

R. L. Batts Austin

JOURNALS OF THE SENATE.

SENATE.

MONDAY, November 18, 1850.

The Senate met in the Senate chamber, at the City of Austin, pursuant to adjournment and the call of the Governor, the President in the chair.

The roll of Senators being called, the following gentlemen answered to their names :

Messrs. Cooke, Campbell, Gage, Grimes, Latimer, McRae, Moffett, Parker, Truit, Van Derlip, Ward and Wallace—12.

There being no quorum, on motion of Mr. Gage, the Senate adjourned until two o'clock p. m.

TWO O'CLOCK P. M.

Mr. James F. Taylor, Senator elect from the sixth Senatorial district, presented his credentials, and took the oath of office and his seat.

On motion of Mr. Parker, the credentials were referred to the committee on Privileges and Elections.

On motion of Mr. Van Derlip, the Senate proceeded to the election of Assistant Secretary and of Doorkeeper, those offices being vacant.

Nominations being in order for the office of Assistant Secretary, Mr. Taylor nominated James F. Johnson. There being no other nomination, Mr. Johnson was declared duly elected by acclamation, Assistant Secretary of the Senate.

Nominations for Doorkeeper being in order,

Mr. Grimes nominated

“ Cooke “
“ McRae “
“ Latimer “
“ Wallace “

Mr. Joseph Mangum ;
“ A. H. Morrell ;
“ C. C. Browning ;
“ Leander Brown ;
“ Francis Gildart.

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There being no other nominations, Messrs. Gage and Moffett were appointed tellers. On the first ballot,

Mr. Mangum received	7 votes ;
“ Morrell “	3 “
“ Browning “	3 “
“ Brown “	1 “
“ Gildart “	1 “

No one candidate having received a majority of all the votes, the Senate proceeded to a second ballot, when

Mr. Mangum received	8 votes ;
“ Morrell “	3 “
“ Browning “	3 “
“ Gildart “	1 “

Mr. Mangum, having received a majority of all the votes, was declared duly elected Doorkeeper of the Senate.

The officers elect came forward and took the oath prescribed by the constitution.

A committee of the House informed the Senate that the House was organized, and ready to proceed to business.

On motion of Mr. Cooke, a committee was appointed to inform the House that the Senate was organized, and ready to proceed to business. Messrs. Cooke and Latimer were appointed said committee.

Mr. Van Derlip moved the appointment of a committee to act in conjunction with a like committee on the part of the House of Representatives to wait on the Governor and inform him of the organization of both branches of the Legislature, and of their readiness to receive any communication he might wish to make to them. Carried.

Messrs. Van Derlip and Campbell were appointed said committee, who retired ; and, after a short absence returned, and reported that the Governor would communicate to the Legislature at ten o'clock to-morrow.

On motion of Mr. Kinney, the Senate adjourned until nine o'clock to-morrow.

TUESDAY, November 19, 1850.

The Senate was called to order by the President. The following Senators answered to their names :

Messrs. Brashear, Cooke, Campbell, Gage, Grimes, Hart, Lati-

mer, McRae, Moffett, Parker, Portis, Taylor, Truit, Ward and Wallace.

The journal of yesterday was read and adopted.

Mr. Cooke introduced a bill to authorize and require the Commissioner of the General Landoffice to issue patents to lands surveyed or to be surveyed within the limits of Mercer's and Peters' colonies. Read first time.

Mr. Gage introduced a bill accepting the proposition made by act of the Congress of the United States to the State of Texas, approved September 9, 1850, for the establishment of her north-western boundary, the relinquishment by her of all territory exterior to said boundaries, &c., &c. Read first time.

Mr. Portis introduced the following resolution :

Resolved, That the committee on Finance be instructed to enquire into the expediency of repealing the law for the collection of direct taxes for the State ; and that they report by bill or otherwise. Lost.

Mr. Grimes introduced a bill giving the assent of the State of Texas to the establishment of her boundary, cession of territory and relinquishment of claims. Read first time.

Mr. Wallace introduced a bill to accept the proposition of the United States to purchase a part of the northwestern territory of the State of Texas. Read first time.

A committee from the House of Representatives invited the Senate to meet the House in the Representative Hall at a-quarter past ten o'clock to-day, for the purpose of hearing the Governor's message read.

Mr. Parker offered the following resolution :

Resolved, That with the consent of the House of Representatives, the two Houses will convene in the Representative Hall at three o'clock p. m., instant, to count the votes of the people of this State for and against the proposition of the United States to Texas, for the purchase of the northwestern domain of Texas.

On motion of Mr. Parker, the rule was suspended, resolution read, and, on motion of Mr. Gage, laid on the table.

A message was received from the House of Representatives, through their Chief Clerk, informing the Senate that the House had elected Mr. John G. Smith Engrossing Clerk.

Mr. Portis presented the petition of Lewis Monroe Mayes ; which was on motion of Mr. Portis, referred to the committee on the Judiciary.

On motion of Mr. Parker, the Senate took recess until a-quarter past ten o'clock.

The recess having expired, the Senate was called to order—a quorum present.

On motion of Mr. Gage, the Senate repaired to the Hall of the House of Representatives, for the purpose of hearing the Governor's message read. Roll called—quorum present.

The message of the Governor was read, and is as follows :

EXECUTIVE DEPARTMENT, }
Austin, November 18, 1850. }

To the Honorable, the

Senate and House of Representatives :

GENTLEMEN : — An event which was no doubt anticipated by you at the time of your recent adjournment, and which has since been officially communicated to me as the Executive of the State, has rendered it necessary for me to assemble you again in extraordinary session. And in greeting you once more as the representatives of the people, I have much pleasure in congratulating you on the improved auspices under which we meet for the tranquility and peace of the State, and the amicable adjustment of all matters of difference which were likely to arise with the Federal Government in respect to our territorial limits.

On the 27th of September last, I received by express from the Department of State at Washington City, a certified copy of two sections of an act passed by the Congress of the United States, "proposing to the State of Texas the establishment of her northern and western boundaries, and the relinquishment by said State of all territory claimed by her exterior to said boundaries, and of all her claim upon the United States, and to establish a Territorial Government for New Mexico."

You will perceive upon an examination of the propositions, thus submitted, (a copy of which is herewith laid before you,) that their acceptance by the State can be manifested only by an act of its Legislature ; and to make the agreement "binding and obligatory upon the United States," it is necessary that your action shall be consummated on or before the first day of December next. The importance, therefore, of assembling you in extraordinary session at as early a day as was practicable after the receipt of the authenticated copy of the two sections of the act above referred to, was so obvious to my mind that I did not hesitate a moment to issue my proclamation convoking the Legislature on the third Monday in November : which proclamation, together with the bill as transmitted to me by the Hon. Secretary of State, I caused at once to be conveyed to every portion of the

State, with the utmost despatch, by special messengers employed for that purpose.

The short period intervening between the time when these propositions reached the Executive and that in which they were to be finally acted upon by the State Legislature, would have induced me to have chosen an earlier day for your meeting, had I believed it practicable to convey the information which the propositions contained to the remote counties of the State in time to have afforded our fellow-citizens an opportunity for forming and expressing their opinions on the important subjects to be presented to you, and thus enable you, as their immediate agents, to execute their will in your legislative action upon these subjects.— This, I trust, will satisfactorily explain to your Honorable body, and to our constituents, what may have appeared to some (inattentive to, or not cognizant of, the true attitude of the subject to which your deliberations are now to be directed,) as an unnecessary delay in the time appointed for your assembling together.

It is true that there is nothing in the act of Congress embracing the propositions herein referred to which required that they should be submitted to the people at all, and from the very limited period allowed for their acceptance or rejection, such a reference does not seem to have been contemplated—the Legislature alone being required to act upon them. This feature in the bill of Congress engaged the anxious attention of the Executive, and imposed a degree of responsibility, which was cheerfully and promptly met, I trust, in a manner satisfactory to the country. In a government and country like ours, where all political power emanates directly from the people, and where their representatives and agents are only employed for a limited period to carry out their will when fairly and clearly ascertained, I could not for a moment believe that a measure of such vast importance in every point of view as the dismemberment of their State and the disposition of a large portion of it for purposes not embraced in the original organization of their government, should be acted upon without affording to the people at large an opportunity for making known their opinions and expressing their wishes upon this measure. I therefore, simultaneously with the proclamation convening the Legislature, issued another, embracing therein, word for word and letter for letter, the authenticated copy received from the Hon. Daniel Webster, Secretary of State, and by which the Chief Justices of their respective counties throughout the State were directed to cause polls to be opened at the various precincts as early as could be done after giving the

necessary notices, and at which the citizens of the State could express their sentiments as to the propriety of accepting or rejecting the propositions submitted to the State, and make those sentiments known as a guide for the action of their Representatives when assembled in their Legislative Halls.

In adopting this course I am sustained by the confidence that the citizens of our State will accord to me the justice of having respected one of the great and essential principles asserted in our Constitution, which declares that all political power is inherent in the people, and I trust that there is no member in either branch of the Honorable Legislature who will suppose that I have had any desire to control or trammel him in the free exercise of his own judgment upon this grave and important subject.

Regarding the act which you are now called upon to perform as one requiring the exercise of high sovereign powers—powers that are rarely delegated by the people, except to agents expressly chosen with reference to them, and believing it to be the desire of every member of your honorable body to carry out in the purity and spirit of our republican institutions and form of government the wishes of those by whom they have been delegated. I did not believe that I could render you a more acceptable service than by adopting a practicable, and the only practicable mode which the time permitted, of causing those wishes to be made known to you before you should be called on to act finally on a question involving such high and vital interests to the State.

To the Chief Justices of the different counties was confided the discretion of appointing the day of receiving the votes upon the propositions submitted, and I was induced to adopt this arrangement from the very limited time (much too limited) which the bill allowed the State for consideration and action. It imposed a degree of responsibility that I was assured would be promptly met, and necessarily excited vigilance in the duty required, calculated to elicit a more general expression of the popular voice. These officers were directed to make their returns of the votes cast at the polls directly to the Legislature, through the presiding officer of each respective branch, and the Executive is not therefore officially informed of the precise character of those returns. From the unofficial returns, however, which have been received, there remains but little doubt that the people of the State who have rendered their votes have decided, by a majority, for the acceptance of the propositions made by Congress, much as they repudiate some of the features, regarding

them (as I have no doubt they did) as a peace offering, which the State might receive without any sacrifice of principle or honor, and as a means of restoring that harmony of feeling and action which it is so desirable should exist between the Federal and State Governments.

Entertaining then but little doubt from the favorable expression of the popular will that the propositions made by the General Government will be accepted by your honorable body, I respectfully suggest in this anticipation, that immediately after that matter shall have been decided, some provision be made for the communication of the result to the proper authorities at Washington city, with as little delay as practicable.

It may be also necessary that the Legislature should take into consideration other matters connected with this subject, and to adopt suitable action in reference to it.—The act of Congress submitting the propositions stipulates that the United States will pay to Texas ten millions of dollars in a stock bearing five per cent interest, redeemable in fourteen years, in consideration of her relinquishment of territory, and of all claim for liability of the debts of Texas, and for compensation or indemnity for such public revenues and property as were transferred to the United States at the time of annexation; but, that no more than five millions of the stock shall be issued “until the creditors of the State holding bonds, or other certificates of stock of Texas, for which duties on imports were specially pledged, shall first file at the Treasury of the United States releases of all claim against the United States for or on account of said bonds or certificates.”

It is to be regretted that Congress was not more specific in defining in this article, the mode of ascertaining and making known at the Federal Treasury the amount of debt for which this five millions of stock are to be retained, or had not deemed the relinquishment by the State of all liability on the part of the United States, as a sufficient guarantee; for it is manifest that the officers of the Treasury can never know except through the acts of the properly authorized officers of Texas, what is the amount of “bonds or stock” now due from the State, and “for which duties on imports were specially pledged,” and consequently can never know from any other source when the time will arrive for issuing the stock on the retained five millions. Every creditor of the State embraced in this provision might file his relinquishment at the Treasury of the United States, and still the stock would not be issued, because under the law no mode has been prescribed for the ascertainment and establishment at the Treasury of the United States the actual amount of debt for which the retained five millions stock were pledged.

We ought not to presume, nor does the language of the act require us to do so, that the General Government intended to assume the right of adjusting the liabilities of Texas, incurred whilst she possessed a separate national character and of settling with her creditors upon the terms of such an adjustment, without reference to and respect for her own acknowledgment of the extent and validity of their claims. We can only suppose that the provision to which I have adverted, was incorporated in the law as a security on the part of the United States against all liability for the payment of such legal and acknowledged claims against Texas as her transferred revenue was pledged to protect. Texas alone, can determine what those claims are, and to Texas only can they look now for their adjustment. I would therefore, recommend to the Honorable Legislature the passage of a law (if the present existing laws on this subject are not deemed sufficient) which will authorize and require the Auditor and Comptroller to make out a tabular statement of the amount for the payment of which the Custom House revenue of the late Republic was pledged, and for which the State is now justly and equitably indebted; this statement to be filed at the Treasury of the United States as evidence; and the only evidence which the State can admit of her liabilities to such creditors—and in preparing this statement, I can perceive no reason why the rule hitherto adopted for ascertaining the actual value of the debt at the time it was created, and of allowing interest thereon, should not be observed.

It was the misfortune of Texas when laboring under a greatly depressed financial condition in her struggle for independence, to enter into contracts for different objects, supposed to be beneficial to her government, embracing stipulations therein, by which the Republic was obligated in the event of a failure to comply with the contracts at maturity, to issue to the contractors bonds double the amount called for in the original contract; some of these contracts were not cancelled at the time specified, and bonds of the government for double the amount actually expended, were issued and delivered to the parties concerned and the revenues of the Republic pledged for their redemption. These bonds now constitute a very material item of the public debt of Texas, for which certificates of stock for the five millions of dollars are withheld. A feature in contracts such as these, if made between individuals, would, under the laws of most civilized countries be void for usury. The creditor in some instances would lose not only the amount of the unlawful exaction, but likewise his debt. I do not desire or intend to suggest the adoption of so stringent a rule to contracts made by governments. The government should certainly pay to its creditors the full amount of the benefits re-

ceived, and interest on the amount from the time when it should have been paid. This is all that our creditors ought in justice to require, and it is all according to the highest standard of moral ethics that we are bound to accord to them.

I would also recommend, that a law be passed requiring all creditors holding claims against the late Republic of Texas, and for which the revenues arising from impost duties were specially pledged, to file releases in favor of the United States, in respect to said claims with the Comptroller of the State within a specified time, and in default thereof, their claims upon the United States for liability of said debts growing out of the transfer of the revenue under the articles of Annexation, shall be considered as waived. Measures of this sort, it occurs to me, are absolutely necessary for a settlement with the Treasury of the United States within any reasonable time of the amount which under the act referred to is to be retained as a security against these claims.

In what manner the State shall dispose of the five millions of dollars, for which certificates of stock will be issued and placed at its control as soon as notice is given of the acceptance of the propositions, presents a subject, it occurs to me, of too much importance to the future prosperity and advancement of the country, to be acted upon by the Honorable Legislature at its present session. It is one which will require much reflection and deliberation, not only on the part of the Representatives of the people, but the people themselves whose interests are to be so materially affected, should have an opportunity of bestowing upon it deep and matured thought, before a plan can be indicated which is most likely to secure to the State all the practical advantages to be derived from the acceptance of the propositions now before you. Up to the present period, the citizens of the country have had no means of forming or expressing their opinions in reference to it, and it occurs to me, that their Representatives who were not chosen with any view to act upon a question of so much importance, and who have had but little opportunity of acquiring a knowledge of their will in regard to it, will not be disposed to precipitate measures which might not meet the approbation of their constituents, and the delay of which can result in no injury to the State.

There is to be superadded to this, the consideration that the agitation of this subject at your present session will, from the great diversity of opinions no doubt existing in reference to it, elicit long and labored discussions, protracting the session and necessarily creating a heavy draft on the Treasury already in a

feeble and exhausted state. Though secondary in importance, this objection is not without its force and validity, for the disturbing incidents of the last year have made our State prolific in Legislative bodies, causing a heavy drain upon the Treasury ; and it now becomes an important desideratum in our political economy to restrict the action of the one in order to curtail the exhausting drafts upon the other ; besides the progressive and healthful condition of affairs of the State generally affords ample and satisfactory evidence that its prosperity is not likely to be materially retarded for want of legislative action.

By holding on to the stock for the present, the interest accruing from it would be more than sufficient to meet the immediate and pressing demands upon the Government and the members of another Legislature would assemble better prepared after the subject has been discussed throughout the country to make such ultimate disposition of the amount referred to, as would be most conducive to the public weal.

I have therefore no recommendation to make to your honorable body other than that the disposition of the funds be postponed for the action of a future Legislature.

In adopting these suggestions, my mind has been directed chiefly to measures promotive of the general good, without for a moment losing sight of the wishes and interest of our creditors. In disposing of the five millions of stock, the delay which I have proposed is not with a view to disparage any just or equitable claim. An honest payment of the public debt and a rigid preservation of the public faith embraces in my humble judgment a principle too sacred ever to be disregarded, certainly ever to be abandoned, by those intrusted with the faith, integrity and stability of our State government : but individual interest must, under the circumstances, yield to the public weal. An important portion of the public debt yet remains to be ascertained, and by existing laws the creditors are allowed until September next to file their claims with the Auditor and Comptroller for adjustment. These claims, (if immediate action be taken,) the Legislature cannot be properly prepared for ; when by the delay proposed until the meeting of the Legislature at its regular session, the entire public debt will have been ascertained, and legislative action can then be based upon a thorough knowledge of the subject.

Within the last year, gentlemen, you have been thrice assembled, and upwards of four months within that period have been employed by you in legislative action, subjecting you to much personal inconvenience and trouble, and the State to an expenditure which she is badly prepared to meet, and you will, I am sure,

pardon me for suggesting that neither the public interest demands nor will the constitution nor the general sentiment of the country sanction that your labors at the seat of government be prolonged at this time beyond a very reasonable period after you shall have completed the work for which you have been specially assembled ; and in this view the Executive does not desire to engage the attention of your Honorable Body with any subject disconnected with the grave and important question upon which you are now called to act.

