

JOURNAL OF THE SENATE

OF THE

STATE OF TEXAS.

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PROVISIONAL SESSION OF 1870.

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AUSTIN, TEXAS:

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JOURNAL OF THE SENATE
OF
THE STATE OF TEXAS.

PROVISIONAL SESSION OF 1870.

HEADQUARTERS FIFTH MILITARY DISTRICT,
(AUSTIN, TEXAS.)
AUSTIN, January, 11, 1870.

General Order
No. 5.

PAR. II.

In compliance with the fifth section of Act of Congress approved April 10, 1869, the Legislature of the State of Texas will assemble at the State capital, Austin, Texas, on Tuesday, the eighth day of February next, at 12 o'clock M.

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FIRST DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Tuesday, February 8, 1870.

Lieutenant-Governor J. W. Flanagan in the chair.

The Senate being called to order, the following officers were appointed temporarily.

Secretary pro tem.—R. N. Mills.

Assistant Secretary pro tem.—James M. Hart.

Sergeant-at-Arms—J. M. Gibbs.

Door-Keeper—J. P. McKnight.

Assistant Door-Keeper—E. Crary.

Keeper of the Galleries—A. W. Whipple.

Pages—Joseph Burlage, Allen Johnson, D. Lippard.

Page for Lieutenant-Governor—William Hitzfeldt.

Porter—Daniel Sellers.

The following named senators elect were then called, and took the required oath and seat in the Senate :

Webster Flanagan,	E. T. Broughton,
Henry Rawson,	G. R. Shannon,
Don Campbell,	B. J. Pridgen,
H. R. Latimer,	A. K. Foster,
D. W. Cole,	E. L. Alford,
E. L. Dohoney,	Thomas H. Baker,
G. T. Ruby,	M. H. Bowers,
John G. Bell,	Theodore Hertzberg,
W. H. Parsons,	A. J. Fountain,
J. S. Mills,	Mathew Gaines,
W. A. Saylor,	P. W. Hall,

W. H. Pyle.

The following named senators were absent :

E. B. Pickett, Amos Clark, E. Pettit, A. J. Evans.

The following named senators elect being called, declined qualifying :

M. Priest, J. P. Douglas, Samuel Evans.

CONTESTED ELECTIONS.

The following notice of contests were filed :

John H. Lippard, contesting seat of W. H. Pyle, senator elect from Twentieth Senatorial District.

Robert K. Smith, contesting the seat of John G. Bell, senator elect from Thirteenth Senatorial District.

On motion of Senator Rawson the Senate adjourned until ten o'clock to-morrow morning.

SECOND DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Wednesday, February 9, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

Thereupon Amos Clark came forward and took the required oath qualifying him as a senator.

On motion of Senator Flanagan, the Senate adjourned until to-morrow morning at 10 o'clock, A. M.

THIRD DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Thursday, February 10, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

Whereupon the following named senators elect came forward and qualified, viz: J. P. Douglas, H. J. Evans, Samuel Evans.

The Senate then went into an election of officers, with the following result:

For Secretary of the Senate, C. C. Allen received eighteen votes.

For Secretary of the Senate, Milican received two votes.

C. C. Allen, having received a majority of the votes cast, was declared the duly elected Secretary of the Senate.

For First Assistant Secretary, C. Jones received sixteen votes.

Eldridge Perry received nine votes.

C. Jones, having received a majority of the votes cast, was declared the duly elected First Assistant Secretary of the Senate.

For Second Assistant Secretary, J. M. Hart received seventeen votes.

Scipio McKee received five votes.

J. M. Hart, having received a majority of the votes cast, was declared the duly elected Second Assistant Secretary of the Senate.

For Sergeant-at-Arms, J. M. Gibbs received sixteen votes.

W. B. Price received eight votes.

J. M. Gibbs, having received a majority of the votes cast, was declared the duly elected Sergeant-at-Arms.

For Assistant Sergeant-at-Arms, Thomas Powell received fifteen votes.

C. C. Doyle received seven votes.

J. M. Swisher received three votes.

Thomas Powell, having received a majority of the votes cast, was declared the duly elected Assistant Sergeant-at-Arms of the Senate.

For Doorkeeper, J. P. McKnight received nineteen votes.

J. M. Hamilton received five votes.

C. W. Deison received one vote.

J. P. McKnight, having received a majority of the votes cast, was declared the duly elected Door-keeper of the Senate.

For Assistant Door-keeper, Eli Green received seventeen votes.

J. M. Hamilton received two votes.

Vincen McGraven received three votes.

Eli Green, having received a majority of the votes cast, was declared the duly elected Assistant Door-keeper of the Senate.

For Engrossing Clerk, J. M. Page received twenty votes.

L. E. Edwards received five votes.

Milican received one vote.

Cummings received one vote.

J. M. Page, having received a majority of the votes cast, was declared the duly elected Engrossing Clerk of the Senate.

For Enrolling Clerk, G. R. Spaulding received seventeen votes.

A. J. Harroll received seven votes.

G. R. Spaulding, having received a majority of the votes cast, was declared the duly elected Enrolling Clerk of the Senate.

For Postmaster, J. M. Kaumhimer received sixteen votes.

A. P. Harrall received one vote.

J. M. Kaumhimer, having received a majority of the votes cast, was declared the duly elected Postmaster of the Senate.

Messengers—John Braikner received eighteen votes.

Allen Johnson received eighteen votes.

W. A. Simms received five votes.

Lemmell Chambers received one vote.

John Braikner and Allen Johnson, having received a majority of the votes cast, were declared the duly elected messengers of the Senate.

For Porters—Daniel Sellers received seventeen votes.

T. H. Beck received seventeen votes.

Lemmell Chambers received three votes.

Daniel Sellers and T. H. Beck, having received a majority of the votes cast, were declared the duly elected porters.

Phonographic Reporter—S. G. Wilson was nominated and elected by acclamation, and was declared the duly elected reporter of the Senate.

Resolution of A. J. Evans :

Resolved, That the President of the Senate be and he is hereby authorized and empowered to appoint additional messengers or pages as the necessity of the Senate may require.

Adopted.

Senator Parsons moved that a committee of three be appointed to report to the House the complete organization of the Senate.

Carried.

The President appointed Senators Parsons, Bowers and Douglas on said committee.

Report of committee :

Committee report that the House had adjourned until to-morrow morning at ten o'clock, A. M.

On motion of Senator Saylor, Senate adjourned until ten o'clock to-morrow.

FOURTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, February 11, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read.

Senator Bowers suggested a correction therein by inserting his motion of yesterday to dispense with the services of a second assistant secretary for the present, which was, on motion of Senator Hertzberg, laid on the table.

Minutes approved as corrected.

Senator Flanagan moved that a committee of three be appointed to wait on the commanding general and notify him of the complete organization of the Senate, and its readiness to proceed to business.

