

ADJOURNED SESSION  
OF THE  
EIGHTH LEGISLATURE.

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SENATE CHAMBER,  
18th March, 1861, 3 o'clock, P. M. }

The Senate met pursuant to adjournment, and having been called to order by Hon. Jess- Grimes, President *pro tem*, a prayer was offered by the Chaplain, Rev. W. Thomas.

The roll of the Senate being called and no quorum appearing, on motion of Mr. Throckmorton, the Senate adjourned until 10 o'clock, A. M. to-morrow.

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TUESDAY, MARCH 19, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

Mr. Throckmorton presented the credentials of B. F. Neal, Senator elect from the 19th Judicial District.

Mr. Blanch introduced the following resolution:

WHEREAS, since the adjournment of the Legislature, the people of Texas have, by the adoption of the Ordinance of Secession, severed their connection with the United States of America, and a connection has been formed with other States, for mutual defence and protection, styled the Confederate States of America, under a provisional Government, formed by them, and it is proper that the members of this body, shall be bound by oath or affirmation, to the support of the same.

Therefore be it resolved, That in addition to the oath prescribed by the Constitution, except so much as is of necessity abrogated by the adoption of the Ordinance, of secession, each

member of this body shall take the following oath or affirmation, to be administered by the President:

I, \_\_\_\_\_, do solemnly swear or affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as \_\_\_\_\_, according to the best of my skill and ability, agreeably to the Constitution and laws of the State of Texas, and also to the Constitution and laws of the Confederate States of America, so long as the State of Texas shall remain a member of that Confederacy; and I do further solemnly swear or affirm, that since the second day of March, A. D. 1861, I, being a citizen of this State, have not fought a duel with deadly weapons within this State, or out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge or aided, advised, or assisted any person thus offending, so help me God. Adopted.

The members and officers of the Senate, then came forward and took the oath prescribed.

Mr. Chambers presented the memorial of Allen Urguhart and Albert Johnson, with reference to the certificates of the Buffalo Bayou, Brazos and Colorado Railroad Company. Referred to the committee on Public Lands.

Mr. Miller presented the memorials of Wm. McHenry and others, praying a donation of a site for Divine Worship. Referred to the committee on Public Lands.

Mr. Miller presented the memorial of Sam'l J. W. Long and others, praying relief against forced sales. Referred to the Judiciary Committee.

Mr. Miller presented the memorials of W. R. Matchlock and others, praying for arms and equipments. Referred to the committee on the Militia.

Mr. Walker presented the petition of J. B. Wosiac, in reference to the suspension of the laws for the collection of debts. Referred to the Judiciary Committee.

Mr. Fall presented the petition of sundry citizens of Tarrant county, in reference to a change of venue. Referred to special committee consisting of Messrs. Fall, Guinn, Throckmorton, Potter and Quiban.

A bill to amend the law regulating the assessment and collection of taxes being the special order of the day, was, on motion of Mr. Potter, laid on the table.

The report of the committee on State Affairs, on a bill for the sale of \$150,000 indemnity bonds, on motion of Mr. Potter laid on the table.

A bill to fix compensation of members and officers of the

Convention which convened at Austin, January 23, 1861.  
Laid on the table.

Joint resolution providing for the sale of United States indemnity bonds belonging to the School Fund, and the reinvestment of the same, with the report of the committee thereon.  
Laid on the table.

A bill to postpone forced sales, with the report of the committee thereon. Laid on the table.

A bill to organize three regiments of volunteers. Laid on the table.

Mr. Fall introduced a bill for the relief of Martin Jones. Read first and second times and referred to the committee on Private Land Claims.

Mr. Walker introduced a bill for the relief of Ware Beugo. Read first and second times and referred to the committee on Private Land Claims.

Mr. Blanch introduced a bill to amend an act authorizing and requiring the County Courts to regulate roads, appoint overseers, &c., approved Feb. 8, 1858. Read first and second times and referred to the Judiciary Committee.

Mr. Potter introduced a bill to amend the second and third sections of an act entitled an act to incorporate the Southern Cotton Press and Manufacturing Company, approved February 11, 1860. Read first and second times and referred to the committee on the Judiciary.

A bill reserving certain lands therein named from sale, location or patent. Read and ordered to be engrossed.

On motion of Mr. Scarborough, rule suspended, bill read third time and passed.

Mr. Stockdale, Chairman of the committee on Enrolled Bills, reported a bill changing the time of holding the District Courts in the 9th Judicial District, correctly enrolled, properly signed, and this day presented to the Governor.

On motion of Mr. Guinn, Mr. Neal was added to the various committees on which Senator Britton had been placed.

A committee from the House, announced that the House had organized, and were ready to proceed to business.

On motion of Mr. Dulaney, a committee of three was appointed to inform the House of the organization of the Senate.

Messrs. Dulaney, Blanch and Herbert, were named as said committee.

On motion of Mr. Miller, a committee of three were appointed to act in conjunction with a like committee of the House of Representatives, to wait upon the Governor, and to know if he had any communication to make.

Whereupon Messrs. Miller, Fall and Lott, were named as the committee, who performed that duty.

On motion the Senate adjourned until 10 o'clock, A. M. tomorrow.

WEDNESDAY, March 20th, 1861

Senate met pursuant to adjournment—prayer by the Chaplain—roll called, quorum present.

Mr. Guinn presented the petition of Milton T. Tucker. Referred to the committee on the Judiciary.

Mr. Walker presented the petition of Simon Jones, with reference to the stray law. Referred to the committee on Stock and Stock Raising.

Mr. Miller presented the memorial of citizens of the town of Crockett. Referred to the committee on the Judiciary.

Mr. Chambers presented the petition of sundry persons of Titus county, in reference to the jury fund of said county. Referred to the committee on the Judiciary.

Mr. Parsons introduced a bill to authorize James W. Flannagan and his associates to construct a bridge across the Sabine River. Read first and second times and referred to the committee on Roads Bridges and Ferries.

Mr. Chambers introduced a bill to provide for running the county lines between the counties of Macon Cass and Titus. Read first time; rule suspended; read second time and ordered to be engrossed. On motion of Mr. Chambers, rule further suspended; bill read third time and passed.

Mr. Potter introduced a bill to incorporate the Galveston Seminary. Read first and second times and referred to the Judiciary committee.

Mr. Potter introduced a bill to incorporate the Galveston Turner's Association. Read first and second times and referred to the committee on the Judiciary.

Mr. Neal introduced a bill concerning forced sales. Read first and second times and referred to the Judiciary committee.

Mr. Walker introduced a bill supplementary to and amendatory of an act to incorporate the Dallas Bridge Company. Read first and second times and referred to the committee on Roads, Bridges and Ferries.

Mr. Erath introduced a bill supplemental to an act supplemental to an act regulating estrays, approved February, 1861.

Read first and second times, and referred to the committee on Stock and Stock Raising.

Mr. Quinn introduced a bill, further regulating proceedings in the District Court. Read first and second times and referred to the committee on the Judiciary.

Mr. Walker introduced a bill to define the Homestead not in a town or city. Read first and second times and referred to the committee on the Judiciary.

Mr. Herbert introduced a bill to amend an act to incorporate the Columbus, Tap Railway Company, approved 2nd February, 1860. Read first and second times and referred to the committee on Internal Improvements.

Mr. Fall, chairman of the committee on Engrossed bills reported a bill reserving certain lands therein named from sale location or patent correctly engrossed.

Mr. Hyde offered the following resolutions which were unanimously adopted:

*Be it resolved,* That in the death of General Forbes Britton, the community in which he lived has lost one of its brightest ornaments; the State of Texas, one of her most able and efficient representatives in her Senate; his family, a true, faithful and devoted husband, father and friend.

*Resolved* That we tender our heartfelt sympathy to the bereaved family of the deceased

*Resolved,* That the members of the Senate wear the usual badge of mourning for thirty days.

*Resolved,* That a copy of these resolutions be forwarded to the family of our deceased brother.

*Resolved,* That the Senate now stand adjourned until tomorrow morning 10 o'clock.

THURSDAY, March 21st, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Stockdale presented the petitions of H. McB. Pridgeon and John R. Hamilton and wife. Referred to the committee on the Judiciary.

Mr. Martin, chairman of the committee on Stock and Stock Raising, to whom was referred a bill to amend the act supplemental to an act to regulate estrays, approved February 5, 1861, reported a substitute for the bill and recommended its adoption.

Mr. Potter, chairman of the committee on the Judiciary, made the following reports :

The Judiciary committee have considered a bill to incorporate the Galveston Seminary, and direct me to report the same to the Senate and recommended its passage.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a bill further regulating proceedings in the District's courts, reported a substitute for the bill and recommended its passage.

On motion of Mr. Quinn, the rule was suspended, substitute read, adopted, and ordered to be engrossed; rule further suspended, read third time and passed.

Mr. Potter, from the committee on Internal Improvements, to whom was referred a bill to incorporate the Columbus Tap Railway Company, approved 2nd February, 1860, returned the same to the Senate and recommended its passage.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a bill to amend the 2nd and 3rd sections of an act to incorporate the Southern Cotton Press and Manufacturing Company, approved February 11th, 1860, reported the same to the Senate and recommended its passage.

On motion of Mr. Potter, the rule suspended, bill taken up, read second time, and ordered to be engrossed; rule further suspended, read third time and passed by the following vote :

YEs—Messrs. Chambers, Duggan, Dalaney, Gratin, Fall, Grimes, Guinn, Herbert, Hyde, Lott, Martin, Neal, Parsons, Potter, Quinn, Rains, Scarborough, Schleicher, Shepard, Stockdale and Walker—22.

NAYs—Mr. Throckmorton—1.

Mr. Miller, from the Judiciary committee, to whom was referred a bill concerning the corporation of the town of Crockett reported the same to the Senate and recommended its passage.

On motion of Mr. Miller, the rule suspended bill taken up, read second time and ordered to be engrossed; rule further suspended, read third time and passed.

A message was received from the House informing the Senate that the House had passed a bill to attach the unorganized counties of Wichita, Wilbarger, Hardeman and Greer, to the county of Clay, so as to form one Land District.

A bill granting a pension to William H. Anderson.

Mr. Potter, chairman of the Judiciary committee, to whom was referred a bill to incorporate the Galveston Turner's Association reported the same to the Senate and recommended its passage,

Mr. Throckmorton introduced a bill making an appropriation to pay for mules furnished the military service of the State. Read first and second times and referred to the committee on Finance.

Mr. Walker introduced a bill to regulate forced sales of property under execution by Sheriff's, and other officers. Read first and second times and referred to the committee on the Judiciary.

Mr. Harmon introduced a bill to repeal the joint resolution respecting county Surveyors, approved December 29th, 1837. Read first and second times and referred to the committee on Land Office.

Mr. Throckmorton introduced a bill to incorporate the Sherman Odd Fellows Female Institute. Read first and second times and referred to the committee on Education.

Mr. Fall, chairman of the committee on Engrossed Bills reported a bill to provide for running the county lines between the counties of Marion, Cass and Titus, correctly engrossed.

Mr. Walker offered the following resolution :

*Resolved*, by the Senate, that the committee on Finance take into consideration the propriety and impropriety of reducing the number of officers, and also the salaries and fees of the officers of the State of Texas, and that they report by bill or otherwise as soon as practicable. Adopted.

Mr. Fall, offered the following resolution :

*Resolved*, That the committee on the Land Office, be instructed to enquire into the necessity of having all documents relating to land or land titles, that are now at different points in this State, removed to, and deposited in the General Land Office, and that they report by bill or otherwise. Adopted.

On motion of Mr. Walker, Mr. Neal was added to the committee on Finance.

On motion of Mr. Parsons, Mr. Branch was added to the same committee.

On motion of Mr. Gunn, Mr. Duggan was placed on the committee of Claims and Accounts.

On motion of Mr. Walker, Messrs. Lott and Throckmorton, were added to the committee on Public Lands.

A bill to encourage the establishment of Manufactories in the State of Texas, being the special order was taken up.

Mr. Fall, offered the following amendment :

Add after the word powder, "and leather," "and all articles manufactured of leather."

On motion the bill and amendment was referred to the committee on State Affairs.

The President announced the receipt of a communication from the Secretary of the Convention, containing the ordinances of that body, which was on motion laid on the table.

The report of the committee on Stock and Stock Raising reporting a substitute for the bill to amend the act supplementary to an act to regulate estrays, approved February 5th, 1861, was, on motion of Mr. Guinn, taken up, and the substitute adopted.

Mr. Guinn then offered a substitute, and on motion the bill was referred to the committee on Stock and Stock Raising.

On motion of Mr. Shepard, the Senate adjourned til 10 o'clock to-morrow.

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FRIDAY, March 22nd, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Dulaney, presented the memorial of sundry citizens of Panola county. Referred to the Committee on State Affairs.

Mr. Rains presented the petition of sundry citizens of Wood county. Referred to the committee on the Judiciary.

Mr. Potter, chairman of the committee on the Judiciary, made the following reports :

The Judiciary committee have considered the petition in relation to the oath to be taken by attorneys at law and direct me to report the accompanying bill and recommend its passage.

A bill to amend the first section of an act to amend the fourth section of an act of May 12th, 1846, entitled an act to regulate the license and practice of attorneys and counsellors at law, and

To amend the second section of the act of February 11th, 1854, entitled an act to amend the 9th and 10th sections of an act to regulate the license and practice of attorneys and counsellors at law, approved January 24th 1860. Read first time.

The Judiciary committee have considered the application of the Chief Justice of Titus county, for the passage of an act authorizing the County Court of said county, to transfer a portion of the accumulated jury fund of said county, to the general county fund, and a majority of the committee direct me to report a general bill on the subject, and recommend its passage

A bill to authorize the County Courts of the several counties



to transfer portions of the jury fund to the general county fund.  
Read first time.

Mr. Quinan introduced a bill requiring Insurance Companies and agencies not chartered by this State, to take out license and to secure to the insured the risks taken by them. Read first and second times, and referred to the committee on the Judiciary.

Mr. Erath introduced a bill for the relief of Charles Finney.

Read first and second times, and referred to the committee on Private Land Claims.

A bill to provide for the sale of land ceded to the United States for Indian purposes by act of the Legislature, approved February 6th, 1860, being the special order was taken up and

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

A bill to incorporate the Galveston Turner's Association. Read and ordered to be engrossed.

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

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath, Fall, Grimes, Guinn, Harmon, Herbert, Hyde, Martin, Miller, Neal, Parsons, Potter, Quinan, Rains, Scarborough, Shepard, Stockdale, Throckmorton, Walker and Whaley—24.

NAYS.—None.

A bill to incorporate the Galveston Seminary. Read and ordered to be engrossed.

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

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath, Fall, Grimes, Guinn, Harmon, Herbert, Martin, Miller, Parsons, Potter, Quinan, Rains, Scarborough, Shepard, Stockdale, Throckmorton, Walker and Whaley—22.

NAYS.—None.

A bill to incorporate the Columbus Tap Railway Company, approved 2nd February, 1860. Read and ordered to be engrossed.

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

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath, Fall, Grimes, Guinn, Herbert, Hyde, Martin, Miller, Neal, Parsons, Potter, Quinan, Rains, Scarborough, Shepard, Stockdale, Throckmorton, Walker and Whaley—23.

NAYS.—None.

A bill granting a pension to William H. Anderson. Read first and second times and referred to the committee on Claims and accounts.

A bill to attach the unorganized counties of Wilbarger, Wichita, Hardeman and Greer, to the county of Clay, so as to form one land district. Read first and second times, and referred to the committee on Land Office.

The communication received on yesterday from the Secretary of the Convention, transmitting the Ordinances of that body, was taken up on motion of Mr. Potter, and referred to the committee on State Affairs.

A bill to amend the first section of an act to amend the fourth section of the act of May 12th, 1846, entitled an act to regulate the license and practice of attorneys and counsellors at law, and to amend the second section of the act of February 11th 1854, entitled an act to amend the 9th and 10th section of an act to regulate the license and practice of attorneys and counsellors at law, approved January 24th, 1860, was on motion of Mr. Guinn, taken up.

Rule suspended, read second time and ordered to be engrossed

Rule further suspended, read third time and passed.

A bill to authorize the county courts of the several counties, to transfer portions of the jury fund to the general county fund, was on motion of Mr. Potter, taken up, rule suspended, read second time and ordered to be engrossed.

Rule further suspended, read third time and passed.

On motion of Mr. Martin, Mr. Harmon was added to the committee on the Land Office.

On motion of Mr. Fall, Mr. Dulaney was added to the committee on Engrossed Bills.

Mr. Miller introduced a bill supplemental to an act entitled an act to reduce into one, and to amend the several acts concerning executions, passed January 27th, 1842. Read first and second times, and referred to the committee on the Judiciary.

Mr. Dulaney introduced a bill to authorize and require the Treasurer of the State of Texas to pay out the several sums of money appropriated by an act of the Legislature, making appropriations to supply the deficiency in former appropriations and for other purposes, approved February 14th, 1860. Read first and second times, and referred to the committee on Finance.

Mr. Throckmorton offered the following resolution :

*Resolved*, That the House concurring, a joint committee of three on the part of the Senate, and five on the part of the House be raised for the purpose of examining into the propriety

of reducing the expenditures of the State Government, and that said committee report by bill or otherwise. Adopted.

Messrs. Throckmorton, Guinn and Parsons were appointed said committee on part of the Senate.

Mr. Duggan offered the following resolutions, which were unanimously adopted :

*Resolved*, That in the death of the Rev. James C. Wilson, Texas has lost one of her most gifted, noble and patriotic statesmen, the community one of its brightest ornaments, and the cause of Christianity, one of its most able, efficient and useful Ministers.

*Resolved*, That we tender to his bereaved widow and fatherless children our deep and heartfelt sympathy in their irreparable loss. And that a copy of these resolutions be forwarded to them by the Secretary of the Senate.

*Resolved*, That as a token of respect, and in honor to our beloved and departed friend, we will wear the usual badge of mourning for thirty days. And that this Senate stand adjourned until 10 o'clock, A. M., to-morrow.

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SATURDAY, March 23d, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called quorum present.

The journal of yesterday was read and adopted.

A message was received from the House informing the Senate, that the House had passed a bill to prescribe the pay and mileage of the members and pay of the officers of the State Convention and to make an appropriation for the same.

On motion of Mr. Potter, the bill was taken up. Read first and second times, and referred to the committee on Finance, and Messrs. Herbert and Stockdale were added to that committee.

Mr. Duggan presented the petition of Thomas G. McGehee for relief. Referred to the committee on Private Land Claims.

Mr. Miller presented the petition of William Rice, asking compensation for services rendered. Referred to the committee on Private Land Claims.

Mr. Guinn, chairman of the committee on Claims and Accounts, to whom was referred a House bill granting a pension to William H. Anderson, reported the same to the Senate and recommended its passage.

Mr. Fall, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed.

A bill concerning the corporation of the town of Crockett.

A bill further regulating proceedings in the District Court.

A bill to amend the 2nd and 3rd sections of an act to incorporate the Southern Cotton Press and Manufacturing Company, approved, February 11th, 1860.

A bill to authorize the county courts of the several counties to transfer portions of the jury fund to the general county fund.

A bill to incorporate the Galveston Seminary.

A bill to incorporate the Galveston Turner's Association.

A bill to amend an act to incorporate the Columbus Tap Railway Company, approved 2nd February, 1860.

A bill to amend the 1st section of an act to amend the 4th section of an act of May 12th 1846, entitled an act to regulate the license and practice of Attorneys and Counselors-at-law, and to amend the 2nd section of the act of February 11th, 1854, entitled an act to amend the 9th and 10th sections of an act to regulate the license and practice of Attorneys and Counselors-at-law, approved January 24th 1860.

Mr. Potter, chairman of the committee on the Judiciary, made the following report :

The Judiciary committee have considered a bill supplemental to an act entitled an act to reduce into one, and amend the several acts concerning executions, passed January 27th, 1842. The object of the bill is to re-enact the two-thirds appraisement system of sales under execution, which was repealed by the execution act of 27th January, 1842. The proposition is presented as a portion of the proposed stay law legislation which is now before the Senate and for the reasons heretofore assigned by the committee during the present session against such legislation, a majority of the committee direct me to return the bill to the Senate and recommend its rejection.

The committee have also considered a bill to regulate forced sales of property under execution by Sheriffs and other officers. The object of the bill is the same as that above reported on and a majority of the committee recommend its rejection.

Mr. Miller, from the Judiciary committee, made the following minority report :

The Judiciary committee, to whom was referred a bill supplemental to an act entitled an act to reduce into one, and amend the several acts concerning executions, passed January 27th, 1842, and several other bills and memorials on the same subject, have had the same under consideration, and a minority of said committee have instructed me to report the same back to the Senate and recommend its passage with amendment. The minority is

fully impressed with the importance of stability in the laws and the deleterious effects of frequent and unnecessary changes. And under no ordinary circumstances would they consent to be instrumental even in the slight change now proposed. But the failure of several years crops, consequent upon long continued droughts and the derangement of the financial and commercial world resulting from the political convulsions now agitating the North American States have inaugurated a crisis such as is not likely to occur again in a quarter of a century. Capital is being withdrawn from the market, our people are indebted and can now by no possibility obtain the means of liquidation hence the several memorials to the Legislature for a short respite, until they can realize the proceeds of the years crop, for which the prospect was never brighter.

The bill recommended is simply a revival of the appraisement law of 1842, which was the last of a series of such laws, which then afforded much relief. The bill is supplemental—repeals no law and exists only for twelve months, it then ceases and leaves the present execution law entire.