I invoke for your Honorable Body in conducting the public councils, a spirit of kindness, courtesy, and conciliation, commensurate with your high position and the sacred trust confided to you ; and I sincerely hope that the result of your labors may by the decision of after times prove to have been for the happiness and prosperity of our State, and that you may return to the bosom of your constituents with the inward approbation of having faithfully discharged your duties to the State, and receive from them the highest tribute awarded to public servants,—the warm greetings and plaudits of their fellow-citizens.

P. H. BELL.

On motion of Mr. Parker, the Senate returned to their chamber.

Mr. Wallace offered the following resolution :

Resolved, That the committee on Education be instructed to inquire into the expediency of appropriating as a perpetual school fund, one million of dollars in United States bonds, and the sum of three hundred thousand dollars of the first and second semi-annual instalments of interest that will accrue upon the bonds of the United States ; and that said committee report as early as practicable.

Mr. Moffett offered the following resolution :

Resolved, That no business be entertained at this extra session of the Legislature, save such as may be connected with the acceptance of the proposition made by the General Government to the State of Texas for the purchase of a portion of our north-western territory, or some bill growing out of the same.

Mr. Brashear offered the following resolution :

Resolved, That the committee on Printing be authorized and requested to contract with ————, for one thousand copies of the Governor's message, for the use of the Senate.

On motion of Mr. Portis, the rule was suspended. Resolution read and adopted.

Mr. Van Derlip offered the following resolution :

Resolved, (the House of Representatives concurring) That the Legislature will adjourn sine die on Monday, the 2d day of December ensuing.

A message was received from the House of Representatives, through their Chief Clerk, informing the Senate, that the House had appointed Messrs. Williams, Runnels, McKinney, Stapp, Stewart and Polk, a committee on the part of the House, to whom shall be referred that portion of the Governor's Message relating to the sale of territory, and request the appointment of a like committee on the part of the Senate.

Mr. Wallace moved that a committee of five be appointed on the part of the Senate, to act with the above named committee of the House; Messrs. Wallace, Grimes, Gage, Van Derlip and Kinney, were appointed said committee.

On motion of Mr. Parker, that portion of the Governor's Message relating to the sale of territory, was referred to the above named joint committee.

On motion of Mr. Wallace, the bill introduced by him, was taken up, rule suspended, read second time, and referred to the same joint committee.

On motion of Mr. Grimes, the bill introduced by him, was taken up, rule suspended, read second time, and referred to the same joint committee.

On motion of Mr. Truit, the bill introduced by Mr. Gage, was taken up, rule suspended, read second time and referred to the same committee.

On motion of Mr. Campbell, the Senate adjourned until three o'clock, p. m.

THREE O'CLOCK, P. M.

Senate met—quorum present.

On motion of Mr. Wallace, Senate adjourned until ten o'clock, to-morrow morning.

WEDNESDAY, November 20, 1850.

The Senate was called to order by the President.

The following Senators answered to their names:

Messrs. Brashear, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Hart presented the petition of Robert Shaw, which was on motion of Mr. Hart, referred to the committee on Private Land Claims.

Mr. Robertson presented the petition of the heirs of Martin W. B. Armstrong, which was on motion of Mr. Robertson, referred to the committee on Private Land Claims.

Mr. Gage, chairman of the committee on Privileges and Elections, to which was referred the credentials of Hon. J. F. Taylor, Senator elect from the 6th Senatorial district, reported that they have had the same under consideration, and ascertain from examination of said credentials that the said Taylor had received a majority of all the votes polled, as shown by the certificates of the Chief Justices of the counties composing said district.

Mr. Hart introduced a bill requiring the Commissioner appointed by an act creating the county of Hunt, approved April 11th, 1846, to deliver up certain documents and moneys therein mentioned. Read first time.

Mr. Van Derlip introduced a joint resolution refunding to Major W. S. Henry the fine imposed upon him by sentence of a Court Martial in the 9th Military Department of the United States Army. Read first time.

Mr. Gage introduced a joint resolution appointing Agents to receive and dispose of for cash, the bonds to be issued by the Government of the United States to the State of Texas. Read first time.

Mr. Robertson moved that a select committee of three members of the Senate, to enquire into the amount of the public debt, with instructions to report a bill providing for the filing at the Comptroller's office of the State, within a given time, all the evidence of indebtedness against the State, with the necessary releases against the United States for her liability for said debts, and that the House of Representatives be requested to appoint a like committee, and that said committee act jointly, and report as soon as practicable. Carried.

Messrs. Robertson, Ward and Brashear were appointed said committee.

On motion of Mr. Ward, the Senate went into the election of Enrolling Clerk.

Mr. Ward nominated Mr. D. J. McLemore.

There being no other nominations, Mr. McLemore was declared duly elected.

On motion of Mr. Portis, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK P. M.

The Senate met—quorum present.

ORDERS OF THE DAY.

Resolution offered on yesterday by Mr. Wallace, instructing the committee on Education to enquire into the expediency of

appropriating as a perpetual free common school fund, one million of dollars, &c., was read and rejected by the following vote :

Yeas : Messrs. Brashear, Gage, Portis, Truit and Wallace—5.

Nays : Messrs. Burleson, Campbell, Grimes, Hart, Latimer, McRae, Moffett, Parker, Robertson, Taylor, Van Derlip and Ward—12.

Resolution instructing the committee on Finance to enquire into the expediency of repealing the law for the collection of direct taxes, &c. Read and rejected by the following vote :

Yeas : Messrs. Brashear, Gage, Portis, Truit and Wallace—5.

Nays : Messrs. Burleson, Campbell, Grimes, Hart, Latimer, McRae, Moffett, Parker, Robertson, Taylor, Van Derlip and Ward—12.

Resolution that no business be entertained at this extra session of the Legislature, save such as may be connected with the acceptance of the proposition made by the General Government to the State of Texas for the purchase of a portion of our North-western territory ; was read.

Mr. Gage offered the following amendment :

“ Except a bill for branching the Supreme court of the State.”

On motion of Mr. Van Derlip, the resolution was laid on the table until to-morrow.

Resolution that the Legislature will adjourn *sine die* on Monday the 2d day of December ensuing. Read.

On motion of Mr. Van Derlip, laid on the table until to-morrow.

A bill to authorize and require the Commissioner of the General Land Office to issue patents to lands surveyed or to be surveyed within the limits of Mercer's and Peters' Colonies. Read second time.

On motion of Mr. Campbell, laid on the table.

Mr. Brashear introduced a bill better to regulate the election of Judges of the Supreme Court. Read first time.

On motion of Mr. Brashear, the rule was suspended. Read second time and referred to the committee on the Judiciary.

Mr. Wallace made the following report :

The joint committee to whom was referred the Governor's message, and three several bills to accept the propositions relative to the boundaries of Texas, &c., made by the United States, have acted upon the same, and instructed us to report the accompanying bill, and recommend its passage, and that the referred bills be laid upon the table.

B. RUSH WALLACE, Chairman
on part of the Senate.

WM. M. WILLIAMS, Chairman
on part of House of Representatives.

A bill accepting the propositions made by the United States to the State of Texas, in an act of the Congress of the United States, approved on the 9th day of September, A. D. 1850, and entitled "an act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a Territorial Government for New Mexico." Read first time.

On motion of Mr. Robertson, fifty copies were ordered to be printed for the use of the Senate.

On motion of Mr. Brashear, the Senate adjourned until 9 o'clock to-morrow morning.

THURSDAY, November 21, 1850.

The Senate was called to order by the President: Senators present: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Parker presented the petition of Cyrus H. Randolph, asking the repeal of a certain law therein named; referred to the committee on the Judiciary.

Mr. Wallace presented the petition of Mary Alexander; referred to the committee on Private Land Claims.

Mr. Grimes presented the memorial of Isaac Tousey; referred to the committee on Internal Improvements.

Mr. Wallace presented an informal memorial of a citizen of Texas; referred to the committee on the Judiciary.

Mr. Campbell presented a memorial from the citizens of Kaufman county; referred to a select committee, consisting of Messrs. Campbell, Truit and McRae.

ORDERS OF THE DAY.

A bill accepting the propositions made by the United States to the State of Texas, in an act of the Congress of the United States, approved the 9th day of September, A. D. 1850, and entitled "an act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by

the said State of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a Territorial Government in New Mexico." Read second time.

Mr. Van Derlip moved to amend by striking out of the second line of the preamble the following words: "and figures, to wit:"

Mr. Wallace moved to amend the amendment, by striking out "to wit," which amendment was accepted by Mr. Van Derlip, and amendment adopted.

Mr. Van Derlip moved to amend by adding after the word "mail," and before the word "as," in the third line of the last section, the following words: "and by special messenger."

Upon which, the yeas and nays were called, and were as follows:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Moffett, Portis, Taylor, Van Derlip and Ward—10.

Nays: Messrs. Grimes, Hart, Latimer, McRae, Parker, Robertson, Truit and Wallace—8. Adopted.

Mr. Wallace moved to amend by inserting the words "and another copy," after the word "mail." Adopted.

Mr. Portis offered the following amendment: insert after the word "messenger," the words "to be elected by joint ballot of both Houses of the Legislature." Adopted.

Mr. Portis offered the following amendment to the preamble: strike out the words "are contained in the first section of said act, in the following words and figures, to wit," and insert "contained in an authenticated copy of the two sections of said bill referred to the State of Texas, in the following words." Rejected by the following vote:

Yeas: Messrs. Kinney, Portis and Robertson—3.

Nays: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Ward and Wallace—15.

Mr. Robertson offered the following amendment:

Insert after the word "otherwise," in the fifth proposition, the following words, "it being distinctly understood on the part of Texas, that nothing herein contained shall impair the force or effect of the compact of annexation, otherwise than as herein expressed." Rejected by the following vote:

Yeas: Messrs. Portis and Robertson—2.

Nays: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—17.

Mr. Robertson offered the following amendment, to come in at the end of the 5th proposition :

“ Provided, that the Secretary of the Treasury of the United States shall not be authorized to retain a greater amount of said bonds than which will be sufficient to pay such debts as the revenue derived from impost duties were specially pledged for, which amount is to be ascertained by an act of the Legislature of the State of Texas.” Rejected by the following vote :

Yeas : Messrs. Kinney, Portis and Robertson—3.

Nays : Messrs. Burleson, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Mr. Burleson called for the previous question, which was ordered by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays : Messrs. Kinney, Portis and Robertson—3.

The bill was then ordered to be engrossed, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cook, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—17.

Nays : Messrs. Portis and Robertson—2.

Mr. Gage moved to suspend the rule requiring bills to be read on three several days, that the bill might be put upon its third and final reading.

On motion of Mr. Wallace, the motion to suspend the rule was laid on the table until 3 o'clock P. M.

On motion of Mr. Portis, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK P. M.

Senate met—quorum present.

A bill requiring the Commissioner appointed by an act creating the county of Hunt, approved April 11th, 1846, to deliver up certain documents and moneys therein mentioned. Read second time.

On motion of Mr. Latimer, referred to the committee on the Judiciary.

Joint resolution refunding to Major W. S. Henry the fine imposed upon him by sentence of a Court Martial in the 9th Mili-

tary Department of the United States Army. Read second time and ordered to be engrossed.

On motion of Mr. Parker, the rule was suspended, resolution read third time and passed (unanimously,) by the following vote :

Yeas : Messrs. Brashear, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—17.

Mr. Moffett, chairman of the committee on Engrossed Bills, reported as correctly engrossed, a bill accepting the propositions made by the United States to the State of Texas, in an act of the Congress of the United States, approved the 9th day of September, A. D. 1850, and entitled "an act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a Territorial Government for New Mexico."

Mr. Gage's motion to suspend the rule requiring bills to be read on three several days, was taken up, rule suspended, and the above bill read third time and passed, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—18.

Nays : Mr. Portis—1.

Mr. Robertson moved to have the returns of the vote of the 14th Senatorial District upon the acceptance of Pearce's bill, spread upon the journals of the Senate.

On motion of Mr. Gage, the motion was laid upon the table, by the following vote :

Yeas : Messrs. Burleson, Cooke, Campbell, Gage, Grimes, Moffett, Parker, Truit, Van Derlip and Wallace—10.

Nays : Messrs. Brashear, Hart, Kinney, Latimer, McRae, Portis, Robertson and Ward—8.

On motion of Mr. Gage, the resolution relative to the counting of the votes of the people of the State on the acceptance of the propositions of the United States Government, was taken up.

Mr. Gage moved to amend the bill by striking out "instant," and inserting "on Tuesday the 30th inst." Carried, and resolution adopted by the following vote :

Yeas : Messrs. Burleson, Campbell, Gage, Hart, Kinney, Latimer, Moffett, Parker, Portis, Taylor, Truit, Ward and Wallace—13.

Nays : Messrs. Grimes and Van Derlip—2.

Resolution of the Senate relative to an adjournment *sine die*, on the 2d day of December ensuing. Read.

On motion of Mr. Brashear, laid on the table until Saturday the 23d inst.

Resolution of the Senate that no other business be entertained by the Senate, than that connected with the acceptance of the propositions of the Government of the United States, &c. Read.

On motion of Mr. Moffett, laid on the table.

Joint resolution appointing agents to receive and dispose of for cash, the bonds to be issued by the Government of the United States to the State of Texas. Read second time.

On motion of Mr. Gage, referred to the committee on Finance.

On motion of Mr. Parker, the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, November 22, 1850.

The Senate was called to order by the President: Senators present: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Burleson presented the petition of Nathaniel Townsend; referred to the committee on Private Land Claims.

Mr. Moffett presented the petition of Benjamin Burke; referred to the committee on Private Land Claims.

Mr. Campbell, chairman of the select committee, to whom was referred the petition of the citizens of Kaufman county; reported the following bill, and recommended its passage:

A bill to locate the seat of justice of Kaufman county. Read first time.

Mr. Wallace from the Judiciary committee, to whom was referred a bill requiring the Commissioners appointed by an act creating the county of Hunt, approved April 11, 1846, to deliver up certain documents and moneys therein mentioned; reported the same back, and recommended it to the favorable consideration of the Senate.

Mr. Van Derlip from the committee on the Judiciary, to whom was referred the petition of Cyrus H. Randolph, praying for the

repeal of an act to authorize the several Clerks of the County Courts in the State of Texas, to take the separate acknowledgement of married women to deeds executed by them; reported that it was inexpedient to repeal said act.

Mr. Van Derlip from the same committee, made the following report:

The committee on the Judiciary to whom was referred a bill better to regulate the election of Judges of the Supreme Court; have had the same under consideration, and a majority of the committee have instructed me to report the first section of the bill without amendment, and a substitute for the second section, and recommend its passage.

Mr. Burleson introduced a bill for the relief of Robert Love. Read first time.

On motion of Mr. Burleson, the rule was suspended, bill read second time, and referred to the committee on Public Lands.

Mr. Van Derlip introduced a bill supplementary to an act to secure to the German Emigration Company and their Colonists, the lands to which they are entitled, and to adjust the liabilities of said company, approved January 21st, 1850. Read first time.

On motion of Mr. Van Derlip, the rule was suspended; bill read second time and referred to the committee on Public Lands.

Mr. Truit introduced a bill for the relief of Luanner Ward. Read first time.

On motion of Mr. Truit, the rule was suspended, bill read second time, and referred to the committee on Private Land Claims.

Mr. Truit introduced a bill to incorporate the town of Shelbyville, in Shelby county. Read first time.

Mr. Ward introduced a bill to legalize the acts of the County Surveyors of the county of Cass. Read first time.

On motion of Mr. Ward, the rule was suspended, bill read second time and ordered to be engrossed.

On motion of Mr. Hart, the rule was further suspended, bill read third time and passed.

ORDERS OF THE DAY.

The report of the committee on the Judiciary on the petition of Lewis M. Mays. Read.

On motion of Mr. Portis, the petition was recommitted to the Judiciary committee.

On motion of Mr. Hart, the rule requiring reports to lie on the table one day, was suspended, and the report of the Judicia-

ry committee on a bill requiring the Commissioner, appointed by an act creating the county of Hunt, approved April 11, 1846, to deliver up certain documents and moneys therein mentioned, was taken up. Read second time, and ordered to be engrossed.

On motion of Mr. Hart, the rule was further suspended ; bill read third time and passed.

On motion of Mr. Wallace, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK, P. M.

Senate met—quorum present.

Mr. Parker, from the committee on Private Lands, to whom was referred the petition of Benjamin Burke, of Tyler county ; reported the following bill :

A bill for the relief of Benjamin Burke, of Tyler county. Read first time.

On motion of Mr. Moffett, the rule was suspended ; bill read second time and ordered to be engrossed.

On motion of Mr. Parker, the rule was further suspended. Bill read third time and passed.

Mr. Brashear offered the following resolution :

“ *Resolved*, That the President of the Senate transmit to the Speaker of the House of Representatives, all the election returns that may be directed to him from the counties of Cameron, Starr, Webb and Nueces.”

On motion of Mr. Gage, the rule was suspended, and resolution adopted.

Mr. Cooke introduced a bill for the relief of certain officers and soldiers. Read first time.

On motion of Mr. Cooke, referred to the committee on Military Affairs.

Mr. Latimer, from the committee on Public Lands, to whom was referred a bill supplementary to an act to secure to the German Emigration Company, and their Colonists, the lands to which they are entitled, &c.; reported the same back, and recommended it to the favorable consideration of the Senate.

On motion of Mr. Portis, the rule requiring reports to lie on the table one day, was suspended, and the bill taken up. Read second time and ordered to be engrossed.

On motion of Mr. Portis, the rule was further suspended ; bill read third time and passed.

