alf Dieckmann and Mrs. E. H. ... of San Antonio and Mrs. Lillie Jones ... daughter of Fort Worth are with the ... tion. Much regret is expressed at the ... sence of Mrs. James E. Ludlow, who ... at home to take care of the benevolent ... Howard Peak is contesting the ... honors with C. S. E. Holland.

Caldwell Cullings.

Caldwell, Texas, May 13.—Last ... Miss Suella Hudson's music class, ... by Miss Kate Duckworth's elocution ... gave an entertainment at the opera ... to a large and appreciative audience.

Commissioners court adjourned ... after a week's session. The terms ... county court was changed to six ... year instead of four, as at present. A ... deal of unimportant business was ... to by the court.

Judge E. G. Banks left today for ... ton to visit relatives and friends ... place.

Mr. M. L. Womack, Jr., a representative ... of the Trinity River Lumber company ... Houston, is in the city on business.

Flatonia Facts.

Flatonia, Texas, May 14.—Mr. John ... who was recently appointed postmaster ... place, has received all necessary ... given a $20,000 bond and will in a ... time take charge of his office. Mr. ... is well and favorably known here ... many friends are rejoicing over his ... Having served one term as postmaster ... President Harrison, it is useless to ... will give entire satisfaction.

Dr. W. M. Tucker of Chicago ... spending a few weeks with relatives ... pecting for a suitable location to ... a sanitarium. He has visited several ... ities, but seems most favorably ... with Houston and will visit that city ... few days to look over the situation.

Beeville Briefs.

Beeville, Texas, May 14.—The entertainment ... given at the opera house Friday evening ... Mrs. J. E. Page for the benefit of the ... Eastern Star chapter was one of the most ... joyable events of the kind given in ... for some time. A large attendance was ... ent and a neat little sum of money was ... ized.

Judge John C. Beasley, who has been ... fined to his bed for more than two weeks ... an attack of malignant fever, is still ... sick.

An epidemic of bowel complaint is prevailing ... in Beeville just now.

The local lodge of Knights of Pythias ... reorganized the Uniform Rank and are ... drilling once a week.

Summer Normal at Jacksonville.

Jacksonville, Texas, May 13.—The summer ... normal to be held at Jacksonville will ... June 26 and close July 22. J. L. Bed... superintendent of city schools, Trinity ... ductor, Professor Birdwell of Neches, ... fessor Washington of Jacksonville and ... Seabaugh of Dallas assistants. Terms ... board $10. A large attendance is expected.

CRAB ORCHARD WATER

A natural medicinal water—concentrated ... Aperient, laxative, tonic. A specific for ... liver, kidney, stomach and bowel disorders. ... It cures—

Torpid Liver, Biliousness, Jaundice, Chronic Diseases of the Kidneys, Dyspepsia, Heartburn, Sick Headache, Dysentary, Constipation, Piles.

CRAB ORCHARD WATER is the most ... cacious of the natural mineral waters, ... convenient to take; most economical to buy.

The genuine is sold by all druggists, with Crab Apple trade mark on every bottle.

CRAB ORCHARD WATER CO., Louisville, Ky.