Mr. Dulaney introduced a bill to amend an act to regulate Ferries, passed January 23<sup>d</sup>, 1850. Read first and second times and referred to the committee on Roads Bridges and Ferries.

Mr. Herbert introduced a bill for the relief of Thomas H. Duggan. Read first and second times and referred to the committee on Private Land Claims.

Mr. Harmon, from the committee on Land Office, to whom was referred a bill to repeal the joint resolution concerning county Surveyors, approved December 29<sup>th</sup>, 1837, reported the same to the Senate and recommended its passage.

On motion of Mr. Guion, a bill granting a pension to William H. Anderson was taken up, rule suspended; read and passed to a third reading; rule further suspended bill read third time and passed.

On motion of Mr. Erath a bill to repeal the joint resolution respecting county Surveyors, approved December 29<sup>th</sup>, 1837, was taken upon, rule suspended, bill read and ordered to be engrossed; rule further suspended, read third time and passed.

Mr. Miller, chairman of the Finance committee, to whom was referred a bill to prescribe the pay and mileage of the members, and pay of the officers of the State Convention, and to make an appropriation for the same, reported the bill back to the Senate, with the following amendment, and recommended its passage:

Strike out of the 1<sup>st</sup> section the word "neither" in the 6<sup>th</sup> line from the bottom, and all that follows it of said section. On

motion of Mr. Miller the bill and report was taken up; rule suspended, amendment adopted, and bill passed to a third reading.

On motion of Mr. Guinn, rule further suspended bill read third time and passed.

On motion of Mr. Hyde, the Senate adjourned til 3 o'clock, P. M.

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3 o'Clock, P. M.

Senate met—roll called—no quorum.

On motion, the Senate adjourned until 10 o'clock, A. M. Monday.

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MONDAY, March 25th, 1861, 10 o'clock, A. M.

Senate met pursuant to adjournment. The President pro tem being absent. On motion of Mr. Whaley, Mr. Guinn was called to the chair. Prayer by the Chaplain—roll called—quorum present.

The Journal of Saturday was read and adopted.

Mr. Walker presented the petition of Mrs. Sarah H. Cockrill. Referred to the Committee on Roads, Bridges and Ferries.

Mr. Herbert, Chairman of the Committee on Roads, Bridges and Ferries, to whom was referred the petition of sundry citizens of Titus county, asking the grant of a charter to Anderson Fitzgerald and William Cooper to build a dam across the Sulphur Fork of Red River, reported the same to the Senate, and recommended its rejection; because said stream is a navigable river.

Mr. Herbert, Chairman of the Committee on Roads, Bridges and Ferries, to whom was referred a bill supplemental to, and amendatory of, an act to incorporate the Dallas Bridge Company, approved February 9th, 1860, reported the same to the Senate, and recommended its passage.

On motion of Mr. Walker, the report and bill were taken up, rule suspended, bill read, and ordered to be engrossed; rule further suspended, bill read third time and passed by the following vote:

YEAS—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath, Fall, Guinn, Haroon, Hyde, Lott, Martin, Miller, Neal, Parsons, Potter, Quinan, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—24.

NAYS—None.

Mr. Lott introduced a bill to incorporate the Texas Baptist University. Read first and second times and referred to the committee on Education.

Mr. Throckmorton introduced a bill for the relief of Nathan Davis. Read first and second times and referred to the committee on Private Land Claims.

Mr. Lott introduced a bill authorizing the election of a District Attorney for the county of Smith. Read first and second times and referred to the committee on the Judiciary.

Mr. Potter introduced a bill in relation to the school fund derivable from taxation under the provisions of the second section of the 10th article of the Constitution of the State. Read first and second times and referred to the committee on Finance.

A bill to amend the 12th section of an act concerning proceedings in the District court, approved March 16th, 1848, being the special order was taken up, and on motion of Mr. Miller laid on the table.

- On motion of Mr. Duggan, the Senate adjourned till 10 o'clock, A. M., to-morrow.

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TUESDAY, March 26, 1861.

Senate met pursuant to adjournment.

The President pro tem being absent, on motion of Mr. Potter, Mr. Guinn was called to the chair. Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Blanch presented the petition of ——— Everett. Referred to the committee on Claims and Accounts.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a House bill to prohibit the emancipation of slaves reported the same to the Senate and recommended its rejection, the Convention of the people having by amendment of the Constitution accomplished the object intended by the bill. The committee therefore recommend that the bill do not pass.

Mr. Guinn, chairman of the committee on Claims and Accounts, to whom was referred a bill providing for the settlement of claims of minute men who served under Capt. John Williams of San Saba county during the years 1858 and 1859, reported the same to the Senate with a substitute for the bill, and recommended the adoption of the substitute and the passage of the bill.

Mr. Miller offered the following resolution:

*Resolved*, That the Judiciary committee be instructed to enquire into the expediency of so amending the laws as to provide the service of all citizens and process in civil cases by leaving copies at the residence of the defendant a specified time (say two days) before return day. Lost.

A message was received from the House informing the Senate, that the House concurred in the resolution of the Senate appointing a Joint committee for the purpose of examining into the propriety of reducing the expenditures of the State Government, and had appointed Messrs. Redwine, Foscoe, Davis, Perry and Cocke, a committee on the part of the House.

Mr. Blanch introduced a bill supplemental to an act making an appropriation to defray the expenses of the Convention, passed 23rd March, A. D. 1861. Bill read first and second times.

Mr. Erath moved to strike out 2nd section.

No quorum voting a division was called, whereupon it was ascertained that there was a quorum present. Several Senators who had been members of the Convention being excused from voting.

The vote on the division was 10 to 10, being a tie the amendment was lost.

Mr. Quinan moved to strike out the first section.

Mr. Shepard moved to refer the whole subject to the Judiciary committee. Lost.

The question recurring on Mr. Quinan's motion, was lost.

The question being upon the engrossment of the bill it was ordered to be engrossed by the following vote:

YEAS—Messrs. Blanch, Chambers, Duggan, Dulaney, Gentry, Guinn, Herbert, Lyde, Martin, Neal, Parsons, Scarborough, Schleicher, Shepard and Whaley—15.

NAYS—Messrs. Erath, Harmon, Lott, Miller, Potter, Quinan, Rains, and Walker—8.

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

Mr. Quinan, chairman of the committee on Education made the following reports:

The committee on Education, to whom was referred the bill to incorporate the Texas Baptist University, have had the same under consideration and instruct me to report the same to the Senate and recommend its passage with the following amendment:

Strike out "University" where ever it occurs and insert "College."

On motion of Mr. Lott, the report and bill were taken up; read



suspended; amendment adopted and bill read and ordered to be engrossed; rule further suspended bill read third time and passed by the following vote :

YEAS—Messrs. Blanch, Chambers, Duggan, Dulancy, Erath, Fall, Gentry, Guinn, Harmon, Herbert, Hyde, Lott, Martin, Miller, Neal, Parsons, Potter, Quinan, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—26.

NAVS—None.

The committee on Education, to whom was referred the bill to incorporate the Sherman Odd Fellows Female Institute, have had the same under consideration and direct me to report the same with this amendment :

Substitute for the 12th section, the following :

“Sec 12. This act shall take effect from and after its passage, and continue in force for twenty-five years.” Strike out in every section except the first the words “be it further enacted ”

On motion of Mr. Throckmorton the report and bill was taken up, the amendment adopted. Bill read and ordered to be engrossed; rule further suspended; bill read third time and passed by following vote :

YEAS—Messrs. Blanch, Chambers, Duggan, Dulany, Erath, Fall, Gentry, Guinn, Harmon, Herbert, Lott, Martin, Miller, Neal, Parsons, Potter, Quinan, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—25.

NAVS—None.

Mr. Schleicher introduced a bill legalizing the Colony certificate of Jacob Laux. Read first time.

On motion of Mr. Schleicher, rule suspended; read second time and ordered to be engrossed; Rule further suspended, read third time and passed.

Mr Lott offered the following resolution :

*Resolved*, That the committee on Printing be requested to contract with the publisher of the Gazette, for twenty copies weekly for the use of each member of the Senate.

Mr. Throckmorton offered the following as a substitute:

*Resolved*, That the committee on Printing contract for ten copies each of the two newspapers published in Austin for each member of the Senate, and that the papers taken for the use of the Senate, have the General Laws of the past called session and of the present session of Legislature published. Also the ordinances of the Convention.

Mr. Martin moved to lay on the table. Lost.

Mr. Gentry moved to amend by striking out "ten" and inserting "fifty." Lost.

The question was then taken on the adoption of the substitute and the yeas and nays stood thus:

YEAS—Messrs. Blanch, Chambers, Dulancy, Fall, Harmon, Hyde, Lott, Neal, Quinan, Raines, Schleicher, Throckmorton and Walker—13.

NAYS—Messrs. Duggan, Erath, Gentry, Guinn, Herbert, Martin, Miller, Parsons, Potter, Scarborough, Shepard, Stockdale and Whaley—13.

There being a tie, the question was lost.

Mr. Gentry, then moved to amend the resolution by striking out "twenty" and inserting "fifty." Lost.

Mr. Gentry, then moved to strike out "twenty" and insert "two." Carried.

On motion of Mr. Blanch, the resolution was laid on the table.

Mr. Erath offered the following resolution:

*Resolved*, That the committee on Apportionment prepare and report a bill to apportion the State for Representation in the Congress of the Confederate States. Adopted.

Mr. Harmon introducing a bill to prevent patents from being issued until the patent fees and all land dues are paid. Read first and second times and referred to the committee on Land Office.

Mr. Throckmorton introduced a bill to incorporate the McKinney and East Fork Bridge Company. Read first and second times and referred to the committee on Roads Bridges and Ferries.

Mr. Stockdale introduced a bill to create the 21st Judicial District. Read first and second times and referred to committee on Judiciary.

Also a bill concerning contested elections of District Judges. Read first and second times and referred to committee on Judiciary.

Mr. Quinan introduced the following resolution:

*Resolved*, That the Comptroller be required to furnish the Senate, a statement of the condition of the Treasury, showing the amount and nature of the public debt; what deficit will be in the Treasury at the end of the fiscal year; what amount has been paid and is still due on the appropriations for frontier defence; what amount of Treasury warrants are issued, and how much funded; what the probable amount of the direct taxes for the years 1861 and 1862, and estimates of the sums necessary to be

raised with such other information and suggestions in relation to the revenue as he may think expedient. Adopted.

Mr. Gentry offered the following resolution:

*Resolved*, That the Secretary is hereby instructed to ascertain at what price he can procure for the use of the Senate, five thousand copies of the ordinances of the Convention and the Constitution of the Confederate States of America, to be printed in pamphlet form as ordered by the Convention. Adopted.

Mr. Herbert moved to reconsider the vote adopting the resolution offered by Mr. Erath, instructing the committee on apportionment to report a bill districting the State for Representation in the Congress of the Confederate States. Carried.

Mr. Herbert, then moved to amend by striking out "the committee on apportionment," and insert "a committee of nine be appointed." Carried.

The resolution was then adopted.

Mr. Potter presented the petition of George W. Morris, which was referred to the committee on private Land Claims.

Mr. Schleicher presented the petition of sundry citizens of the county of Edwards, which was referred to the committee on County and County Boundaries.

The report of the committee on Roads Bridges and Ferries, on petition of sundry citizens of Titus county for a charter for building a bridge across Sulphur Fork of Red River, recommending its rejection was adopted.

The report of the majority of the Judiciary committee, recommending the rejection of the bill supplementary to an act concerning executions, was adopted.

Mr. Scarborough moved to reconsider the vote, whereupon Mr. Parsons moved to make the motion to reconsider the special order for 11 o'clock, A. M. on Saturday next. Carried.

On motion the Senate adjourned until to-morrow morning 10 o'clock.

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#### WEDNESDAY, March 27th, 1861.

Senate met pursuant to adjournment. Mr. Guinn in the chair. Prayer by the Chaplin—roll called—quorum present. The Journal of yesterday read and adopted.

Mr. Duggan, from the committee on Claims and Accounts, to whom was referred a bill making an appropriation to pay John Marshall for certain services, reported the same to the Senate and recommended its passage.

Mr. Miller, chairman of the committee on Finance, to whom was referred a bill in relation to the School Fund derivable from taxation, under the provisions of the second section of the tenth article of the Constitution of the State, reported the same to the Senate and recommended its passage.

Mr. Harmon, from the committee on the Land Office, to whom was referred the bill to attach the unorganized counties of Wichita, Wilbarger, Hardeman and Greer to the county of Clay, so as to form one land district, reported the same to the Senate with the following amendment and recommended its passage:

Amend caption and first section, by striking out the words: "unorganized counties, Wilbarger, Hardeman and Greer," and insert, "county," before "of Wichita."

Also, amend, by adding section second.

Mr. Parsons introduced a bill to refund to S. P. Hollingsworth, money advanced by him for the State of Texas, and for services rendered. Read first time.

On motion of Mr. Parsons, rule suspended, bill read second time.

Mr. Potter moved to amend the bill by adding the name of Capt. John G. Todd. Adopted.

On motion of Mr. Quinan, the bill was referred to the committee on Finance.

Mr. Throckmorton presented the memorial of G. W. Glasscock, for relief. Referred to the committee on the Judiciary.

Mr. Chambers offered the following resolution:

*Resolved*, That the committee on Public Lands, be requested to take into consideration, the propriety of placing in market the alternate sections of land, reserved by the State out of the lands surveyed by the different railroad companies, chartered by this State, and to report by bill or otherwise. Adopted.

A bill to provide for the settlement of the claims of the company commanded by Capt. John Williams, who served upon the frontier, in the years 1858 and 1859, and to make an appropriation to pay the same. Read second time.

On motion of Mr. Throckmorton, the blank was filled with "sixteen thousand nine hundred and seventeen."

The bill was then ordered to be engrossed.

Rule suspended, bill read third time and passed.

A bill to prohibit the emancipation of slaves, with the report of the committee thereon, recommending its rejection was taken up, and the report adopted.

The chair announced Messrs. Frath, Harman, Quinan, Blanch, Scarborough, Miller, Shepard, Pitts and Duggan the commit-

tee upon apportionment, as contemplated by the adoption of the resolution of Mr. Erath, to apportion the State for representation in the Congress of the Confederate States.

A bill in relation to the School Fund derivable from taxation under the provisions of the second section of the tenth article of constitution of the State. Read second time.

The question being on its engrossment.

On motion the Senate adjourned, until 10 o'clock, A. M., to-morrow.

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THURSDAY, March 28th, 1861.

Senate met pursuant to adjournment. Mr. Guinn in the chair. Prayer by the Chaplain—roll called—quorum present. The journal of yesterday was read and adopted.

Mr. Duggan, chairman of committee on County and County Boundaries, to whom was referred the petition of sundry citizens of the county of Edwards, reported the accompanying bill and recommended its passage.

A bill to attach the county of Edwards to the county of Uvalde, for Judicial and other purposes, until organized. Read first time.

Mr. Potter, chairman of the committee on the Judiciary made the following reports :

The Judiciary committee, have considered a bill to authorize and require all forced sales of real estate and negroes, and sales of real estate, or negroes, made by executors and administrators in the county of Nueces, to be made at the front door of the La Retama House in the city of Corpus Christi, and direct me to return the same to the Senate, with a substitute therefor, and recommend the adoption of the substitute, and the passage of the bill.

The Judiciary committee have considered a bill to amend an act authorizing and requiring the county courts to regulate roads, &c., a majority of the committee being of the opinion that the proposed legislation is unnecessary, direct me to return the bill to the Senate and recommend that it do not pass.

The Judiciary committee, direct me to return to the Senate, the memorial of Geo. W. Glassecock, in relation to a claim on his part, against the State, connected with his contract for the construction of the Lunatic Asylum. The memorial relates strictly to private business, and under the rule of the Senate, is not entitled to be considered at this time.

The committee therefore, ask to be discharged from the consideration of the memorial and recommend that it be laid on the table.

The Judiciary committee have considered a bill to define the homestead, not in a town or city.

The 22nd section of the seventh article of the constitution of the State, defines what shall constitute a homestead, not in a town or city, and the committee can not see any good object to be attained at this time by legislation on the subject. I am therefore, directed to return the bill to the Senate, and recommend that it do not pass.

The Judiciary committee have considered a House bill, prescribing police regulations in respect to slaves, and a majority of the committee being of the opinion, that the present law on the subject is sufficient and probably more efficient than that proposed by the bill, I am directed to return the bill to the Senate and recommend that it do not pass.

The Judiciary committee have considered the petition of John R. Hamilton and wife, and direct me to report, that since the action of the Convention of the people, in providing by organic act, that the words, "United States," or "United States of America," shall be considered as stricken out whenever they occur in the statutes of the State, and the words: "Confederate States of America," inserted in the place thereof. Such legislation as is prayed for in the petition, is unnecessary. I am therefore directed to return the petition to the Senate, and ask to be discharged from its further consideration, and that the same be laid upon the table.

- Mr. Erath, from the committee on Land Office, made the following report :

The committee on Land Office, have considered a bill providing that no patent for land shall issue, until the dues and patent fees shall be paid, and have instructed me to report a substitute and recommend its passage.

#### ORDERS OF THE DAY.

The report of the committee on Land Office, on a bill to attach the unorganized counties of Wichita, Wilbarger, Hardeman and Greer, to the county of Clay, so as to form one Land District, recommending amendments, was adopted, and bill passed to a third reading.

Mr. Walker offered the following resolution :

*Resolved*, by the Senate, the House concurring, that a joint committee of three on the part of Senate, and five on the part of the House, be appointed to enquire into the manner of con-

ducting the affairs and the expenditures of the following officers and institutions connected with the State government: The Land Office, Comptroller's Treasurer's and office of the Court of Claims. The Deaf and Dumb, Blind, and Lunatic Asylums.

*Resolved*, That said committee have power and authority, to send for persons and papers, and to do any other necessary thing to aid them in a full investigation, and that they report by bill or otherwise. Read, and referred to the committee raised to enquire into the expediency of reducing expenditures of the State government.

A bill to be entitled an act making an appropriation to pay John Marshall for certain services. Read and passed to a third reading.

Rule suspended, read third time and passed.

Mr Quinan introduced a bill for the relief of Messrs Sampson & Henricks, assigners of W. B. S. Roudreau. Read first and second times and referred to the committee on Claims and Accounts.

A bill in relation to the School Fund, derivable from taxation under the provisions of the second section of the tenth article of the constitution of the State. Read and ordered to be engrossed.

Mr. Walker introduced a bill granting pre-emption privileges on the reservation lands belonging to the State of Texas, to certain persons therein named. Read first and second times and referred to the committee on Public Lands.

The Chair announced a communication from the Secretary of the late Convention, which was read and referred to the committee on State Affairs.

A message was received from the House, announcing the passage of the following bills, which were severally taken up and acted upon by the Senate, as follows:

Senate bill, supplemental to an act making an appropriation to defray the expenses of the Convention, passed 23rd March, 1861, with an amendment, in which the Senate refused to concur.

Senate bill to amend the first section of an act to amend the fourth section of the act of May 12, 1846, regulating the licence and practice of attorneys, &c

Senate bill further regulating proceedings in the District Court.

House bill granting a pension to Cynthia Ann Parker. Read first and second times and referred to committee on Finance.

House bill donating land to Cynthia Ann Parker, and to her

daughter To-Kusan Parker. Read first and second times and referred to committee on Finance.

House bill to fix the time of holding the District Court in the seventh Judicial District. Read first and second times and referred to committee on the Judiciary.

House bill to amend the second section of an act to reorganize the 15th Judicial District, and regulate the time of holding courts therein. Read first and second times and referred to committee on Judiciary.

House bill to authorize the County Court of Anderson county to levy and collect a special tax for county purposes. Read first and second times and referred to the committee on the Militia.

Mr. Erath introduced the following resolution, which was unanimously adopted :

*Resolved*, That the Senate has heard with the deepest regret of the recent death of Capt. Thomas Plaster, late door-keeper of the House, one of the soldiers of San Jacinto, an honest man and a true patriot. This body tenders to his bereaved family, its sincere sympathy for their loss.

In token of respect the Senate will now adjourn until to-morrow morning half-past 9 o'clock.

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FRIDAY, March 29th, 1861.

Senate met pursuant to adjournment—Mr. Guinn in the Chair—prayer by the Chaplain—roll called—quorum present.

Mr. Walker, chairman of the committee on Public Lands, made the following reports :

The Public Land committee have considered the resolution requesting them to take into consideration the propriety of placing in market the alternate sections of land reserved by the State, out of the lands surveyed by the different railroad companies chartered by the State, and to report by bill or otherwise.

The committee have instructed me to report that said lands already being in market by virtue of an act of the Legislature, approved February 1st 1860, any further legislation on the point, and for that purpose is wholly unnecessary.

The Public Land committee have considered the memorial of Allen Ergubart and Albert Johnson, praying the passage of a special law allowing them the exclusive privilege for a period of time, in which to purchase certain alternate sections of land,



&c., and have instructed me to report to the Senate that the legislation asked for is not proper and should not be had.

Mr. Potter, chairman of the Judiciary committee, made the following reports:

The Judiciary committee have considered a House bill to fix the time for holding the District Court in the seventh Judicial District, and direct me to return the same to the Senate, and recommend its passage.

The Judiciary committee have considered a House bill to amend the second section of an act to reorganize the fifteenth Judicial District, and to regulate the time of holding courts therein, and direct me to return the same to the Senate and recommend its passage.