Mr. Portis introduced a bill to authorize the Governor, Comp-

troller and Commissioner of the General Land Office, to employ some competent architect to superintend the construction of a fire proof Landoffice. Read first time.

On motion of Mr. Portis, the rule was suspended, bill read second time and ordered to be engrossed.

Mr. Truit, from the committee on Private Land Claims, to whom was referred the petition of Robert Shaw; reported the following joint resolution, and recommended its passage:

Joint resolution for the relief of Robert Shaw, assignee of William Morrow. Read first time.

On motion of Mr. Hart, the rule was suspended; read second time and ordered to be engrossed.

On motion of Mr. Hart, the rule was further suspended; resolution read third time and passed.

On motion of Mr. Cooke, a bill to authorize and require the Commissioner of the General Land Office to issue patents to lands surveyed, or to be surveyed within the limits of Mercer's and Peters' Colonies; was taken up.

On motion of Mr. Campbell, referred to the committee on the Judiciary.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred the petition of the heirs of Martin W. B. Armstrong; reported the following bill, and recommended its passage:

A bill for the relief of the heirs of Martin W. B. Armstrong. Read first time.

On motion of Mr. Robertson, the rule was suspended; bill read second time and ordered to be engrossed.

On motion of Mr. Robertson, the rule was further suspended; bill read third time and passed.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of Luanner Ward; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Truit, the rule was suspended; bill taken up; read second time, and ordered to be engrossed.

On motion of Mr. Truit, the rule was further suspended; read third time and passed.

A message was received from the House of Representatives, informing the Senate that the House had passed the following bills, viz:

A bill to permanently locate the seat of justice of Denton county.

A bill to repeal in part, an act to incorporate the Trinity Plank Road Company, approved September 4, 1850, and

A bill to incorporate Fayette Academy in the county of Fayette.

Mr. Robertson introduced a bill concerning the School Fund. Read first time.

On motion of Mr. Robertson, the rule was suspended; bill read second time, and referred to the committee on Finance.

A bill permanently to locate the seat of justice of Denton county. Read first time.

On motion of Mr. Campbell, the rule was suspended; bill read second time and passed to a third reading.

On motion of Mr. Campbell, the rule was further suspended; bill read third time and passed.

A bill to repeal in part, an act to incorporate the Trinity Plank Road Company, approved September 4, 1850. Read first time.

A bill to incorporate Fayette Academy, in the county of Fayette. Read first time.

On motion of Mr. Brashear, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Brashear, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Campbell, Grimes, Hart, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip Ward and Wallace—14.

Nays: Mr. Gage—1.

On motion of Mr. Brashear, the Senate adjourned until 10 o'clock, to-morrow morning.

SATURDAY, November 23, 1850.

The Senate was called to order by the President: Senators present: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. McRae presented the petition of William C. Anderson, of Jasper county; referred to a select committee, consisting of Messrs. McRae, Wallace and Truit.

Mr. Moffett, chairman of the committee on Engrossed Bills,

reported as correctly engrossed, a bill to authorize the Governor, Comptroller, and Commissioner of the General Land Office to employ some competent architect to superintend the construction of a Fire-proof Land Office.

Mr. Portis, from the Judiciary committee, to whom was referred the petition of Lewis M. Mays; reported the following bill:

A bill for the relief of Lewis M. Mays, a minor. Read first time.

On motion of Mr. Portis, the rule was suspended; bill read second time, and ordered to be engrossed.

On motion of Mr. Portis, the rule was further suspended; bill read third time and passed.

Mr. McRae introduced a bill to incorporate Rising Star Chapter, No. 9. Read first time.

On motion of Mr. McRae, the rule was suspended; bill read second time and ordered to be engrossed.

On motion of Mr. Brashear, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Hart, Kinney, Latimer, McRae, Moffett, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays: None.

Mr. Hart introduced a bill for the relief of John Beeman, John S. Beeman and James S. Beeman. Read first time.

On motion of Mr. Latimer, the rule was suspended; bill read second time.

On motion of Mr. Hart, referred to the committee on Public Lands.

Mr. Robertson introduced a bill for the relief of John McLennan, Jr. Read first time.

On motion of Mr. Robertson, the rule was suspended; bill read second time.

On motion of Mr. Van Derlip, referred to the committee on Public Lands.

Mr. Van Derlip introduced a bill to prescribe the time of holding the District Courts in the 11th Judicial District. Read first time.

On motion of Mr. Van Derlip, the rule was suspended; bill read second time and referred to the committee on the Judiciary.

ORDERS OF THE DAY.

A bill to authorize the Governor, Comptroller and Commissioner of the General Land Office to employ some competent

architect to superintend the construction of the Fireproof Land Office. Read third time and passed.

The report of the Judiciary committee on the petition of Cyrus H. Randolph, was read and adopted.

A bill better to regulate the election of Judges of the Supreme Court, together with the report of the Judiciary committee thereon, offering the following as a substitute for the second section ;

Be it further enacted, That the three persons who may receive the highest number of votes, shall be the Judges of said court ; and in case of a tie between the two or three receiving the highest number, then they shall elect from among themselves, the one who shall be such Chief Justice or presiding Judge.

Was read ; substitute adopted, and bill ordered to be engrossed by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Hart, McRae, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—13.

Nays : Messrs. Gage, Latimer, Moffett, Parker and Robertson—5.

A message was received from the House of Representatives, through their Chief Clerk, informing the Senate that the House had passed a bill accepting the propositions made by the United States to the State of Texas, in an act of the Congress of the United States, approved the 9th day of September, A. D. 1850, and entitled "an act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a Territorial Government for New Mexico," with the following amendments :

1st. Strike out "said Legislature," in first line of first section, and insert "the State of Texas," and insert "said" before "State," in second line of same section, and strike out "of Texas," in third line.

2d. Strike out all that portion of second section, relating to a "special messenger,"

Mr. Wallace moved to amend the first amendment of the House, by inserting after "State of Texas," the words "by its Legislature." Rejected.

The question being upon the concurrence in the first amendment of the House, was taken and lost.

The Senate refused to concur in the second amendment of the House, by the following vote :

Yeas : Messrs. Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit and Wallace—9.

Nays : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Kinney, Portis, Robertson, Van Derlip and Ward—10.

Mr. Cooke introduced a bill amendatory of "an act to create the county of Freestone." Read first time.

Mr. Parker moved to suspend the rule requiring bills to be read on three several days.

Upon which motion, the yeas and nays were as follows :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Kinney, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays : Messrs. Gage and Robertson—2.

Rule suspended.

On motion of Mr. Parker, the bill was read second time and referred to the committee on County Boundaries.

Mr. Portis introduced a bill to extend the provisions of an act to authorize the Commissioner of the General Land Office to issue patents on certificates issued by the Board of Land Commissioners of Robertson county, under certain restrictions, to the county of Colorado. Read first time.

Mr. Portis moved to suspend the rule requiring bills to be read on three several days.

Upon which, the yeas and nays were called and rule suspended by the following vote :

Yeas : Messrs. Burleson, Campbell, Kinney, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—12.

Nays : Messrs. Gage, Hart and Robertson—3.

The bill was then read second time, and on motion of Mr. Portis, referred to the committee on Public Lands.

A bill to repeal in part an act to incorporate the Trinity Plank Road Company, approved September 4, 1850. Read second time.

On motion of Mr. Grimes, the rule was suspended ; bill read third time and passed, by the following vote :

Yeas : Messrs. Burleson, Campbell, Grimes, Hart, Kinney, McRae, Moffett, Parker, Portis, Robertson, Truit, Van Derlip, Ward and Wallace—14.

Nays : Messrs. Gage and Taylor—2.

Mr. Taylor, from the committee on Engrossed Bills, reported the following bill as correctly engrossed :

A bill better to regulate the election of Judges of the Supreme Court.

A bill to locate the seat of justice of Kaufman county. Read second time and ordered to be engrossed.

On motion of Mr. Campbell, the rule was suspended by the following vote :

Yeas: Messrs. Burleson, Campbell, Grimes, Hart, Kinney, Moffett, Parker, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—13.

Nays: Messrs. Gage and Robertson—2.

Bill read third time and passed.

On motion of Mr. Truit, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK P. M.

Senate met—quorum present.

A bill to incorporate the town of Shelbyville, in the county of Shelby. Read second time and ordered to be engrossed.

On motion of Mr. Truit, the rule was suspended; bill read third time and passed.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill for the relief of John Beeman, John S. Beeman and James S. Beeman; reported the same to the Senate, and recommended its passage.

On motion of Mr. Latimer, the rule requiring reports to lie on the table one day, was suspended, and the above bill placed among the orders of the day.

Mr. Grimes, chairman of the committee on Finance, made the following report:

The Committee on Finance, to whom was referred a joint resolution to appoint agents to receive and dispose of for cash, the bonds to be issued by the Government of the United States to the State of Texas; reported that in the opinion of the committee it is inexpedient to make disposition of said bonds at this extra session of the Legislature.

On motion of Mr. Wallace, the Secretary was instructed to ask the House of Representatives to return to the Senate, a bill accepting the propositions made by the United States to the State of Texas, in an act of the Congress of the United States, approved the 9th day of September, A. D. 1950, and entitled "an act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said bounda-

ries, and of all her claims upon the United States, and to establish a Territorial Government for New Mexico."

On motion of Mr. Wallace, the rule requiring bills to be read on three several days, was suspended, and a bill better to regulate the election of Judges of the Supreme Court, was taken up, read third time and passed.

A bill for the relief of John Beeman, John S. Beeman and James S. Beeman; read second time and ordered to be engrossed.

On motion of Mr. Latimer, the rule was suspended; bill read third time and passed.

Mr. Van Derlip, from the committee on the Judiciary, to whom was referred a bill to prescribe the time of holding the District Courts in the 11th Judicial District; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Van Derlip, the rule requiring reports to lie on the table one day, was suspended; bill taken up; read second time and ordered to be engrossed.

On motion of Mr. Van Derlip, the rule was further suspended; bill read third time and passed.

Resolution of the Senate relative to an adjournment *sine die* on the 2d day of December, ensuing; was read.

On motion of Mr. Moffett, laid on the table until Monday the 25th instant, by the following vote:

Yeas: Messrs. Brashear, Burleson, Campbell, Gage, Grimes, Latimer, McRae, Moffett, Parker, Portis, Truit, Ward and Wallace—13.

Nays: Messrs. Hart, Taylor and Van Derlip—3.

A message was received from the House of Representatives, informing the Senate that the House insist on their amendments to the bill accepting the propositions made by the United States to the State of Texas, in an act of the Congress of the United States, approved the 9th day of September, A. D. 1850, and entitled "an act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundries, and of all her claims upon the United States, and to establish a Territorial Government for New Mexico."

The Senate concurred in the amendments of the House to the first section of the bill, by the following vote:

Yeas: Messrs. Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Ward and Wallace—10.

Nays: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Portis and Van Derlip—7.

The amendment to the second section was concurred in by the following vote :

Yeas : Messrs. Burleson, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Ward and Wallace—11.

Nays : Messrs. Brashear, Cooke, Campbell, Gage, Portis and Van Derlip—6.

On motion of Mr. Brashear, the Senate adjourned until 10 o'clock, Monday morning.

MONDAY, November 25, 1850.

The Senate was called to order by the President: Senators present : Messrs : Brashear, Burleson, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Ward and Wallace.

The journals of Saturday were read and adopted.

Mr. Wallace, from the select committee, to whom was referred the petition of William C. Anderson ; reported a bill for the relief of William C. Anderson, which was read first time.

Mr. Van Derlip presented the petition of the citizens of Comal county, praying the Legislature to pass an act for the establishment of public schools in the county of Comal, and to authorize the collection of a tax for the support of the same. Referred to the committee on Education.

ORDERS OF THE DAY.

The report of the committee on Finance on a joint resolution appointing agents to receive and dispose of for cash, the bonds to be issued by the Government of the United States to the State of Texas ; reporting that it is inexpedient to make disposition of said bonds at this extra session of the Legislature. Read and adopted.

Resolution of the Senate relative to an adjournment of the Legislature *sine die*, on the 2d December, ensuing. Read.

Mr. Truit moved to lay the resolution on the table until Wednesday. Lost.

Mr. Gage moved to amend the resolution by striking out " 2d December," and inserting " Thursday 28th instant."

Mr. Wallace moved to lay the resolution and amendment on the table. Lost.

Mr. Gage by leave withdrew his motion.

Mr. Burleson moved to lay the resolution on the table.

Upon which, the yeas and nays were called, and stood as follows :

Yeas : Messrs. Burleson, Cooke, Grimes, McRae, Moffett, Portis and Wallace—7.

Nays : Messrs. Brashear, Campbell, Gage, Hart, Kinney, Latimer, Parker, Robertson, Taylor, Truit, Van Derlip and Ward—12. Lost.

The resolution was then adopted by the following vote :

Yeas : Messrs. Brashear, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, Moffett, Parker, Robertson, Taylor, Truit, Van Derlip and Ward—15.

Nays : Messrs. Burleson, McRae, Portis and Wallace—4.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred the petition of Nathaniel Townsend ; reported the same back to the Senate without any action thereon, and asked to be discharged from its further consideration.

Mr. Cooke, from the committee on County Boundaries, to whom was referred a bill amendatory of an act to create the county of Freestone ; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended ; bill read second time and ordered to be engrossed.

On motion of Mr. Parker, the rule was further suspended ; bill read third time and passed.

A message was received from the House, informing the Senate, that the House had passed a bill to legalize the acts of the County Surveyor of the county of Cass, which originated in the Senate ; also,

A bill to amend the 2d and 7th sections of an act to organize the Supreme Court of the State of Texas, approved the 12th day of May, 1846 ; and

A bill to require the Commissioner of the General Land Office, to issue patents for lands therein named, originating in the House of Representatives.

Mr. Cooke introduced a bill for the relief of William A. Barnes. Read first time.

On motion of Mr. Portis, the rule was suspended ; bill read

second time, and referred to the committee on Private Land Claims.

On motion of Mr. Burleson, the rule requiring reports to lie on the table one day, was suspended, and the report of the committee on Private Land Claims, on the petition of Nathaniel Townsend, was taken up, and petition referred to a select committee.

Messrs. Burleson, Truit and Parker were appointed said committee.

Mr. Wallace introduced a joint resolution instructing the Senators and requesting the Representatives of Texas, in Congress, to furnish the President of the United States with one of the authenticated copies of the act accepting the propositions of the United States, relative to the Northern and Western boundaries of Texas. Read first time.

On motion of Mr. Wallace, the rule was suspended; resolution read second time.

On motion of Mr. Portis, referred to a joint select committee.

Messrs. Portis, Wallace and Burleson were appointed said committee on part of the Senate.

Mr. Latimer tendered, by request of Mr. Harris, his resignation as Engrossing Clerk of the Senate.

On motion of Mr. Portis, the Senate went into the election of Engrossing Clerk.

Mr. Burleson nominated Mr. Francis Gildart.

There being no other nomination, Mr. Gildart was declared duly elected Engrossing Clerk of the Senate, and came forward and took the oath required by the constitution.

A bill to require the Commissioner of the General Land Office to issue patents on lands therein named. Read first time.

On motion of Mr. Portis, the rule was suspended; bill read second time.

On motion of Mr. Grimes, referred to the committee on Private Land Claims.

Mr. Wallace offered the following resolution:

Resolved, That a permanent committee on Education to consist of _____ members, be appointed, with instructions to report at the next regular session of the Legislature, a system and plan of free common schools for this State, and for the application of the school fund thereof.

On motion of Mr. Wallace, the rule was suspended. Resolution was rejected by the following vote:

Yeas; Messrs. Brashear, Burleson, Hart, Latimer, Parker, Portis, Truit and Wallace--8.

Nays: Messrs. Campbell, Gage, Grimes, McRae, Moffett, Robertson, Taylor, Van Derlip and Ward—9.

A message was received from the House of Representatives, informing the Senate that the House had passed a bill to authorize and require the Commissioner of the General Land Office to issue a patent to William Shipp of Sabine county, for one league of land. Which was read first time.

On motion of Mr. Wallace the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Wallace, the rule was further suspended; bill read third time and passed.

A bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846. Read first time.

On motion of Mr. Gage, the rule was suspended; bill read second time, and referred to the committee on the Judiciary.

On motion, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Senate met—quorum present.

Mr. Cooke presented the petition of the citizens of Navarro county; referred to the committee on the Judiciary.

Mr. McRae introduced a bill for the relief of William P. Wyche. Read first time.

On motion of Mr. McRae, the rule was suspended; bill read second time, and referred to the committee on Private Land Claims.

Mr. Burleson, chairman of the committee on Military Affairs, to whom was referred a bill for the relief of the officers and soldiers of the First Regiment of Infantry of the late Republic of Texas; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Burleson, the rule requiring reports to lie on the table one day, was suspended, and bill taken up. Read second time, and ordered to be engrossed.

Mr. Ward, from the committee on Enrolled Bills, made the following report:

The Joint Enrolling committee have examined an act accepting the propositions made by the United States to the State of Texas, in an act of the Congress of the United States, approved the 9th day of September, A. D. one thousand eight hundred and fifty, and entitled "an act proposing to the State of Texas

the establishment of her Northern and Western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a Territorial Government in New Mexico." And finding the same correctly enrolled, it was signed by the Speaker of the House and President of the Senate, and presented this day to the Governor for his examination.

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day, was suspended, and a bill for the relief of William C. Anderson, was taken up. Read second time and ordered to be engrossed.

On motion of Mr. Wallace, the rule was further suspended; bill read third time and passed.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a bill to require the Commissioner of the General Land Office to issue patents for lands therein mentioned; reported the same back to the Senate, and recommended its passage.

Mr. Cooke, from the committee on Private Land Claims, to whom was referred a bill for the relief of William A. Burns; reported the same back to the Senate, and recommended its passage.

Mr. Kinney introduced a joint resolution for the relief of Alanson Ferguson. Read first time.

On motion of Mr. Kinney, the rule was suspended; resolution read second time, and referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed a bill to incorporate Rising Star Chapter, No. 9, which originated in the Senate.