Adopted.

The President appointed on said committee Senators Flanagan, Broughton and Gaines.

Senator Fountain moved that a committee be appointed to wait upon and notify his Excellency the Governor that the Senate had completed its organization and was ready for the transaction of business.

Adopted.

The President appointed Senators Fountain, Ruby and Douglass on said committee.

Senator Bowers moved that a committee be appointed to prepare rules and regulations for the government of the Senate.

Adopted.

The President appointed Senators Bowers, Parsons and Campbell on said committee.

Communication from his Excellency E. J. Davis, Provisional Governor, State of Texas, transmitting certified copy of the proposed fifteenth amendment to the Constitution of the United States.

EXECUTIVE OFFICE,
AUSTIN, February 10, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: For the purpose of facilitating the dispatch of business now before the Legislature, I take the liberty of transmitting to the honorable body over which you preside a correct copy of the proposed fifteenth amendment to the Constitution, which is taken from the official copy sent to this office from the Department of State of the United States. The thirteenth and fourteenth amendments, which are to be acted on by the Legislature, may be found in correct form in Paschal's Annotated Constitution, of which a few copies for the use of members may be procured at the State Department.

Respectfully,

your obedient servant,

(Signed)

EDMUND J. DAVIS,
Provisional Governor.

On motion, referred to Committee on Federal Relations.

Senator Ruby moved that all cases of contested elections handed over to the Senate by the commanding general be referred to an appropriate Committee on Elections.

The President appointed the following committees:

COMMITTEE ON ELECTIONS.

Senator Thos. H. Baker, Chairman,
Senator Henry Rawson,
Senator Theodore Hertzberg,
Senator D. W. Cole,
Senator M. Gaines.

COMMITTEE ON PRINTING.

Senator A. J. Fountain, Chairman,
Senator W. A. Saylor,
Senator W. H. Parsons,
Senator I. S. Mills,
Senator W. H. Pyle.

COMMITTEE ON FEDERAL RELATIONS.

Senator W. H. Parsons, Chairman,
 Senator Theodore Hertzberg,
 Senator Don Campbell,
 Senator J. P. Douglas.

Senator Saylor moved that a vote of thanks be tendered Dr. R. N. Mills, Secretary *pro tem.*, for the efficient manner in which he discharged his duties.

Adopted.

Report of Committee on Rules and Regulations.

SENATE CHAMBER,
 AUSTIN, February 11, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: The committee appointed to draft and report to the Senate rules for its government, instruct me to report that a few days' delay may be necessary for them to perform the duties imposed upon them, and they therefore recommend the adoption of the rules of the Senate of 1866 for the government of this House until your committee can mature their report.

Respectfully submitted,

M. H. BOWERS,
 Chairman.

Report of Committee appointed to wait on the General Commanding.

MR. PRESIDENT: Your committee beg leave to report that they have called on the General commanding, and informed him of our complete organization. He returns his thanks to the Senate for their prompt and harmonious action, and trusts we will soon discharge the duties incumbent on us as a provisional body.

WEBSTER FLANAGAN,
 Chairman.

Report adopted.

Report of Committee to wait on his Excellency the Governor.

SIR: The committee appointed to wait on his Excellency the

Governor report that they have discharged their duty by informing his Excellency that the Senate had completed its organization and was prepared for the transaction of business.

A. J. FOUNTAIN,
Chairman.

On motion of Senator Cole, Senate adjourned until eleven o'clock to-morrow morning.

FIFTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, February 12, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan, presiding.

Roll called; quorum present.

Minutes of yesterday read.

Senator Parsons suggested a correction therein by inserting the name of John G. Bell on the Committee on Federal Relations, it having been omitted on minutes of previous day.

There being no further objections, the minutes were adopted.

Communication from his Excellency E. J. Davis, Provisional Governor of the State of Texas:

EXECUTIVE OFFICE,
AUSTIN, February 11, 1870.

Hon. J. W. FLANAGAN,

Lieutenant-Governor:

SIR: I have to acknowledge the receipt of a communication from the body over which you preside, presented by the Hon. Messrs. Fountain, Ruby and Evans, committee for the purpose of informing me of the complete organization of the Senate, and a readiness to receive any communication I might wish to make to the same.

While I thank your House for the courtesy thus extended, I deem it my duty to say, that under the circumstances of the present organization of the Legislature, it would not, in my opinion, be proper for me to assume to direct their deliberations by sending any formal official message to the House.

It would give me pleasure, however, to facilitate your body in the

transaction of the business now before it, in any way within my control, by furnishing information, or otherwise.

I have the honor to be,

very respectfully,

your obedient servant,

EDMUND J. DAVIS,

Provisional Governor.

Communication from Gen. J. J. Reynolds, commanding.

HEADQUARTERS FIFTH MILITARY DISTRICT,
(STATE OF TEXAS)

OFFICE OF SECRETARY OF CIVIL AFFAIRS,
AUSTIN, TEXAS, February 12, 1870.

Hon. J. W. FLANAGAN,

President of the Senate,

Austin, Texas:

SIR: I have the honor to inform you that it has been decided that the Hon. M. Priest is ineligible to a seat in the Senate under the reconstruction laws.

Very respectfully,

your obedient servant,

J. J. REYNOLDS,

Bv't. Major General U. S. A., commanding.

Senator Flanagan moved that the Chairman of the Committee on Contested Elections be authorized to employ a clerk during their sitting.

Adopted.

Senator Latimer moved that the members of the Senate continue to occupy the seats they now hold, without drawing for seats during the present session of the Legislature.

Adopted.

Senator Mills moved to adjourn, which motion was afterwards withdrawn.

Resolution of Senator Douglas.

WHEREAS, The proposed Constitution of the State of Texas has not yet received the final approval of Congress, and has no force or effect at law;

Be it resolved by the Senate, That the Supreme Court libraries, now at Galveston and Tyler, should not be disposed of by the State

or removed from those places until after the State has been fully admitted, and the State Constitution has become binding as law.

Which resolution was objected to by Senator Ruby, whereupon the Chair ruled that it cannot be entertained by this body at this time.

Senator Douglas appealed from the decision of the Chair.

Yeas and nays taken, and the Chair sustained in its decision.

Senator Evans, of McLennan, moved that the Senate of Texas (the House of Representatives concurring,) proceed at the time and in the manner prescribed by the laws of Congress of the United States, to elect three United States Senators to represent the State of Texas in the United States Senate, as follows: one to serve from the admission of the State to representation, until the fourth day of March, 1871.

One to serve from admission to fourth day of March, 1871. 5

One to serve from March fourth, 1871, to March fourth, 1877.

Senator Fountain moved to refer said resolution to the Committee on Federal Relations, which motion was afterwards withdrawn.