Mr. Martin, chairman of the committee on Stock and Stock-raising, to whom was referred several bills to amend the act supplemental to an act to regulate estrays, approved February 5th 1861, reported a substitute and recommended its passage.

Mr. Miller, chairman of the committee on Finance, to whom was referred a bill to refund to S. P. Hollingsworth, money advanced by him for the State of Texas, and for services rendered, reported a substitute for the bill, and recommended its adoption.

On motion of Mr. Parsons, the report and bill was taken up. Read second time, and

—Mr. Quinan moved to strike out all of the bill which relates to payment in the same manner as members of the Convention. Lost.

The rule was suspended and bill passed to a third reading.

Read third time and passed by the following vote:

YEAS—Messrs. Blanch, Duggan, Guinn, Herbert, Lott, Martin, Miller, Parsons, Pitts, Quinan, Scarborough, Shepard and Whaley—13.

NAYS—Messrs. Chambers, Erath, Fall, Harmon, Hyde, Neal, Potter, Rains and Throckmorton—9.

Mr. Blanch introduced a bill to enable J. H. Saunders, the guardian of Webster J. Saunders, to remove the property of the ward, from the State of Texas. Read first and second times and referred to the committee on the Judiciary.

Mr. Parsons introduced a bill to modify the provisions of an act of 30th January, 1854, granting land to railroads. Read first and second times, and referred to the Judiciary Committee.

Mr. Harmon introduced a bill to define the boundaries of Hopkins county. Read first and second times and referred to the committee on County Boundaries.

Mr. Stockdale of the Committee on the Judiciary, to whom was referred a bill concerning contested elections, reported the same back to the Senate with a substitute, and recommended the adoption of the substitute and the passage of the bill.

On motion of Mr. Stockdale, the report and bill was taken up.

Rule suspended, bill read and ordered to be engrossed.

Rule further suspended, read third time and passed.

The report of the Judiciary committee on the memorial of George W. Glasscock, asking to be discharged from the consideration thereof, was taken up and adopted.

The report of the Judiciary committee on a bill to amend an act authorizing and requiring the county courts to regulate roads &c., recommending that the bill do not pass, was taken up and adopted.

The report of the Judiciary committee on a bill to define the homestead not in a town or a city, recommending that the bill do not pass, was taken up and adopted.

The report of the Judiciary committee on a bill to authorize and require all forced sales of real estate and negroes, and sales of real estate or negroes made by executors and administrators in the county of Nueces, to be made at the front door of the La Retama House in the city of Corpus Christi, recommending a substitute therefor, was taken up, substitute adopted and ordered to be engrossed.

Rule further suspended, bill read third time and passed.

A bill to attach the unorganized counties of Wichita, Wilbarger, Hardeman and Geer, to the county of Clay, so as to form one land district. Read third time and passed.

A bill in relation to the School Fund derivable from taxation, under the provisions of the second section of the tenth article of the Constitution of the State, being on third reading, Mr. Shepard moved to make it special order for Monday, 3 o'clock, P. M. Lost.

Bill read third time and passed.

Mr. Stockdale, Chairman of the committee on Enrolled Bills, reported a bill supplemental to an act, making an appropriation to defray the expenses of the Convention, passed 23rd March, 1861, and

A bill granting a pension to William H. Anderson, correctly enrolled, properly signed, and this day presented to the Governor.

The report of the Judiciary committee on a bill prescribing police regulations in respect to slaves, recommending that the bill do not pass, was taken up.

Mr. Lott moved to lay the report on the table. Lost.

The report was then adopted by the following vote :

YEAS—Messrs. Duggan, Erath, Fall, Harmon, Herbert, Martin, Miller, Neal, Potter, Quinan, Rains, Scarborough, Schleicher, Shepard, Throckmorton and Whaley—16.

NAYS—Messrs. Chambers, Guinn, Lott, Parsons, Pitts, and Walker—6.

The report of the Judiciary committee, on the petition of John R. Hamilton and wife, asking to be discharged from the consideration thereof, was taken up and report adopted.

A bill to attach the county of Edwards to the county of Uvalde, for Judicial and other purposes, until organized. Read and ordered to be engrossed.

Rule suspended, bill read third time and passed.

Mr. Schleicher introduced a bill to amend an act to authorize the Commissioner of the General Land Office to issue patents upon surveys heretofore made, not in the form required by law, approved January 17th, 1860. Read first and second times, and referred to the committee on Public Lands.

On motion of Mr. Martin, the report of the committee on Stock and Stock Raising, recommending a substitute, was taken up.

Rule suspended, bill read and ordered to be engrossed.

Mr. Miller moved to amend by adding the following :

*Provided*, That Houston county be, and is hereby excepted from the provisions of this act, and said supplemental act, and that the original act regulating estrays be and remain of force in said county as before the first meeting of this extra session of the Legislature.

On motion of Mr. Martin, the amendment was laid on the table.

Rule further suspended, bill read third time and passed.

The report of the committee on Land Office, on a bill providing that no patent for land shall issue until the dues and patent fees shall be paid, recommending a substitute therefor, was taken up, bill read second time and ordered to be engrossed.

On motion of Mr. Throckmorton, Messrs. Whaley and Walker were added to the committee on Reduction of Expenditures of State Government.

The President announced the receipt of a communication from the Comptroller, which is as follows :

COMPTROLLER'S OFFICE, }  
Austin, March 28, 1861. }

TO THE PRESIDENT OF THE SENATE :

Sir :—In accordance with a resolution passed on the 26th

inst., calling on this Office for certain information, I herewith submit a copy of a communication submitted to Gov. Clark, on the 21st inst., which it is thought will furnish the information desired :

The amount of ten per cent. treasury warrants issued to date, is \$194,125 65, of which sum there has been paid into the Treasury, on account of various state dues, the sum of \$3,901-57, leaving the sum of \$190,224 08 still standing. There is still due upon the pay rolls on file in this office, the sum of \$35,160 94. The estimated expense of the minute companies called into the service last spring by Governor Houston, is \$40,000 00. And other outstanding and unaudited military claims accruing prior to the 2nd inst.—exclusive of the six companies under the command of Col. Dalrymple ; may be estimated at a like sum, but in respect to the latter, this Office is without data to form a correct estimate. The above is also exclusive of forces called out by the Convention. By reference to an accompanying table, it will be apparent that by the creation of a two per cent. Sinking Fund for the redemption of the bonds and investing the same at eight per cent. per annum, the entire loan would be liquidated in less than twenty-one years.

The communication was referred to the committee on Finance.

Mr. Schleicher presented to the Chair, a communication from the Hon. I. A. Paschal, which is as follows :

AUSTIN, March 29th, 1861.

TO THE HON. PRESIDENT OF THE SENATE :

*Sir* :—Allow me through you, to tender to the Honourable Senate, my resignation as Senator of Bexar county, proper. The resignation to take effect on this day.

Very respectfully,

I. A. PASCHAL.

The Secretary was instructed to transmit the same to the Executive Office.

On motion of Mr. Miller, the Senate adjourned till 10 o'clock to-morrow.

SATURDAY, March 30, 1861.

Senate met pursuant to adjournment. Mr. Guinn in the Chair. Prayer by the Chaplain. Roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Duggan, from the committee on Claims and Accounts, made the following report:

Your committee on Claims and Accounts, to whom was referred the memorial of G. W. Morris, have examined the same, and find that the said Morris was one of the Santa Fe prisoners, and that after his release he did not return to Texas until the year 1859, and that upon his application for his pay as a member of said expedition, he ascertained that his pay had been drawn by another person under a forged power of attorney and false affidavit. A majority of the committee have therefore instructed me to report the accompanying bill and recommend its passage.

A bill for the relief of George W. Morris. Read first time.

Mr. Duggan, from the committee on Claims and Accounts, made the following report:

Your committee on Claims and Accounts, to which was referred a bill for the relief of Sampson & Henricks, assignees of W. R. S. Rondeau, have examined the same, and a majority of the committee have instructed me to report that from the testimony before the committee, they are satisfied that the said Rondeau performed for the State the services charged, but from the second section of the general provisions of the Constitution, your committee cannot grant the relief asked. As they find no pre-existing law authorizing the performance of the services rendered.

On motion of Mr. Quinan, the report and the bill were laid on the table.

Mr. Miller, from the committee on Finance, made the following report:

The committee on Finance, have considered the claim of William Rice, for express duty in 1838, and instruct me to report it back and recommend its rejection. The claim is unsupported by evidence, and if it was not wanting in this essential, should have long since been settled in the Court of the Commissioner of Claims.

Mr. Duggan, Chairman of the committee on County and County Boundaries, to whom was referred a bill to define the boundaries of Hopkins county, reported the same to the Senate and recommended its passage.

Mr. Walker, Chairman of the committee on Public Lands, made the following report:

The Public Land committee have considered the bill granting land on which to erect buildings for divine worship, and also the memorial of Wm. B. McHenry and other citizens of the county of Houston, praying for the passage of said bill, and a majority of the committee have instructed me to report the bill and petition of the parties to the Senate, and to recommend that

the bill do not pass, because the petitioners can obtain the ten acres of land asked for at one dollar per acre—the State price for her public domain at present.

Mr. Walker offered the following resolution:

*Resolved by the Legislature of the State of Texas:* That whereas the nineteenth section of article first of the Constitution of the State, expressly declares that the citizens have the right in a peaceable manner to assemble together for their common good, and to apply to those invested with the power of Government for redress of grievances by petition, address or remonstrance.

*Therefore be it resolved,* That the resolutions heretofore passed by the Senate and House of Representatives at the present session, providing that no private business should be transacted during the present session, be, and the same is hereby repealed. Read first time.

Mr. Stockdale offered the following resolution:

WHEREAS, the Convention ordered the printing of 800 copies of the Constitution of the Confederate States of America, and appointed a committee to superintend the same, therefore *Resolved,* That an equal number of copies of the Constitution of this State, as amended, together with the Ordinances of the Convention, be printed by order of the Senate, to accompany the Constitution of the Confederate States, provided the committee of the Convention assent to this arrangement. Adopted.

Mr. Erath introduced a bill to define the line of Bell and Milam counties. Read first and second times and referred to the committee on County Boundaries.

Mr. Potter introduced a bill to incorporate the Galveston and Houston Junction Railroad Company. Read first and second time, and referred to the committee on Internal Improvements.

Mr. Duggan introduced a bill supplemental to the several acts organizing the State Government. Read first and second times and referred to the committee on State Affairs.

The report of the committee on Public Lands, upon a resolution requiring them to take into consideration the propriety of placing in market the alternate sections of land reserved by the State, out of the lands surveyed by the different Railroad Companies chartered by the State, reporting that further Legislation on that subject was unnecessary. Read and adopted.

The report of the committee on Public Lands, upon the memorial of Allen Uguhart and Albert Johnson, asking the privilege of buying certain alternate sections of land, reporting that such Legislation is not proper. Read and adopted.

A bill to authorize and require the Commissioner of the General Land Office, to patent surveys out of their regular order. Read third time and passed.

A bill to amend the second section of an act to reorganize the 15th Judicial District and regulating the time of holding the District Courts therein. Read and passed to a third reading. Rule suspended, read third time and passed.

A bill to fix the time for holding the District Courts in the 7th Judicial District. Read and passed to a third reading. Rule suspended, read third time and passed.

Mr. Quinan introduced a bill requiring the board of auditors of debts incurred by authority of the Convention, to audit the claim of Hiram B. Waller. Read first and second times and referred to the Committee on Finance.

A message was received from the House, informing the Senate, that the House had passed the following bills, which were acted on by the Senate, as follows:

Joint resolution concerning the records &c., of the District Courts of the late United States. Read first and second times and referred to the committee on the Judiciary.

A bill to amend section seventy-one and ninety-two, of an act to regulate proceeding in the District Courts. Read first and second times and referred to the committee on the Judiciary.

A bill prescribing the duties and obligations in certain cases of Commission Merchants, Factors and others. Read first and second times and referred to the committee on State Affairs.

Mr. Stockdale, Chairman of the committee Enrolled Bills, reported the following bills:

A bill making an appropriation to pay John Marshall, for certain services.

A bill further regulating proceedings in the District Court.

A bill to amend the first section of an act to amend the fourth section of the act of May 12, 1846, entitled an act to regulate the license and practice of attorneys and counsellors at law, and to amend the second section of the act of Feb. 11, 1854, entitled an act to amend the ninth, tenth and eleventh sections of an act to regulate the license and practice of attorneys and counsellors at law, approved Jan. 24, 1850, correctly enrolled, properly signed, and this day presented to the Governor.

The motion to reconsider the vote adopting the report of the Judiciary committee, which reconsidered the rejection of the bill supplementary to an act concerning executions being the special order was announced.

Whereupon on motion the Senate adjourned until 10 o'clock, A. M. on Monday.

MONDAY, April 1, 1861.

Senate met pursuant to adjournment. Mr. Guinn in the Chair.—Prayer by the Chaplain—roll called; quorum present. The journal of Saturday was read and adopted.

The President announced the receipt of a communication from the Hon. Jesse Grimes, which is as follows:

CITY OF AUSTIN, April 1, 1861.

To the Hon. Senate:

Gentlemen—At the commencement of the regular session, in 1859, you did me the honor to elect me President *pro tem.* of your honorable body, which office I held,—there being but little duty to perform,—until the commencement of the present session, when circumstances required of me to perform the duties of the office which I undertook for a short time, until I was taken sick, when you had to select another to perform the duties of the office.

Now, being weakened by disease, and my hearing still further impaired, I tender you the resignation of my office, and ask that you elect another, believing, as I do, that he who performs the duties, should also receive the honors of the office.

Receive the assurance of my highest respect, and my sincere thanks for the office you kindly bestowed on me.

JESSE GRIMES.

On motion of Mr. Lott, the Senate proceeded to the election of President *pro tem.*

Mr. Herbert nominated Mr. Guinn.

On motion of Mr. Lott, Mr. Guinn was declared elected, by acclamation, President *pro tem.* of the Senate.

Mr. Duggan, chairman of the committee on Counties and County Boundaries, to whom was referred a bill to define the lines of Bell and Milam counties, reported the same to the Senate and recommended its passage.

Mr. Miller, chairman of the committee on Finance, to whom was referred a bill requiring the Board of Auditors of Debts incurred by the authority of the Convention, to audit the claim of Hiram B. Waller, and recommended the adoption of the accompanying substitute.

Mr. Neal, chairman of the committee on Militia, to whom was referred a bill to authorize the County Court of Anderson county to levy and collect a special tax for certain purposes, reported the same without amendment, and recommend its passage.

Mr. Potter, chairman of the committee on the Judiciary, made the following reports:



The Judiciary committee have considered a bill to enable J. H. Saunders, the guardian of Webster T. Saunders, to remove the property of his ward from the State of Texas, and a majority of the committee direct me to return the same to the Senate, and recommend its passage.

The Judiciary committee have considered a House joint resolution, concerning the records, etc., of the District Court of the late United States, and a majority of the committee direct me to report that the proposed legislation is unnecessary, and recommend that the resolution do not pass.

Mr. Throckmorton, from the committee on Finance, to whom was referred a bill to provide for the sale of reserved lands heretofore used for Indian purposes, reported the same to the Senate and recommended its passage, with the following amendments: Substitute, for sections 3 and 10, the following:

"Section 3. That the agent appointed by the Governor shall advertise the sale of said lands for sixty days prior to the time of sale, in the three newspapers published nearest to the county of Young. The sale to take place on the land, and in lots of one hundred and sixty acres; and no tract of a less size to be sold unless the same be a fractional quarter section; and every alternate section, of six hundred and forty acres, only, to be sold at the first sale, the remaining lands to be sold at such subsequent time as the Governor may deem advisable; and no tract shall be sold for less than one dollar and fifty cents per acre.

"Section 10. That outstanding treasury warrants, issued by the State, shall be receivable, the same as gold or silver, in payment for said lands."

Mr. Herbert introduced a bill to incorporate Lodge No. 51, I. O. O. F. Read first and second times, and referred to the committee on the Judiciary.

Mr. Harmon introduced a bill to amend the ninth section of an act concerning Common Schools, approved February 3, 1858. Read first and second times, and referred to the committee on Education.

Mr. Potter introduced a bill repealing an ordinance of the late Convention of the People of the State of Texas, in relation to Custom House Officers and Customs' Revenue, adopted March 8, 1861. Read first and second times, and referred to the committee on the Judiciary.

A message was received from the House, informing the Senate that the House had passed a Senate bill to provide for the settlement of the claims of the company commanded by Captain Jno. Williams, etc.

Requesting the return of a bill to amend sections 71 and 92 of the act organizing district courts, as the House had reconsidered the same.

Mr. Potter introduced a bill providing means for payment of certain debts created by authority of the late Convention of the People of the State of Texas. Read first and second times, and referred to the committee on Finance.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported the following bills:

A bill to provide for the payment of the claims of the company commanded by Captain John Williams in the years 1858 and 1859, and to make an appropriation to pay the same.

A bill to fix the time of holding the District Courts in the Seventh Judicial District.

A bill to amend the second section of an act to reorganize the Fifteenth Judicial District, and regulate the time of holding courts therein, correctly enrolled, properly signed, and this day presented to the Governor.

Mr. Lott presented the memorial of Pryor Lea concerning Extradition. Read first and second times, and referred to the committee on the Judiciary.

Mr. Erath introduced a bill to supply deficiencies in former appropriations for Frontier Protection, and to provide for future expenses. Read first and second times, and referred to Finance committee.

On motion of Mr. Duggan, Mr. Herbert was added to the committee on Apportionment.

The motion to reconsider the vote adopting the report of the Judiciary committee, recommending the rejection of the bill supplementary to an act concerning executions, upon which the Senate adjourned on Saturday, being in order,

On motion, the Senate adjourned until ten o'clock, A. M. tomorrow.

TUESDAY, April 2nd, 1861.

Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Shepard, Chairman of the committee on State Affairs, to whom was referred a bill supplemental to the several acts organizing the state government, reported the same back to the Senate and recommended its indefinite postponement.

Mr. Miller, chairman of the committee on Finance, made the following reports :

The committee on Finance have considered a bill granting a pension to Cynthia Ann Parker, and instruct me to report the same back to the Senate and recommend its passage with the following amendments :

Strike out of the first section all that occurs after the words "a pension of" and insert the words "one hundred dollars per annum for five years, commencing first day of January, 1861, to be paid quarterly as hereafter specified," and the sum of one hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, to pay said pension, the first year ending 1st January, 1862.

The Finance committee to whom was referred a bill donating land to Cynthia Ann Parker and her daughter To-Kusan Parker, have considered the same and instruct me to report the same back to the Senate and recommend the adoption of the accompanying substitute :

The Finance committee have considered a bill to supply deficiencies in former appropriations for frontier protection, and to provide for future expenses, and instruct me to report the same back to the Senate, and recommend its passage with the following amendments, to-wit :

After the words "be it enacted," insert the words "by the Legislature of the State of the State of Texas.

Mr. Shepard, chairman of the committee on State Affairs, to whom was referred a resolution of the Convention, recommending the passage of extradition laws by the Legislature, reported the same to the Senate, recommending that the same be referred to the committee on the Judiciary, as a bill is already before that committee for consideration, embracing the same subject matter.

Mr. Hyde, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of Ware Bengé, reported the same to the Senate and recommended its passage.

Mr. Hyde, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of Nathan Davis, reported the same to the Senate, and recommended its passage.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a bill to incorporate Columbus Lodge No. 51, I. O. O. F., returned the same to the Senate, and recommended its passage.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred an act repealing an Ordinance of the late

Convention of the people of the State of Texas, in relation to Custom House officers and custom's revenue adopted March 8th, 1861, returned the same to the Senate, and recommended its passage.

Mr. Hyde, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of Martin Jones, reported the same to the Senate, and recommended its passage.

Mr. Hyde, chairman of the committee on Private Land Claims, made the following report :

The committee on Private Land Claims, to whom was referred an act for the relief of Thos. H. Duggan, have considered the same, and find the facts to be these, viz :

\*Said Duggan came to Texas in 1835, obtained an order of survey from an empressario, Geo. A. Nixon, for one league as a head of a family. For reasons beyond his control, he did not bring his family until a short time after the law expired granting a league and labor. He received a certificate for 640 acres, and has an equitable claim for the remainder 3965 acres.

The committee instruct me to report the bill back with the facts for the consideration of the Senate, with the following amendment :

Strike out "3788" and insert "3965," in fifth and sixth lines, and add after the word "Duggan" in thirteenth line, " and one labor."

Mr. Potter of the committee on Finance, to whom was referred a bill providing means for the payment of certain debts created by authority of the late Convention of the people of the State of Texas, reported the same to the Senate, recommending amendments and the passage of the bill:

Amendments : In first section, fill blank with "ten" :

2nd. At the end of first section, add "*provided*, That in case the bonds of Texas Central Railroad Company shall be withdrawn from the Treasury for the purpose herein contemplated; the coupon bonds for interest connected therewith and which are now due or will become due during the period that said bonds are to be pledged or hypothecated, shall be retained in the Treasury, and when said railroad bonds are released from such pledge or hypothecation, the same shall be immediately replaced in the Treasury and there remain as a portion of the Special School Fund as heretofore.

A bill to define the line of Ball and Milam counties. Read and ordered to be engrossed.

Rule suspended, bill read third time and passed.

A bill to authorize the county court of Anderson county to

levy and collect a special tax for certain purposes. Read and passed to a third reading.

Rule suspended, read third time and passed.