Also, a bill for the relief of Lorenzo D. Henderson, and the heirs of William Donoho, deceased, and Charles Amies, originating in the House; which was read a first time.

On motion of Mr. Ward, the rule was suspended; bill read second time, and referred to the committee on Private Land Claims.

Mr. Cooke introduced a bill to prevent the sale of spirituous or vinous liquors to Indians, within the State of Texas. Read first time.

On motion of Mr. Cooke, the rule was suspended; bill read second time and referred to the committee on Indian Affairs.

Mr. Truit, from the committee on Private Land Claims, to whom was referred a bill for the relief of William P. Wyche; reported the same back to the Senate, and recommended its passage.

Mr. Ward, from the committee on Enrolled Bills, reported an act to legalize the acts of the County Surveyors of the county of Cass, correctly enrolled, and that the same was signed by the Speaker of the House and President of the Senate, and presented this day to the Governor, for his examination.

On motion of Mr. Van Derlip, the Senate adjourned until 10 o'clock, to-morrow morning.

TUESDAY, November 26, 1850.

The Senate was called to order by the President—Senators present :

Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Wallace presented the petition of John Edmonds ; referred to the committee on Private Land Claims.

Mr. Taylor presented the petition of John E. Linn ; referred to the committee on Private Land Claims.

Mr. Moffett, chairman of the committee on Engrossed Bills ; reported as correctly engrossed, a bill for the relief of the officers and soldiers of the First Regiment of Infantry of the late Republic of Texas.

Mr. Van Derlip, from the committee on the Judiciary, to whom was referred a bill to amend the second and seventh section of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846 ; reported a substitute therefor, and recommended its passage.

On motion of Mr. Van Derlip, the rule requiring reports to lie on the table one day, was suspended, and the report placed among the orders of the day.

Mr. Wallace, from the committee on the Judiciary, to whom was referred the petition of the citizens of Navarro county, praying to be attached to the third Judicial District ; reported the same back to the Senate, and recommended that no action be taken thereon at the present session of the Legislature.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill for the relief of Robert Love ; reported the same back to the Senate, and recommended that it be laid on the table.

On motion of Mr. Burleson, he withdrew the bill, and accompanying documents.

Mr. Wallace, chairman of the committee on Enrolled Bills; reported a bill to incorporate Rising Star Chapter, correctly enrolled.

Mr. Van Derlip introduced a bill for the relief of Peter Gallagher, and the legal Representatives of Archibald Fitzgerald and Thompson Robinson. Read first time.

On motion of Mr. Van Derlip, the rule was suspended; bill read second time and referred to the committee on Claims and Accounts.

ORDERS OF THE DAY.

A bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846, together with the report of the committee on the Judiciary, offering a substitute therefor. Read, and substitute adopted.

Mr. Gage offered the following amendment:

Strike out "Tyler and Smith county," wherever they occur, and insert "Henderson, in Rusk county."

On motion of Mr. Gage, a call of the Senate was had—the Senate being full, the amendment was rejected by the following vote:

Yeas: Messrs. Gage, Latimer, Parker, Van Derlip and Ward—5.

Nays: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Hart, Kinney, McRae, Moffett, Portis, Robertson, Taylor, Truit and Wallace—14.

Mr. Gage offered the following amendment:

Strike out every thing relative to the appointment of clerks or deputies, and insert the following:

"The Supreme Court shall appoint its own clerks."

The yeas and nays being called on the amendment, it was rejected by the following vote:

Yeas: Messrs. Gage and Taylor—2.

Nays: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Hart, Kinney, Latimer, Moffett, Parker, Portis, Robertson, Truit, Van Derlip and Wallace—15.

The bill was then passed to a third reading.

On motion of Mr. Portis, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Burleson, Cooke, Campbell, Gage, Grimes,

Kinney, Latimer, Moffett, Parker, Portis, Robertson, Taylor, Fruit, Van Derlip, Ward and Wallace—16.

Nays : None.

Mr. Robertson presented the petition of Thomas Hunt : referred to the committee on Private Land Claims.

A bill for the relief of William P. Wyche. Read second time.

Mr. McRae offered the following amendment :

“ Also, a certificate for a league and labor to the legal representatives of Peter A. Duell.” Adopted, and bill ordered to be engrossed.

On motion of Mr. McRae, the rule was suspended ; bill read third time and passed.

A bill for the relief of William A. Burns. Read.

On motion of Mr. Cooke, recommitted to the committee on Private Land Claims.

Mr. Moffett, chairman of the committee on Engrossed Bills ; reported a bill for the relief of William P. Wyche, and the legal representatives of Peter A. Duell, correctly engrossed.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of William A. Burns ; reported a substitute for the same, and recommended it to the favorable consideration of the Senate.

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended ; report taken up, substitute adopted, and bill ordered to be engrossed.

On motion of Mr. Cooke, the rule requiring bills to be read on three several days was suspended ; bill read third time and passed.

A message was received from the House of Representatives, informing the Senate that the House had passed the following bills, viz :

A bill concerning the book or register of land certificates, issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid, but the book has subsequently been found, and identified as genuine and unaltered.

A bill to authorize the settlers in Petes' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contracts, where they have an interest.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company.

A bill to legalize a copy of the records in the office of the County Surveyor of the county of Washington ; and

A bill for the relief of Stokely D. Choate.

Mr. Robertson made the following report :

The joint select committee of the two Houses, to whom was referred a resolution instructing said committee to report the amount of the public debt, and a bill requiring the creditors of the State to file releases at the Comptroller's Office, against the United States, for all said debts for which the duties on imports were specially pledged; have duly considered the same, and have instructed me to report that they have procured from the Comptroller and Auditor, a statement showing the amount actually ascertained, together with the estimated amount of the unascertained debt, which statement is submitted as a part of this report.

The committee find, upon an examination of the statutes of the Republic of Texas, that the only and whole amount for which duties on imports were specially pledged, is the interest on the funded debt, created by an act of the Congress of the Republic of Texas, on the seventh day of June, 1837.

The committee deem it proper to remark that there is a class of claims which has been presented at the Auditor's office for spoiliations, for property taken and destroyed by both the enemy and our own army during our revolution, upon which no action has been taken by the Auditorial board, and the limited time allowed the committee for the discharge of the duty imposed upon them, has prevented a thorough examination into said class of claims; they therefore, leave this class to be disposed of by future legislation, without any expression of opinion on their part.

The list of persons owning consolidated stock, created by act of the 7th June, 1837, which was classified by the Auditor and Comptroller at 70 cents on the dollar, and which should be allowed at par, as shown in the report of the Comptroller and Auditor, and marked "E." we are induced to believe are a special class, and in the opinion of a majority of the committee, should be paid at par; but for the want of time to examine each individual claim, the committee would recommend that the same be passed over for the present, subject to future legislation.

In conclusion, the committee report herewith a bill and recommend its passage. All of which, is respectfully submitted.

J. B. ROBERTSON, Chairman
on part of the Senate.

D. M. STAPP, Chairman
on part of the House

STATEMENT of the class and amount of debt of the late Republic of Texas, filed and receipted for by the Auditor and Comptroller to the 20th of November, 1850, under the provisions of an act approved March 20th, 1848.

FIRST CLASS.

	Ostensible value of filed d-bt.	Rate.	Par value of filed debt.
10 per cent. Consolidated fund, created by act of June 7, 1837,	\$580,787 69	70cts.	\$406,551 33
10 " " Consolidated fund, issued to Swartwout and others,	6,363 50	100cts.	6,363 50
10 " " Bonds issued by Commissioners under the five million loan acts,	653,287 00	various.	497,953 50
10 " " Stock issued under act of February 5th, 1840,	711,800 00	30cts.	213,540 00
6 " " Stock issued under act of February 5th, 1840,	23 780 00	30cts.	7,134 00
8 " " Treasury Bonds,	656 100 00	20cts.	131,220 00
10 " " Treasury notes, 1st issue,	33,670 00	100cts.	33,670 00
10 " " do. 2d do,	307,139 00	50cts.	153,569 50
Treasury notes not issued to bear interest,	1,640,248 00	25cts.	410,062 00
Audited paper,	59,956 09	various	55,259 46
Miscellaneous,	41,087 73	100cts.	41,087 73
Total ostensible and par principal, Interest to 1st July, 1850, on such of the above liabilities as were issued to bear an interest,	\$4,714,219 01		\$1,956,411 07
	2,407,447 69	various.	1,229,668 50
Total ostensible & par value of principal and interest of liabilities receipted for of first class,	\$7,121,666 70		\$3,186,079 57
Amount of Civil, Military and Naval claims audited, (known as 2d and 3d class claims,)	475,533 60		409,370 28
Amounts audited by special acts of the Legislature,	72,077 15	100cts.	72,077 15
Total amount of ostensible and par value of principal and interest receipted for to November 20th, 1850,	7,669,277 45		3,667,527 00
Amount of claims on file not yet receipted for,	103,000 00	100cts.	103,000 00
Total ostensible and par value of principal and interest of all claims filed or receipted for to 20th Nov., 1850,	\$7,772,877 45		\$3,770,527 00

STATEMENT showing the amount and class of debt outstanding, or which has not been filed with the Auditor and Comptroller, under the act of March, 1848, together with the rate at interest which the same was available on a par basis.

BONDS ISSUED UNDER THE FIVE MILLION LOAN ACTS.

	Ostensible value of unfiled debt.	Rate.	Par value of unfiled debt.
Amount claimed by F. Dawson and others, for Naval vessels furnished, Interest on the above to 1st July, 1850,	\$560,000 00 651,000 00		
Ostensible and par value of principal and interest,	\$1,211,000 00	50cts.	\$605,500 00
Balance of interest due to 1st July, 1850, on the bonds issued to the bank of the United States, which bonds have been already filed and included in the preceding statement of claims filed,	45,738 00	87 9-20c.	40,000 00
Balance of interest to 1st July, 1850, on the bonds issued to James Holford and associates, for steamship Zavala, which bonds have been already filed and included in preceding statement of claims filed,	19,590 70	50cts.	9,795 35
Total ostensible and par value of principal and interest of above bonds under the five million loan acts not filed,	\$1,276,323 70		\$655,295 35

Treasury Notes, Stock Bonds, &c., which have not been filed under provisions of an act of March, 1848.

	Ostensible value.	Rate.	Par value.
10 per cent. Consolidated fund, created by act of June 7, 1837,	231,059 00	70cts.	161,741 30
10 " " Consolidated fund issued to Swartwout and others,	7,584 82	100cts.	7,584 82
10 " " Treasury Notes, 1st issue,	16,330 00	"	16,330 00
10 " " " " 2d "	62,861 00	50cts.	31,430 50
10 " " " " 3d "			
not bearing interest,	437,298 00	25cts.	109,324 50
8 & 10 per cent. Stock issued under act of Feb. 5, 1840,	81,420 00	30cts.	24,426 00
8 " " Treasury bonds,	180,780 00	20cts.	36,156 00
Audited paper,	271,697 61	100cts.	171,697 61
Total ostensible and par value of above liabilities outstanding,	1,289,030 43		658,690 73
Amount of interest on above liabilities, issued to bear interest to July 1, 1850,	498,361 54	various.	242,568 08
Total ostensible and par value of principal and interest of above liabilities outstanding,	\$1,787,391 97		\$901,258 81

UNAUDITED CLAIMS.

	Ostensible value.	Rate.	Par value.
Probable amount of Civil, Military and Naval claims, to be yet filed and audited,	\$1,485,844 92		\$1,485,844 92

RECAPITULATION OF OUTSTANDING DEBT.

	Ostensible value.	Rate	Par value.
Bonds issued under the five million loan acts, principal and interest,	1,276,328 70	various	655,295 35
Treasury notes, Stock bonds, &c., principal and interest,	1,787,391 97	"	901,258 81
Unaudited claims,	1,485,844 92		1,485,844 92
Total outstanding of principal and interest of all classes of debt,	\$4,549,565 59		\$3,042,399 08

General Recapitulation of the entire Debt, filed and unfiled.

	Ostensible value.	Rate.	Par value.
Debt filed of all descriptions as above shown, principal & interest,	7,772,877 45	various.	3,770,527 00
Debt outstanding, of all descriptions as above shown, principal and interest,	4,549,565 59	various.	3,042,399 00
Total ostensible and par value of debt of all descriptions, filed and unfiled,	\$12,322,443 04		\$6,812,926 00

COMPTROLLER'S OFFICE, }
Austin, Nov. 21, 1850. }

JAMES B. SHAW, *Comptroller.*
JOHN M. SWISHER, *Auditor.*

A bill to provide for the adjustment of the Public Debt of the late Republic of Texas. Read first time.

On motion of Mr. Van Derlip, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Senate met—quorum present.

A bill to require the Commissioner of the General Land Office to issue patents for lands therein mentioned, together with the report of the committee on Private Land Claims; was read and bill passed to a third reading.

On motion of Mr. Van Derlip, referred to the committee on the Judiciary.

A bill for the relief of the officers and soldiers of the First Regiment of Infantry of the late Republic of Texas. Read third time and rejected, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Gage, Kinney, Moffett, Portis, Robertson and Van Derlip—9.

Nays : Messrs. Campbell, Grimes, Hart, Latimer, McRae, Parker, Taylor, Truit, Ward and Wallace—10.

A bill concerning the book or register of land certificates issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid ; but the book has subsequently been found and identified as genuine and unaltered. Read first time.

On motion of Mr. Brashear, the rule was suspended ; bill read second time and referred to the committee on Public Lands.

A bill for the relief of Stokely D. Choate. Read first time.

On motion of Mr. Cooke, rule suspended ; bill read second time and referred to the committee on Private Land Claims.

A bill to legalize a copy of the records in the office of the County Surveyor of the county of Washington. Read first time.

On motion of Mr. Latimer, the rule was suspended ; bill read second time, and passed to a third reading.

On motion of Mr. Robertson, the rule was further suspended ; bill read third time and passed.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred the petition of John Edmonds ; reported the following bill, and recommended it to the favorable consideration of the Senate.

A bill for the relief of John Edmonds. Read first time.

Mr. Robertson, from the same committee, to whom was referred the petition of John E. Linn ; reported the following bill :

A bill for the relief of John E. Linn. Read first time.

Mr. Robertson, from the same committee, to which was referred a bill for the relief of Lorenzo D. Henderson, and the heirs of William Donoho, deceased, and Charles Aines ; reported the same back to the Senate, and recommended its passage.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company. Read first time.

A bill to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contract, where they have an interest. Read first time.

On motion of Mr. Hart, the rule was suspended ; bill read second time and referred to the committee on the Judiciary.

On motion of Mr. Hart, the rule requiring bills to be read on three several days, was suspended, and a bill to provide for the

final adjustment of the public debt of the late Republic of Texas, was taken up, and read second time.

On motion of Mr. Hart, 50 copies were ordered to be printed.

On motion of Mr. Wallace, the bill was laid on the table.

Mr. Burleson introduced a bill to authorize the Commissioner of the General Land Office to issue to James J. Eldridge, his heirs or assigns, a headright certificate for one-third of a league of land. Read first time.

On motion of Mr. Burleson, the rule was suspended; bill read second time, and referred to the committee on Public Lands.

Mr. Campbell introduced a bill to incorporate the town of Dallas, in Dallas county. Read first time.

On motion of Mr. Campbell, the rule was suspended; bill read second time, and referred to the committee on the Judiciary.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a joint resolution for the relief of Alanson Ferguson; reported a substitute for the same, and recommended it to the favorable consideration of the Senate.

Mr. Burleson presented the petition of the citizens of Travis county; which was on motion of Mr. Burleson, referred to a select committee.

Messrs. Burleson, Taylor and Ward were appointed said committee.

Mr. Portis, chairman of the committee on Education, to whom was referred the petition of sundry citizens of Comal county, together with a bill to establish public schools, in the county of Comal; reported the same back to the Senate, with the following amendments, and recommended their adoption, and the passage of the bill:

Amend by striking out section 10, and inserting

"SEC. 10. *Be it further enacted*, That it shall be the duty of the Chief Justice of Comal county to submit this act to a vote of the people of Comal county, on the first day of February, 1851, by notices posted up at each election precinct in said county, at least ten days before the election, and if at said election a majority of the qualified electors of said county shall vote for the ratification of said bill, then the same shall be in force and take effect from and after the first day of March, 1851.

SEC. 11. *Be it further enacted*, That all laws and parts of laws contravening the provisions of this act, be and the same are hereby repealed.

Mr. Kinney, chairman of the committee on Indian Affairs, to whom was referred a bill to prevent the sale of spiritous or

vinous liquors to Indians within the State of Texas; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended, and the above bill taken up and read.

On motion of Mr. Latimer, the second section was stricken out, by the following vote:

Yeas: Messrs. Brashear, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays: Messrs. Burleson, Cooke, Kinney, Parker and Robertson—5.

Mr. Latimer moved that the bill be so amended as to take effect on the 1st day of June next. Lost.

The bill was then ordered to be engrossed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Kinney, McRae, Parker, Portis, Robertson, Taylor, Truit, Van Derlip and Wallace—15.

Nays: Messrs. Hart, Latimer, Moffett and Ward—4.

On motion of Mr. Latimer, the rule requiring reports to lie on the table one day, was suspended, and a bill for the relief of John Edmonds was taken up; rule suspended; read second time and ordered to be engrossed.

On motion of Mr. Van Derlip, it was referred to the committee on the Judiciary.

Mr. Ward from the committee on Enrolled Bills; reported as correctly enrolled, a bill to permanently locate the seat of justice of Denton county.

A bill to repeal in part an act to incorporate the Trinity Plank Road Company, approved September 4, 1850; and

A bill to incorporate the Rising Star Chapter, Number 9; and that the same had been signed by the Speaker of the House and President of the Senate, and were presented this day to the Governor for his examination.