Senator Parsons moved as a substitute, to go into Committee of the Whole, which motion was adopted, and Senator Parsons appointed chairman.

IN SENATE.

The Chairman of the Committee of the Whole reported progress, and asked leave to sit again on Monday at eleven o'clock, A. M.

Report read, and leave granted.

Senator Cole offered the following resolution:

Resolved, That the Secretary be authorized to procure a complete copy of all the reconstruction acts for the use of each member of this House.

Adopted.

On motion of Senator Alford, Senate adjourned until ten o'clock, Monday morning.

SIXTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Monday, February 14, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of Saturday read and approved.

The following resolution was offered by Senator Cole:

Resolved, That the chairman of the Committee on Elections be, and he is hereby authorized and required to swear all witnesses brought before his committee; and upon the request of the party or parties interested, to issue process for witnesses and commissions to take deposition, in conformity, as nearly as practicable, to the laws of Texas in relation to the taking and returning evidence in cases of contested elections in the Legislature.

Which resolution, on motion of Senator Flanagan, was adopted.

The President ordered the following communication to be read:

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: Believing that I am entitled to the seat in the Senate now occupied by E. L. Dehoney, of the Eleventh Senatorial District, I hereby ask permission to be allowed to lay my claims thereto before the appropriate committee.

Very respectfully,

R. PETERSON.

Austin, February 13, 1870.

Which communication, on motion of Senator Cole, was tabled.

Senator Fountain, Chairman of Committee on Printing, made the following report:

COMMITTEE ROOM,
Austin, February 14, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: The Committee on Printing beg leave to submit the following resolution:

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That both houses meet in joint convention on Tuesday the 15th day of February, 1870, at one o'clock P. M., for the purpose of electing a public printer.

A. J. FOUNTAIN,
Chairman of Committee on Printing.

On motion of Senator Fountain, the report and resolution were adopted.

ELEVEN O'CLOCK, A. M.

The hour having arrived for the consideration of the joint resolution for the election of United States Senators,

On motion of Senator Parsons, the Senate went into Committee of the Whole.

IN SENATE.

Senator Parsons, Chairman of the Committee of the Whole, reported as follows:

That the Senate go into election of United States Senators on the twenty-second day of February, at twelve o'clock, M.

Which report, on motion of Senator Bowers, was adopted.

Senator Parsons, as Chairman of the Committee on Federal Relations, made the following report:

COMMITTEE ROOM,
Austin, February 14, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: As Chairman of the Committee on Federal Relations, to whom was referred the communication of his Excellency E. J. Davis, regarding the amendments to the Constitution of the United States, I am instructed to report back to this honorable body the accompanying resolution, embodying the Fifteenth Amendment, recommending the immediate consideration and passage of the same.

Very respectfully,

W. H. PARSONS,
Chairman of Committee on Federal Relations.

Joint Resolution.

WHEREAS, The Legislature of the State of Texas has received official notification, through his Excellency E. J. Davis, Governor of the State of Texas, of the passage, by both houses of the Fortieth Congress of the United States, at its third session, of the following

proposition to amend the Constitution of the United States, by a constitutional majority of two-thirds thereof, in the words following, to-wit:

A Resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both houses concurring,) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:

ARTICLE XV.

SECTION 1. The rights of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

SCHUYLER COLFAX,
Speaker of the House of Representatives.
B. F. WADE,
President of the Senate *pro tem*.

Attest:

ED. MCPHERSON,
Clerk of the House of Representatives.
GEO. C. GORMAN,
Secretary of Senate, U. S.

Therefore, Resolved by the Legislature of the State of Texas, That we do hereby ratify, on behalf of the State of Texas, the above recited proposed amendment to the Constitution of the United States.

Resolved, That certified copies of the foregoing preamble and resolution be forwarded by his Excellency E. J. Davis, Governor of the State of Texas, to the President of the United States, to the presiding officer of the United States Senate, the Speaker of the United States House of Representatives, and to the Secretary of State of the United States.

Senator Flanagan moved the report and accompanying resolutions of committee be adopted, which was carried by the following vote:

Yeas.....	23
Nays.....	2
Absent.....	4

Those who voted in the affirmative are—

Mr. Alford	Mr. Fountain
Baker	Gaines
Bell	Hall
Bowers	Hertzberg
Broughton	Latimer
Campbell	Mills
Cole	Parsons
Dohoney	Pridgen
Douglas	Pyle
Evans of McLennan	Ruby
Flanagan	Saylor
Foster	

Those who voted in the negative are—

Mr. Evans of Titus	Mr. Shannon
--------------------	-------------

Those absent are—

Mr. Clark	Mr. Pickett
Pettit	Rawson

Resolution of Senator Bowers.

Resolved, That the Senate dispense with the further services of all the officers heretofore elected by this body, except the following, namely :

One Secretary,	Sergeant-at-arms,
One Assistant Secretary,	Door-keeper,
	Reporter.

Senator Alford moved to table the resolution, which was carried by the following vote :

Yeas.....	17
Nays.....	8
Absent.....	4

Those who voted in the affirmative are—

Mr. Alford	Mr. Hall
Baker	Hertzberg
Bell	Mills
Campbell	Parsons
Evans of McLennan	Pridgen
Flanagan	Ruby
Foster	Saylor
Fountain	Shannon
Gaines	

Those who voted in the negative are—

Mr. Bowers	Mr. Douglas
Broughton	Evans of Titus
Cole	Latimer
Dohoney	Pyle

On motion of Senator Ruby, the Senate adjourned until to-morrow morning at ten o'clock, A. M.

SEVENTH DAY'S PROCEEDINGS.

SENATE CHAMBER,

AUSTIN, Tuesday, February 15, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and adopted.

Report of Committee on Federal Relations as follows.

COMMITTEE ROOM,

Austin, February 15, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: As Chairman of the Committee on Federal Relations, to whom was referred the communication of his Excellency, E. J.

Davis, regarding the amendment to the Constitution of the United States, I am instructed to report back to this honorable body the accompanying resolutions embodying the Fifteenth Amendment, recommending the immediate consideration and passage of the same.

Very respectfully,

W. H. PARSONS,
Chairman.

WHEREAS, The Legislature of the State of Texas has assembled under the Reconstruction Laws of the United States, and has received official notification through the Governor of the State that the following amendment to the Constitution of the United States comes properly before this body for its acceptance or rejection, the same being in the words following, to-wit :

ARTICLE IV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a senator or representative in Congress, or elector of President or Vice-President, or hold any office, civil or military, under the United States who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature; or as an executive or judicial officer of any State, to support the Constitution

of the United States, shall have engaged in insurrection or rebellion against the same, or give aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall be questioned.

But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

[This amendment was declared a part of the Constitution of the United States July 28, 1868.]

Therefore,

Resolved by the Legislature of the State of Texas, That we hereby ratify, on behalf of the State of Texas, the above cited amendment to the Constitution of the United States.