Mr. Potter introduced a joint resolution in relation to the revenue cutter "Dodge," and the officers thereof. Read first time.

Rule suspended, read second time and ordered to be engrossed.

Rule further suspended, read third time and passed.

Mr. Duggan introduced a joint resolution for co-operation with the Confederate States. Read first and second times and referred to the committee on State Affairs.

Mr. Dulaney introduced a joint resolution proposing amendments to the Constitution. Read first and second times and referred to the committee on the Judiciary.

Mr. Sohleicher introduced a bill to pay Commissioners to ascertain losses by Indian depredations. Read first and second times and referred to the committee on Indian Affairs.

Mr. Pitts presented the petition of sundry citizens of Tyler, for the relief of the Sheriff. Read and referred to the committee on State Affairs.

Mr. Potter introduced a joint resolution in relation to the establishment of an Admiralty Court at Galveston. Read first time.

Rule suspended, read second time.

Mr. Stockdale offered the following amendment :

Insert after the word "court" in the fourth line of the first section the following :

"For the State of Texas" and at the end of that line, insert "and such other places on the coast as commerce requires" amend the caption accordingly, which were adopted and bill ordered to be engrossed.

Rule further suspended, bill read third time and passed.

The question on the reconsideration of the vote which adopted the report of the committee recommending the rejection of the bill supplementary to an act concerning executions being in order, Mr. Martin moved to lay the motion to reconsider, on the table—upon which the yeas and nays were as follows :

YEAS—Messrs. Dulaney, Guinn, Herbert, Hyde, Martin, Potter, Stockdale, Throckmorton, and Whaley.—9

NAYS—Messrs. Blanch, Chambers, Duggan, Erath, Gentry, Grimes, Harmon, Lott, Miller, Neal, Parsons, Pitts, Raas, Scarborough, Shepard, and Walker.—17.

So the motion was lost.

Whereupon Mr. Throckmorton moved a call of the Senate, which was sustained.

Mr. Stockdale, from the committee on Internal Improvements, to which was referred a bill to incorporate the Galveston and Houston Junction Railroad Company, reported the same to the Senate and recommended its passage.

Mr. Gentry, from the committee on State Affairs, to whom was referred a House bill to encourage the establishment of Manufactories in the State of Texas, reported the same to the Senate and recommended its passage with the following amendments:

Amend the first section by striking out in 5th line, the words "silk and hempen."

Strike out in 8th line "lead copper and silver." In 8th and 9th lines, "or establishment for the manufacturing of salt."

Amend first section in 10th line, by inserting after the words "gunpowder" and "leather, and all manufactories from said leather, and manufactories of locomotive engines and railway cars, and for the refining of domestic sugar."

Strike out in 11th line, the word "ten" and insert "eight."

Amend section second by striking out the word "three" in 6th line, and insert "two," strike out "two" and insert "one."

Amend third section by striking out "five" and insert "two," and add the following section:

Section 4th. That no person or persons or corporation, shall be entitled to the benefits of this act on any manufacturing establishment in which a less amount of capital is invested than ten thousand dollars, on a greater sum than one hundred thousand dollars, or so much thereof as may be invested in a single manufactory, and

That this act take effect and be in force for the term of six years from and after its passage.

On motion of Mr. Throckmorton the Bill to supply deficiencies in former appropriations for frontier protection and to provide for future expenses, was taken up read and ordered to be engrossed; rule suspended, read 3d time and passed.

A message was received from the House announcing the passage of the following bills, which were severally acted on as follows:

A bill to provide for the payment of the current expenses of the Revenue Cutter "Dodge." Read first and second times and referred to the Committee on Finance.

A bill authorizing a loan imposing a specific tax to meet the principal and interest and specifying how the money shall be ap-

plied. Read first and second times and referred to a select committee of five, to-wit :

Messrs. Gentry, Stockdale, Throckmorton, Lott and Martin.

A bill providing for the disposition of runaway slaves. Read first and second times, and referred to the committee on State Affairs :

Mr. Throckmorton, chairman of the Joint Committee on the reduction of expenditures of the State Government, made the following report :

The joint committee on the Reduction of Expenditures of the State Government, have examined into, and considered of the appropriations and expenditures of the Lunatic, Deaf and Dumb and Blind Asylum.

The salaries of officers, except Superintendent of Lunatic Asylum, are not fixed by law, but are fixed by the Trustees of the several Institutions.

The patients of the Lunatic Asylum and the pupils of the Deaf and Dumb and Blind Asylums, are supported by the State entirely, so far as provisioning and lodging them. The officers of the institution and their families are also lodged and fed at the expense of the State.

The great pressure upon the State Treasury, and the necessity there exists for an increase in the taxes, and a corresponding necessity for the most rigid economy in the administration of any department of government have induced your committee to report the accompanying bill and to recommend its passage.

It will be observed in the bill, we have proposed that the pupils of the Deaf Dumb and blind Asylums shall not cost the State more than \$150 annually, each. We mean by this, that the average cost of each pupil for educating and supporting him shall not be a charge to the state for more than that sum, and all over that sum shall be paid by the parents or guardians, and in the case of indigents, by the county that sends them.

We suppose by a rigid system of economy, (after the schools are properly started,) that one hundred and fifty dollars per annum, each will support and educate this unfortunate class of our people.

It is extremely difficult for us to determine what is necessary, and much indeed, all reforms and improvements must be intrusted in a great degree, to the observation of the officers and Trustees of the several Institutions. If they are administered with prudence and economy, the State can keep them up. But if extravagances and superfluities enter into the administration of them, they had at once better be abolished. We believe they

are doing great good, and that the blessings of the unfortunate will be heaped upon those who inaugurated a system of so much humanity, and to make it continuous, and that thousands of poor creatures hereafter, may have cause to bless the generosity of their State, it is earnestly hoped that those Trustees and Officers who control the several institutions, will have on eye and heart single to their permanency and the blessings which they are to confer upon the helpless for whose benefit they have been endowed. The committee are satisfied that the Trustees and Officers will do their whole duty in carrying out the objects had in view, in the endowment of the several asylums. The gratitude of the whole State is due the Trustees of the several asylums, their labors are gratuitous and prompted wholly by the most benevolent and generous impulses.

A bill to establish certain regulations for the management of the Lunatic, Deaf and Dumb and Blind Asylums. \* Read first time.

A bill for the relief of George W. Morris. Read and ordered to be engrossed.

Rule suspended, read third time and passed.

A bill to define the boundaries of Hopkins county was, on motion of Mr. Harmon, laid on the table.

A bill granting land on which to erect buildings for public worship, with the report of the committee thereon recommending its rejection, read and adopted.

A bill to enable J. H. Saunders, the guardian of Webster J. Saunders, to remove the property of his ward from the State of Texas. Read and ordered to be engrossed.

Rule suspended, read third time and passed.

The report of the committee on Finance, on a bill requiring the Board of Auditors of Debts incurred by authority of the Convention, to audit the claims of Hiram B. Waller, recommending the adoption of a substitute therefor. Read, substitute adopted and bill ordered to be engrossed.

Rule suspended read third time and passed.

The report of the committee on the petition of Wm Rice, for express service, recommending its rejection, read and adopted.

Mr. Throckmorton introduced a bill supplemental to an act supplemental to an act making an appropriation for the per diem pay and mileage of the members and officers of the Convention. Read first and second times and referred to the committee on Finance.

The report of the Judiciary committee on a joint resolution concerning the records of the district courts of the late United



States, recommending its rejection. Read and adopted.

The Senate being full, and the question being on the reconsideration of the vote which adopted the report of the Judiciary committee, recommending the rejection of the bill supplementary to an act concerning executions.

Mr. Gentry moved the previous question, which was ordered.

The yeas and nays were then taken on the reconsideration and stood thus:

**YEAS**—Messrs. Blanch, Chambers, Duggan, Fall, Harmon, Lott, Miller, Neal, Parsons, Pitts, Rains, Scarborough, Shepard and Walker—14.

**NAYS**—Messrs. Dulaney, Erath, Gentry, Grimes, Guinn, Herbert, Hyde, Martin, Potter, Schleicher, Stockdale, Throckmorton and Whaley—13.

The question then recurred on the adoption of the report.

Whereupon Mr. Lott moved to lay the report and bill upon the table, and the yeas and nays being called were as follows:

**YEAS**—Messrs. Blanch, Chambers, Duggan, Fall, Harmon, Lott, Miller, Neal, Parsons, Pitts, Rains, Shepard and Walker—13.

**NAYS**—Messrs. Dulaney, Erath, Gentry, Grimes, Guinn, Herbert, Hyde, Martin, Potter, Scarborough, Schleicher, Stockdale, Throckmorton and Whaley—14.

Mr. Gentry moved to indefinitely postpone the whole subject.

Whereupon the yeas and nays were called and the motion carried by the following vote:

**YEAS**—Messrs. Blanch, Dulaney, Erath, Gentry, Grimes, Guinn, Herbert, Hyde, Martin, Potter, Scarborough, Schleicher, Stockdale, Throckmorton and Whaley—15.

**NAYS**—Messrs. Chambers, Duggan, Fall, Harmon, Lott, Miller, Neal, Parsons, Pitts, Rains, Shepard and Walker—12.

On motion the Senate adjourned until 10 o'clock, A. M. tomorrow.

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WEDNESDAY, April 3, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present. The journal of yesterday was read and adopted.

Mr. Miller, chairman of the Finance' committee, made the following reports:

The committee on Finance, having considered a bill to make an appropriation for the payment for certain mules furnished for

the military service of the State, have instructed me to report the same back to the Senate, and recommend the adoption and passage of the accompanying substitute.

The committee on Finance have had under consideration a bill providing for the pay of the current expenses of the revenue cutter "Dodge," and recommend the adoption of the accompanying joint resolution as a substitute.

Your committee on Finance have considered a bill supplemental to an act making an appropriation for the per diem, pay and mileage of the Members and Officers of the Convention, and recommend its passage.

Mr. Dulaney, from the committee on the Judiciary, to whom was referred a bill to amend article 1049, section —, of the law relating to the Selection of Jurors, passed February 13, 1858, reported the accompanying substitute, and recommended its passage.

Mr. Throckmorton, chairman on the part of the Senate, of the joint committee on reduction of Expenditures of the Government, reported the following bills, and recommend their passage:

A bill to regulate the salaries of certain State Officers, and Clerks therein named, and to reduce the number of Clerkships in the Comptroller's Office, and to arrange the same, and to abolish the allowance for contingent fund. Read first time.

A bill to reduce the expenditures on account of the General Land Office, and to regulate the fees and the manner of conducting the same. Read first time.

Mr. Potter introduced a bill to extend the time for completing the improvement of the Brazos River. Read first and second times, and referred to the committee on Internal Improvements.

Mr. Blanch introduced a bill supplementary to, and amendatory of, an act to amend the fourth section of an act to provide for the investment of the Special School Fund in the bonds of Railroad Companies incorporated by the State, passed August 13, 1856, approved February 22, 1858. Read first and second times, and referred to the committee on Internal Improvements.

Mr. Gentry introduced a bill supplementary to the act to provide for the investment of the Special School Fund in the bonds of Railroad Companies incorporated by the State, passed August 13, 1856. Read first and second times, and referred to the committee on Internal Improvements.

Mr. Potter introduced a bill to amend the seventy-first and ninety-second sections of an act to regulate proceedings in the District Court; approved May 13, 1846. Read first time.

Rule suspended, read second time, and bill ordered to be engrossed.

Mr. Lott moved to amend by adding, at the end of first section,

“Provided, That no evidence taken in Mexico, under the provisions of this section, shall be used in any cause where the title to real estate in this State is in issue.”

Lost, by the following vote—it requiring two-thirds to amend:

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulancy, Grimes, Guinn, Herbert, Lott, Martin, Pitts, Rains, Walker and Whaley—13.

NAYS.—Messrs. Fall, Gentry, Hyde, Miller, Neal, Parsons, Potter, Scarborough, Shepard, Stockdale and Throckmorton—11.

Rule suspended, bill read third time, and passed.

Mr. Blanch moved to reconsider, upon which the yeas and nays were called, and stood as follows:

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulany, Erath, Fall, Gentry, Grimes, Harmon, Herbert, Lott, Martin, Miller, Pitts, Rains, Walker and Whaley—17.

NAYS.—Messrs. Guinn, Hyde, Neal, Parsons, Potter, Scarborough, Schleicher, Shepard, Stockdale and Throckmorton—10.

Mr. Miller moved to reconsider the vote engrossing the bill. Carried. The question recurring upon the amendment of Mr. Lott, the amendment was lost, and bill engrossed, read third time, and passed by the following vote:

YEAS.—Messrs. Blanch, Chambers, Duggan, Fall, Gentry, Guinn, Herbert, Hyde, Martin, Miller, Neal, Parsons, Pitts, Potter, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton and Walker—21.

NAYS.—Messrs. Dulaney, Erath, Grimes, Harmon, Lott and Whaley—6.

On motion of Mr. Miller, a bill supplemental to, and making, an appropriation for the per diem pay and mileage of the members and officers of the Convention, was taken up, read, and ordered to be engrossed, Rule suspended, read third time, and passed.

Mr. Pitts, chairman of the committee on General Land Office, to whom was referred a resolution in regard to having all papers in relation to land titles, or lands issued either by Spain or Mexico, and having them deposited in the General Land Office, reported the following bill, and recommended its passage:

A bill requiring the Commissioner of the General Land Office to procure all papers in this State relating to Land Titles issued

either by Spain or Mexico, and have them filed in the General Land Office. Read first time.

Mr. Fall, chairman of the select committee, to whom was referred the petition of A. G. Walker, for change of venue, reported the same to the Senate for its action, without any recommendation.

A bill for the relief of Thomas H. Duggan read, and ordered to be engrossed. Rule suspended, bill read third time, and passed.

A bill for the relief of Martin Jones read, and ordered to be engrossed. Rule suspended, bill read third time, and passed.

A bill repealing an Ordinance of the late Convention of the People of the State of Texas in relation to Custom House Officers, and Customs' Revenue, adopted March 8, 1861. Read and ordered to be engrossed.

Rule suspended, bill read third time, and passed.

Resolution to repeal resolution heretofore passed, providing that no private business shall be transacted during the present session. Read and referred to the committee on State Affairs.

Mr. Fall offered the following resolution:

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of passing some law to punish slaves for selling or giving spirituous liquors to slaves or other persons.

A message was received from the House, informing the Senate that the House had passed Senate's joint resolution in relation to the revenue cutter "Dodge," and the officers thereof.

And House bill, supplementary to an act to provide for the investment of the Special School Fund in the bonds of Railroad Companies, incorporated in the State by act of August 13, 1856

Bill to amend the act amendatory of the laws to raise Revenue by taxation, approved February 16, 1858.

Bill making appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers, of the adjourned session of the Eighth Legislature.

Joint resolution, authorizing the payment of the salary of the late Captain T. P. Paster, deceased, as door-keeper of the House of Representatives, to D. C. Dickson.

Joint resolution for turning over the property now in the possession of the State, lately taken from the United States Government, to the Confederate States Government.

A resolution to adjourn, *sine die*, on Monday, April 8, at ten o'clock, A. M.

A bill for the relief of Charles Ganahl.

Mr. Walker introduced a bill to suspend legal process, after judgment for the Collection of Debts, read first and second times, and referred to committee on State Affairs.

Mr. Herbert introduced a bill authorizing the Commissioner of Boundary Survey to draw the pay of clerk to said survey, from and after the tenth day of June, A. D. 1860. Read first and second times, and referred to the committee on State Affairs.

A bill for the encouragement of Manufactories in Texas. On report of the committee on State Affairs, recommending amendments. Read second time; amendments adopted.

Mr. Martin offered the following amendment—add, “the manufacture of superfine flour”

On motion of Mr. Lott, the amendment was laid on the table.

Mr. Miller moved to lay the bill on the table. Lost.

Mr. Martin offered the following amendment:

“The parties receiving the benefits of this act by donation of land, shall bind themselves to keep said manufacturing establishments in good order, and keep the same in operation for ten years after receiving the benefits accruing from this act.”

On motion, the amendment was laid on the table. The question being on the re-reference of the bill to the committee on State Affairs,

On Mr. Blanch's motion thereupon, the Senate adjourned until seven o'clock, P. M.

7 O'CLOCK, P. M.

Senate met; quorum present.

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

A bill to define the line of Bell and Milam counties.

A bill to provide for the running the county lines between the counties of Marion, Cass and Titus.

A bill prescribing the manner of authenticating instruments of Record.

A bill to authorize the County Courts of Nacogdoches, Navarro, Jackson, Colorado, Calhoun, El Paso, Jasper, Newton, Dallas, Atascosa, Fort Bend, Fannin, Madison, *et al* Counties, to regulate the pay of sheriffs therein in certain cases.

A bill supplementary and amendatory of the act creating the county of Kaufman, approved February 26, 1848.

A bill to amend the fourth, seventh, eighth, fifteenth, eight-

teenth, and thirty-fourth sections of an act to provide for the assessment and collection of Taxes, approved February 11, 1850; approved February 11, 1860.

And that the House agreed to Senate's amendment to the House bill to attach the unorganized counties of Wichita, Wilbarger, Hardeman and Greer, to the county of Clay, so as to form one Land District.

The question before the Senate at its adjournment being, on a reference of the bill for the encouragement of manufactories in Texas, to the committee on State Affairs.

Mr. Martin moved to amend, by referring to the committee on Public Lands; upon which the yeas and nays were called and stood thus:

YEAS—Messrs. Blanch, Chambers, Duggan, Guinn, Herbert, Martin, Miller, Parsons, Pitts, Scarborough and Stockdale—11.

NAYS—Messrs. Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Neal, Potter, Schloicher, Shepard, Throckmorton and Walker—13.

Mr. Chambers offered the following amendment:

“Provided, that nothing herein contained shall be so construed as to give or grant any portion of land, or land certificates, to any manufactory heretofore constructed within the limits of this State.” Lost.

Mr. Martin offered the following amendment:

“That the privileges and benefits of the above act shall only apply to the owners of the first ten establishments of each kind enumerated in this act; and five shall be east of the Trinity river, and five west.”

Mr. Miller offered the following as a substitute for the amendment proposed. Add the two following sections:

“SECTION —. *Be it further enacted*, That not more than eight factories shall be entitled to the benefits of this act; and four of the eight shall be located east, and the other four west, of the Trinity river.

“SEC. —. *Be it further enacted*, That before any of the land certificates provided for by this act shall issue, the company or person to whom they are to be issued shall execute to the State bond, with at least three good securities, to be approved by the Commissioner of the General Land Office, in a sum equal to the value of the certificates to be issued as fixed by law for landscrip, conditioned for the faithful observance of all the obligations imposed on such company, or persons, by this act, and for the continuance of the investment for which the certificates are to issue, for, and during, the term of ten years.” Lost.

The question recurring upon the adoption of Mr. Martin's amendment, was put and lost.

Mr. Blanch offered the following amendment:

Strike out "\$10,000" when it occurs, and insert "\$1000."

Mr. Hyde moved to refer to the committee on State Affairs with instructions to report to-morrow. Lost.

Mr. Herbert moved to indefinitely postpone the amendment and the bill. The yeas and nays stood as follows:

YEAS—Messrs. Blanch, Duggan, Guinn, Herbert, Milier Scarborough and Stockdale—7.

NAYS—Messrs. Chambers, Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Martin, Neal, Parsons, Potter, Schleicher, Shepard, Throckmorton, Walker and Whaley—17.

Mr. Potter moved the previous question, which was ordered; upon which,

Mr. Martin moved a call of the Senate, which was sustained.

Mr. Shepard moved to suspend the call. Lost.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported:

A joint resolution in relation to the Revenue Cutter "Dodge," correctly enrolled, properly signed, and this day presented to the Governor.

A bill providing means for the payment of certain debts created by authority of the late Convention of the People of the State of Texas, with the report of the committee on Finance, offering amendments thereto, was read, amendments adopted, and bill ordered to be engrossed.

Mr. Gentry made the following report:

The special committee, to which was referred the House bill authorizing a loan, and imposing a specific tax to meet the principal and interest thereof, and specifying how the money arising from the loan shall be applied, have considered the same, and I am instructed to report the bill back to the Senate, with the following amendments; and recommend the adoption of the amendments, and the passage of the bill:

First amendment: Substitute for the caption the following:  
"A bill, authorizing a loan, and imposing a specific tax to meet the principal and interest thereof, under the provisions of the thirty-third section of the seventh article of the Constitution of the State."

Second: Substitute the following for the first and second sections:

"SECTION 1. Be it enacted by the Legislature of the State of Texas, That the Governor of the State of Texas shall cause to

be executed the bonds of the State for the sum of one million dollars, in sums of one thousand dollars each, redeemable in sixteen years, and bearing interest at the rate of eight per centum per annum, payable semi-annually; with coupons for the semi-annual interest attached, payable on the first of July and first of January of each year. The bonds shall be signed by the Governor and Treasurer, and shall be registered by the Comptroller, who shall certify the fact of such registration on the back of the bonds; and the coupons shall be signed by the Treasurer. The bonds and coupons shall be payable at some bank in the city of New Orleans, in the State of Louisiana."

Third: Substitute the following for section 3:

"SECTION 2 The Governor shall appoint an agent to negotiate the sale of said bonds, from time to time, and to place the proceeds of such sales in some bank in the city of New Orleans, to be subject to the order of the Comptroller of the State, and by him to be placed in the State Treasury. Said agent shall be governed by the instructions of the Governor."