On motion of Mr. Burleson, the rule requiring reports to lie on the table one day, was suspended, and the report of the committee on Private Land Claims, on the petition of John E. Linn, was taken up, rule requiring bills to be read on three several days, was suspended; bill read second time and ordered to be engrossed.

Mr. Cooke, chairman of the committee on Claims and Accounts, to whom was referred a bill for the relief of Peter Gallagher, and the legal representatives of Archibald Fitzgerald and

Thompson Robinson ; reported the same back to the Senate, and recommended its passage.

A message was received from the House, informing the Senate, that the House had passed a bill for the relief of Peter Lopez and Henry Tierwester ; and

A bill for the relief of Berry Merchant.

On motion of Mr. Hart, the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, November 27, 1850.

The Senate was called to order by the President—Senators present : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Fruit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Portis, from the Judiciary committee, to whom was referred a bill for the relief of John Edmonds ; reported the same back to the Senate and recommended its passage.

Mr. Campbell, from the Judiciary committee, to whom was referred a bill to incorporate the town of Dallas, in Dallas county ; reported the same back to the Senate, and recommended its passage.

Mr. Wallace introduced a joint resolution for the relief of John S. Roberts. Read first time.

On motion of Mr. Wallace, the rule was suspended, and resolution referred to the committee on Military Affairs.

Mr. Latimer, from the committee on Public Lands, to whom was referred a bill for the relief of John McLennan, Jr.; reported that a majority of the committee had instructed him to report it back to the Senate, and recommend its passage.

On motion of Mr. Robertson, the rule requiring reports to lie on the table one day, was suspended, and the above report taken up and placed among the orders of the day.

Mr. Robertson introduced a joint resolution, instructing our Senators, and requesting our Representatives in the Congress of the United States, to endeavor to procure the repeal of the first provision contained in the fifth proposition of the bill proposing to the State of Texas to establish her Northern and Western boundaries, and the ceding of her claim to territory exterior to said boundary. Read first time.

Mr. Burleson introduced a bill for the relief of J. W. E. Wallace. Read first time.

On motion of Mr. Burleson, the rule prohibiting bills from being referred on their first reading, was suspended, and bill referred to the committee on Finance.

A message was received from the House, informing the Senate, that the House had passed the following bills :

A bill for the relief of Thomas J. Jordon.

A bill regulating the pay of certain volunteers, who served in 1842.

A bill appropriating ten thousand dollars, or as much thereof as may be necessary for the payment of the mileage and per diem pay of the members of the second extra session of the third Legislature.

A bill to amend the first section of an act to incorporate the Galveston and Brazos Navigation Company.

A bill to authorize the Clerk of the County Court of Navarro county, and the County Clerk of Tyler county, to transcribe into a bound book, severally, to be procured by them for that purpose, all the records and title papers hereinafter mentioned, registered by the said County Clerks.

A bill for the relief of certain persons therein named.

A bill to authorize the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed.

A bill for the relief of Reuben R. Brown ; and

A bill granting one league and labor of land to Brevet Major William S. Henry, of the United States Army.

Which were severally read first time.

Mr. Taylor, from the committee on Engrossed Bills, reported as correctly engrossed, a bill to prevent the sale of spirituous or vinous liquors to Indians, within the State of Texas.

ORDERS OF THE DAY.

A bill to prevent the sale of spirituous or vinous liquors to Indians, within the limits of Texas. Read.

Mr. Campbell offered the following amendment :

" *Provided*, That nothing in this act contained, shall be so construed as to prevent the citizens of the counties of Cooke, Grayson, Fannin, Lamar and Red River, from trading in spirituous liquors with the Choctaw and Chickasaw Indians on Red River.

On motion of Mr. Grimes, the bill and the amendment were recommitted to the committee on the Judiciary.

Mr. Wallace introduced a bill to authorize the Secretary of the Senate to purchase the necessary stationery for the use of the next regular session of the Legislature. Read first time.

A bill for the relief of Berry Merchant. Read first time.

A bill for the relief of Peter Lopez and Henry Tierwester. Read first time.

Joint resolution for the relief of Alanson Furguson, together with the report of the committee on Private Land Claims, offering a substitute therefor; was read; substitute adopted and bill ordered to be engrossed.

A bill for the relief of Lorenzo D. Henderson and the heirs of William Donoho, deceased, and Charles Ames. Read second time and passed to a third reading.

A bill to establish public schools, in the county of Comal. Read second time.

Mr. Hart moved to amend the bill by striking out the sixth section. Lost. ●

The bill was then ordered to be engrossed.

On motion of Mr. Van Derlip, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Burleson, Campbell, Grimes, Kinney, Portis, Robertson, Truit, Van Derlip and Wallace—9.

Nays: Messrs. Brashear, Cooke, Gage, Hart, Latimer, McRae, Moffett, Parker and Ward—9.

There being a tie, the President voted in the affirmative.

On motion of Mr. Portis, the rule requiring reports to lie on the table one day, was suspended, and the report of the Judiciary committee on a bill for the relief of John Edmonds, was taken up, and placed among the orders of the day.

A bill for the relief of John McLennan, jr. Read second time.

Mr. Hart moved to amend the bill by striking out "one league" and inserting "one-third of a league." Rejected, and bill ordered to be engrossed.

On motion of Mr. Burleson, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Latimer, McRae, Parker, Robertson, Taylor, Truit, Ward and Wallace—14.

Nays: Mr. Hart—1.

On motion of Mr. Grimes, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK P. M.

Senate met—quorum present.

Mr. Campbell, from the Judiciary committee, to which was referred a bill to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said colony contracts, where they have an interest; reported the same back to the Senate, and recommended its passage.

Mr. Van Derlip, from the Judiciary committee, to which was referred a bill to require the Commissioner of the General Land Office to issue patents for lands therein mentioned; reported the same back to the Senate, and recommended its passage.

A bill for the relief of John E. Linn. Read third time and passed.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company. Read second time and passed to a third reading.

A bill for the relief of Peter Gallagher and the legal representatives of Archibald Fitzgerald and Thompson Robinson. Read second time, and ordered to be engrossed.

On motion of Mr. Van Derlip, the rule was suspended; bill read third time and passed.

A message was received from the House, informing the Senate, that the House refused to concur in the amendments of the Senate to a bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846; and had appointed Messrs. Stapp, Clements, Franklin, Dickson, Holland and Johnson, a committee of conference thereon, and requested the appointment of a like committee on the part of the Senate.

On motion of Mr. Gage, a committee of conference, consisting of four were appointed on the part of the Senate.

Messrs. Gage, Portis, Wallace and Kinney, were appointed said committee.

Mr. Cooke introduced a bill to change the name of Emmet Baylor Patrick to that of Emmet Harlan Patrick. Read first time.

A bill for the relief of John Edmonds. Read second time and ordered to be engrossed.

On motion of Mr. Portis, the rule was suspended; bill read third time and passed.

On motion of Mr. Taylor, the Senate adjourned until 9 o'clock to-morrow morning.

THURSDAY, November 28, 1850.

The Senate was called to order by the President—Senators present: Messrs. Brashear, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Wallace presented the petition of Mary Alexander; referred to the committee on Private Land Claims.

Mr. Gage presented the memorial of Robert W. Smith, asking the passage of a law to enable him to bring suit against the State to establish a certificate for land therein named; referred to the committee on Private Land Claims.

Mr. Gage presented the petition of James McWilliams, asking the passage of a law giving him a third of a league of land for services performed; referred to the committee on Private Land Claims.

Mr. Brashear presented the petition of John Green, jr.; referred to the committee on Claims and Accounts.

Mr. Parker presented the petition of Philip L. Trimble, asking permission to erect mills and other machinery on Neches river; referred to the committee on Internal Improvements.

Mr. Parker presented the petition of the citizens of Houston county, asking tax to be levied to build a courthouse, &c.; referred to the committee on Finance.

Mr. Burleson presented the petition of the citizens of Travis county.

On motion of Mr. Burleson, it was laid on the table.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a bill concerning the school fund; reported that in the opinion of the committee, it is inexpedient to appropriate the school fund, unless the bonds or stock of the United States were in hand, so that the amount of the school fund might be immediately hypothecated to supply the place of such school fund; they therefore, reported the bill back to the Senate, and recommended that it lie on the table.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill to authorize the Commissioner of the General Land Office to issue to James J. Eldridge, his heirs or assigns, a headright certificate for one third of a league of land; reported the same back to the Senate, and recommended its passage.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill concerning the book or register of land

certificates issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid, but the book has subsequently been found and identified, as genuine and unaltered; reported the same back to the Senate and recommended its passage

On motion of Mr. Brashear, the rule requiring reports to lie on the table one day, was suspended, and report taken up; bill read and passed to a third reading.

On motion of Mr. Brashear, the rule was further suspended; bill read a third time and passed.

Mr. Grimes introduced a bill for the relief of William Cummins. Read first time.

On motion of Mr. Grimes, the rule prohibiting bills being referred on their first reading, was suspended, and bill referred to the committee on Private Land Claims.

Mr. Grimes introduced a bill for the relief of John Bethea. Read first time.

On motion of Mr. Grimes, the rule was suspended and bill referred to the committee on Private Land Claims.

Mr. Grimes introduced a bill for the relief of Martha McMillan. Read first time.

On motion of Mr. Grimes, the rule was suspended. Read second time, and referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed a bill to incorporate the Brazos and Bernard Railway and Plankroad Company.

Mr. Ward, from the committee on Enrolled Bills; made the following report:

The Joint Enrolling committee have examined an act to authorize and require the Commissioner of the General Land Office to issue a patent to William Shipp, of Sabine county, for one league of land.

Also, an act entitled an act to legalize a copy of the record in the office of the County Surveyor of the county of Washington; and find the same correctly enrolled, and having been signed by the Speaker of the House and President of the Senate, were presented to the Governor for his examination, on the 27th instant.

Mr. Portis made the following report:

The joint committee of Conference of the Senate and House of Representatives, upon the disagreement of the two Houses upon the Senate's substitute to the House's bill, entitled an act to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1816, have had the same under consideration, and a majority of

the committee have agreed to amend the Senate's substitute, by adding the counties of Victoria, Calhoun, Jackson, DeWitt and Goliad, after the word "Medina," in the 14th line of second section, and to strike the same from the 28th and 29th lines of said second section, and recommend the adoption of the Senate's substitute to the two Houses.

DAVID Y. PORTIS,
on part com. of the Senate.
D. M. STAPP,
on part of the House.

ORDERS OF THE DAY.

A bill for the relief of Lorenzo D. Henderson, and the heirs of William Donoho, deceased, and Charles Ames. Read third time and passed.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company. Read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Van Derlip, Ward and Wallace—15.

Nays: Messrs. Gage, Hart, Taylor and Truit—4.

A bill to provide for the final adjustment of the public debt of the late Republic of Texas. Read.

On motion of Mr. Wallace, the first section was amended by inserting "three months," after the word "cause," in second line.

On motion of Mr. Wallace, the second section of the bill was stricken out, by the following vote:

Yeas: Messrs. Brashear, Burleson, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip and Wallace—16.

Nays: Messrs. Robertson and Ward—2.

On motion of Mr. Wallace, the third section was amended by striking out "holding," in fifth line, and inserting "as held."

On motion of Mr. Grimes, the 4th section was amended by inserting "that," after the word "and," in the eleventh line.

Mr. Van Derlip moved to strike out the fifth section.

On motion of Mr. Gage, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Senate met—quorum present.

The question before the Senate was on Mr. Van Derlip's motion to strike out the fifth section.

Mr. Ward offered the following amendment to said section :
 " *Provided*, That nothing contained in the provisions of this section shall apply to or confirm any of the class of claims known as the third class, but shall apply exclusively to the first and second class, as reported by the Auditor and Comptroller." Adopted.

The question then recurred on Mr. Van Derlip's motion to strike out the fifth section, and was carried by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Latimer, McRae, Moffett, Parker, Truit and Wallace—11.

Nays: Messrs. Gage, Hart, Portis, Taylor and Ward—5.

On motion of Mr. Hart, the sixth section was stricken out.

On motion of Mr. Gage, all of the seventh section was stricken out, except the last clause.

On motion of Mr. Hart, the first section of the bill was stricken out.

On motion of Mr. Wallace, the bill was referred to the committee on the Judiciary.

Mr. Burleson, chairman of the committee on Military Affairs, to whom was referred a bill for the relief of John S. Roberts; reported the same back to the Senate, and recommended its passage.

Mr. Cooke, chairman of the committee on Claims and Accounts, to whom was referred the petition of John Green, jr.; reported a joint resolution for the relief of John Green, jr. Read first time.

Mr. Truit introduced a joint resolution in relation to Indian depredations and massacres. Read first time.

On motion of Mr. Portis, the rule was suspended; resolution read second time, and referred to the committee on Military Affairs.

Mr. Cooke introduced a bill for the relief of J. C. Lynch. Read first time.

On motion of Mr. Cooke, the rule was suspended; bill read second time, and referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed the following bills, viz:

A bill to incorporate the Shelby University.

A bill for the relief of James Chesher, Sen.

A bill to amend the sixth section of an act concerning slaves, approved the 5th February, 1840.

A bill for the relief of Zachariah N. Morrell.

A bill to amend an act to incorporate the City of New Braunsfels.

A bill to authorize the Executive Board of Managers of the Masonic Female Institute, at Marshall, Harrison county, to confer degrees and for other purposes.

Also, that the House had passed a bill amendatory of an act to create the county of Freestone, which originated in the Senate.

Mr. Brashear introduced a bill for the relief of David Andrews. Read first time.

On motion of Mr. Brashear, the rule was suspended by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays : Mr. Hart—1.

Bill read second time and referred to the committee on Private Land Claims.

Mr. Parker presented the petition of Daniel Martindale ; referred to the committee on Private Land Claims.

A bill to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contracts, where they have an interest. Read second time, and passed to a third reading.

On motion of Mr. Campbell, the rule was suspended ; bill read third time and passed.

A bill granting one league and labor of land to Brevet Major William S. Henry, of the United States Army. Read second time.

On motion of Mr. Hart, laid on the table, by the following vote :

Yeas : Messrs. Campbell, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Ward and Wallace—11.

Nays : Messrs. Brashear, Burleson, Cooke, Gage, Portis, Robertson and Van Derlip—7.

Mr. Wallace introduced a bill prescribing the time at which the act dividing the Supreme Court shall go into effect. Read first time.

On motion of Mr. Wallace, the rule was suspended ; bill read second time and referred to the committee on the Judiciary.

A bill to amend the first section of an act to incorporate the Galveston and Brazos Navigation Company. Read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was suspended ; bill read third time and passed, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Latimer, McRae, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays : Mr. Hart—1.

Mr. Grimes introduced a bill to repeal an act to reserve one of the public buildings in the city of Austin, for the Supreme Court. Read first time.

On motion of Mr. Brashear, the rule was suspended ; bill read second time, and ordered to be engrossed.

On motion of Mr. Brashear, the rule was further suspended, by the following vote :

Yeas : Messrs. Brashear, Burleson, Campbell, Grimes, Hart, Latimer, McRae, Parker, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays : Mr. Gage—1.

Bill read third time and passed.

A message was received from the House of Representatives, informing the Senate, that the House refused to adopt the report of the committee of Conference, on a bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846.

On motion of Mr. Gage, the report of the committee of Conference was laid on the table.

On motion of Mr. Parker, the report was taken up.

Mr. Parker moved that the Senate refuse to adopt the report.

Mr. Truit called for the previous question.

Messrs. Portis, Robertson and Van Derlip, moved a call of the Senate.

On motion of Mr. Gage, the call was suspended.

Messrs. Portis, Robertson and Van Derlip renewed the call.

Mr. Gage offered the following resolution :

Resolved, That the twenty-fifth rule of the Senate be rescinded.

On motion of Mr. Latimer, the Senate adjourned until 9 o'clock, to-morrow morning.

FRIDAY, November 29, 1850.

The Senate was called to order by the President—Senators present : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip Ward and Wallace.

Journal of yesterday read and adopted.

Mr. Wallace, from the committee on the Judiciary, to whom was referred a bill prescribing the time at which the act dividing the Supreme Court shall go into effect; reported a substitute therefor, and recommended its passage.

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day, was suspended, and the report placed among the orders of the day.

Mr. Ward, from the committee on Enrolled Bills, made the following report:

The Joint Enrolling committee have examined an act for the relief of Lorenzo D. Henderson, and the heirs of William Donoho, deceased, and Charles Ames, and finding the same correctly enrolled; having been signed by the Speaker of the House and President of the Senate, was this day presented to the Governor for his examination.

ORDERS OF THE DAY.

The question before the Senate on yesterday evening being on the call for the previous question, made by the Senator from Shelby, was put and carried.

The main question being upon Mr. Parker's motion to refuse to adopt the report of the committee of Conference on a bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846; was put and carried, by the following vote:

Yeas; Messrs. Brashear, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays: Messrs. Burleson, Cooke, Portis and Robertson—4.

On motion of Mr. Gage, the Senate receded from their amendments to the above bill, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays: Messrs. Kinney, Portis and Robertson—3.

A bill prescribing the time at which the act dividing the Supreme Court shall go into effect, together with the report of the committee on the Judiciary, offering a substitute therefor; was read; substitute adopted, and bill ordered to be engrossed.

On motion of Mr. Burleson, the rule was suspended; bill read third time and passed.

A message was received from the House, informing the Senate that the House had appointed Messrs. Dickson, Owen and

Polk, a committee on the part of the House, on a joint resolution instructing the Senators and requesting the Representatives of Texas in Congress, to furnish the President of the United States with one of the authenticated copies of the act accepting the propositions of the United States, relative to the Northern and Western boundaries of Texas.

A bill appropriating ten thousand dollars, or as much thereof as may be necessary for the payment of the mileage and per diem pay of the members of the second extra session, third Legislature. Read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was suspended; bill read third time and passed.

A bill for the relief of Berry Merchant. Read second time and passed to a third reading.

A bill authorizing the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed. Read second time.