Resolved, That certified copies of the foregoing preamble and resolution be forwarded by the Governor of the State of Texas to the President of the United States, to the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and the Secretary of State of the United States.

On motion of Senator Parsons the report and resolution was adopted.

Communication from J. J. Reynolds, commanding Fifth Military District.

HEADQUARTERS FIFTH MILITARY DISTRICT, }
 (STATE OF TEXAS.) }
 OFFICE OF SECRETARY FOR CIVIL AFFAIRS, }
 AUSTIN, Texas, February 15, 1870. }

Hon. J. W. FLANAGAN,

President of the Senate,
 Austin, Texas:

SIR: I have the honor to inform you that the question, as to whether the Hon. W. H. Pyle is qualified under the Reconstruction Laws, has been decided in the affirmative. Upon taking the oath required by General Order No. 21, current series, from this headquarters, he will be entitled to take his seat.

The contest on the grounds, violence, coercion, and intimidation, will be acted upon by the Senate.

The papers referring to this latter contest are hereby enclosed.

Very respectfully,

your obedient servant,

J. J. REYNOLDS,

Brevet Major-General U. S. A., Commanding.

On motion of Senator Ruby the papers accompanying the communication from the Commanding General was referred to Committee on Contested Elections.

Report of Committee on Federal Relations.

COMMITTEE ROOM,

AUSTIN, February 15, 1870.

Hon. J. W. FLANAGAN,

President of the Senate :

SIR : As Chairman of the Committee on Federal Relations, to whom was referred the communication of his Excellency, E. J. Davis, Governor of the State of Texas, transmitting to this body a certified copy of the proposed amendment to the Constitution of the United States, I am instructed to report back to this honorable body the accompanying resolution, recommending the immediate consideration and passage of the same.

Very respectfully,

W. H. PARSONS,

Chairman.

WHEREAS, On the first day of February, 1865, an amendment to the Constitution of the United States, being the Thirteenth Amendment, was approved, and which is as follows :

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

WHEREAS, This amendment was declared a part of the Constitution of the United States, on the eighteenth of December, A. D. 1865, and is submitted to the Legislature of the State of Texas for ratification,

1. *Be it resolved*, That the Senate of the Legislature of the State of Texas, the House concurring, do ratify the said thirteenth article of the amendments to the Constitution of the United States.

2. That a copy of this preamble and resolution be transmitted to the Secretary of State, President of the Senate and Speaker of the House of Representatives of the United States.

On motion of Senator Flanagan the report and resolution was adopted.

X
Message from the House,

Informing the Senate the House had appointed a committee to confer with a like committee of the Senate relative to the election of United States Senators.

Senator Douglas moved that a committee be appointed to confer with the committee from the House.

Carried.

The President appointed the following senators on the committee : Senators Douglas, Parsons and Baker.

Report of Committee on Rules and Regulations.

SENATE CHAMBER,
AUSTIN, February 15, 1870.

Hon. J. W. FLANAGAN,

President of the Senate :

SIR: Your committee appointed to draft and report rules for conducting business in the Senate, have duly considered the subject referred to them, and believing it inexpedient to make any changes in the rules under which the Senate is now acting, until the regular session after the acceptance of the State Constitution by the Congress of the United States, have instructed me to report to the Senate, and to ask to be relieved from making a final report until the next session of this Legislature.

Respectfully submitted,
M. H. BOWERS,
Chairman.

Senator Douglas moved its adoption.

Carried.

Communication from the House.

HALL OF REPRESENTATIVES,
AUSTIN, February 15, 1870.

Hon. J. W. FLANAGAN,

President of the Senate :

SIR: I have been instructed by the House to inform the Senate that the House has passed the following resolution, viz :

Resolved, That this body proceed to the election of a State Printer at one o'clock this P. M.; and further, to invite your honorable body to meet the House in its hall, at the hour mentioned, and for the purpose stated in the above resolution.

I have the honor to be,

very respectfully yours, etc.,

IRA H. EVANS,

Speaker House of Representatives.

Senator Bowers moved the communication be received and laid on the table.

Carried.

Committee of Conference.

Report as follows :

The committee appointed to confer with the committee of the House, to exchange views as to the time of holding the election for United States Senators, reported the reasons influencing the House, and recommend a reconsideration of the action of the Senate in the premises.

J. P. DOUGLAS,

Chairman.

Senator Gaines moved the adoption of the report, which was lost by the following vote :

Yeas	11
Nays	14
Absent	4

Those who voted in the affirmative are—

Mr. Baker	Mr. Gaines
Bell	Hertzberg
Campbell	Parsons
Douglas	Pyle
Evans of McLellan	Ruby
Flanagan	

Those who voted in the negative are—

Mr. Alford	Mr. Hall
Bowers	Latimer
Broughton	Mills
Cole	Pridgen
Dohoney	Rawson
Evans of Titus	Saylor
Foster	Shannon

Those absent are—

Mr. Clark	Mr. Pettit
Fountain	Pickett

Senator Bowers moved a committee be appointed to inform the House of the action taken in the Senate upon report of the Committee of Conference in reference to the election of United States Senators, and insist on the determination to hold said election at twelve o'clock M. on Tuesday, the twenty-second day of February, 1870.

Carried.

The President appointed the following committee: Senators Bowers, Douglas, Parsons and Baker.

Committee returned, informing the Senate they had performed their duty.

On motion of Senator Mills the Senate took a recess until the o'clock P. M., time appointed to meet the House in joint session in the Hall of Representatives.

JOINT SESSION OF SENATE AND HOUSE.

REPRESENTATIVE HALL,
One O'Clock P. M.

Roll called; quorum present.

The President of the Senate announced that nominations for State Printer were in order.

Upon which the following nominations were made by the Senate: Senator Bell nominated J. G. Tracy.

Senator Ruby nominated Messrs. Tracy & Siemering.

Senator Latimer nominated Charles DeMorse.

Vote taken, result as follows:

	<i>Votes.</i>
J. G. Tracy.....	8
Tracy & Siemering.....	6
Charles DeMorse.....	4
Tracy & Quick.....	1

The joint election was as follows:

	<i>Votes.</i>
J. G. Tracy.....	57
Tracy & Siemering	6
Charles DeMorse.....	22
Tracy & Quick.....	1
C. T. Gorland.....	1
Hamilton Stuart.....	1
Total.....	88

J. G. Tracy having received a majority of the votes cast, was, by the Speaker of the House of Representatives, declared the duly elected State Printer.

On motion of Senator Mills the Senate adjourned to its chamber.

IN SENATE.

Upon motion of Senator Alford, the Senate adjourned until ten o'clock to-morrow.

EIGHTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, February 16, 1870.

Senate met pursuant to adjournment.
Lieutenant-Governor J. W. Flanagan presiding.
Roll called; quorum present.
Minutes of yesterday read and approved.