Fourth: Substitute, for section 4, the following:

"SECTION 3. The proceeds of the sales of said bonds shall be applied to the following objects, and to no other purpose whatever:

"To the payment of all indebtedness of the State created for the defence of the frontier, and to the payment of appropriations which have been, or may hereafter be, made for the military defence of the State.

"To the repayment of all the disbursements made from the treasury, or anticipated from the accruing revenue of the State, or from any special fund or funds in the State Treasury, to meet appropriations to pay the expenses of the State Convention, and of the extra and adjourned sessions of the Eighth Legislature.

"To the payment of all appropriations made to meet the debts created, or incurred, by authority of the State Convention, and to meet any deficit in appropriations made to meet the expenses of said Convention, and of the expenses of the extra and adjourned sessions of the Eighth Legislature.

"To the payment of any deficit in the appropriations made to meet the ordinary expenses of the Government for the year 1861, arising from the anticipation of the revenue to meet extraordinary demands.

"Fifth: Amend fifth section by striking out of second line from bottom the words 'may now be,' and inserting the words 'is now', and make the fifth section the fourth; the sixth section the fifth; and the seventh section the sixth.



"Sixth: Amend the sixth section, as renumbered, by adding the following proviso:

"Provided, that whenever the State shall have retained and cancelled one-fourth of this issue of one million dollars of bonds, it shall be the duty of the Comptroller of the State to decrease the specific tax herein provided for one cent, on the one hundred dollars of the value of the real and personal property assessed; and upon the retiring of each additional sum of two hundred and fifty thousand dollars of this issue of bonds, one cent, on the one hundred dollars of said specific tax shall be taken off.

"Seventh: Substitute, for section 8, the following:

"SECTION 7. The money realized by the specific tax provided for in this act shall be applied, first, to the payment of the interest coupons maturing upon the issue of bonds, and the residue shall be deposited in the State Treasury, and constitute a special sinking fund for the redemption of the principal of said bonds. Whenever fifty thousand dollars of said sinking fund shall have accumulated in the Treasury, it shall be the duty of the Governor to cause the Comptroller and Treasurer to invest said amount in the redemption of said bonds. For which purpose the Comptroller shall give thirty days notice, by publication in one newspaper printed in the city of New Orleans, and one in the city of Austin, that he will redeem, or purchase, said amount of bonds from the lowest bidder; and he shall receive sealed proposals therefor, to be opened by him in the presence of the Governor and Treasurer, and he shall redeem the bonds offered at the lowest rates: *provided*, that in no instance shall said officers pay a higher rate for said bonds than ten per centum premium on their value; and further *provided*, that in case they cannot be purchased at a rate within the limits aforesaid, then the said officers may invest said sinking fund in the bonds of the Confederate States of America. *Provided*, they can be obtained within the same limits as to price, and said federal bonds shall be placed in said special sinking fund.

"Eighth: Substitute for section 9, (and make it section 8,) the following:

"SECTION 8. The plate upon which the bonds are engraved shall be returned to the Governor and Comptroller, with the bonds, and shall be by them destroyed.

"Ninth: Make section 10 section 9; make section 11 section 10; make section 12 section 11.

On motion of Mr. Potter, the rule was suspended, and the report and bill was made the special order for to-morrow, at twelve o'clock.

Mr. Throckmorton, in behalf of the joint committee on the Reduction of Expenditures of the State Government, made the following report:

Your committee have examined into, and considered of, the appropriations and expenditures of the Lunatic, Deaf and Dumb, and Blind Asylums. The salaries of officers for the asylums, (except superintendent of Lunatic Asylum,) are not fixed by law, but are fixed by the trustees of the several institutions.

The patients of the Lunatic Asylum, and the pupils of the Deaf and Dumb, and Blind Asylums, are supported by the State entirely, so far as provisioning and lodging them. The officers of the institutions, and their families, are also lodged, and fed, at the expense of the State. The great pressure upon the State Treasury, and the necessity there exists for an increase in the taxes, and a corresponding necessity for the most rigid economy in the administration of every department of government, have induced your committee to report the accompanying bill, and to recommend its passage.

It will be observed, in the bill we have proposed, that the pupils of the Deaf and Dumb, and Blind Asylums, shall not cost the State more than \$150 00, annually, each. We mean by this, that the average cost of each pupil, for educating and supporting him, shall not be a charge to the State for more than that sum; and all over that sum shall be paid by the parents or guardians, and, in the case of the indigent, by the county that sends them. We suppose, by a rigid system of economy, (after the schools are properly started,) that one hundred and fifty dollars per annum will support and educate this unfortunate class of our people.

It is extremely difficult for us to determine what is necessary, and much, indeed, all reforms and improvements, must be entrusted, in a great degree, to the observation of the officers and trustees of the several institutions. If they are administered with prudence and economy, the State can keep them up. But if extravagancies and superfluities enter into the administration of them, they had, at once, better be abolished.

We believe they are doing great good, and that the blessings of the unfortunate will be heaped upon those who inaugurated a system of so much humanity. And to make it continuous, and that thousands of poor creatures hereafter may have cause to bless the generosity of their State, it is earnestly hoped that those trustees and officers who control the several institutions will have an eye, and a heart, single to their permanency, and the blessings which they are to confer upon the helpless, for whose benefit they have been endowed.

The committee are satisfied that the trustees and officers will do their whole duty, in carrying out the objects had in view in the endowment of the several asylums. The gratitude of the whole State is due the trustees of the several asylums. Their labors are gratuitous, and prompted wholly by the most benevolent and generous impulses.

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

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THURSDAY, April 4th, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present—the journal of yesterday was read and adopted.

Mr. Shepard, chairman of committee on State Affairs made the following reports :

The committee on State Affairs, to whom was referred a resolution for the repeal [of a former resolution, providing that no business of a private nature should be transacted during the present session, have considered the same and instruct me to report that it is now too late in the session, to make it of any practical benefit, they therefore recommend that it be laid on the table.

The committee on State Affairs, to whom was referred a bill for the disposition of run-away slaves, have considered the same and instruct me to report the same to the Senate, and recommend its passage.

The committee on State Affairs, to whom was referred a bill for the relief of the Commissioner of the Boundary Survey, have had the same under consideration, and a majority thereof instruct me to report the bill to the Senate, with the recommendation that the same be rejected, for the reason, that its provisions are in direct contravention with the 25th section, Article third of the constitution of the State of Texas.

The committee on State Affairs, to whom was referred a petition of sundry citizens of Tyler county, for the relief of sheriffs, have considered the same and instruct me to report it as inexpedient to grant the prayer of petitioners, and therefore the committee recommend that the petition be indefinitely postponed, and that they be discharged from further consideration of the same.

The committee on State Affairs, to whom was referred a bill prescribing the duties and obligations in certain cases of com-

mission merchants, factors and others, have had the same under consideration, and a majority of the committee instruct me to report that in their opinion such legislation is inexpedient and unnecessary, they therefore recommend the rejection of the bill.

Mr. Fall, chairman of committee on Engrossed Bills, reported correctly engrossed, a bill to provide for the sale of land ceded to the United States government for Indian purposes by act of the Legislature, approved Feb., 6, 1854.

Mr. Hyde, chairman of the committee on Private Land Claims, made the following report :

The committee on Private Land Claims, to whom was referred a bill for the relief of Charles Linney, have considered the same, and have instructed me to refer the same back and recommend a substitute, and recommend its adoption and passage.

The said Charles Linney, was a citizen of Texas and a married man, previous to the Declaration of Independence in 1836, and is still a citizen. He presented his claim to the Court of Claims, with the witnesses, which Court approved the claim. Since which time the witnesses have both died, but were well known to Hon. G. B. Erath.

James Adams received a certificate for a headright, which was issued after the closing of the Land Office in 1835, which has been declared void, and his heirs claim this certificate in lieu of the former.

Mr. Duggan, from the committee on Claims and Accounts, made the following report :

Your committee on Claims and Accounts, to which was referred the petition of Samuel Everett, asking for relief, have examined the same, and find that the said Everett was on the third of November, 1859, wounded in an Indian fight, receiving a severe wound in the face, disfiguring him very much, and another in the arm, disabling him. Said Everett, was serving in the company commanded by T. J. Hales.

A majority of your committee instruct me to report the accompanying bill, and recommend its passage.

A bill for the relief of Saml. Everett. Read first time.

Mr. Potter, chairman of the Judiciary committee, made the following report :

The Judiciary committee, have considered a joint resolution proposing an amendment to the seventh article of the constitution. Under the provisions of the constitution, no amendment of the constitution can be proposed by the Legislature, except, at a regular biennial session. (See Cons. Art. 7., Sec. 37.)

The committee would be glad to see the proposed amend-

ment grafted upon the constitution, but, in view of the fact that this is not a regular session of the Legislature, I am directed by the committee, to return the joint resolution to the Senate, and ask to be discharged from its further consideration.

Mr. Stockdale, from the committee on Internal Improvements, to whom was referred a bill, to extend the time for completing the improvement of the Brazos River, reported the same to the Senate, and recommended its passage.

Mr. Stockdale, chairman of the committee on Internal Improvements, to whom was referred a bill supplementary to and amendatory of an act to amend the fourth section of an act to provide for the investment of the special school fund in the bonds of railroad companies, incorporated by the State, passed August 13, 1856, approved February 22, 1858, reported the same to the Senate and recommended its passage.

Mr. Hyde introduced a bill providing for a change of venue in the case of the State of Texas vs. Albert G. Walker, now pending in the district court of Tarrant county. Read first time.

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

Rule further suspended, bill read time and passed.

Mr. Potter introduced a bill providing for the printing of certain matters, with the general laws of the extraordinary session of the eighth Legislature. Read first time.

Rule suspended, read second time and ordered to be engrossed.

Rule further suspended, bill read third time and passed.

Mr. Hyde introduced a bill, making provisions for the translation and printing of certain general laws and ordinances in the Spanish and German languages. Read first and second times and referred to the committee on Printing.

Mr. Dulaney introduced a joint resolution, requesting the Representatives of the State of Texas in the Confederate Congress, to use their influence, to obtain the passage of an act of Congress, establishing a mail stage route, from the city of Shreveport, Louisiana, to the town of Nacogdoches, Texas, running on the present route by way of Greenwood, Lay, Carthage, Panola county, and thence direct to Nacogdoches, &c. Read first time.

Rule suspended, read second time:

Mr. Martin moved to amend, by adding:  
 "Also, the route from Waco, to Tyler, by the way of Corsicana, Navarro county." Adopted.

Mr. Lotl moved to amend by adding:

From Tyler, via Starrville, Smith county, to Marshall, in Harrison county. Lost.

Mr. Harmon moved to amend by adding:  
 "And all other established mail routes in the State. Adopted.  
 On motion of Mr. Martin, bill and amendments were laid on the table.

A bill to provide for the redemption of Treasury warrants, issued to William Fitzhugh. Read second time.

Mr. Herbert offered a substitute which was adopted and ordered to be engrossed.

Rule suspended, bill read third time and passed.

Mr. Gentry introduced a joint resolution concerning rights of transit through Mexico. Read first time.

Rule suspended, read second time and ordered to be engrossed.  
 Rule further suspended, read third time and passed.

A message was received from the House, reporting the passage of a bill to attach the county of Edwards to the county of Uvalde, for judicial and other purposes, until organized, and

A bill to authorize the county courts of the several counties to transfer portions of the jury fund to the general county fund originating in the Senate, and

A bill to change the boundary line, between the counties of Goliad and Victoria, originating in the House.

On motion of Mr. Stockdale, the bill was taken up. Read first time.

Rule suspended, read second time and passed to a third reading.

Rule further suspended, read third time and passed.

A message was received from the Governor.

Which was on motion of Mr. Potter, transmitted to the House of Representatives.

Mr. Erath, chairman of the select committee of nine to apportion the State for representation in the Congress of the Confederate States of America, reported a bill embracing the object: to apportion the State of Texas and to regulate the election of members of Congress. Read first time.

Rule suspended, and made the special order for 3 o'clock, P. M., this day.

A bill for the relief of Chas. Ganahl. Read first and second times, and referred to committee on Finance.

A bill supplemental to an act to provide for the investment of the special school fund in the bonds of railroad companies, incorporated by the State, passed August 13th, 1856. Read first time.

A bill making an appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers of the adjourned session of the eighth Legislature. Read first and second times and referred to the committee on Finance.

A joint resolution, authorizing the payment of the salary of the late Capt. T. P. Plaster, deceased, as door-keeper of the House of Representatives, to D. C. Dickson. Read first time.

Rule suspended read second time and passed to a third reading.

Rule further suspended, read third time and passed.

A bill to amend an act amendatory of the laws to raise a revenue by taxation. Read first and second times and referred to the Finance committee.

A joint resolution providing for the turning over of the property now in the possession of the State, lately taken from the U. S. government, to the Confederate States. Read first and second times and referred to committee on State Affairs.

A bill prescribing the manner of authenticating instruments of record. Read first and second times and referred to Judiciary committee.

A bill to amend the 4, 7, 8, 15, 18 and 34 sections of an act to provide for the assessment and collection of taxes. Read first and second times and referred to committee on Finance.

A bill to authorize the county courts of Nacogdoches and others to regulate the pay of Sheriffs therein, in certain cases. Read first and second times and referred to the committee on Finance.

A bill supplemental and amendatory of the act creating the county of Kaufman, approved Feb., 26, 1848. Read first and second times and referred to the committee on County Boundaries.

The bill providing for the encouragement of manufactories in Texas, being in order,

Mr. Blanch withdrew his amendment which was pending when the Senate last adjourned.

Mr. Miller renewed the amendment.

Mr. Martin moved the following as an amendment to the amendment:

And strike out eight sections and insert five, which was accepted.

The yeas and nays being called on the adoption, the question was lost by the following vote:

YEAS—Messrs. Martin, Miller, Neal and Pitts—4.  
 NAYS—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath,

Fall, Gentry, Grimes, Guinn, Harmon, Herbert, Hyde, Lott, Parsons, Potter, Rains, Schleicher, Shepard, Stäckdale, Throckmorton, Walker and Whaley—22.

Mr. Parsons moved to strike out eight sections and insert four.

Upon which the yeas and nays stood thus :

YEAS—Messrs. Blanch, Chambers, Duggan, Erath, Grimes, Guinn, Herbert, Hyde, Martin, Miller, Neal, Parsons, Pitts, Stockdale and Throckmorton—15.

NAYS—Messrs. Dulaney, Fall, Gentry, Harmon, Lott, Potter, Rains, Schleicher, Shepard, Walker and Whaley—11.

Mr. Throckmorton moved to amend as follows :

“Strike out four sections and insert six.”

Upon which the yeas and nays stood thus :

YEAS—Messrs. Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Neal, Pitts, Potter, Rains, Schleicher, Shepard, Throckmorton, Walker and Whaley—16.

NAYS—Messrs. Blanch, Chambers, Duggan, Grimes, Guinn, Herbert, Martin, Miller, Parsons and Stockdale—10.

Mr. Herbert moved to amend by striking out : “\$10,000,” and inserting “\$20,000.” Lost.

The question on the passage of the bill to a third reading was then taken and carried by the following vote :

YEAS—Messrs. Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Neal, Potter, Rains, Schleicher, Shepard, Throckmorton, Walker and Whaley—15.

NAYS—Messrs. Blanch, Chambers, Duggan, Grimes, Guinn, Herbert, Martin, Miller, Parsons and Stockdale—10.

A bill providing means for the payment of certain debts created by authority of the late Convention of the people of the State of Texas. Read third time and passed.

The committee on State Affairs to whom was referred a joint resolution providing for the turning over of the property now in the possession of the State and lately taken from the United States government, to the Confederate States government, reported the following amendment and recommended its passage :

Amend fifth line of first section by striking out : “H. P. Brewster,” and after the word “agent,” in the same line, insert the words “or agents.”

Mr. Hyde introduced a bill to incorporate the Texas and Arizona Mining and Transportation Company. Read first and second times and referred to the committee on the Judiciary.

A bill authorizing a loan, and imposing a specific tax to meet the principal and interest thereof, and specifying how the money



arising from the loan shall be applied; on the report of the select committee, recommending amendments being the special order, was called:

Amendments severally adopted.

Mr. Potter offered the following amendment.

Amend 10th section, original bill, by striking out the word, "bill," at the end of the section, and insert in lieu thereof, "act."

At the end of the same section, add the following:

"The agent appointed by the Governor for the purpose hereip contemplated, may be allowed such reasonable compensation for his services, as shall be agreed upon and established by the Governor, Comptroller and Treasurer, or a majority of them."

Adopted and bill passed to third reading.

Rule suspended, read third time and passed by the following vote:

YEAS—Messrs. Blanch, Chambers, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Hannon, Herbert, Hyde, Martin, Miller, Parsons, Pitts, Potter, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton and Whaley—22.

NAYS—Mr. Rains—2.

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

3 O'CLOCK, P. M.

Senate met—quorum present.

Mr. Walker, chairman of the committee on Public Lands, to whom was referred a bill to amend an act to authorize the Commissioner of the General Land Office, to issue patents upon surveys heretofore made, not in a form required by law, approved 17th January, 1860, reported the bill to the Senate and recommended its passage.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported:

A bill to define the line of Bell and Milam counties.

A bill to provide for the running the county lines between the counties of Marion, Cass and Titus.

A bill to attach the county of Wichita to the county of Clay, so as to form one land district.

A bill to authorize the county courts of the several counties, to transfer portions of the jury fund to the general county fund.

A bill to attach the county of Edwards to the county of Uvalde, for judicial purposes until organized, correctly enrolled, properly signed, and this day presented to the Governor.

A bill to apportion the representation for the State of Texas, in the Congress of the Confederate States of America, being the special order for this hour.

Mr. Stockdale offered the following amendment:

"Provided, That should the Congress of the Confederate States fix any other day for said election than that herein designated, then said election shall be held on the day so fixed." Adopted.

Mr. Blanch offered a substitute for the bill, which was lost by the following vote:

YEAS—Messrs. Blanch, Chambers, Neil, Parsons, Potter, and Stockdale—6.

NAYS—Messrs. Duggan, Dulaney, Erath, Fall, Gentry, Grimes, Guian, Harmon, Herbert, Hydt, Martin, Miller, Pitts, Rains, Schleicher, Shepard, Throckmorton and Walker—18.

Mr. Blanch moved to amend as follows:

Substitute for the fifth district as follows: "The counties of Cooke, Denton, Montague, Clay, Young, Collin, Grayson, Dallas, Kaufman, Henderson, Smith, Van Zandt, Busk, Parker and Tarrant; and for the sixth district, the counties of Fannin, Hunt, Lamar, Hopkins, Red River, Titus, Bowie, Marion, Cass, Harrison, Upshur and Wood." Lost.

Mr. Parsons moved to make the bill the special order for tomorrow, 10 o'clock, A. M. Lost.

Mr. Parsons offered the following amendment:

"Take Rusk county from the fifth and add it to the fourth district." Lost.

The question was then taken on the engrossment of the bill and carried.

Mr. Throckmorton moved to suspend the rule, whereupon Mr. Blanch moved a call of the Senate which was sustained.

The Senate being full, the motion to suspend the rule was put and lost.

A bill to provide for the sale of the reservation of land ceded to the United States for Indian purposes, by an act of the Legislature, approved Feb., 6, 1854.

Mr. Herbert moved to amend by adding: "to the highest bidder for cash."

Mr. Dulaney offered to amend, so as to make the purchase money payable in three installments, of six, twelve and eighteen months, with interest from date of sale. The sales to be made at public auction to the highest bidder.

Strike out: "one dollar and fifty cents," in third section, and insert, "two dollars and fifty cents." Lost.

Mr. Herbert's amendment, was then put and lost.

Mr. Herbert then moved to amend by striking out, "6 per cent.," and inserting, "ten per cent.," Carried.

Mr. Walker offered the following:

"Provided, That any one settled on said land, may take the same under the pre-emption law now in force, at one dollar and twenty-five cents per acre."

Mr. Potter moved to lay on the table. Carried.

Mr. Potter moved to amend as follows:

In section four, line second, after the word, "bidder," "for one-third cash, the remained." Adopted.

Mr. Herbert moved to strike out, "one dollar and fifty cents," and insert, "two dollars."

Mr. Harmon moved to lay the amendment on the table, upon which the yeas and nays were:

YEAS—Messrs. Chambers, Erath, Gentry, Harmon, Hyde, Lott, Martin, Neal, Parsons, Pitts, Potter, Rains, Scarborough, Schleicher, Throckmorton and Walker—16.

NAYS—Messrs. Blanch, Duggan, Dulaney, Grimes, Guinn, Herbert, Miller, Shepard and Whaley—9.

A bill to establish certain regulations for the management of the Lunatic, Deaf and Dumb and Blind Asylums. Read second time and ordered to be engrossed.

Rule suspended, read third time and passed by the following vote:

YEAS—Messrs. Blanch, Chambers, Dulaney, Erath, Gentry, Grimes, Guinn, Harmon, Herbert, Hyde, Lott, Martin, Miller, Neal, Parsons, Pitts, Potter, Rains, Scarborough, Shepard, Throckmorton and Walker—22.

NAYS—Messrs. Duggan and Whaley—2.

A bill to regulate the salaries of certain State officers and clerks therein named, and to reduce the number of the clerkships in the Comptroller's office, and to arrange the same, and to abolish the allowance for contingent fund. Read second time, and ordered to be engrossed.

Rule suspended, read third time.