On motion of Mr. Grimes, referred to the committee on the Judiciary.

Mr. Grimes, chairman of the committee on Finance, to whom was referred the petition of the citizens of Houston county; reported a bill to authorize the County Court of Houston county to levy a special tax for county purposes. Read first time.

On motion of Mr. Parker, the rule was suspended; bill read second time, and ordered to be engrossed.

On motion of Mr. Parker, the rule was further suspended; bill read third time and passed.

A bill to incorporate the town of Dallas, in Dallas county. Read and ordered to be engrossed.

On motion of Mr. Grimes, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Burleson, Cooke, Campbell, Grimes, Hart, Latimer, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays: None.

A bill for the relief of Reuben R. Brown. Read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was suspended; bill read third time and passed.

A bill for the benefit of certain persons therein named. Read second time, and passed to a third reading.

On motion of Mr. Latimer, the rule was suspended; bill read third time and passed.

A bill for the relief of Thomas J. Jourdan. Read second time.

On motion of Mr. Brashear, referred to the committee on Private Land Claims.

A bill regulating the pay of certain volunteers, who served in 1842. Read second time.

Mr. Burleson offered the following amendments :

Add at the end of the caption, the following words: "and the surviving officers and soldiers of the First Regiment of Infantry who are actual citizens of the State, and the heirs and legal representatives of those who died in the country."

2d. Amendment. Add after the word "Lipantitlan," and before the word "shall," the following words, "and the surviving officers and soldiers of the First Regiment of Infantry who are actual citizens of the State, and the heirs and legal representatives of those who died in the country."

3d. Amendment. Add to the end of the second section the following words:

"Provided, that the said regiment of Infantry shall only receive a sum equivalent to the pay to which they were entitled by the terms of their enlistment, after deducting the par value of the pay already received by them."

On motion of Mr. Grimes, the bill and amendments were laid on the table.

A bill to authorize the Secretary of the Senate to purchase stationery for the use of the next regular session of the Legislature. Read second time.

On motion of Mr. Campbell, referred to the committee on Finance.

Joint resolution instructing our Senators and requesting our Representatives in the Congress of the United States to endeavor to procure the repeal of the first provision contained in the fifth proposition of the bill proposing to the State of Texas to establish her Northern and Western boundaries, and the ceding of her claim to territory exterior to said boundary. Read second time.

On motion of Mr. Grimes, laid on the table.

A bill for the relief of Peter Lopez and Henry Tierwester. Read second time.

On motion of Mr. Burleson, referred to the committee on Public Lands.

A bill to authorize the Clerk of the County Court of Navarro county, and the County Clerk of Tyler county to transcribe in a bound book, severally, to be procured by them for that purpose, all the records and title papers hereinafter mentioned, registered

by the said clerks. Read second time, and passed to a third reading.

On motion of Mr. Cooke, the rule was suspended; bill read third time and passed.

Mr. Wallace, from the Joint committee, to whom was referred a joint resolution instructing the Senators and requesting the Representatives of Texas in Congress, to furnish the President of the United States with one of the authenticated copies of the act accepting the propositions of the United States, relative to the Northern and Western boundaries of Texas; reported a substitute therefor, and recommended its passage.

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day was suspended, and report taken up.

On motion of Mr. Grimes, the word "required," was stricken out, and "empowered" inserted.

On motion of Mr. Van Derlip, the bill and report were referred to the committee on Finance.

A bill to amend the sixth section of an act concerning slaves, approved the 5th February, 1840. Read first time.

On motion of M. Ward, the rule was suspended; bill read second time, and referred to the committee on the Judiciary.

A bill to require the Commissioner of the General Land Office to issue patents for lands therein mentioned. Read third time and passed.

A bill to authorize the Executive Board of Managers of the Masonic Female Institute, at Marshall, Harrison county, to confer degrees and for other purposes. Read first time.

On motion of Mr. Taylor, the rule was suspended; bill read second time, and referred to the committee on Education.

A bill to incorporate the Shelby University. Read first time.

On motion of Mr. Truit, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Truit, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—18.

Nays: None.

Mr. Robertson moved to take up a motion made by him on a previous day, which was then laid on the table by a vote of the Senate, to spread the returns from the 14th Senatorial District on the acceptance of the proposition from the United States Government, &c., upon the journals of the Senate. Carried.

The question being on Mr. Robertson's motion to spread said returns on the journal, was taken and carried.

The following are the returns, to wit :

<i>Counties.</i>	<i>Accept.</i>	<i>Reject.</i>
Washington,	160	295
Bell,	87	25
Williamson,	103	20
Burleson,	103	7
Milam,	80	52
McLellan,	28	10
	<hr/>	<hr/>
	561	409
	409	
	<hr/>	

Majority for accepting, 152

I do hereby certify that the above is a true statement of the vote on the Pearce proposition, as forwarded to me by the Chief Justices of the counties composing the 14th Senatorial District.

C. G. KEENAN, *Speaker*
of the House of Representatives.

On motion, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Senate met—quorum present.

A bill to authorize the Commissioner of the General Land Office to issue to James J. Eldridge, his heirs or assigns, a head-right certificate for one-third of a league of land. Read second time, and ordered to be engrossed.

On motion of Mr. Latimer, the rule was suspended; bill read third time and passed.

A bill for the relief of James Chesher, Sen. Read first time.

On motion of Mr. Ward, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Moffett, the rule was further suspended; bill read third time and passed.

A bill for the relief of Zachariah N. Morrell. Read first time.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a joint resolution authorizing our Senators and Representatives in Congress, to receive the bonds of the Government of the United States, &c.; reported a substitute for the same, and recommended its passage.

On motion of Mr. Hart, the rule requiring reports to lie on the

table one day, was suspended, and the report taken up; substitute adopted and joint resolution ordered to be engrossed.

On motion of Mr. Grimes, the rule was suspended; resolution read third time.

Mr. Portis offered the following amendment, to come in at the end of the 1st section: "by a messenger to be by them employed." Rejected, and resolution passed.

Mr. Parker, from the committee on Private Land Claims, to which was referred a bill for the relief of John Bethea; a bill for the relief of William Cummins; and a bill for the relief of Martha McMillan; reported them back to the Senate, and recommended their passage.

Mr. Parker, from the same committee, to which was referred the petition of Mary Alexander; reported a bill for the relief of Mary Alexander. Read first time.

Mr. Van Derlip, from the committee on the Judiciary, to which was referred a bill authorizing the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed; reported the same back to the Senate and recommended its passage.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill for the relief of Peter Lopez and Henry Tierwester; reported the same back to the favorable consideration of the Senate.

On motion of Mr. Brashear, the rule requiring reports to lie on the table one day, was suspended, and report taken up; bill read and passed to a third reading.

On motion of Mr. Burleson, the rule was further suspended; bill read third time and passed.

Mr. Wallace, from the Judiciary committee, to which was referred a bill to prevent the sale of spirituous or vinous liquors to Indians within the State of Texas; reported the same back to the Senate, with the following amendment:

"Provided, that tax-paying Indians, resident in any county in this State, and Indians in the regular employ of any resident citizen, shall not be construed to be embraced within the provisions of this act."

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays: Messrs. Campbell, Hart and Latimer—3.

And the amendment adopted.

On motion of Mr. Cooke, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays: Messrs. Campbell, Hart and Latimer—3.

A bill to amend an act to incorporate the city of New Braunsfels. Read first time.

On motion of Mr. Van Derlip, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Van Derlip, the rule was further suspended; bill read third time and passed.

A bill to incorporate the Brazos and Bernard Railway and Plankroad Company. Read first time.

On motion of Mr. Robertson, the rule was suspended; bill read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Kinney, Latimer, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays: None.

Mr. Portis, chairman of the committee on Education, to whom was referred a bill to authorize the Executive Board of Managers of the Female Institute, at Marshall, Harrison county, to confer degrees, and for other purposes; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Taylor, the rule requiring reports to lie on the table one day was suspended, and report taken up.

On motion of Mr. Taylor, the rule requiring bills to be read on three several days, was suspended; bill read and passed to a third reading.

On motion of Mr. Taylor, the rule was further suspended; bill read third time and passed.

Mr. Cooke, from the committee on Private Land Claims, to which was referred the petition of Daniel Martindale; reported a bill for the relief of Daniel Martindale. Read first time.

On motion of Mr. Cooke, the rule was suspended; bill read second time, and ordered to be engrossed.

Mr. Cooke, from the same committee, to which was referred a bill for the relief of Stokely D. Choate; reported the same back to the Senate, and recommended its passage.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of David An-

draws; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Brashear, the rule requiring reports to lie on the table one day, was suspended, and bill read and ordered to be engrossed.

On motion of Mr. Brashear, the rule was suspended; bill read third time and passed.

Mr. Taylor introduced a bill for the relief of the heirs or legal representatives of John W. R. Tindon, deceased. Read first time.

On motion of Mr. Taylor, the rule was suspended; bill read second time and referred to the committee on Private Land Claims.

Mr. Robertson introduced a joint resolution for the relief of James Pratt Plummer. Read first time.

On motion of Mr. Robertson, the rule was suspended; bill read second time and ordered to be engrossed.

On motion of Mr. Parker, the rule was further suspended; bill read third time and passed.

Mr. Wallace, from the Judiciary committee, to which was referred a bill to amend the sixth section of an act concerning slaves, approved the 5th of February, 1840; reported the same back to the Senate, with the following amendment, to come in at the end of the bill:

“ Provided, that the counties of Ellis, Tarrant and Navarro, be, and they are hereby exempt from the operation of the law, so far as relates to negroes being prevented from carrying fire-arms.”

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day was suspended; report taken up, amendments adopted, and bill passed to a third reading.

Mr. Ward, from the committee on Enrolled Bills, made the following report:

The Joint Enrolling committee have examined the following acts, and finding them correctly enrolled, and having been signed by the Speaker of the House, and President of the Senate, were this day presented to the Governor for his examination:

An act appropriating ten thousand dollars, or so much as may be necessary for the payment of the mileage and per diem pay of the members and officers of the second extra session of the third Legislature.

An act for the relief of Reuben R. Brown; and

An act amendatory of an act to create the county of Freestone.

A bill for the relief of John S. Roberts. Read second time, and ordered to be engrossed.

On motion of Mr. Wallace, the rule was suspended ; bill read third time and passed.

A bill for the relief of John Green, Jr.; read and ordered to be engrossed.

Mr. Brashear moved to suspend the rule requiring bills to be read on three several days.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Brashear, Burleson, Cooke, Gage, Latimer, McRae, Moffett, Portis, Robertson, Taylor, Truit and Van Derlip—12.

Nays: Messrs. Grimes, Hart, Parker and Wallace—4.

The motion to suspend the rule lost, four-fifths not voting for it.

Mr. Parker introduced a bill for the relief of Stephen J. Sparks. Read first time.

Mr. Parker moved the suspension of the rule.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Gage, Moffet, Parker, Portis, Taylor, Truit, Ward and Wallace—9.

Nays : Messrs. Brashear, Campbell, Hart, McRae, Robertson and Van Derlip—6. Lost.

Mr. Portis introduced a joint resolution upon the fugitive slave law. Read first time.

On motion of Mr. Grimes, the rule requiring reports to lie on the table one day, was suspended, and the report of the committee on Private Land Claims on a bill for the relief of William Cummins ; a bill for the relief of John Bethea ; and a bill for the relief of Martha McMillan ; was taken up, bills read second time and ordered to be engrossed.

Mr. Grimes moved to suspend the rule requiring bills to be read on three several days.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Grimes, Latimer, Moffett, Parker, Portis, Taylor, Van Derlip, Ward and Wallace—10.

Nays : Messrs. Brashear, Campbell, Hart, Robertson and Truitt—5.

Motion to suspend the rule lost ; four-fifths not voting for it.

On motion of Mr. Wallace, the vote which refused to suspend the rule requiring bills to be read on three several days, that the bill for the relief of John Green, jr., might be placed upon its third reading, was reconsidered.

Mr. Grimes moved to amend the bill, by striking out the following words: "with interest from the 28th day of September, 1844." Rejected, by the following vote :

Yeas : Messrs. Grimes, Hart, Latimer, Moffett, Parker and Taylor—6.

Nays : Messrs. Brashear, Burleson, Campbell, McRae, Portis, Robertson, Truit, Van Derlip, Ward and Wallace—10.

On motion of Mr. Wallace, the rule was suspended by the following vote :

Yeas : Messrs. Brashear, Burleson, Campbell, Grimes, Latimer, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays : Messrs. Hart and Robertson—2.

The bill was then read third time and passed by the following vote :

Yeas : Messrs. Brashear, Burleson, Campbell, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—13.

Nays : Messrs. Grimes, Hart and Latimer—3.

On motion, the Senate adjourned until 9 o'clock, to-morrow morning.

SATURDAY, November 30, 1850.

The Senate was called to order by the President—Senators present : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journal of yesterday was read and adopted.

Mr. Wallace, from the Judiciary committee, to which was referred a bill to provide for the final adjustment of the public debt of the late Republic of Texas ; reported a substitute therefor.

Mr. Wallace, chairman of the committee on Enrolled Bills, made the following report :

The committee on Enrolled Bills have examined the following bills, and find them correctly enrolled :

An act to amend the first section of an act to incorporate the Galveston and Brazos Navigation Company.

An act to amend the second and seventh section of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846.

An act to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contracts, where they have an interest; and

An act concerning the book or register of land certificates, issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid, but the book has subsequently been found and identified as genuine and unaltered.

Mr. Robertson, chairman of the committee on Private Land Claims, to which was referred a bill for the relief of John W. R. Tilden; reported the same back and recommended it to the favorable consideration of the Senate.

ORDERS OF THE DAY.

A bill for the relief of Berry Merchant. Read third time and passed.

A bill for the relief of William Cummins. Read third time and passed.

A bill for the relief of Martha McMillan. Read third time and passed.

A bill for the relief of John Bethea. Read third time and passed.

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day, was suspended, and the report of the Judiciary committee on a bill to provide for the final adjustment of the public debt of the late Republic of Texas, was taken up and placed among the orders of the day.

A bill to amend the sixth section of an act concerning slaves, approved 5th February, 1840. Read third time.

Mr. Brashear moved to amend the bill as follows:

“Provided, that the provisions hereof shall not apply to Harris county.”

On motion of Mr. Grimes, the amendment was amended, by adding the counties of Montgomery, Walker and Grimes.

The yeas and nays were then called on the adoption of the amendment, and were as follows:

Yeas: Messrs. Brashear, Burleson, Campbell, Grimes, Hart, Kinney, McRae, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—13.

Nays: Messrs. Cooke, Gage, Latimer and Moffett—4. Amendment adopted.

On motion of Mr. Wallace, the bill was recommitted to the committee on State Affairs.

On motion of Mr. Brashear, a bill for the relief of Stephen J. Sparks, was taken up. Read second time.

On motion of Mr. Parker, referred to the committee on Private Land Claims.

A bill for the relief of Alanson Ferguson. Read third time and passed.

On motion of Mr. Burleson, a bill regulating the pay of certain volunteers who served in 1842, with the amendments offered by him, were taken up, and by leave, amendments withdrawn, and bill read second time.

Mr. Wallace moved to lay the bill on the table, and make it the special order for 3 o'clock, this evening. Lost, and bill passed to a third reading.

A bill to provide for the final adjustment of the Public Debt of the late Republic of Texas; together with the report of the committee on the Judiciary, offering a substitute therefor; was read, and substitute adopted.

Mr. Portis offered the following amendment, as an additional section:

"*Sec. 2. Be it further enacted,* That the sum of six hundred and eleven thousand and seven hundred and eighty-four dollars and fifty cents, that sum being the whole amount for which duties on imports were specially pledged, having been adjusted by the Auditor and Comptroller, is hereby confirmed and asked to be set apart by the Congress of the United States, under the proviso of the second section of an act entitled an act

, and the remainder of the five millions retained in the Treasury of the United States, be asked to be paid over to the State of Texas, according to the provisions of said law."

Mr. Robertson moved to lay the bill on the table. Lost.

The question then recurred on the amendment of Mr. Portis, which was rejected.

Mr. Wallace moved to amend the bill by inserting the words "the interest on," after the word "which," in seventh line of second section.

Mr. Robertson moved to amend the amendment by adding "the amount of interest on said fund to be computed by the Comptroller."

Accepted by Mr. Wallace, and amendment adopted.

The bill was then ordered to be engrossed.

On motion of Mr. Van Derlip, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Campbell, Gage, Kinney, Taylor, Truit, Van Derlip and Wallace—8.

Nays: Messrs. Cooke, Grimes, Hart, Latimer, Parker, Robertson and Ward—7.

Mr. Kinney introduced a joint resolution proposing to the people a division of the State into two or more States, and au-

thorizing them to express their opinion upon the subject at the general election, in August, 1851. Read first time.

Mr. Kinney moved to suspend the rule requiring bills to be read on three several days. Lost, by the following vote :

Yeas : Messrs. Cooke, Campbell, Gage, Grimes, Kinney, Robertson, Van Derlip and Wallace—8.

Nays : Messrs. Brashear, Burleson, Hart, Latimer, Moffett, Parker, Taylor, Truit and Ward—9.

Mr. Parker, from the committee on Private Land Claims, to whom was referred a bill for the relief of Stephen J. Sparks ; reported a substitute therefor, and recommended it to the favorable consideration of the Senate.

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended, and report taken up ; substitute adopted, and bill ordered to be engrossed.

On motion of Mr. Moffett, the rule requiring bills to be read on three several days, was suspended, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Latimer, Moffett, Parker, Robertson, Taylor, Truit, Van Derlip and Ward—14.

Nays : Mr. Hart—1.

The bill was then read a third time and passed.

A message was received from the House, informing the Senate that the House had adopted a substitute for the Senate's bill better to regulate the election of Judges of the Supreme Court ; also, that the House had adopted the Senate's resolution, relative to an adjournment, with amendments.