Report of Committee on Contested Elections.

AUSTIN, February 16, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: Your Committee upon Contested Elections, after careful consideration of the case of S. W. Ford vs. A. J. Evans, of the Nineteenth Senatorial District, beg leave to submit the following report to your honorable body:

Counsel for S. W. Ford charged that the election of A. J. Evans was procured by and through intimidation practiced upon colored voters in Falls county, and announced themselves prepared to enter upon trial. Counsel for A. J. Evans objected, and asked for delay on the ground that he had not received notice that his seat was to be contested, and was therefore unprepared to make a defense. In answer, S. W. Ford urged the committee to proceed, alleging that A. J. Evans had been served with notice, together with a full statement of the grounds upon which his seat was to be contested, in compliance with the statute in such cases provided.

Upon investigation of the testimony presented, the committee decided that it was in proof that A. J. Evans had been duly served with notice, and ample time afforded him to prepare for trial. Upon these facts the committee decided that the complaint of A. J. Evans could only have been made for the purpose of evasion or delay, and the committee therefore refused to grant the request, and at once proceeded with the trial, and after a full and impartial examination of the witnesses and investigation of the testimony, decided that the election of A. J. Evans to a seat in the Senate from the Nineteenth Senatorial District was procured through intimidation or threatened violence practised upon colored voters in the county of Falls.

The instances of intimidation, threats of life, loss of employment and social ostracism that were rife in many counties in this State, against voters who sought to exercise a free ballot, would, if unrebuked, subvert republican government.* Such attempted terrorism is the very mockery of freedom. The flagrant example in the county of Falls, and its swift rebuke by this body, will serve as a warning to those who have heretofore maintained their rule and the suppression of the spirit of progress, by threatenings and terror. Such will know hereafter that a seat in a Texas Legislature, obtained by an attempt to coerce a free expression of political sentiment of whatever party, shall not profit the perpetrators of such an intolerable wrong against public policy and republican institutions.

The committee therefore recommend that the Hon. S. W. Ford be admitted to a seat in your honorable body.

Respectfully submitted,

THOS. H. BAKER,
Chairman.

Senator Fountain moved the adoption of the report.

Carried.

Senator Flanagan moved that Senator Ford be invited to qualify and take his seat.

Carried.

Senator Ford then took the required oath and seat in the Senate.

The President announced a communication from Mr. A. J. Evans, which, upon motion of Senator Mills, was read.

Senator Douglas moved the communication be spread upon the minutes of this body.

Lost.

Senator Bowers moved that the Senate adjourn until ten o'clock to-morrow.

Carried.

NINTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Thursday, February 17, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

On motion of Senator Ruby, Senator Rawson was allowed to record his vote on the Fifteenth Amendment.

There being no objections, Senator Rawson was recorded voting "aye."

On motion of Senator Flanagan, Senator Gaines was allowed to record his vote on the Fifteenth Amendment, voting "aye."

Senator Latimer moved to adjourn until to-morrow morning at ten o'clock, A. M.

Yeas and nays called for, and carried by the following vote :

Yeas.....	13
Nays	11

Those who voted in the affirmative are—

Mr. Baker	Mr. S. Eyans
Bell	Foster
Bowers	Hall
Broughton	Latimer
Cole	Mills
Dohoney	Pyle
S. W. Ford	

Those who voted in the negative are—

Mr. Alford	Mr. Hertsberg
Campbell	Pridgen
Douglas	Rawson
Flanagan	Ruby
Fountain	Shannon
Gaines	

TENTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Friday, February 18, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan, presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

Communication from the House transmitting joint resolutions adopting thirteenth, fourteenth and fifteenth amendments to the Constitution of the United States.

Senator Ruby moved that the rules be suspended and the Thirteenth Amendment to the Constitution of the United States be taken up for second reading.

Carried.

Read second time.

Senator Ruby moved that the rules be further suspended, and the

Thirteenth Amendment to the Constitution of the United States be taken up for third reading and final passage.

Carried.

Read third time and passed.

Senator Flanagan moved that the rules be suspended and the Fourteenth Amendment to the Constitution of the United States be taken up for second reading.

Carried.

Read second time.

Senator Fountain moved that the rules be further suspended, and the Fourteenth Amendment to the Constitution of the United States be taken up for third reading and final passage.

Carried.

Read third time and passed by the following vote :

Yeas.....	23
Nays	3

Those who voted in the affirmative are—

Mr. Alford	Mr. Gaines
Baker	Hall
Bell	Hertzberg
Bowers	Latimer
Broughton	Mills
Campbell	Parsons
Cole	Pridgen
Dohoney	Pyle
Ford	Rawson
Flanagan	Ruby
Foster	Saylor
Fountain	

Those who voted in the negative are—

Mr. Evans	Shannon
Douglas	

Senator Fountain moved that the rules be suspended, and the Fifteenth Amendment to the Constitution of the United States be taken up for second reading.

Carried.

Read second time.

Senator Flanagan moved that the rules be further suspended and

the Fifteenth Amendment to the Constitution of the United States be taken up for third reading and final passage.

Carried.

Read third time and passed by the following vote:

Yeas.....	24
Nays.....	2

Those who voted in the affirmative are—

Mr. Alford	Mr. Fountain
Baker	Gaines
Bell	Hall
Bowers	Hertzberg
Broughton	Latimer
Campbell	Mills
Cole	Parsons
Dohoney	Pridgen
Douglass	Pyle
Ford	Rawson
Flanagan	Ruby
Foster	Saylor

Those who voted in the negative are—

Mr. Evans	Mr. Shannon
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Report of Committee on Elections.

COMMITTEE ROOM,
AUSTIN, February 18, 1870.

HON. J. W. FLANAGAN,

President of the Senate:

SIR: Your Committee on Privileges and Elections beg leave unanimously to make the following report:

In the matter of contest between R. K. Smith vs. John G. Bell, of the Thirteenth Senatorial District, your committee find, after full and impartial investigation of said contest, that said John G. Bell was duly and legally elected.

Your committee, therefore, recommend that said John G. Bell be permitted to retain his seat.

Respectfully submitted,

THOS. H. BAKER,
Chairman

Senator Fountain moved that the report be adopted.

Carried.

Senator Bowers moved that as the House had adjourned until Monday, February 21, 1870, at ten A. M., the Senate adjourn until the same time.

Carried.

ELEVENTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Monday, February 21, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of Friday read and approved.

Senator Douglas presented the credentials of Senator Pickett. Thereupon Senator Pickett took the oath of office and his seat.

Communication from the House.