Mr. Potter moved to strike out all that relates to the Attorney General, upon which the yeas and nays were called and stood thus:

YEAS—Messrs. Chambers, Duggan, Dulaney, Erath, Gentry, Herbert, Miller, Neal, Parsons, Pitts, Potter, Scarborough, Schleicher, Shepard and Whaley—15.

NAYS—Messrs. Grimes, Guinn, Harmon, Hyde, Rains, Throckmorton and Walker—7.

Carried by two-third vote. The bill was then passed.  
 On motion the Senate adjourned until half past nine o'clock,  
 A. M., to-morrow.

FRIDAY, April 5, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday read and adopted.

Mr. Miller, Chairman of the Finance committee, to whom was referred a bill for the relief of Charles Ganahl, reported the same to the Senate and recommended its passage.

A bill to amend an act to amend the fourth, seventh, eighth, fifteenth, eighteenth and thirty-fourth sections of an act to provide for the assessment and collection of taxes, approved Feb. 11, 1850; approved Feb. 11, 1860, reported the same back to the Senate and recommend its passage without amendment.

A bill to authorize the County Courts of Nacogdoches, Navarro, Jackson, *et als* counties, to regulate the pay of Sheriff's therein in certain cases, reported the same back to the Senate and recommend that it be referred to the committee on Roads, Bridges and Ferries, as the more appropriate committee to consider the subject matter thereof, and asked to be excused from the further consideration thereof.

A bill to amend an act amendatory of the laws to raise revenue by taxation, approved Feb. 18, 1858, reported the same to the Senate and recommend its passage with the following amendment, to-wit: amend first section by striking out the word "or" where it first occurs in the eleventh line and insert instead thereof the words "and on the amount of capital."

Mr. Herbert, Chairman of the committee on Roads, Bridges and Ferries, to whom was referred a bill to amend an act to regulate ferries, passed Jan. 23, 1850, reported the same to the Senate and recommended its passage.

Mr. Duggan, Chairman of the committee on County and County Boundaries, to whom was referred a bill supplemental to and amendatory of the act creating the County of Kaufman, approved Feb., 26, 1848, reported the same to the Senate and recommended its passage.

Mr. Fall, Chairman of the committee on Engrossed Bills, reported a bill to apportion the State of Texas and to regulate the election of members of Congress, correctly engrossed.

Mr. Potter, Chairman of the Judiciary committee, to whom

was referred a bill prescribing the manner of authenticating instruments for record, returned the same to the Senate with the following amendments and recommended the adoption of the amendments and the passage of the bill.

Amendments: 1st.—In section one line seven, after the words "Confederate States" insert "of America or their territories"

2nd.—In section one line eighth, after the word "States" insert "of America."

3rd.—In section two line one, strike out the words "all laws" and insert "the provisions of all laws so far as they."

On motion of Mr. Potter, the bill was taken up, amendments adopted and bill passed to third reading.

Rule suspended, read third time and passed.

Mr. Potter introduced a bill to authorize the sale of the remainder of the Austin city and out lots, and to transfer to said city certain property therein named. Read first and second times and referred to the committee on Finance.

Mr. Neal introduced a bill to define the boundaries of the county of McMullen. Read first and second times and referred to the committee on Counties and County Boundaries.

Mr. Blanch introduced a bill to authorize the Governor to extend the time of payment of interest arising on loans to Railroad Companies. Read first and second times and referred to the committee on Internal Improvements.

A message was received from the House, informing the Senate that the House had passed Senate's bill concerning contested elections of Judges of the District Courts.

A bill to supply deficiencies in former appropriations for frontier protection, and to provide for future expenses.

A bill supplemental to an act making an appropriation for the *per diem* pay and mileage of the members and officers of the Convention, with amendments.

A bill to incorporate the Galveston and Houston Junction Railroad Company. Read second time.

Mr. Gentry offered the following amendment:

"Provided that all the rights under this charter shall cease whenever a connection shall be made through the city of Houston, between the Texas Central and the Galveston, Houston and Henderson Railroads, provided said connection be completed before the first day of July, 1861."

Mr. Potter offered the following as a substitute for the amendment:

"Provided that a connection by railroad shall be made through the city of Houston, between the Texas Central and the Gal-

veston, Houston and Henderson Railroad of the same gauge as those roads, by the 1st day of July, 1861, then all rights under this charter shall cease and determine." Adopted.

Mr. Gentry offered the following amendment:

"Provided that the parties named in this act, shall only be authorized to act as commissioners to organize said company by receiving subscriptions to its capital stock." Adopted.

Mr. Potter moved to strike out "July" in third section of the bill, and insert "August" Adopted.

Bill ordered to be engrossed. Rule suspended, read third time and passed by the following vote:

YEAS—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath, Fall, Grimes, Guinn, Harmon, Herbert, Lott, Martin, Miller, Neal, Parsons, Pitts, Potter, Scarborough, Schloicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—24.

NAYS—Messrs. Gentry and Rains—2.

Mr. Shepard moved to reconsider the vote which passed the bill reducing the salaries of certain officers and to reduce the number of clerks in the Comptroller's office, &c.

The President decided the question to reconsider out of order, the bill having passed out of the possession of the Senate.

Whereupon, on motion of Mr. Stockdale, the Secretary was instructed to ask of the House that the bill be returned to the Senate.

Mr. Gentry introduced a bill to authorize the Governor to grant relief to certain railroad companies therein named. Read first and second times and referred to the committee on Internal Improvements.

Joint resolution providing for the turning-over of the property now in possession of the State (lately taken from the United States Government) to the Confederate States Government. Read, amendments of the committee adopted and bill passed to a third reading.

Rule suspended, read third time and passed.

A bill to apportion the State of Texas for representation in the Confederate States.

Mr. Miller moved to make it the special order for to-morrow. Lost.

On motion of Mr. Herbert, the consideration of the bill was specially ordered at 3 o'clock, P. M.

A bill to amend the fourth, seventh, eighth, fifteenth, eighteenth and thirty-fourth sections of an act to provide for

the assessment and collection of taxes, was taken up on motion of Mr. Miller, and passed to a third reading.

Rule suspended, read third time and passed.

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

3 o'clock, P. M.

Senate met—quorum present.

A bill to apportion the State of Texas, and to regulate the election of members of Congress in the Confederate States, being the special order, Mr. Parsons moved to amend as follows:

Take Upshur from the 5th and add it to the 6th, and take Collin from the 6th and add it to the 5th District. Lost.

Mr Pitts offered the following amendment:

Amend by taking Harrisou from the 5th and add to the 6th, Rusk from the 5th and add to the 4th, take Anderson and Cherokee from the 4th and add to the 5th. Lost.

Mr. Blanch moved the previous question, which was ordered.

The vote was then taken on the passage of the bill, and the yeas and nays were as follows:

YEAS—Messrs. Duggan, Dulaney, Erath, Fall, Grimes Guinn, Harmon, Herbert, Hyde, Martin, Miller, Pitts, Scarborough, Schleicher, Stockdale, Throckmorton and Whaley—17.

NAYS—Messrs. Blanch, Chambers, Lott, Neal, Parsons, Potter, Shepard and Walker—8.

Bill regulating the salaries of certain State officers &c., having been returned from the House on request, Mr. Shepard moved a reconsideration of the vote, which passed the bill, upon which the yeas and nays were called and stood thus:

YEAS—Messrs. Blanch, Chambers, Fall, Herbert, Lott, Parsons, Schleicher, Shepard, Stockdale and Whaley—10.

NAYS—Messrs. Erath, Grimes, Guinn, Harmon, Hyde, Martin, Miller, Neal, Pitts, Scarborough, Throckmorton and Walker—13.

A bill for the relief of Samuel Everitt. Read and ordered to be engrossed.

Rule suspended, read third time and passed by the following vote:

YEAS—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath, Fall, Grimes, Harmon, Herbert, Hyde, Miller, Neal, Parsons, Pitts, Potter, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton and Walker—21.

NAYS—Messrs. Guinn and Martin—2.

A bill to define the boundaries of Hopkins county. Read and ordered to be engrossed.

Rule suspended, read third time and passed.

A bill supplemental to and amendatory of the act creating the county of Kaufman, approved Feb. 26, 1848. Read and passed to a third reading.

Rule suspended read third time and passed.

A bill supplemental to an act to provide for the investment of the Special School Fund in the bonds of railroad companies incorporated by the State, passed August 13, 1856. Read second time and referred to the committee on Internal Improvements.

A bill for extending the time for completing the improvement of the Brazos River. Read second time and ordered to be engrossed.

Rule suspended, read third time and passed.

Mr. Miller moved to take up a bill to amend the twelfth section of an act concerning proceedings in the District Court, approved March 16, 1848. Lost.

A bill to reduce the expenditures on account of the General Land Office, and to regulate the fees and the manner of conducting the same. Read second time.

Mr. Erath moved to amend by adding to the end of section one, "except the two examining Clerk's, who shall receive an annual salary of \$900 each, and all the assistant Draftsmen shall be of the same grade and receive an annual salary of \$1000 each. Adopted.

Bill ordered to be engrossed. Rule suspended, read third time and passed.

A bill to amend an act to provide for the investment of the special School Fund, ordered to be engrossed by the following vote:

YEAS—Messrs. Blanch, Chambers, Dulaney, Erath, Guinn, Harmon, Herbert, Lott, Miller, Neal, Parsons, Potter, Scarborough, Schlencher, Shepard and Stockdale—16.

NAYS—Messrs. Duggan, Grimes, Hyde, Martin, Pitts, Throckmorton and Walker—7.

Rule suspended, read third time and passed.

A bill to incorporate Columbus Lodge, No. 51, I. O. O. F. Read and ordered to be engrossed.

Rule suspended, read third time and passed, on call of the yeas and nays, unanimously.

A bill for the relief of Ware, Bengé. Amendments of com-



mittee adopted. Mr. Walker moved to strike out "320" and insert "640." • Lost.

Bill ordered to be engrossed.

Rule suspended, bill read third time and passed.

Mr. Stockdale, Chairman of the committee on Enrolled Bills, reported:

Joint resolution authorizing the payment of the salary of the late Capt. T. P. Plaster, deceased, as Door-Keeper of the House of Representatives, to D. C. Dickson.

A bill to change the boundary line between the counties of Goliad and Victoria.

A bill concerning contested elections of Judges of the District Courts.

A bill to supply deficiencies in former appropriations for frontier protection, and to provide for future expenses.

A bill to amend the fourth, seventh, eighth, thirteenth, eighteenth and thirty-fourth sections of an act to provide for the assessment and collection of taxes, approved Feb. 11, 1850; Feb. 11, 1860, correctly enrolled.

The report of the committee on State Affairs, on a bill supplemental to the several acts organizing the State Government, recommending the indefinite postponement of the bill. Read and adopted.

Mr. Blanch, from the committee on Internal Improvements, to whom was referred a bill to authorize the Governor to extend the time of payment of interest arising on loans to railroad companies, reported the same with amendments and recommended its passage.

Amendments: After the word "payment," in line eight, section one, add the words "first September, 1861, or first January, 1862."

A bill for the relief of Nathan Davis. Read and ordered to be engrossed.

Rule suspended read third time and passed.

The report of the committee on State Affairs, on a resolution of the Convention recommending the passage of extradition laws by the Legislature, asking that the same be referred to the committee on the Judiciary. Read and adopted.

Mr. Gentry introduced a bill to incorporate the Houston Cotton Press Company. Read first time.

Rule suspended, read second time.

Rule further suspended, read third time and passed on a call of yeas and nays unanimously.

The report of the committee on the Judiciary, on a bill to

amend Art. 1049, section 4, of the law relating to the selection of jurors, passed Feb. 13, 1858, reporting a substitute for the bill. Read and adopted.

Mr Miller offered the following amendment:

"The County Court shall make a reasonable allowance to the Sheriff, for the additional labor required by this act." Lost.

The bill was then ordered to be engrossed.

Mr. Schleicher offered the following resolution:

*Resolved*, That the committee on Military Affairs, be instructed to inquire into the necessity of action on the part of this Legislature in regard to the Ordinance passed by the late Convention, calling out a regiment of cavalry, and report by bill or otherwise. Adopted.

A message was received from the House, reporting that the House concurred in the Senate's amendment to the loan bill.

A bill requiring the Commissioner of General Land Office, to procure all the papers in the State relating to land titles issued either by Spain or Mexico, and have them filed in the General Land Office. Read second time.

Mr Potter moved to amend by adding the following to the end of second section.

"Provided that the papers placed in the General Land Office, under the provisions of this act, shall not thereby be considered as records or entitled to be certified from said office, as the records of said officer are." Adopted.

Bill referred to the committee on State Affairs.

On motion the Senate adjourned until 7 o'clock, P. M.

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7 O'CLOCK P. M.

Senate met—quorum present.

The report of the committee on Finance, on a bill for the relief of Charles Ganahl, recommending its passage. Read and passed to a third reading.

Rule suspended, bill read third time and passed.

A bill to encourage the establishment of Manufactories in the State of Texas. Read third time and passed by the following vote:

YEAS—Messrs. Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Neal, Potter, Rains, Throckmorton, Walker and Whaley—14.

NAYS—Messrs. Blanch, Chambers, Duggan, Guinn, Herbert, Martin, Miller, Parsons, Pitts and Stockdale—10.

A bill to amend the twelfth section of an act concerning proceedings in the District Court approved March 16, 1848.

Mr. Miller offered the following substitute for the bill:

"An act further regulating proceedings in the District Courts."

Mr. Dulaney moved the indefinite postponement of the bill and substitute, upon which the yeas and nays were as follows:

**YEAS**—Messrs. Dulaney, Erath, Fall, Gentry, Grimes, Guinn, Herbert, Hyde, Lott, Martin, Pitts, Potter, Schleicher, Stockdale and Throckmorton—15.

**NAYS**—Messrs. Blanch, Chambers, Duggan, Miller, Parsons, Rains, Scarborough, Shepard and Walker—9.

A message was received from the House, that the House had passed Senates bill, to refund the expenses and to pay for the services of S. P. Hollingsworth and Capt. John G. Todd, as special messengers from the Convention to the Congress of the Confederate States, at Montgomery, Ala., with amendments.

A bill to authorize and require all forced sales of real estate and negroes, and sales of real estate or negroes, made by executors or administrators in the county of Nueces, to be made at the front door of La Retama house, in the city of Corpus Christi.

A bill in relation to the School Fund derivable from taxation, under the provisions of the second section of the tenth article of the Constitution of the State.

Joint resolution concerning Brigadier Gen. David E. Twiggs.

Joint resolution in relation to the establishment of an admiralty court for the State of Texas, at Galveston, and such other places in this State as commerce requires.

A bill to authorize and require public sales in the county of Hays, to be made upon the public square in the town of San Marcos.

A bill donating land to Cynthia Ann Parker, and to her daughter To-Kusan Parker. Substitute of the committee adopted. Bill read second time.

Mr. Throckmorton moved to amend by adding, "and one league to the surviving children of the Cameron family, and one league to the surviving children of the Mason family, of Jack county, and one league to the children of Mrs. Sherman, of Parkes county." Rejected by the following vote:

**YEAS**—Messrs. Blanch, Harmon, Hyde, Potter, Stockdale and Throckmorton—6.

**NAYS**—Messrs. Chambers, Duggan, Erath, Fall, Gentry, Guinn, Herbert, Lott, Martin, Miller, Neal, Pitts, Rains, Scarborough, Schleicher, Shepard and Walker—17.

Mr. Blanch moved to strike out "one league" and insert "640 acres." Lost.

Bill ordered to be engrossed. Rule suspended, read third time and passed by the following vote:

YEAS—Messrs. Chambers, Duggan, Erath, Fall, Gentry, Hamoon, Herbert, Loti, Martin, Miller, Neal, Parsons, Pitts, Potter, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton and Walker—21.

NAYS—Messrs. Blanch, Cain and Hyde—3.

A bill granting a pension to Cynthia Ann Parker. Read, amendments adopted and bill passed to a third reading.

Rule suspended, read third time and passed.

Mr. Gentry introduced a bill for the relief of the parties therein named by grant of land. Read first time.

Resolution for the cooperation with the Confederate States. Read and ordered to be engrossed.

A message was received from the House informing the Senate that the House had passed a bill supplemental to an act to apportion the State of Texas, and to regulate the election of members of Congress.

A bill to amend an act amendatory of the laws to raise revenue by taxation. Amendments of finance committee adopted.

Mr. Throckmorton offered the following amendments:

"SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the first section of the above entitled act shall hereafter read as follows: that there shall be levied and collected for the use of the State, a direct *ad valorem* tax of fifteen cents, upon each hundred dollars worth of property, real and personal, (except such property as may be exempt by law from taxation.")

The second section of the above recited act, shall hereafter read as follows:

"SEC. 2. That there shall be assessed and collected, of every free male person between the age of 21 and 50 years, residents of this State (idiots and persons *non compos mentis* excepted,) a poll tax of seventy-five cents, each." Adopted.

Mr. Potter offered the following amendment:

Strike out in the 15 16 lines, the following words: "the interest, if land, or the discount, if exchange, or notes if purchased for," and insert the following: "ten per centum upon." Which was adopted and bill passed to a third reading.

Rule suspended, read third time and passed.

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

SATURDAY, April 6th, 1861.

Senate met pursuant to adjournment—roll called—quorum present.

The journal of yesterday was read and adopted.

The report of the Finance committee, on a bill to authorize the county courts of Nocogdoches, Navarro, Jackson, Colorado, Culbourn, El Paso; Jasper, Newton, Dallas, Atascoso, Fort Bend, Fannin, Madison, *et al* counties to regulate the pay of Sheriffs therein in certain cases, recommending that the bill be referred to the committee on Roads Bridges and Ferries. Read and adopted.

Mr. Miller, chairman of the Finance committee, to whom was referred a bill making an appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers of the adjourned session of the eighth Legislature, reported the same to the Senate and recommended its passage without amendments.

Mr. Potter, chairman of the Judiciary committee, to whom was referred a bill to incorporate the Texas and Arizona Mining and Transportation Company, reported the same to the Senate and recommended its passage.

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

To establish certain regulations for the management of the Lunatic, Deaf and Dumb and Blind Asylums.

A bill to amend the act supplemental to an act to regulate strays, approved 5th February, 1860, and

Joint resolution authorizing the Governor to appoint two Commissioners to examine into the affairs of the Central Railroad and to report to him.

Mr. Neal, chairman of the committee on Militia, to whom was referred a resolution instructing the committee on Military Affairs to enquire into the necessity of action on the part of the Legislature in regard to the ordinance passed by the late Convention, calling out a regiment of cavalry, reported the accompanying bill and recommended its passage.

A bill making an appropriation for the subsistence and transportation of supplies for the regiment ordered to be raised by an ordinance passed by the Convention. Read first time; rule suspended and read second time.

Mr. Throckmorton moved to amend by adding after dollars the words "out of the United States Bonds now in the Treasury."

On motion of Mr. Parsons the amendment was laid on the table by the following vote:

**YEAS**—Messrs. Blanch, Chambers, Duggan, Guinn, Herbert, Lott, Miller, Neal, Parsons, Pitts, Scarborough, Schleicher, Shepard, Stockdale and Whaley—17.

**NAYS**—Messrs. Erath, Fall, Grimes, Harmon, Hyde, Martin, Rain, Throckmorton and Walker—9.

Mr. Throckmorton offered the following amendment:

“Sec. 2. The Governor shall advertise for sealed proposals for furnishing the supplies and subsistence, which contracts shall be given to the lowest and best bidder provided this requirement shall not interfere with the immediate wants of the service.”  
Adopted.

Mr. Walker moved to amend by adding the following words: “Provided he shall consider said bid reasonable and that this act take effect from its passage.” Adopted and bill ordered to be engrossed; rule suspended, read third time and passed.

Mr. Stockdale introduced a bill to amend the seventh chapter of the Penal Code. Read first time; rule suspended bill read second time and ordered to be engrossed; rule further suspended; read third time and passed.

Mr. Harmon introduced a bill to amend an act entitled an act to amend an act entitled an act to organize Justice courts, and to define the powers and jurisdiction of the same, approved 7th February, 1861. Read first time; rule suspended read second time.

Mr. Miller moved to strike out “August” and insert “December.”

Mr. Parsons moved to refer to committee on the Judiciary.  
Lost.

The question on the adoption of Mr. Miller’s amendment was then put and carried.

The yeas and nays were taken on the engrossment of the bill and stood thus:

**YEAS**—Messrs. Dulaney, Erath, Fall, Gentry, Grimes, Guinn, Harmon, Herbert, Hyde, Martin, Miller, Pitts, Potter, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton and Whaley—19.

**NAYS**—Messrs. Chambers, Duggan, Parsons and Walker—4.

On motion of Mr. Herbert, the Secretary was instructed to request the return of the tax bill from the House, by the following vote:

**YEAS**—Messrs. Chambers, Duggan, Dulaney, Fall, Gentry, Grimes, Herbert, Neal, Pitts, Parsons, Scarborough, Stockdale, Walker and Whaley—14.

**NAYS**—Messrs. Erath, Guinn, Harmon, Martin, Miller, Potter, Schleicher, Shepard, and Throckmorton—9.

Joint Resolution concerning Brigadier General Twiggs. Read first time; rule suspended, read second time and passed to third reading; rule further suspended, read third time and passed.