The Senate refused to concur in the amendments of the House to the resolution of adjournment, by the following vote :

Yeas : Messrs. Cooke, Gage and Parker—3.

Nays : Messrs. Brashear, Burleson, Campbell, Grimes, Hart, Latimer, Moffett, Robertson, Taylor, Truit, Van Derlip and Ward—12.

The Senate refused to adopt the substitute of the House to a bill better to regulate the election of Judges of the Supreme Court, by the following vote :

Yeas : Messrs. Cooke, Campbell, Hart, Latimer, Parker, Robertson, Taylor and Ward—8.

Nays : Messrs. Brashear, Burleson, Gage, Grimes, Kinney, Portis, Truit, Van Derlip and Wallace—9.

A bill authorizing the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed. Read and passed to a third reading

On motion of Mr. Campbell, the rule was suspended; bill read third time and passed.

Mr. Ward, from the committee on Enrolled Bills, made the following report :

The Joint Enrolling committee have presented the following acts to the Governor for his inspection ; the same having been signed by the Speaker of the House and President of the Senate, viz :

An act to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved 12th of May, 1846.

An act to amend the first section of an act entitled an act to incorporate the Galveston and Brazos Navigation Company.

An act to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contracts, where they have an interest ; and

An act concerning the book or register of land certificates, issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid, but the book has subsequently been found and identified as genuine and unaltered.

Mr. Burleson asked, and obtained leave to withdraw from the Senate, a bill for the relief of J. W. F. Wallace; and the petition of Nathaniel Townsend.

On motion of Mr. Hart, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Senate met—quorum present.

Mr. Grimes introduced a bill making an appropriation to pay the contingent expenses of the two Houses of the Legislature, and printing at the extra session, convened the 18th November, 1850. Read first time.

On motion of Mr. Grimes, the rule was suspended ; bill read second time, and ordered to be engrossed.

On motion of Mr. Gage, the rule was further suspended ; bill read third time and passed.

Mr. Robertson, chairman of the committee on State Affairs, to whom was referred a bill to amend an act concerning slaves, approved the 5th February, 1840 ; reported the same back to the Senate, and recommended that the following proviso be added to the end of the first section :

“ Provided, that nothing herein contained shall be so con-

strued as to interfere with, or in any way affect the right of incorporated towns and cities in this State from making and enforcing their own police regulations, except so far as relates to the carrying of fire-arms."

And that the following proviso be stricken out :

" Provided, that the counties of Ellis, Tarrant, Navarro, Harris, Walker, Montgomery and Grimes, be, and they are hereby exempt from the operations of the law, so far as it relates to negroes being prevented from carrying fire-arms." And recommended the adoption of the amendments, and the passage of the bill.

On motion of Mr. Robertson, the rule requiring reports to lie on the table one day, was suspended, and bill and report taken up, and the first amendment adopted.

The yeas and nays were called on the adoption of the second amendment, and were as follows :

Yeas : Messrs. Burleson, Campbell, Gage, Kinney, McRae, Parker, Portis, Robertson, Van Derlip, Ward and Wallace—12

Nays : Messrs. Brashear, Cooke, Grimes, Hart, Latimer and Truit—6.

Adopted, and bill passed to a third reading, by the following vote :

Yeas : Messrs. Burleson, Cooke, Kinney, Latimer, Parker, Portis, Robertson, Van Derlip, Ward and Wallace—10.

Nays : Messrs. Brashear, Campbell, Gage, Grimes, Hart and Truit—6.

Mr. Robertson moved to suspend the rule requiring bills to be read on three several days. Lost, by the following vote :

Yeas : Messrs. Burleson, Cooke, Gage, Kinney, Parker, Portis, Robertson, Van Derlip, Ward and Wallace—10.

Nays : Messrs. Brashear, Campbell, Grimes, Hart, Latimer and Truit—6.

Lost, four-fifths not voting for it.

Joint resolution upon the fugitive slave law. Read second time.

On motion of Mr. Grimes, referred to the committee on State Affairs.

A bill for the relief of Mary Alexander. Read second time, and ordered to be engrossed.

On motion of Mr. Wallace, the rule was suspended ; bill read third time and passed.

Report of the committee on Finance on a bill concerning the school fund. Read.

On motion of Mr. Grimes, laid on the table.

Mr. Robertson moved that the Secretary of the Senate request the House of Representatives to return to the Senate, the resolution relative to adjournment.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Cooke, Campbell, Gage, Grimes, Parker, Robertson, Truit and Wallace—9.

Nays : Messrs. Hart, Kinney, Latimer, Portis, Van Derlip and Ward—6. Carried.

A bill for the relief of Stokely D. Choate. Read and passed to a third reading.

On motion of Mr. Parker, the rule was suspended ; bill read third time and passed.

A message was received from the House, informing the Senate that the House had passed a bill to provide for the safe and profitable investment of the school fund ; and that the Senate insist on their amendments to the resolution*relative to adjournment.

A bill to provide for the safe and profitable investment of the school fund. Read first time.

On motion of Mr. Portis, the rule was suspended ; bill read second time.

Mr. Grimes moved to refer the bill to the committee on Finance. Lost.

Mr. Parker moved to refer it to the committee on Education. Lost.

The bill was then passed to a third reading, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Kinney, Portis, Robertson, Ward and Wallace—10.

Nays : Messrs. Grimes, Hart, Latimer, McRae, Parker and Truit—6.

On motion of Mr. Robertson, the rule was further suspended ; bill read third time and passed, by the following vote :

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Kinney, Portis, Robertson, Van Derlip and Wallace—10.

Nays : Messrs. Grimes, Hart, Latimer, McRae, Parker, Truit and Ward—7.

Mr. Robertson moved a reconsideration of the vote which refused to adopt the amendment of the House to the resolution relative to adjournment.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Cooke, Campbell, Gage, Parker, Robertson, Truit and Wallace—8.

Nays : Messrs. Brashear, Grimes, Hart, Kinney, Latimer, McRae, Portis, Van Derlip and Ward—9.

Refused to reconsider.

A message was received from the House, informing the Senate that the House had passed a bill of the Senate, supplementary to an act to secure to the German Emigration Company, the lands to which they are entitled, with amendments.

Mr. Wallace, chairman of the committee on Enrolled Bills, made the following report :

The committee on Enrolled Bills have examined the following bills, and find them correctly enrolled.

A bill to be entitled an act to require the Commissioner of the General Land Office to issue patents for land therein named.

A bill to be entitled an act for the relief of Peter Lopez and Henry Tierwester ; and

A bill to be entitled an act for the benefit of certain persons therein named.

A message was received from the House, informing the Senate that the House had passed the following bills, which originated in the Senate, viz :

A bill requiring the Commissioner appointed by an act creating the county of Hunt, approved April 11th, 1846, to deliver up certain documents and moneys therein mentioned.

A bill for the relief of John Beeman, John S. Beeman and James S. Beeman ; and

A bill for the relief of Lewis Munroe Mays.

Mr. Robertson moved to suspend the rule requiring bills to be read on three several days, in order that a bill regulating the pay of certain volunteers who served in 1842, might be taken up and read third time.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Cooke, Campbell, Gage, Kinney, Latimer, Portis, Robertson, Van Derlip and Ward—10.

Nays ; Messrs. Grimes, Hart, Parker, Truit and Wallace—5.
Lost, four-fifths not voting for it.

The Senate concurred in the amendments of the House to Senate's bill, supplementary to an act to secure to the German Emigration Company the land to which they are entitled.

Mr. Latimer moved that a committee of three be appointed to wait on the Governor, and inform him that there is a disagreement between the two Houses, relative to an adjournment.

Mr. Wallace moved to lay the motion on the table. Lost.

On motion of Mr. Latimer, the yeas and nays were then called, which were as follows :

Yeas : Messrs. Grimes, Hart, Kinney, Latimer, Portis, Robertson, Truit and Van Derlip—8.

Nays: Messrs. Burleson, Cooke, Campbell, Gage, Parker, Ward and Wallace—7. Carried.

Mr. Gage moved the Senate adjourn until 10 o'clock, Monday morning. Lost, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Kinney, Portis, Robertson, Ward and Wallace—6.

Messrs. Latimer, Portis and Gage, were appointed said committee.

Mr. Gage was excused from said committee.

On motion of Mr. Wallace, the Senate adjourned until 9 o'clock, Monday morning.

MONDAY, December 2, 1850.

The Senate was called to order by the President—Senators present: Messrs. Brashear, Burleson, Cooke, Campbell, Davis, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Truit, Van Derlip, Ward and Wallace.

The journals of Saturday were read and adopted.

A message was received from the House, informing the Senate that the House had passed the following bills:

A bill to authorize the Commissioner of the General Land Office to issue patents to the heirs of Simon Gillam, and the heirs of John Smith.

A bill to incorporate the Trinity and Galveston Navigation Company.

A bill to incorporate the Waco Male and Female Academy, in the county of McLennan; and

Joint resolution for the relief of John C. Walling.

Also, the following bills, which originated in the Senate:

A bill to locate the seat of justice of Kaufman county;

And a bill to incorporate the town of Shelbyville, in Shelby county.

Also, that the House had passed a bill to repeal the third section of an act to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved November, 1850, with amendments.

Also, joint resolution refunding to Major William S. Henry the fine imposed upon him by sentence of a Court Martial in the 9th Military Department of the United States Army; with amendments.

Also, that the House had appointed Messrs. Bryan, Burney

and Tarrant, a committee of conference, on the resolution of adjournment.

Mr. Burleson presented the following memorial of Frederick Dawson, of Baltimore, which was ordered to be spread upon the journal.

To the Honorable

The Legislature of the State of Texas.

It is a fact generally known to the people of Texas, that your memorialist entered into a contract with the government of the late Republic, on the thirteenth day of November, 1838, for the construction and equipment of vessels intended for its naval service. James Schott and E. Dana Whitney of the city of Philadelphia, although not named in the contract, joined at the time with your memorialist, in its execution. These vessels consisted of one ship, two brigs, and three schooners. They were constructed in accordance with very minute and specific directions, prescribed by the terms of the agreement, fully armed and furnished with provisions and munitions of war, and delivered to the officers of the Republic in the harbor of Galveston, in condition for immediate and efficient service. The superior qualities of these vessels and their adaptation to the purposes for which they were designed, were severely tested by storms, and in frequent encounters with the enemy.

It is not generally known, however, although it will conclusively appear by reference to the contract on file in your archives, and by the report of a former Secretary of the Navy, an extract from which is annexed, that your memorialist, with his associates, did in fact far exceed the terms of his obligation, both in constructing and furnishing these vessels. They were each of larger dimensions, more strongly built, more completely armed and more fully provisioned, than those terms required. Your memorialist, and those interested with him, were induced to incur this additional expense from the same motive which led him originally to enter into the contract—a cordial sympathy with a people, not numbering twenty thousand, in their unequal struggle with a nation of eight millions. The sincerity of this feeling is sufficiently shown by the fact, well known to all, that the Republic of Texas, at that crisis in her affairs, had no financial credit, either in Europe or America, and that of all to whom application was made, your memorialist and his associates were the only persons who were willing to invest their means to so great an extent, and to connect their fortunes for good or ill, with its cause.

Messrs. Schott and Whitney, at the time of the contract, were

merchants doing a large business and prosperous in Philadelphia ; as was your memorialist himself in Baltimore. The great amount of money which they advanced from their individual means, made them wholly dependent upon the performance of the agreement on the part of Texas, to sustain their mercantile credit. The inability and failure of the Republic to perform its engagements, involved them in serious embarrassments, and compelled them finally, in order to satisfy completely the liabilities which they had assumed for its benefit, to abandon their commercial business and position.

The Navy, thus acquired by the Republic, was the immediate cause of her recognition as an independent nation by England. Lord Palmerston, who then directed the foreign policy of Great Britain, so declared in the House of Commons. Your memorialist need not dwell upon the immense benefits which this country derived from that recognition of her independence—benefits which would have been even more sensibly felt, had she chosen to preserve her distinct and separate national existence.

In fixing the price of the vessels, three modes were offered to the Government of Texas, at its request, for selection, and are mentioned in the contract. By the mode which was adopted, that Government delivered to your memorialist two bonds, each in the sum of two hundred and eighty thousand dollars, bearing ten per cent. interest, redeemable on the first day of December, 1843, and for the payment of which the public faith and revenues were solemnly pledged, as appears on the face of the instruments themselves. The manner in which these bonds became the property of your memorialist and his associates, under the contract which had been executed, will be sufficiently explained by the letter of the authorized agents of Texas, bearing date the 29th day of November, 1838, and addressed to the President of the Girard Bank of Philadelphia, a copy of which is annexed to this memorial. Of these bonds one belonged to, and was taken by Messrs. Schott and Whitney on account of their share in the execution of the contract: and your memorialist would therefore respectfully bespeak for them, from your Honorable body, whenever they present their claims, the like favorable consideration as may be deemed due, and be granted to him.—The other remained the sole property of your memorialist. But, it is here perhaps proper to state, that circumstances, growing out of the delay, have since that time compelled him to part with a portion of his, and that he is interested now, only in the remainder.

And here your memorialist would respectfully call the atten-

tion of your Honorable body to the fact, that he and his associates have never, during the periods of financial embarrassment through which this country has passed, pressed its Government for payment, either of the principal or interest due upon their claim. Relying on its plighted faith, and reluctant to make their demand a source of inconvenience to the country, by exacting any portion of the public revenues, they have patiently waited, although at very great sacrifice, until the State should be in a condition to reimburse them. And he does not now desire any hasty or inconsiderate action, by which the interests of the State, or any of its creditors, might suffer. He has the same unwavering confidence which they have ever heretofore manifested, that the Government of the country, to whose security and defence they so willingly contributed, will, at a proper time, by a full performance of its obligations, do them ample justice. He has; however, felt compelled to submit this statement, of a matter in which he is so deeply interested, lest silence on his part should cause such a misconstruction of his conduct or motives, as to induce the supposition, that he wishes to look to any other fund, or rely upon any other security than that in the uncontrolled power of the State to give. He neither asks for, nor expects immediate payment; nor that the Legislature, at its approaching session, should adopt any special measures with reference to his demand, which the people are not prepared to ratify. The probable shortness of the coming session, and the many outstanding demands not yet ascertained, for which a provision has been made by law, would seem to require a postponement of this and similar matters, to a more convenient period.

And in the meantime, it is the earnest desire of your memorialist, that the nature and merits of this claim,—the benefits which have resulted to Texas from the execution of this contract—the vast acquisition of territory—the consequent increase of revenue—and other happy results, to the attainment of which, the Navy furnished by your memorialist and his associates, most effectually contributed, may receive from your Honorable body, and the people at large, thorough and impartial consideration.—And your memorialist cannot doubt, that when the time for final action upon the public debt shall have arrived, the People of Texas will be found to maintain that high character for honor and integrity, upon which he has so long relied.

FRED'K DAWSON.

Baltimore, Oct., 1850.

Mr. Burleson, also, presented the memorial of James Schott and Elisha Dana Whitney, with accompanying documents.

Mr. Burleson moved to have the memorial and accompanying documents spread upon the journal.

A division of the question being called for, the memorial was ordered to be spread upon the journal, by the following vote :

Yeas : Messrs. Burleson, Davis, Gage, Grimes, Kinney, Parker, Portis, Van Derlip and Wallace—9.

Nays : Messrs. Cooke, Campbell, Hart, Latimer, McRae, Moffett, Robertson and Tritt—8.

The question on spreading the accompanying documents on the journals, was taken, and lost, by the following vote :

Yeas : Messrs. Burleson, Davis, Gage, Kinney and Portis—5.

Nays : Messrs. Cooke, Campbell, Grimes, Hart, Latimer, McRae, Moffett, Parker, Robertson, Tritt, Van Derlip and Wallace—12.

To the Honorable, the Legislature of the State of Texas.

Your memorialists, James Schott and E. D. Whitney, merchants of the city of Philadelphia, concurring in the statement of Mr. Fredk. Dawson, dated Baltimore, October, 1850, and addressed to your Honorable body, a copy of which is annexed, respectfully represent :

That feeling a deep sympathy with the people of Texas, they became originally interested and were parties with Mr. Dawson in constructing, furnishing and equipping the vessels for the Naval service of the late Republic, the contract for which was made in the name of Frederick Dawson. That they furnished from their individual means one-half the amount of funds required to build and equip the said vessels, agreeably to contract ; and that one-half of the amount of the bonds given in payment of the same belonged to, and was received by them.

Your memorialists do not expect that any attempt will be made at this session of your Legislature for their relief ; nor do they deem it necessary to remind your Honorable body of the heavy sacrifices they have been compelled to make on account of their interest in the above mentioned contract.

They have ever been willing to rely upon the honor of Texas, that she would, whenever circumstances placed it in her power, perform towards your memorialists her part of the contract.

In order to show the proceedings at Washington in reference to this debt for the vessels, your memorialists trust that they will be excused for respectfully asking the notice of your Honorable body to the annexed petition of Frederick Dawson, James Schott and E. D. Whitney, to the Congress of the United States ; and to the

reports of the committee of Claims of the Senate, and the committee on the Judiciary in the House of Representatives.

All of which is most respectfully submitted.

E. D. WHITNEY, for himself
and JAMES SCHOTT.

Austin, December 2, 1850.

A message was received from the House, informing the Senate that the House had adopted a resolution to adjourn on Tuesday, the 3d day of December, at 12 o'clock, M.

Mr. Robertson, chairman of the committee on State Affairs, to whom was referred a joint resolution on the fugitive slave law; reported the same back to the Senate, and recommended its passage.

Mr. Portis offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to employ as many Assistant Clerks as may be needed for the remainder of this extra session." Read.

On motion of Mr. Portis, the rule requiring resolutions to lie on the table one day, was suspended, and resolution adopted.

Mr. Burleson introduced a bill to incorporate the LaGrange Collegiate Institute. Read first time.

On motion of Mr. Burleson, the rule was suspended; bill read second time and ordered to be engrossed.