WHEREAS, The people of Texas have adopted a Republican constitution; and

Whereas, the Legislature of the State of Texas, duly assembled by virtue of said instrument, has ratified the Thirteenth, Fourteenth and Fifteenth Amendments to the Constitution of the United States, thus in good faith complying with the conditions precedent to the admission of Texas in the Federal Union; and

Whereas, the signal triumph of Republican principles in the late election has resulted in the installation of the entire Republican candidates, and has secured the balance of power in both Houses of the General Assembly; and

Whereas, the State of Texas is sorely pressed for appropriate relief for her weak, crippled and almost impoverished condition incident to the long absence of remedial legislation; therefore be it

Resolved by the Senate and House of Representatives of the State of Texas, That the Legislature, in order to speedily commence the work of advancing the material wealth and civil

liberty of Texas, shall meet at such time as the Governor may direct by proclamation.

Be it further resolved, That a copy of this preamble and of these resolutions be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States.

Senator Flanagan moved to table the resolution.
Carried.

Communication from General Reynolds relative to contested seat of Senator Dohoney by H. Peterson.

HEADQUARTERS FIFTH MILITARY DISTRICT,
(STATE OF TEXAS.)
OFFICE OF SECRETARY OF CIVIL AFFAIRS,
AUSTIN, February 18, 1870.

I decline to take action on this paper, (received February 17, 1870.) It is respectfully referred to the Senate to which the applicant claims to belong.

J. J. REYNOLDS,
Brevet Major General U. S. A., commanding.

Senator Ruby moved that the matter be referred to Committee on Elections.

Senator Fountain moved the previous question.
Seconded.

Yeas and nays called for on the motion to refer, and carried by the following vote:

Yeas	18
Nays	8

Those who voted in the affirmative are—

- Mr. Alford
- Baker
- Bell
- Campbell
- Clark
- Ford
- Flanagan
- Foster
- Fountain

- Mr. Gaines
- Fall
- Hertzberg
- Mills
- Parsons
- Pridgen
- Rawson
- Ruby
- Saylor

sic

Those who voted in the negative are—

Mr. Bowers	Mr. Evans
Broughton	Latimer
Cole	Pyle
Douglas	Shannon.

Message from the House transmitting joint resolution :

WHEREAS, It may be some time before Congress shall have acted upon the reception or rejection of our Constitution; and

Whereas, it is well known that the judges of the Supreme Court, now on the bench, are exerting their influence to secure an order from the Commanding General for an immediate removal of all Supreme Court records, libraries, etc.; and

Whereas, it may be that the State Legislature, after this State becomes one of the Union, may never desire the removal of the libraries; therefore be it

Resolved by the Legislature of Texas, That the Commanding General is most respectfully, but earnestly, petitioned to permit the books, records, papers and libraries of the two branches of the Supreme Court to remain at their respective places—Galveston and Tyler—until, by action of Congress, it shall become the duty of the Legislature to act in the premises.

Senator Bowers moved that the rules be suspended and House resolution be put upon its second reading.

Carried.

Read second time.

Senator Bell moved the further suspension of the rules and the resolution be put upon its third reading and final passage.

Carried.

Read third time and passed.

Resolution by Senator Parsons as follows :

Resolved, That the Senate of the State of Texas adjourn in respect to the memory of Hon. M. A. Elliott, deceased, recent member of the House of Representatives of this Legislature.

Senator Flanagan moved to adopt the resolution.

Carried.

On motion of Senator Flanagan, the Senate adjourned until to-morrow morning at ten o'clock.

TWELFTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Tuesday, February 22, 1870.

Senate met pursuant to adjournment.
Lieutenant-Governor J. W. Flanagan presiding.
Roll called; quorum present.
Minutes of yesterday read and approved.
Communication from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 21, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: I have the honor to transmit herewith a resolution adopted by the House this forenoon, in regard to the death of the Hon. M. A. Elliott, and to state that in pursuance of said resolution the House stands adjourned until to-morrow at ten o'clock A. M.

Very respectfully,

your obedient servant,

IRA H. EVANS,
Speaker of the House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, February 21, 1870.

WHEREAS, It has pleased Almighty God to withdraw from our body, by death, Hon. M. A. Elliott, of Cook county; and,

Whereas, it seems proper that there should be some action by this House expressive of their sentiment; therefore,

Be it resolved, That in the death of the Hon. M. A. Elliott this body has lost one of its most efficient members, the State a good citizen and his family a kind and indulgent friend and guardian.

Resolved, That this House tender their condolence and kind feeling to the family of Hon. M. A. Elliott, and the widow be furnished with a copy of these resolutions; and further,

Resolved, That in consideration of the respect we have for the memory of Hon. W. A. Elliott, a copy of these resolutions be spread on the journal of this House, and we adjourn until ten o'clock to-morrow morning, and the Senate be informed of the action of this House.

(Signed)

S. S. WEAVER,
Chairman of Committee.

Senator Ruby moved that the resolution be received and spread upon the journals of the body.

Carried.

Report of Committee on Elections.

COMMITTEE ROOM.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: In the matter of contest for seat in your honorable body between J. H. Lippard vs. W. H. Pyle, of the Twentieth Senatorial District, your committee would respectfully report that contestant appeared before the committee and charged that the election of W. H. Pyle as Senator from the Twentieth Senatorial District was procured through intimidation and fraud on the part of said W. H. Pyle or his friends.

After an impartial hearing of all the evidence in the case, your committee decide that the testimony does not sustain the charge of the contestant, and therefore recommend that your honorable body permit W. H. Pyle, senator elect, to retain his seat as Senator from the Twentieth Senatorial District.

Respectfully submitted,

THOS. H. BAKER,
Chairman.

Minority report of Committee on Elections, in matter of Lippard vs. Pyle, was presented by Senators Hertzberg and Gaines.

Senator Flanagan moved the adoption of the majority report, which was carried by the following vote:

Yeas.....	18
Nays.....	9

Those voting in the affirmative are:

Mr. Baker	Mr. Evans
Bell	Flanagan
Bowers	Foster
Broughton	Latimer
Campbell	Mills
Clark	Pickett
Cole	Pridgen
Dohoney	Rawson
Douglas	Shannon

Those voting in the negative are :

Mr. Alford	Mr. Hertzberg
Ford	Parsons
Fountain	Ruby
Gaines	Saylor
Hall	

Senator Cole offered the following resolution :

WHEREAS, The ineligibility of M. Priest, Esq., to a seat in this body has been declared by the Commanding General; and

Whereas, J. E. Dilliard, Esq., received the next highest number of votes for Senator from the Third Senatorial District; therefore,

Be it resolved, That J. E. Dilliard be and is hereby entitled to a seat in this house as Senator from the Third Senatorial District *vice* M. Priest, disqualified.

Resolved, That a copy of these resolutions be transmitted to J. E. Dilliard, Esq., for his information, with a request for him to appear and qualify at the opening of the next regular session.