The tax bill being in possession of the Senate, Mr. Herbert moved a reconsideration of the amendments of the Senate which, was lost by yeas and nays as follows :

**YEAS**—Messrs. Chambers, Duggan, Dulaney, Fall, Grimes, Herbert, Lott, Pitts, Parsons, Walker and Whaley—11.

**NAYS**—Messrs. Erath, Gentry, Guinn, Harmon, Hyde, Martin, Miller, Neal, Scarborough, Schleicher, Shepard, Stockdale and Throckmorton—12.

A bill to refund the expenses of S P. Hollingsworth and Capt. J. G. Todd to Montgomery Alabama, on the amendment of the House, was on motion of Mr. Herbert, laid on the table by the following vote :

**YEAS**—Messrs. Chambers, Duggan, Dulaney, Fall, Gentry, Grimes, Harmon, Herbert, Martin, Miller, Schleicher, Stockdale, Throckmorton, Walker and Whaley—15.

**NAYS**—Messrs. Erath, Guinn, Hyde, Neal, Parsons, Pitts, Potter, Scarborough and Shepard—9.

A joint resolution authorizing the Governor to appoint two Commissioners to examine into the affairs of the Central Railroad and report to him, reported from the House. Read first time; rule suspended, read second time, and lost on the engrossment by the following vote :

**YEAS**—Messrs. Blanch, Erath, Gentry, Hyde, Martin, Neal, Pitts, Potter, Walker and Whaley—10.

**NAYS**—Messrs. Chambers, Duggan, Dulaney, Fall, Grimes, Guinn, Harmon, Herbert, Lott, Miller, Parsons, Scarborough, Schleicher, Shepard, Stockdale and Throckmorton—16.

Mr. Duggan moved a reconsideration. Carried.

Mr. Potter, then offered the following amendment:

After the word State in 2nd line of 1st section, strike out all down to, and including "Railroad" in the line next to the last, and in place thereof insert, "may on the application of any of out the Stockholders of the sold Company of the Texas Central Railroad, appoint two Commissioners to enquire into and report to him the facts in relation to the late sale of the said railroad under execution; and the Commissioners so appointed shall have the power to send for persons and papers for the purpose of such examination. Provided that no expenses attending such examination, Provided that no expenses attending such examination

shall be chargeable to or paid by this State, and the Stockholders making application for the appointment of such Commissioners shall before such appointment be made, make provision for the compensation of the Commissioners and the payment of the expenses attending the examination. Adopted, rule suspended, bill read third time and passed.

A message was received from the House, that the House had passed Senate's bill to amend the 71st and 92nd sections of an act to regulate proceedings in the district courts, approved May 13th, 1846, with an amendment, in which the Senate concurred.

A bill supplemental to an act to apportion the State of Texas, and to regulate the election of members of Congress. Read first time, rule suspended, read second time.

Mr. Erath offered the following amendment:

That the 2nd section of the act to which this is a supplement shall hereafter read as follows:

"That an election shall be ordered to be held on the 1st Monday of August 1861, and every two years thereafter for Representatives in Congress from each of said Districts and the returns from each county shall be made by the Chief Justice thereof to the Secretary of State, within forty days after said election, who shall open and compare the same and report the result to the Governor, who shall give the person having the highest number votes in each district a certificate of election, provided that if the Congress of the Confederate States shall fix another day for the election, then the election shall be held upon the day so fixed." Adopted; bill passed to a third reading; rule suspended, read third time and passed.

House requested the return of a bill relative to Deaf and Dumb and Blind Asylums. Request granted and Secretary instructed to return the bill.

Mr. Stockdale, chairman of the committee on Enrolled Bills reported the following bills and resolutions:

A bill to authorize and require all forced sales of real estate, and negroes, and sales of real estate or negroes, made by executors and administrators in the county of Nueces, to be made at the front door of the La Bataina House in the city of Corpus Christi.

A bill in relation to the school fund, derivable from taxation, under the provisions of the 2nd section of the tenth article of the Constitution of the State.

A bill to apportion the State of Texas and regulate the election of members of Congress.

A joint resolution in relation to the establishment of an



Admiralty Court for the State of Texas, at Galveston, and such other places in this State as commerce requires, correctly enrolled properly signed and this day presented to the Governor.

Mr. Herbert, chairman of the committee on Roads, Bridges and Ferries, to whom was referred a bill to authorize the county courts of Nacogdoches, Navarro, Jackson, Colorado, Calhoun, El Paso, Jasper, Newton, Dallas, Atascoso, Fort Bend, Fannin and Madison, *et al* counties, to regulate the pay of Sheriffs therein in certain cases, reported the same to the Senate; and recommended that it be referred to the committee on the Judiciary.

Mr. Potter, made the following report:

The Judiciary committee, have considered a bill without caption, proposing to create a licence tax of three thousand dollars per month on every person who shall hereafter acquire or purchase the exclusive right of shipping beef cattle from the coast of Texas upon any steam ship or other vessel, &c.

The object of the bill appears to be to prevent persons from chartering steam boats or other vessels engaged in the Texas trade, for the purpose of shipping stock from the State. The committee can see no good reason for the proposed legislation as a matter of propriety or expediency, nor why the legislature should attempt to intervene in matters of contract of this kind when so many of our people are interested; certainly it would not be wise to prohibit the shipment of stock from our State at this time, and if not, the trade should be left open to be carried on by every person as may be most beneficial to him. I am therefore directed by the committee to return the bill to the Senate and recommend that it do not pass.

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

3 o'clock, P. M.

Senate met—quorum present.

Mr. Neal introduced a bill to incorporate the Star State Telegraph Company. Read first time; rule suspended, read second time and referred to committee on State Affairs.

A bill to authorize and require public sales in the county of Hays, to be made upon the public square in the town of San Marcos. Read first time; rule suspended, read second time.

Mr. Stockdale offered the following amendment:

Insert after "made" in second line the words "at the court house door." Adopted and bill passed to third reading; rule further suspended, read third time and passed.

Mr. Whaley introduced a bill for the relief of John A. Cummings. Read first time; rule suspended read second time, and ordered to be engrossed; rule further suspended read third time and passed.

A bill to incorporate the Arizona Mining and Transportation Company was taken up.

On motion of Mr. Neal, read second time and ordered to be engrossed; Rule suspended, read third time and passed, on call of the yeas and nays, unanimously.

A bill to provide for the payment of the current expenses of the Revenue Cutter Dodge. Read second time, substitute of committee on Finance, adopted, and ordered to be engrossed; rule suspended, read third time and passed.

A message was received from the House informing the Senate, that the House refused to concur in the Senate amendments to House bill amending the Tax laws, whereupon the Senate adhered to their amendments by the following vote :

YEAS—Messrs. Dulaney, Erath, Guinn, Lott, Miller, Neal, Parsons, Potter, Scarborough, Schleicher, Shepard, Stockdale and Throckmorton—14.

NAYS—Messrs. Chambers, Duggan, Fall, Grimes, Herbert, Pitts, Walker and Whaley—8.

And appointed Messrs. Throckmorton, Potter and Duggan, a committee of Conference.

House adopts Senate's substitute for House bill donating land to Cynthia Ann Parker, and agrees to Senate's amendment to supplemental act to apportionment bill.

A bill to appoint two Commissioners to examine into the affairs of the Central Railroad and to report to the Governor.

A bill to authorize and require public sales in the county of Hays, to be made on the public square in San Marcos, and to a bill granting a pension to Cynthia Ann Parker.

A bill to provide for the payment of the Treasury warrants issued to William Fitzhugh.

A bill providing for a change of venue in the case of the State of Texas, vs. Albert G. Walker, now pending in the District Court of Tarrant county.

A bill to amend an act entitled an act to incorporate the Columbus Tap Railway Company, approved 2nd February, 1860.

A bill for the relief of Thomas H. Duggan.

A bill for the relief of John A. Cummings, and

A bill to incorporate the Texas Baptist University.

A bill to authorize the Governor to extend the time of payment of interest arising on loans to Railroad Companies. Read second time.

Mr. Walker moved to amend by striking out the caption and inserting the following :

"A bill to be entitled an act for the benefit of certain Railroad Companies at the expense of the State."

Mr. Guinn moved the indefinite postponement of the bill and amendment.

The motion of Mr. Guinn being withdrawn, Mr. Blanch offered the following amendment :

"Sec. 2. In case of failure by any Railroad Company to pay the interest that may become due, then any company making such failure shall pay ten per cent interest on the amounts of interest which may be due from such company until paid in conformity with the 1st section of this act and nothing contained in this act shall be so construed as to extend the times of payment of interest that may hereafter fall due."

Mr. Stockdale renewed the motion to indefinitely postpone the whole subject, upon which the yeas and nays stood thus :

YEAS—Messrs. Chambers, Duggan, Dulaney, Fall, Gentry, Grimes, Guinn, Harmon, Lott, Martin, Miller, Neal, Parsons, Pitts, Potter, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—22.

NAYS—Messrs. Blanch, Erath, Herbert and Hyde—4.

Mr. Shepard, chairman of the committee on State Affairs, to whom was referred a bill to incorporate the Star State Telegraph Company, reported the same with the following amendment and recommended its passage :

Amend by striking out sections 11, 12 and 13.

On motion the bill was taken up. Report adopted and bill ordered to be engrossed; rule suspended read third time and passed by the following vote :

YEAS—Messrs. Chambers, Duggan, Erath, Fall, Grimes, Guinn, Harmon, Herbert, Hyde, Lott, Martin, Miller, Neal, Parsons, Pitts, Potter, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—22.

NAYS—Mr. Dulaney—1.

A bill making an appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers of the adjourned session of the 8th Legislature. Read second time.

Mr. Miller moved to strike out all in relation to mileage; which motion was lost by the following vote :

YEAS—Messrs. Blitch, Harmon, Herbert, Miller, Potter, Shepard, Stockdale and Walker—8.

NAYS—Messrs. Chambers, Dulaney, Erath, Fall, Gentry, Grimes, Guinn, Hyde, Lott, Martin, Neal, Parsons, Pitts, Schleicher, Throckmorton and Whaley—16.

The bill then passed to a third reading; rule suspended, read third time and passed.

On motion the Senate adjourned until 7 o'clock, P. M.

7½ O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill to amend the 4, 6, 7, 8 and 10 sections of an act passed February 13th, 1858, entitled an act amendatory of an act regulating juries, approved 4th May, 1840. Read second time.

Mr. Potter moved to strike out the last clause, which makes the bill take effect from its passage. Carried, bill ordered to be engrossed; rule suspended, read third time and passed.

Mr. Gentry moved to reconsider the vote passing a bill appropriating means to pay the mileage and per diem of the present session. Carried, and the bill was made the order for Monday morning next.

The resolution of the House to adjourn *sine die* on Monday next, was taken up and on motion of Mr. Potter, amended by striking out "Monday the 8th, 10 o'clock," and inserting "Tuesday the 9th at 7½ o'clock." The resolution was then adopted.

A message was received from the House, that the House had passed Senates bill to incorporate the Houston Cotton Press Company, and

The bill to establish certain regulations for the management of the Lunatic, Deaf and Dumb and Blind Asylums with an amendment, which was concurred in.

Mr. Hyde offered the following resolution:

*Resolved*, That the Secretary of the Senate be continued in office for twenty days after the adjournment of the present session of the Legislature at \$5 00 per day for the purpose of indexing the journals of the Senate and filing the papers of the same, to be paid out of the contingent fund of the Senate. Adopted.

A bill to authorize the county courts of Nacogdoches, Navarro, Jackson and other counties to regulate the pay of Sheriffs therein in certain cases, was taken up, and the report of the committee on Roads, Bridges and Ferries, recommending the reference of the bill to the Judiciary committee was laid on the table, on motion of Mr. Gentry, the bill was then passed to a third reading.

Mr. Guinn moved to amend by striking out "\$200", and inserting "\$100."

Mr. Grimes moved to indefinitely postpone the bill; upon which the yeas and nays stood thus:

YEAS—Messrs. Chambers, Grimes, Guinn, Harmon, Neal, Potter, Stockdale, Throckmorton, Walker and Whaley—10.

NAYS—Messrs. Blanch, Dulaney, Erath, Fall, Gentry, Herbert, Hyde, Lott, Martin, Miller, Parsons, Pitts, Scarborough, Schleicher, and Shepard—15.

Mr. Pitts moved to lay the amendment on the table; upon which the yeas and nays were:

YEAS—Messrs. Blanch, Dulaney, Fall, Gentry, Hyde, Martin, Parsons, Pitts, Scarborough, Shepard and Stockdale—11.

NAYS—Messrs. Chambers, Erath, Grimes, Guinn, Harmon, Herbert, Lott, Neal, Potter, Schleicher, Throckmorton and Walker—13.

The yeas and nays were then taken on the adoption of the amendment, and stood thus:

YEAS—Messrs. Erath, Grimes, Guinn, Harmon, Herbert, Hyde, Miller, Neal, Potter, Scarborough, Stockdale, Throckmorton and Walker—13.

NAYS—Messrs. Blanch, Chambers, Dulaney, Fall, Gentry, Lott, Martin, Parsons, Pitts, Schleicher and Shepard—11.

Lost; two-thirds not voting in the affirmative.

Mr. Shepard moved to reconsider the vote which passed the bill to a third reading. Carried, by the following vote:

YEAS—Messrs. Erath, Fall, Grimes, Guinn, Harmon, Herbert, Hyde, Miller, Potter, Shepard, Stockdale, Throckmorton, Walker and Whaley—13.

NAYS—Messrs. Blanch, Chambers, Dulaney, Gentry, Martin, Miller, Neal, Parsons, Pitts, Scarborough and Schleicher—11.

The question recurring on the adoption of the amendment, was put and lost by the following vote:

YEAS—Messrs. Erath, Fall, Grimes, Guinn, Harmon, Herbert, Miller, Neal, Potter, Stockdale, Throckmorton and Walker—12.

NAYS—Messrs. Blanch, Chambers, Dulaney, Gentry, Hyde, Lott, Martin, Parsons, Pitts, Scarborough, Schleicher and Shepard—12.

Mr. Herbert moved to add the county of Fayette.

Mr. Throckmorton moved to amend so as to make the provisions of the bill applicable to all the counties in the State, by way of substitute for Mr. Herbert's amendment.

Mr. Blanch moved to lay the substitute on the table. Carried. The question was then taken on Mr. Herbert's amendment, and carried; whereupon,

Mr. Blanch moved the previous question, which was ordered. The bill then passed to a third reading. Rule suspended, read third time, and passed.

A bill requiring the Commissioner of the General Land Office to issue patents upon surveys heretofore made not in the form required by law. Read second time, and ordered to be engrossed.

A bill to regulate Ferries. Read second time, and ordered to be engrossed. Rule suspended, read third time, and passed.

A bill providing for the disposition of Runaway Slaves. Read and passed to a third reading. Rule suspended, read third time, and passed.

Mr. Potter introduced a bill to provide for printing the Journals of the Convention. Read first time. Rule suspended. Read second time, and ordered to be engrossed.

Mr. Shepard moved to strike out "600 copies", and insert "1000 copies."

Mr. Herbert moved to lay on the table. Carried. Rule suspended. Bill read third time, and passed.

A message was received from the House, informing the Senate of the passage of a joint resolution concerning founderies in Texas. Read first time. Rule suspended, read second time, and passed to a third reading; rule further suspended, read third time and passed.

Mr. Throckmorton offered the following resolution:

"Resolved, That the secretary of the Senate pay out of the contingent fund of the Senate the sum of \$250, to be placed in the hands of the Senator from Nueces, to pay the physicians' bills and funeral expenses of the late General Forbes Britton." Adopted.

A Joint Resolution for co-operation with the Confederate States. Laid on the table.

The report of the committee on State Affairs, on the petition of sundry citizens of Tyler county relative to sheriffs, recommending its indefinite postponement, was adopted.

A bill prescribing the duties and obligations, in certain cases, of Commission Merchants, Factors and others, on report of committee on State Affairs, recommending its rejection. Report adopted.

A bill for the relief of the Commissioner of the Boundary Survey was rejected on the report of the committee on State Affairs.

The report of committee on State Affairs, on a Resolution repealing a Resolution in relation to private business, recommending that it be laid on the table, was adopted.

The report of the Judiciary committee, asking to be discharged from further consideration of a resolution proposing Amendments to the seventh article of the Constitution, was adopted.

The report of the committee on Private Land Claims on the petition of Charles Linney and James Adams, was laid on the table.

A bill for the relief of certain persons therein named. Read second time.

Mr. Walker moved to amend by adding the names of John Brown, and Mrs. Sherman of Parker county. Adopted.

Mr. Erath moved to amend by adding the following: Pierce, of Coryell county; Johnson, of Brown; Baggett, of Comanche; Denfley, of Erath; Bean, killed in Bosque; Rentfrow, of Bosque; Riggs, of Bell; Ben Van Hock, of Lampass. and all other persons whose parents, husbands, or wives, have been killed or wounded by the Indians. Adopted. The bill was then laid on the table.

The Senate refused to concur in the amendment of the House to a bill to refund the expenses, and to pay S. P. Hollingworth and Captain Jno. G. Todd for certain services.

Mr. Stockdale, from the committee on Internal Improvements, reported a House bill supplementary to an act to provide for the investment of the special school fund in the bonds of Railroad Companies, and a Senate bill of like import, and recommended that they do not pass.

Mr. Miller, chairman of the Finance committee, reported, that it was unnecessary to act upon the following matters, referred to that committee:

A bill to authorize the Treasurer to pay out the several sums of money appropriated to supply deficiencies in former appropriations, etc.

A bill authorizing the sale of State bonds, etc., and a resolution in relation to officers, etc.

Also, a bill authorizing the sale of Austin City Lots, etc., recommending its indefinite postponement.

Mr. Potter, chairman of the Judiciary committee, returned the following subjects matter, to that committee referred, and asked that they be severally laid on the table:

Memorial of Jno. C. Miller and others.

Memorial of Pryor Lea, concerning extradition.

Bill providing for transfer of all records, etc., from the United States Courts to the State Courts.

Bill concerning maritime jurisdiction.

Bill in relation to judgment liens.

Bill to amend act to incorporate Town of Mount Pleasant, in Titus county.

Bill to create the Twenty-first Judicial District.

Bill relative to Insurance Companies and Agencies.

Bill relative to a District Attorney for the county of Smith.

Mr. Throckmorton made the following report:

The joint committee on the Reduction of Expenditures, would report, that the several bills heretofore reported by them, if passed, will save the State over \$25,000, and if the reforms suggested in the several asylums are carried out, there will be an additional saving of several thousand dollars.

The committee regret that the limited time allowed has precluded their instituting a thorough reformation in many other departments which, in the present embarrassed condition of the finances, is absolutely demanded. Much labor and careful study has been bestowed by the committee on the subject of an entire reorganization of the judicial districts of the State. This is a reform, of all others, which seriously demands the attention of the Legislature; and the hope is entertained that the next Legislature will at once arrest an evil of such magnitude, and promptly relieve the treasury of the heavy burden which the present extravagant judicial district system has fastened upon it.

Five of the districts can be dispensed with, and the labor of each judge equalized to about thirty-two or thirty-four weeks, annually. As it now is, some judges work as high as forty-two weeks, and others have but little labor to perform.

In proposing the reduction of salaries, the committee have been prompted by a strict sense of duty. A number of the committee believe that we have fallen short of what should have been done in this regard. The salaries of all the officers of the State Government are liberal. It has been but a few years since they were increased; but it was at a time when the treasury was overflowing, when the State taxes were relinquished to the counties, and the rate of taxation reduced. Now our condition is very different. We are in debt, and preparing to obtain a loan of one million of dollars. In this we may not succeed as we desire. But whether we succeed or not, the taxes necessarily must be increased. Therefore we should do whatever we can to reduce the expenses of the government, so far as it can be done without detriment to the public interest.

Your committee have not had time to perfect but little of what is really demanded of the Legislature, and we can only hope that the next Legislature will do that which the limited



time of the session, and our many pressing engagements, have precluded us from doing. Respectfully submitted

J. W. THROCKMORTON,

*Chairman on part of Senate.*

H. D. REDWINE,

*Chairman on part of the House.*

Mr. Throckmorton addressed the Senate as follows:

MR. PRESIDENT: I arise to announce the death of the Hon. Saml Bogart, late a member of the House of Representatives, and for many years a member of one branch or the other of the Legislature of this State.

The deceased was known to most of the members of this body, and to many of them, intimately.

Major Bogart was no common man. In many of the attributes which enoble the human heart and dignify the human mind, he had few superiors among his compeers. None who knew him will ever forget his devotion to principle, or the tenacity with which he adhered to whatever he conceived to be right. He was a native of Tennessee. At an early age he enlisted in the service of his country, and was under General Jackson at New Orleans. He was in the engagement on the night of the 23d of December, and was one of the noble band of men who won imperishable renown for the American arms in the memorable achievement of the eighth of January. I have heard him describe the scenes of that eventful day, and the impressions made upon my mind by his simple, yet forcible description of the terrible grandeur of that bloody field of carnage, of suffering and heroism were far more vivid and impressive than any thing I have met with in the studied pages of history. I have not the material that will enable me to give any thing like a correct history of the chequered career of the deceased. I have known him intimately and well for twelve years. His will was of the most determined and iron character. When his mind was once made up it was rarely ever changed. In my humble judgement in the characteristics of courage, energy, firmness and a determined will no man ever more nearly approached the character of General Jackson than did the deceased. His attachment to friends was strong and unchanging, and his dislikes were hard to overcome, but when his forgiveness was once obtained, it was frank and cordial. The combined powers of earth could not drive or intimidate him. He would have suffered death rather than yield to threats, force or dictation. Yet he was easily controlled by those in whose judgment and integrity he had confidence. His patriotism was of the loftiest char-

acter, and his love of country was ardent and sincere. In politics, he was in the most enlarged sense of the term, a Jackson Democrat. His age and enfeebled health did not permit him to enter into the excitement which has so recently swept over the country.