On motion of Mr. Burleson, the rule was further suspended; bill read third time, and passed.

A message was received from the House, informing the Senate, that the House had appointed Messrs. Hendricks, Franklin and Wigfall, a committee of conference on a bill to better regulate the election of Judges of the Supreme Court, and request the appointment of a like committee on the part of the Senate.

Messrs. Portis, Latimer and Van Derlip, were appointed said committee.

Mr. Wallace, chairman of the committee on Enrolled Bills, made the following report:

The committee on Enrolled Bills, report as correctly enrolled, the following bills:

A bill for the relief of Lewis Monroe Mays, a minor.

A bill for the relief of John Beeman, John S. Beeman and James J. Beeman.

A bill to be entitled an act requiring the Commissioner appointed by an act entitled an act creating the county of Hunt, approved April 11th, 1846, to deliver up certain documents and moneys therein mentioned.

A bill to be entitled an act for the safe and profitable investment of the school fund.

A bill to be entitled an act to incorporate the Shelby University; and

A bill to be entitled an act to incorporate the Brazos and Bernard Railway and Plankroad Company.

ORDERS OF THE DAY.

The Senate adopted the resolution of the House to adjourn on Tuesday, the 3d instant, at 12 o'clock, M, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Parker, Truit, Ward and Wallace—11.

Nays: Messrs. Davis, Kinney, Latimer, McRae, Moffett, Portis, Robertson and Van Derlip—8.

Mr. Ward, from the Enrolling committee, made the following report:

The Joint Enrolling committee have presented the following acts to the Governor for his inspection, the same having been signed by the Speaker of the House and President of the Senate, viz:

An act for the relief of certain persons therein named.

An act for the relief of Peter Lopez and Henry Tierwester.

An act to require the Commissioner of the General Land Office to issue patents for lands therein named.

An act for the relief of Lewis Monroe Mays, (a minor.)

A bill for the relief of John Beeman, John S. Beeman and Jas. J. Beeman; and

An act requiring the Commissioner appointed by an act entitled an act creating the county of Hunt, approved April 11th, 1846, to deliver up certain documents and moneys therein mentioned.

A message was received from the House, informing the Senate that the House had passed the following bills, which originated in the Senate, viz:

A bill for the relief of Samuel J. Sparks.

A bill for the relief of Martin W. B. Armstrong.

A bill for the relief of Benjamin Burke; and

A bill for the relief of Luana Ward, with an amendment.

A bill to repeal the third section of an act to amend the 2d and 7th sections of an act to organize the Supreme Court of the State of Texas, approved November, 1850, together with the amendments of the Senate. Read.

On motion of Mr. Portis, referred to the committee on the Ju-

diciary, with instructions to report it back to the Senate at 3 o'clock, P. M.

The Senate concurred in the amendments of the House to a joint resolution refunding to Major William S. Henry, the fine imposed upon him by a military court martial; and to

A bill for the relief of Luana Ward.

On motion of Mr. Gage, joint resolution for the relief of John C. Walling, was taken up and read first time.

On motion of Mr. Gage, the rule was suspended; resolution read second time, and passed to a third reading.

On motion of Mr. Gage, the rule was further suspended; resolution read third time and passed.

A bill to amend the sixth section of an act concerning slaves, approved the 5th of February, 1840. Read third time and passed by the following vote:

Yeas: Messrs. Burleson, Cooke, Davis, Kinney, Moffett, Parker, Portis, Robertson, Van Derlip, Ward and Wallace—11.

Nays: Messrs. Brashear, Campbell, Gage, Grimes, Hart, Latimer and Truit—7.

A bill to regulate the pay of volunteers in the service of Texas in the year 1842. Read third time.

Mr. Wallace moved to amend by inserting in the 7th line of 1st section, after the word "same," the words "monthly rate of."

Upon which, the yeas and nays were as follows:

Yeas: Messrs. Brashear, Campbell, Grimes, Hart, Kinney, Latimer, McRae, Parker, Ward and Wallace—10.

Nays: Messrs. Burleson, Davis, Gage, Portis, Robertson and Van Derlip—6.

Rejected, two-thirds not voting for it.

The bill was then passed.

A bill to authorize the Commissioner of the General Land Office to issue patents to the heirs of Simon Gillam and the heirs of John Smith. Read first time.

On motion of Mr. Ward, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Robertson, the rule was further suspended; bill read third time and passed.

Mr. Wallace, from the committee on the Judiciary, to which was referred a bill to authorize the Commissioner of the General Land Office to issue patents to lands surveyed, or to be surveyed, within the limits of Mercer's and Peters' Colonies; reported the same back to the Senate, without any recommendation.

A bill to incorporate the Trinity and Galveston Navigation Company. Read first time.

A bill to incorporate the Waco Male and Female Academy, in the county of McLennan. Read first time.

Report of the Judiciary committee on the petition of the citizens of Navarro county, praying to be attached to the third Judicial district, recommending that no action be taken thereon at the present extra session of the Legislature; was read and adopted.

A bill to change the name of Emmet Baylor Patrick to Emmet Harlan Patrick. Read second time, and ordered to be engrossed.

On motion of Mr. Cooke, the rule was suspended; bill read third time and passed.

A bill for the relief of Zachariah N. Morrell. Read second time.

On motion of Mr. Burleson, referred to the committee on Public Lands.

A bill for the relief of Daniel Martindale. Read third time.

On motion of Mr. Cooke, laid on the table.

A bill for the relief of the heirs and legal representatives of John W. R. Tilden, deceased. Read second time and ordered to be engrossed.

On motion of Mr. Ward, the rule was suspended; bill read third time and passed.

Joint resolution proposing to the people a division of the State into two or more States, and authorizing them to express their opinion upon the subject at the general election, in August, 1851. Read second time.

On motion of Mr. Wallace, laid on the table.

On motion of Mr. Robertson, the vote which referred a bill for the relief of Zachariah N. Morrell to the committee on Public Lands, was reconsidered, and bill passed to a third reading.

On motion of Mr. Parker, the rule was suspended; bill read third time and passed.

On motion of Mr. Latimer, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK P. M.

Senate met—quorum present.

Mr. Van Derlip, from the Judiciary committee, made the following report:

The committee on the Judiciary, to whom was referred an act supplementary to an act, approved 30th November, 1850, entitled

an act to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved May, 1846; adopted by the House of Representatives as an amendment for a bill originating in the Senate, entitled a bill to be entitled an act to repeal the third section of the act above named; have had the same under consideration, and have instructed me to report the accompanying bill as a substitute for both of said bills, and recommend its passage.

On motion of Mr. Van Derlip, the rule requiring reports to lie on the table one day, was suspended, and report taken up and adopted.

Mr. Davis introduced a bill to authorize H. B. Hollister to mark and define the boundary line of Starr county. Read first time.

On motion of Mr. Portis, the rule was suspended; bill read second time and ordered to be engrossed.

On motion of Mr. Campbell, the rule was further suspended; bill read third time and passed.

Mr. Portis, from the committee of conference, made the following report:

The majority of the committee of conference on the part of the Senate and House of Representatives on the bill regulating the election of Judges of the Supreme Court, have agreed to the substitute of the House, and instructed the undersigned to report the same, and recommend its passage.

DAVID Y. PORTIS, Chairman
on part of the Senate.

H. G. HENDRICKS, Chairman
on part of the House.

A message was received from the House, informing the Senate that the House had passed the following bills, which originated in the Senate, viz:

A bill for the relief of Martha McMillan.

A bill for the relief of Mary Alexander.

A bill for the relief of John Edmonds.

A bill for the relief of John McLennan, jr.

A bill for the relief of Peter Gallagher, and the legal representatives of Archibald Fitzgerald and Thompson Robinson; and

A bill to repeal an act to reserve one of the public buildings in Austin, for the Supreme Court.

Also, the following bills, originating in the House:

A bill for the relief of the heirs of Andrew Kent, *decd.*; and

A bill to incorporate the Anahuac Canaling and Rail Road Company.

Also, that the House had concurred in the amendments of the Senate to a bill to amend the 6th section of an act concerning slaves, approved 5th February, 1840.

Also, that the House had adopted the report of the committee of conference on a bill better to regulate the election of Judges of the Supreme Court.

The Senate adopted the report of the committee of conference on a bill to regulate the election of Judges of the Supreme Court, by the following vote :

Yeas: Messrs. Campbell, Davis, Grimes, Hart, Latimer, Parker, Robertson, Truit and Ward—9.

Nays : Messrs. Burleson, Kinney, McRae, Moffett, Portis, Van Derlip and Wallace—7.

A bill for the relief of the heirs of Andrew Kent, deceased. Read first time.

On motion of Mr. Portis, the rule was suspended ; bill read second time and passed to a third reading.

On motion of Mr. Portis, the rule was further suspended ; bill read third time and passed.

A bill to incorporate the Anahuac Canaling and Rail Road Company. Read first time.

On motion of Mr. Burleson, the report of the select committee on the petition of the citizens of Travis county, was taken up ; and

A bill to authorize the County Court of Travis county to levy a special tax. Read first time.

On motion of Mr. Burleson, the rule was suspended ; bill read second time, and ordered to be engrossed.

On motion of Mr. Burleson, the rule was further suspended ; bill read third time and passed.

Mr. Wallace, chairman of the committee on Enrolled Bills, made the following report :

The committee on Enrolled Bills have examined the following bills, and report them correctly enrolled :

A bill to locate the seat of justice for Kaufman county.

A bill supplementary to an act to secure to the German Emigration Company the lands to which they are entitled.

A bill to incorporate the town of Shelbyville, in Shelby county.

A bill for the relief of Leanner Ward.

Joint resolution refunding to Major W. S. Henry the fine imposed upon him by the sentence of a Court Martial, in the 9th Military Department, United States Army,

A bill for the relief of John Edmonds ; and

A bill for the relief of Mary Alexander.

On motion of Mr. Robertson, the rule requiring bills to be read on three several days, was suspended, and a bill to incorporate the Waco Male and Female Academy, in the county of McLennan, was taken up. Read second time, and passed to a third reading.

On motion of Mr. Robertson, the rule was further suspended ; bill read third time and passed, by the following vote :

Yeas: Messrs. Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McKrae, Moffett, Portis, Robertson, Truit, Ward and Wallace—15.

Nays: None.

On motion of Mr. Kinney, the Senate adjourned until 10 o'clock, to-morrow morning.

TUESDAY, December 3, 1850.

Journal of yesterday read and adopted.

A message was received from the House, informing the Senate that the House had passed the following bills, which originated in the Senate:

A bill for the relief of Alanson Ferguson.

A bill for the relief of William A. Burns ; and

Joint resolution for the relief of Robert Shaw, assignee of William Morrow.

Also, that the House had passed a bill for the relief of Daniel Parker, jr.; and

A bill for the relief of Alexander McCulloch.

Also, that the House had adopted a substitute for a bill making an appropriation for certain purposes therein named.

Mr. Ward, from the committee on Enrolled Bills ; made the following report :

The Joint Enrolling committee have examined the following acts, and finding them correctly enrolled, and having been signed by the Speaker of the House, and President of the Senate, were this day presented to the Governor for his examination :

An act to authorize the Executive Board of Managers of the Masonic Female Institute, at Marshall, Harrison county, to confer degrees, and for other purposes.

• A joint resolution for the relief of John C. Walling.

An act entitled an act for the relief of Stokely D. Choate.

An act for the relief of Berry Merchant.

An act to authorize the Clerk of the County Court of Navarro county, and the County Clerk of Tyler county, to transcribe in a well bound book, severally, to be procured by them for that purpose, all the records and title papers hereinafter mentioned, registered by the said County Clerks.

An act to amend an act entitled an act to incorporate the city of New Braunfels.

An act to authorize the Commissioner of the General Land Office to issue patents to the heirs of Simon Gillam, and the heirs of John Smith.

An act for the relief of James Chesher, Sen.

An act authorizing the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed; and

An act for the relief of Peter Gallagher, and the legal representatives of Archibald Fitzgerald and Thompson Robinson.

Mr. Wallace, chairman of the committee on Enrolled Bills; made the following report:

The committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

A bill for the relief of Zachariah N. Morrell.

A bill for the relief of M. B. Armstrong.

A bill for the relief of Benjamin Burke.

A bill regulating the pay of certain volunteers, who served in 1842.

A bill for the relief the heirs of Andrew Kent, deceased.

A bill to be entitled an act to incorporate Waco Male and Female Academy, in the county of McLennan.

Joint resolution for the relief of Robert Shaw, assignee of William Morrow.

A bill for the relief of William A. Burns.

A bill for the relief of Martha McMillan.

A bill to regulate the election of Judges of the Supreme Court,

A bill to repeal the act reserving one of the public buildings in the city of Austin, for the Supreme Court; and

A bill for the relief of Alanson Ferguson.

Mr. Wallace, chairman of the committee on Enrolled Bills: made the following report:

The Joint Enrolling committee have examined the following bills, and find them correctly enrolled, and having been signed by the Speaker of the House and President of the Senate, were this day presented to the Governor for his examination:

Joint resolution refunding to Major W. S. Henry the fine imposed upon him by sentence of a Court Martial, in the 9th Military Department, United States Army.

A bill for the relief of Mary Alexander.

A bill to incorporate the town of Shelbyville, in Shelby county.

A bill to locate the seat of justice of Kaufman county.

A bill for the relief of John Edmonds.

A bill for the relief of Leanner Ward.

A bill supplementary to an act to secure to the German Emigration Company and their colonists, the lands to which they are entitled, and to adjust the liabilities of said Company, approved January 21st 1850; and

A bill for the relief of Stephen J. Sparks.

A bill for the relief of Zachariah N. Morrell.

A bill for the relief of M. B. Armstrong.

A bill for the relief of Benjamin Burke.

A bill regulating the pay of certain volunteers who served in 1842.

A bill for the relief of the heirs of Andrew Kent, deceased; and

A bill to be entitled an act to incorporate the Waco Male and Female Academy, in the county of McLennan.

Were presented to the Governor on the 2d instant

ORDERS OF THE DAY.

Substitute of the House to a bill making appropriations for certain purposes therein named. Read first time.

Mr. Burleson offered the following amendment :

Add "and the further sum of one hundred dollars to Messrs. Brown and Tarbox, for conveying the remains of Captain Samuel Walker, from the city of Houston to La Grange." Adopted.

Mr. Campbell offered the following amendment :

Add "for advertising Governor's Proclamation in Dallas Herald, forty four dollars." Adopted.

Mr Wallace offered the following amendment :

"For pay of Benton and Price for publishing the Proclamations of the Governor and the proposition from the United States to Texas, &c., ninety-six dollars." Adopted.

Mr. Robertson offered the following amendment :

"For pay of W. H. Cushney for publishing proclamation of the Governor, submitting propositions of the United States to the State of Texas, for the purchase of her Northwestern territory, and for advertising proclamation of the Governor, conveying the Legislature in second extra session, forty-four dollars." Adopted.

Mr. Grimes offered the following amendment :

"For pay of G. Robinson for printing proclamation of the Governor in the Huntsville Item, twenty-five dollars." Adopted.

Mr. Robertson offered the following amendment :

"For pay of Logan and Sterne for publishing proclamation, twenty-four dollars." Adopted.

Mr. Wallace offered the following amendment :

"For pay of Benton and Price for publishing proclamation of Governor and the advertisement of the escape of Chesher, twenty dollars. Adopted."

Mr. Parker offered the following amendment :

"For pay of Jasper Starr, editor of the Wonder, for publishing the proclamation of the Governor convening the Legislature and the election on the proposition to sell a portion of our Northwestern territory, thirty-five dollars." Adopted.

The question then recurred on the adoption of the substitute of the House, as amended.

Upon which, the yeas and nays were called, and were as follows :

Yeas : Messrs. Cooke, Campbell, Gage, Latimer, Parker, Robertson, Ward and Wallace—8.

Nays : Messrs. Burleson, Grimes, Hart, McRae and Moffett—5. No quorum present.

The Sergeant-at-Arms was despatched after absent members ; returned, and still there was no quorum.

Absentees : Messrs. Brashear, Davis, Pease, Phillips, Portis, Taylor, Truit and Van Derlip.

Roll called—quorum present.

Mr. Kinney moved that the Senate adjourn, *sine die*.

Upon which motion, the yeas and nays were called, and stood as follows :

Yeas : Messrs. Grimes, Hart, Kinney, Latimer and McRae—5.

Nays : Messrs. Burleson, Cooke, Campbell, Gage, Moffett, Parker, Robertson, Truit, Ward and Wallace—10.

The question then recurred on the adoption of the substitute of the House, as amended, for a bill making appropriations for certain purposes therein named.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Cooke, Campbell, Davis, Gage, Latimer, Moffett, Parker, Robertson, Ward and Wallace—11.

Nays : Messrs. Grimes, Hart, McRae and Truit—4.

A message was received from the House, that the House had passed a bill from the Senate for the relief of the heirs of John W. R. Tilden, deceased ; and had concurred in the amendments

of the Senate to a bill making appropriations for certain purposes therein named.

On motion of Mr. Robertson, a committee was appointed to wait on the Governor, and inform him that the Legislature was about to adjourn, and to know if he had any communication to make.

The committee retired, and after a short absence, returned and reported that His Excellency had no further communication to make to the Legislature.

Mr. Cooke offered the following resolution :

Resolved, That the thanks of the Senate be tendered to Hon. John A. Greer, for the able, dignified and impartial manner in which he has discharged the duties of President of the Senate, at this extra session of the Legislature.

Rule suspended, and resolution unanimously adopted.

Mr. Davis offered the following resolution :

Resolved, That the Secretary of the Senate be required to remain in charge of the papers of the Senate for two weeks, after the adjournment of the extra session, for the purpose of arranging and filing them, and that he be allowed the same per diem pay for his services as is allowed him as Secretary.

Rule suspended, and resolution adopted.

The journal being read and adopted,

On motion of Mr. Parker, the Senate adjourned, *sine die*.