Senator Parsons moved to table the resolution, which was carried by the following vote :

Yeas.....	17
Nays	9

Those voting in the affirmative are :

Mr. Alford	Mr. Hall
Baker	Hertzberg
Bell	Mills
Campbell	Parsons
Ford	Pridgen
Flanagan	Rawson
Foster	Ruby
Fountain	Saylor
Gaines	

Those voting in the negative are :

Mr. Bowers	Mr. Evans
Broughton	Latimer
Clark	Pickett
Cole	Shannon
Douglas	

Senator Hall offered the following resolution :

Resolved, That all persons contesting seats be allowed mileage and per diem up to date of decision of their cases and that the Secretary be authorized to issue warrants for the same.

Senator Campbell moved to amend as follows :

Resolved, That mileage be allowed to all senators holding certificates of elections and all successful contestants; and

Resolved, further, That all elected officers be allowed mileage in addition to their per diem.

Carried.

Senator Campbell moved to take a recess until twelve o'clock, M.

Carried.

Senate met at twelve, M., appointed time.

Roll called.

Call of the Senate taken and Sergeant-at-Arms ordered to bring in absentees.

Quorum present.

The Chair announced nominations were in order for United States Senators.

Senator Mills nominated Morgan C. Hamilton for the term commencing March 4, 1871, and ending March 4, 1877.

Senator Douglas nominated Horace Broughton for the same term.

Vote stood as follows :

M. C. Hamilton.....	17
Horace Broughton.....	11

Senator Fountain nominated Lieutenant-Governor J. W. Flanagan for the term commencing March 4, 1870, and ending March 4, 1873.

Whereupon Lieutenant-Governor J. W. Flanagan vacated his chair as presiding officer, appointing Senator Fountain to the Chair.

Senator Broughton nominated Hon. Nelson Plato for the same term.

Senator Dohoney nominated L. D. Evans for the same term.

Vote stood as follows :

Lieutenant-Governor Flanagan.....	18
Nelson Plato.....	9
L. D. Evans.....	1

Senator Baker nominated M. C. Hamilton for term ending March 4, 1871.

Senator Bowers nominated Hon. A. H. Latimer for the same term.

Vote stood as follows :

Hon. M. C. Hamilton.....	17
Hon. A. H. Latimer.....	11

Senator Bowers moved to reconsider the motion of Senator Campbell's amendment, allowing mileage to the officers of the Senate.
Carried.

Senator Bowers offered the following amendment :

Amend by striking out the words "further, that all elected officers be allowed mileage in addition to their per diem."

Senator Parsons moved to amend the amendment, as follows :

Resolved, That the subordinate officers of this Senate be allowed mileage going from this adjournment and coming to the regular session.

The Chair ruled the whole subject matter out of order.

Senator Dohoney moved the Senate adjourn until to-morrow morning at ten o'clock.

Carried.

THIRTEENTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Wednesday, February 23, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

Senator Ruby offered the following :

WHEREAS, Brevet Major General J. J. Reynolds, Commander of this, the Fifth Military District, has exercised the duties of his position with ability, honesty and patriotism; and

Whereas, by his persistent refusal to accept of civil promotion at the hands of the Legislature of Texas, he has deprived us of an opportunity of giving his distinguished services to the country a

substantial and honorable recognition, and of evincing by such promotion our confidence in his statesmanship, patriotism and integrity; therefore

Resolved, That we, the members of the State Senate of Texas, for ourselves and in behalf of our constituents, do hereby tender to Brevet Major General Reynolds our sincere thanks for the ability, honesty and patriotism with which he has discharged the laborious and important but delicate duties of commander of this Military District.

Resolved, That in Major General Reynolds the United States government and army have an able, honest and faithful public servant and officer, and that by his just and faithful administration in this district of the vast powers confided to him by the laws of Congress, he has added laurels to those so justly earned by him in the active military service of the country.

Resolved, That a copy of this preamble and resolutions be forwarded by the President of the Senate to General Reynolds and to his Excellency Governor Davis; and that Governor Davis be requested to forward a copy to his Excellency President Grant and the General of the army, General W. T. Sherman.

Senator Fountain moved the adoption of the resolution.

Carried.

Second communication from the House.

HOUSE OF REPRESENTATIVES,
AUSTIN, February 23, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: I have the honor to transmit herewith a certified copy of a resolution which passed the House on the twenty-second inst., inviting the Senate to meet the House this twelve M., for purposes therein specified.

Very respectfully,

your obedient servant,

IRA. H. EVANS.

Speaker House of Representatives.

Resolved, That the Senate is invited to meet the House in this hall, at twelve M., to-morrow, for the purpose of announcing the votes of both Houses for senators, or for the election of senators, if such action be necessary.

I do hereby certify the foregoing to be a true copy of a resolution

which passed this House on the twenty-second day of February, A. D. 1870.

IRA H. EVANS,
Speaker House of Representatives.

Senator Fountain moved the adoption of the House resolution.
Carried.

Senator Douglas offered the following resolution :

WHEREAS, It is the opinion of the Senate that the people of the State of Texas do bear true faith and allegiance to the government of the United States ; and

Whereas, the qualified electors of the State did, at the recent election, by a majority of sixty-seven thousand votes, adopt a constitution of government, recognizing and establishing the equality of all men before the law, and guaranteeing and perpetuating the rights, privileges and immunities of all citizens ; and

Whereas, the people of the State have, through their representatives, almost unanimously adopt the fifteenth article of amendment to the Constitution of the United States, therefore be it

Resolved, That the Senate do respectfully urge upon the Congress of the United States the early removal of the political disabilities of all citizens of the State under the terms of the Fourteenth Amendment to the Constitution of the United States.

Resolved, That the President of the Senate be requested to forward a certified copy of this resolution to the President of the Senate and Speaker of the House of Representatives of the United States.

Senator Dohoney offered the following amendment :

Amend by inserting " all political disabilities," instead of " disabilities arising under the Fourteenth Amendment to the Constitution of the United States."

Senator Hertzberg moved that the whole matter be referred to Committee on Federal Relations.

Yeas and nays called for ; vote as follows :

Yeas.....	15
Nays.....	13

Those who voted in the affirmative are—

Mr. Baker	Mr. Hertzberg
Bell	Mills
Campbell	Parsons
Douglas	Pridgen
Ford	Rawson
Fountain	Ruby
Gaines	Saylor
Hall	

Those who voted in the negative are—

Mr. Alford	Mr. Flanagan
Bowers	Foster
Broughton	Latimer
Clark	Pickett
Cole	Pyle
Dohoney	Shannon
Evans	

Referred to Committee on Federal Relations.

Senator Hall moved that the Senate take a recess until twelve o'clock, M.

Carried.

SENATE CHAMBER,
Twelve o'clock, M.

Senate met at the time appointed, and, upon motion of Senator Ruby, adjourned to the Representative Hall to meet the House in joint session.

Roll called; quorum present.

Absent—Messrs. Hall, Pettit and Saylor.

Chair announced that the two Houses would count the votes cast for United States Senators yesterday.

Minutes read relative to action of Senate yesterday in this matter.

The Speaker announced the following as the result of the vote of both Houses for United States Senators, for the term ending March 4, 1877:

Hon. M. C. Hamilton	71	votes
“ Horace Boughton	39	“
“ A. B. Norton	1	“

Hon. M. C. Hamilton having received a majority of all the votes cast in each House, was declared duly elected United States Senator for the term ending March 4, 1877.

The Speaker announced the following as the result of the vote of both Houses for United States Senators for the term ending March 4, 1873.

Hon. J. W. Flanagan	74	votes
“ Nelsen Plato	32	“
“ S. D. Wood	2	“
“ A. B. Norton	1	“

Hon. J. W. Flanagan having received the majority of all the votes cast in each House, was declared duly elected United States Senator for the unexpired portion of the term ending March 4, 1873.

The Speaker announced the following as the result of the votes of both Houses for United States Senator for the term ending March 4, 1871.

M. C. Hamilton	69	votes
A. H. Latimer	35	“
H. B. Saunders	1	“
J. J. Jarvis	4	“
Nelson Plato	1	“
J. W. Glenn	1	“

Hon. M. C. Hamilton having received a majority of all the votes cast in both Houses, was declared duly elected United States Senator for the unexpired portion of the term ending March 4, 1871.

On motion of Mr. Schutze, a committee of five, consisting of Senators Parsons and Fountain, and Representatives Morrison, Robinson and Schutze, was appointed to invite the United States Senators elect to address the General Assembly, and inform them of the action of the General Assembly.

Senator Bowers moved that the Senate adjourn to its chamber.
Carried.

IN SENATE.

Senator Fountain moved that a committee be appointed to wait upon the Commanding General and his Excellency the Governor and inform them that the Senate had disposed of the business laid

before them by the Commanding General, and had resolved to adjourn on Wednesday, at twelve M., unless the Commanding General has further business to place before them.

The Chair appointed Senators Bowers, Fountain and Saylor as the committee to wait on the Commanding General.

The Chair also appointed Senators Mills, Bell and Alford as the committee to wait upon his Excellency E. J. Davis, Provisional Governor.

Senator Bell moved to excuse Senator Gaines for the present session.

Senator Gaines was excused.

Senator Flanagan moved to excuse Senator Baker for the present session.

Senator Baker was excused.

Resolution of Senator Bowers :

Resolved, That this body, the House of Representatives concurring, will adjourn at twelve o'clock M., on Thursday, the twenty-fourth day of February, 1870.

Carried.

The Chair appointed the following committee to wait on the House and notify them of the action of the Senate: Senators Bowers, Fountain and Mills.

On motion of Senator Bowers, Senate adjourned until to-morrow morning at ten o'clock.

FOURTEENTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Thursday, February 24, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

Report of committee appointed to wait upon his Excellency the Governor.

COMMITTEE ROOM,
Austin, February 24, 1870.

Hon. J. W. FLANAGAN,

President of the Senate :

SIR: Your committee on part of the Senate, to wait on his Excellency the Executive, informing him that the Senate had disposed of all the business before that body, and resolved to adjourn this day at twelve M.

The response was, that he had no communication to offer.

J. S. MILLS,
Chairman of Committee.

Report of Committee appointed to wait upon the General Commanding.

COMMITTEE ROOM,
Austin, February 24, 1870.

Hon. J. W. FLANAGAN,

President of the Senate :

SIR: Your committee appointed to wait upon the General Commanding have discharged their duty, and informed him that the Senate had resolved to adjourn at twelve M. to-day, if he had no further business to lay before them.

In reply, the General congratulated this body upon the harmony of its session and the expedition with which it has transacted the business laid before it, and requested your committee to inform the Senate that he knows of no reason why it should not adjourn as resolved.

A. J. FOUNTAIN,
Chairman of Committee.

Senator Bowers, as Chairman of the committee appointed to wait on the House and inform them that the Senate would adjourn at twelve M. to-day, reported that the committee had performed their duty, and asked to be discharged.

Committee from the House reported concurrence of that body in the resolution to adjourn to-day at twelve M.

Senator Campbell offered the following joint resolution :

Joint Resolution.

WHEREAS, The administration of Brevet Brigadier-General Geo. P. Buell, commanding the post of Jefferson, under the reconstruction laws of Congress, has been signalized by great ability in the maintenance of order and the suppression of crime within the bounds of his jurisdiction ; and

Whereas, it is always becoming in those upon whom great benefits have been conferred to unite in some appropriate method of exhibiting a just appreciation of the efforts of their benefactors ;

Be it therefore resolved by the Legislature of the State of Texas, That the thanks of the people of the State are due, and are hereby tendered to General Geo. P. Buell for the prompt, faithful, and satisfactory manner in which he has discharged the varied and responsible duties of his position, succeeding as he has in a most eminent degree in the protection of the people against lawlessness and the restoration of peace and quiet to a large portion of the country.

Resolved, That the Governor be directed to transmit to General Buell, and the General of the United States Army, immediately upon their passage, a copy of this preamble and resolution.

Senator Hall moved the adoption of the resolution.

Yeas and nays being called for, the resolution was adopted by the following vote :

Yeas	12
Nays	9

Those who voted in the affirmative are—

Mr. Bell	Mr. Hall
Campbell	Hertzberg
Ford	Mills
Flanagan	Pridgen
Foster	Rawson
Fountain	Saylor

Those who voted in the negative are—

Mr. Bowers
Broughton
Clark
Cole
Dohoney

Mr. Douglas
Latimer
Pickett
Pyle

Senator Bowers offered the following resolution :

Resolved, That the thanks of this body be extended to the Hon. J. W. Flanagan, Lieutenant-Governor, for the disinterested ability with which he has performed the duties as presiding officer of this body during the session.

Carried unanimously.

Senator Saylor moved that the Senate adjourn.

Carried.

The President then announced the Senate adjourned *sine die*.

ERRATA.

Page three, line two from bottom, "capital" read "capitol."

Page nine, line two from bottom, "I. S. Mills," read "J. S. Mills."

Page thirteen, line fifteen from top, "1873," read "1875."

Page nineteen, line three from top, "fifteenth," read "fourteenth."

Page nineteen, line fourteen from top, "article four," read "article fourteen."

Page twenty, line eight from top, after "shall," read "not."

Page thirty-seven, line twelve from bottom, "1873," read "1875."

Page thirty-seven, line fifteen from bottom, "Broughton," read "Boughton."

Page forty, line nineteen from bottom, "adopt," read "adopted."

Page forty-two, line nine from top, "1873," read "1875."

Page forty-two, line sixteen from top, "1873," read "1875."

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