In justice to the memory of my deceased friend, I take this occasion to say that he was fully impressed with the conviction that the recent movement of secession in the Southern States was calculated to do much harm to our whole country, and especially to our own section. No one surpassed him in devotion to the South, and to her peculiar institutions. Yet his heart was large enough to embrace every section of our wide, extended land. He condemned in the strongest manner the aggressions of the Republican party, and was fully impressed as to the necessity of resistance to those aggressions by the people of the South. But sir, he believed the best interest of the South required that resistance should be made in such a manner as would command the attention and respect of every true patriot in the land. He believed there should be such unity of action on the part of the Southern States as would convince the cohorts of Black Republicanism that we were in earnest, and that a united South was determined at once and forever to put an end to their encroachments. But I will not detain the Senate by farther stating the reasons why the deceased patriot did not coincide in opinion with the great mass of the people of Texas upon the question of secession. I have made these allusions to vindicate the memory of the deceased from an unworthy charge, made by persons who know nothing of his opinions, that he was not true to the section that gave him birth, and that he was for making an armed resistance to the will of the people. Sir, while this miserable falsehood was burning blistering upon the lips that uttered it, and whilst it was going the rounds of an unscrupulous press, the care worn patriot and soldier who had been in the service of his country for more than forty years, and who had shared in the glories of many a hard fought battle field, was lingering on the bed of death; and while this vile slander was being repeated, by men who had not been in Texas long enough to shake the dust of freesoil from their unballowed feet, the dying patriot was offering up prayers to Him who rules the destinies of nations, interceding for his distracted country. Sir, I sat by the side of that couch of death, but a few hours before I started on my return to this place, and as I held the hand of the noble old man for the last time, he invoked the choicest blessings of Heaven for his country, and

prayed that the bleeding wounds that were exhausting the life blood of the nation might be healed. And, sir, as he gave me his blessing, and urged me to remain firm in defense of the rights and liberties of the people; he requested that I should do no act which would engender heart burnings and bitterness among our own people. I would to God, that every true patriot in the State could have witnessed that scene, and felt the solemnity of that hour. Its impressiveness will forever linger in the chambers of my memory, and the fervent admonitions of the dying patriarch shall be cherished in my heart while life lasts, as an incentive to the loftiest patriotism, and loyalty to the truest interests of my country.

Mr President, since our adjournment here a few weeks since, the destroyer Death, has selected as a victim one of our own body; one too, who occupied a warm place in the hearts of all who knew him. The Senate has already paid the last tribute of respect to his memory, and I would not now recur to so melancholy a subject, were it not that when the resolutions in regard to the death of our brother, were adopted, I was wholly incapable of giving utterance to my feelings. I have no language sufficient to express the affection I feel for my friend, or, to adequately express the admiration I entertained for the many rare qualities of his head and heart.

Forbes Britton was my truest and best friend. I entertained for him the strongest feeling of attachment and affection. I loved him for his manliness, his great social qualities, his noble impulses and generous nature. I know I but speak the sentiment of every member, when I say that he was the general favorite of this body. No eulogy that I can pronounce would add a single wreath to his well earned reputation as a soldier, patriot and citizen. His like, in all respects, we will never see again. His manly voice will no more be heard by his friends—never again will his earnest pleading in behalf of a suffering frontier be heard in the halls. The gallant soldier, the sincere friend, the brave kind-hearted Britton sleeps the sleep of death!

Mr. President, the soldierly form of noble Britton, and the care-worn body of the patriot Bogart, rest beneath the sods of the valley. They were taken from our midst at a time when the country most needed their services. May I not trust that the death of those whom we mourn will serve as an admonition to each one of us to be prepared for the dread ordeal through which, sooner or later, we must pass. May the God of the widow and of the fatherless, comfort the bereaved and afflicted families of our deceased friends and vouchsafe to them the rarest gifts

and choicest blessings of Heaven. I move the adoption of the resolutions which I send to the Secretary.

1. *Resolved*, That the Senate has learned with profound regret, the death of the Hon. Sam Bogart, a Representative from the county of Collin, and formerly a member of this body.

2. That in the death of Major Bogart the State has lost one of its most experienced and able public servants, and his constituency a most faithful and devoted Representative.

3. That the members of the Senate tender their sympathies to the family of the deceased in their bereavement; and that as a further mark of esteem for the memory of their late associate, they will wear the usual badge of mourning for thirty days.

4. That the Secretary of the Senate transmit a copy of these resolutions to the widow of the deceased.

Mr. Lott, in seconding the resolutions, offered a few brief and appropriate remarks, after which the resolutions were unanimously adopted and the Senate adjourned until Monday morning at 10 o'clock.

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MONDAY, April 8, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Duggan, Chairman of the committee on County Boundaries, to whom was referred a bill to define the boundaries of the county of McMullen, reported the same to the Senate and asked to be discharged from consideration of the same, for want of time.

Mr. Stockdale, Chairman of the committee on Enrolled Bills, reported the following bills:

A bill to amend the act supplemental to an act to regulate estrays.

A bill supplemental to an act making appropriations for the *per diem* pay and mileage of the members and officers of the Convention.

A bill to provide for the redemption of the Treasury warrants issued to William Fitzbugh.

A bill prescribing the manner of authenticating instruments of record.

A bill to authorize a loan and imposing a special tax to meet the principal and interest thereof, under the provisions of thirty-

third section of the seventh article of the Constitution of the State.

A bill for the relief of Charles Ganahl.

A bill supplemental to and amendatory of the act creating the county of Kaufman, approved Feb. 26, 1848.

Joint resolution for the turning over the property now in the State (lately taken from the United States Government,) to the Confederate States Government.

A bill to encourage the establishment of Manufactories in the State of Texas.

Joint resolution concerning Brigadier Gen. David F. Twiggs.

A bill granting a pension to Cynthia Ann Parker, correctly enrolled, properly signed, and this day presented to the Governor.

Mr. Walker, Chairman of the committee on Public Lands, to whom was referred a bill granting pre-emption privileges on the reservation lands belonging to the State of Texas, to certain persons therein named, and the following reports:

A majority of the committee have instructed me to report the bill back to the Senate and to recommend its rejection.

The undersigned, a minority of the Public Land committee, having arrived at different conclusions from the majority in relation to the bill granting pre-emption privileges on the reservation lands belonging to the State of Texas, to certain persons therein named, beg leave to report that they are clearly of opinion that the bill is meritorious and ought to pass and become a law. The undersigned can see no good reason for allowing pre-emption privileges on the other public domain of the State, and not on the lands mentioned in the bill, but to them very strong and conclusive reasons why it should be done. Among the many good reasons that might be adduced in favor of the measure proposed by the bill. The undersigned will only mention the following, deeming them sufficient and conclusive, to-wit: It would not only enable many good and industrious citizens of Texas to buy homes for themselves and families, but it would, to some extent at least, prevent the lands mentioned in the bill from being monopolized by wealthy companies, to the great injury of the State, and contrary to the spirit, if not the very letter, of the Constitution. The bill under consideration does not propose the donation of the land, nor does it propose a reduction of the price now fixed by law on the same. It only proposes to give a pre-emption right to the actual settler therein for the term of three years from the commencement of the settlement on the same, by paying taxes on the same, and to the end of said term to pay one dollar and twenty five cents per

acre for the land. The objections heretofore so forcibly urged against the passage of donation and pre-emption bills, that it would invite and induce Abolitionists from the free States, to come and settle in this, cannot be urged against the passage of the bill now under consideration, because no one, not now a citizen of Texas, can avail himself of its benefits, should it become a law. Again, what is known in that region as the sixteen mile belt, passing through the densely settled portion of Collin, Denton, Tarrant, Parker and other counties, there are many sections and fractions of sections, now held in reservation by the State, and in the possession of settlers residing therein, cultivating the same, &c. Many other good and industrious citizens of Texas would also settle on said land, and make lasting and valuable improvements thereon, were they authorized by law to do so, and thus not only add to the value of the land and the wealth of the State, but increase the revenue by paying taxes on the land, as well as their other property. Besides, the policy proposed in the bill would at once settle and quiet the question of title to all the reservation lands occupied and settled upon as aforesaid. It would also cause the country through which railroads are designed to be constructed, to be densely settled in a comparatively short time, and until the country is thus settled, in the opinion of the undersigned, no roads will ever be built, for they are never constructed in and through a wild nor through a sparsely settled country.

The undersigned are clearly of the opinion, that to defeat the passage of the bill, would be detrimental to the settlement of the country, and injurious to the best interests of the State. Besides, in the opinion of the undersigned, Texas should never deny to her own citizens, the privilege of settling upon and cultivating her public domain, and especially when they will have to pay, for the same three years after settlement, at one dollar and twenty-five cents per acre, together with the taxes on the same. The highest price asked for any of the lands of the State. What justice can be done the State, by a law of this kind? We answer none whatever! On the contrary, the best interest of the State will be advanced thereby. The sparsely populated portions of the country will be settled in a comparatively short time. The receipts in the Treasury largely increased, and portions of the frontier, now so thinly populated as to be able to offer no resistance to the incursions of the Indians, would soon be in a condition to protect themselves. For the reasons before given, the undersigned would most respectfully

ask the rejection of the report of the majority, and the passage of the bill.

A. G. WALKER,  
J. W. THROCKMORTON,  
F. E. LOTT,  
G. SCHEICHER.

Mr. Potter offered the following resolution:

*Resolved*, That the Secretary of State, be authorized to transmit by mail to the members of the Senate and of the Convention, respectively, in due proportion, the documents printed by order of said bodies not delivered prior to the adjournment, and that the postage on the same be paid out of the contingent fund of the Senate, on the order of the Secretary of State. Adopted

Mr. Stockdale, Chairman of the committee on Enrolled Bills, reported a bill providing for a change of venue in the case of the State of Texas vs. Albert G. Walker, now pending in the District Court of Tarrant county.

A bill to establish certain regulations for the management of the Lunatic, Deaf and Dumb and Blind Asylums.

A bill to incorporate the Houston Cotton Press Company.

A bill for the relief of Thos. H. Duggan.

A bill to incorporate the Texas Baptist College.

A bill to amend an act to incorporate the Columbus Tap Railroad Company, approved 2nd Feb. 1860.

A bill donating land to Cynthia Ann Parker.

A bill for the relief of John A. Cummings.

A bill to amend the seventy-first and ninety-second sections of an act to regulate proceedings in the District Courts, approved May 13, 1846.

Joint resolution authorizing the Governor to appoint two Commissioners, to examine into the affairs of the Central Railroad, and report to him

A bill supplemental to an act to apportion the State of Texas, and to regulate the election of members of Congress.

A bill to authorize and require public sales in the county of Bays, to be made on the public square, in the town of San Marcos

A bill making an appropriation for the mileage and *per diem* pay of the members and the *per diem* pay of the officers of the adjourned session of the eighth Legislature, being the special order, was read third time and passed.

A bill requiring the Commissioner of the General Land Office, to issue patents upon surveys made not in the form required by law. Read third time and passed.

A message was received from the House, that the House had passed Senate's bills to incorporate the Star State Telegraph Company.

Bill to incorporate the Galveston and Houston Junction Railroad Company, with an amendment, in which the Senate concurred by the following vote:

YEAS—Messrs. Chambers, Duggan, Dulaney, Erath, Fall, Grimes, Guinn, Harmon, Herbert, Lott, Martin, Miller, Neal, Parsons, Potter, Scarborough, Schleicher, Stockdale, Throckmorton and Walker—20.

NAYS—Messrs. Gentry, Pitts and Whaley—3.

And a bill concerning the corporation of the town of Crockett, with an amendment, in which the Senate concurred.

And a bill concerning the Alamo Ditch. Read first time.

Rule suspended, read second time and passed to a third reading.

Rule further suspended, read third time and passed.

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

House bill to prohibit the sale of intoxicating liquors within three miles of Baylor University. Read first time.

Rule suspended, read second time and passed to third reading.

Rule further suspended, read third time and passed.

And the following Senate bills:

Bill to authorize and require Commissioner of the General Land Office, to patent surreys out of the regular order.

Joint resolution suspending the Geological survey, with amendment in which the Senate refuse to concur.

Bill to regulate the salaries of certain State officers and clerks therein named, &c., with amendment. The Senate concurred in the amendment.

Bill providing means for the payment of certain debts created by authority of the late Convention.

Bill to amend the act of March 15, 1848, relative to the election of electors for President and Vice President of the United States, &c.

And that House had adopted report of committee of conference on the bill amending the tax law.

Mr Duggan, chairman of committee of conference on part of the Senate on the disagreement of the two Houses, on the bill amending the tax laws, reported that the Senate recede from its amendments to first and second sections, and that the House accede to the amendments of the Senate to first section of the House bill. Adopted.



Mr. Erath offered the following resolution :

*Resolved*, That the Senate tender to the Hon. Jessea Grimes, late President *pro tem.* of the Senate, their highest regard and esteem, for the impartial manner in performing the duties of presiding officer. His connection with the history of Texas, as one of her oldest and earliest pioneers, an efficient member of her councils, without intermission, from the revolution of 1835, to the present day, through the late important changes in government, ever ready to acquiesce in the will of a majority of our own soil, still ready at an advanced age, to participate in the service of his country, entitles him to the veneration of all American freeman. Adopted unanimously.

Mr. Potter introduced a bill to amend the act of March 15, 1848, to provide for the election of electors for President and Vice President of the United States, and to repeal the eighth section of said act. Read first time.

Rule suspended, read second time and ordered to be engrossed.

Rule further suspended, read third time and passed.

Mr. Blanch introduced a joint resolution, recognizing as the organic law, the ordinances of the Convention of an organic character. Read first time.

Rule suspended, read second time and ordered to be engrossed.

Rule further suspended, read third time and passed.

Mr. Harmon introduced a bill for the relief of William Fu-banks, assignee of Simon Clements. Read first time.

Rule suspended, read second time and ordered to be engrossed.

Rule further suspended, read third time and passed.

Mr. Herbert moved to reconsider the vote which passed the bill authorizing certain counties to regulate the pay of Sheriffs. Carried.

Mr. Herbert then moved to reconsider the vote, which put the bill on its third reading. Carried.

The vote adopting Mr. Herbert's amendment, adding the county of Fayette to the bill, was then reconsidered.

Mr. Herbert then, by leave of the Senate, withdrew the amendment.

The bill was then passed to a third reading, and

Rule suspended, bill read third time and passed by the following vote :

YEAS—Messrs. Chambers, Dulaney, Fall, Gentry, Herbert, Hyde, Lott, Martin, Miller, Neal, Parsons, Pitts, Scarborough, Schleicher, Shepard and Stockdale—16.

NAVS—Messrs. Erath, Grimes, Guinn, Harmon, Potter, Throckmorton and Whaley—8.

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

Bill to enable J. H. Saunders, the guardian of Webster J. Saunders, to remove the property of his ward from the State of Texas.

Bill to amend act to amend act to organize Justices' Courts, &c.

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

3 O'CLOCK, P. M.

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

A bill making an appropriation for the subsistence and transportation of supplies for the regiment ordered to be raised by an Ordinance of the Convention.

A bill legalizing the certificate of Jacob Laux.

A bill for the relief of Wm. Eubanks, assignee of Simon Clemens, and that the

House had receded from their amendment to joint resolution, suspending the Geological survey, and that the

House had passed a bill to amend the 19th section of an act to provide for the assessment and collection of taxes, approved Feb., 11, 1850, and

A bill making appropriation to supply deficiencies for the year 1861, originating in the House, which was taken up. Read first time.

Rule suspended, read second time and passed to a third reading.

Rule further suspended, read third time and passed.

A bill to provide for the assessment and collection of taxes, approved Feb., 11, 1850. Read first time.

Rule suspended, read second time and passed to a third reading.

Rule further suspended, read third time and passed.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported the following bills and resolutions :

A bill to incorporate the Star Telegraph Company.

A bill concerning the corporation of the town of Crockett.

A bill making an appropriation for the mileage and per diem

pay of the members and the per diem pay of the officers of the adjourned session of the eighth Legislature.

A bill providing means for the payment of certain debts created by authority of the Convention of the people of Texas.

A bill to incorporate the Galveston and Houston Junction Railroad.

An act to amend the act of March 13, 1848, entitled an act to provide for the election of electors for President and Vice President of the United States, and to repeal the eighth section of said act.

An act making an appropriation for the subsistence and transportation of supplies for the regiment ordered to be raised by the Ordinance passed by the Convention.

A bill for the relief of William Eubanks, assignee of Simeon Clemons.

A bill legalizing the certificate of Jacob Laux.

A bill to regulate the salaries of certain officers and clerks therein named, and to reduce the number of clerkships in the Comptroller's office, and to arrange the same, and to abolish the allowance for contingent fund.

Joint resolution suspending the Geological survey.

A bill to prohibit sales of intoxicating liquors within three miles of Baylor University.

A bill providing for the disposition of run-away slaves.

Joint resolution concerning iron foundaries in the State of Texas.

On motion the Senate adjourned till half past seven o'clock, P. M.

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7½ o'clock, P. M.

Senate met pursuant to adjournment—quorum present.

A message was received from the House, that the House concurs in the amendment of the Senate to the resolution to adjourn *sine die*.

Mr. Hyde offered the following resolution :

*Resolved*, That the enrolling clerk and the assistant secretaries of the Senate, are hereby authorized to, and shall receive a compensation of five dollars per day for their services in performing the duties of engrossing clerk, during the present session, said compensation to be paid out of the contingent fund of this House, and to be equally divided among the said parties. Adopted.

Mr. Duggan moved that a committee of three be appointed to wait upon the Governor, and inform him that the two Houses of the Legislature were about to adjourn *sine die*, and to know if he had any other communication to make.

Messrs. Duggan, Erath and Lott were appointed said committee, who retired, and after a short time, reported duty performed and that the Governor had no further communications for the Legislature.

Mr. Hyde offered the following resolution :

*Resolved*, That the Secretary of the Senate, be and he is hereby required to issue to Senator Pitts, and all other Senators, certificates for their per diem from the commencement of the present adjourned session of the Legislature. Adopted.

Mr. Harmon offered the following resolution :

*Resolved*, That the thanks of the Senate are cordially tendered to the Hon. R. H. Guinn, for the able and impartial manner in which he has presided over the deliberations of the Senate. Adopted.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported the following bills correctly enrolled, and presented to the Governor :

A bill to enable J. H. Saunders, the guardian of Webster J. Saunders, to remove the property of his ward from the State of Texas.

A bill to authorize and require the Commissioner of the General Land Office, to patent surveys out of their regular order.

A bill to amend an act entitled an act, to organize Justices' courts, and to define the powers and jurisdiction of the same, approved Feb., 7, 1861.

A bill concerning the Alamo Ditch.

A bill to amend an act entitled an act amendatory of the laws to raise revenue by taxation, approved Feb., 16, 1858.

On motion, Senate adjourned until 7½ o'clock, A. M. to-morrow.

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TUESDAY, April 9th, 7½ O'CLOCK, A. M.

Senate met—roll called. Prayer by the Chaplain—quorum present.

On motion, the Senate adjourned *sine die*.

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## EXECUTIVE JOURNAL.

WEDNESDAY, March 20, 1861.

A message was received from the Governor, transmitting the following communications:

EXECUTIVE OFFICE, }  
AUSTIN, March 19, 1861. }

*Gentlemen of the Senate:*

I have appointed Bird Holland, of Travis county, Secretary of State, to which appointment I respectfully ask the advice and consent of the Senate.

EDWARD CLARK.

EXECUTIVE OFFICE, }  
AUSTIN March 20, 1861. }

*Gentlemen of the Senate:*

I submit, for your consideration and confirmation, the names of William T. Austin, John Dearo, Aaron Burns, Henry Parker, and Luke A. Falvel, for Commissioners of Pilots, at the port of Galveston.

EDWARD CLARK.

On motion of Mr. Guinn, the nomination of Mr. Holland taken up, and the same was unanimously confirmed.

On motion of Mr. Potter, the nominations for Commissioners of Pilots were taken up, and they were confirmed unaniously.

SATURDAY, March 30, 1861.

A message was received from the Governor, transmitting the following communication:

EXECUTIVE OFFICE, }  
AUSTIN, March 28, 1861: }

To the Honorable

*The Senate of the State of Texas:*

I have made the following appointments of Notaries Public, in the counties severally named, to which I respectfully invite your advice and consent.

EDWARD CLARK.

FOR THE COUNTY OF—

Anderson—J. H. Henry, vice G. W. Furlow, resigned.

Bell—John W. Clark, vice Theo. A. Supple.

“ A. W. Cearncal, vice Harvey Smith.

“ J. H. Ledbetter, an original appointment.

Blanco—Charles A. Crosby, an original appointment.

Calhoun—Wm. H. Woodward, reappointed.

Collin—G. Y. McKinney, an original appointment.

Dallas—W. P. Nicholson, vice Samuel J. Jones.

Denton—Elijah Roger, an original appointment.

“ James Chisum, “ “

“ Calvin Copenhagen, “ “

Galveston—Edward T. Austin, vice A. F. James.

“ James P. Nash, vice A. D. Menard.

Guadalupe—Samuel N. Elliott, an original appointment.

“ C. Reich, “ “

“ Redding W. Morris, reappointed.

Henderson—H. F. Bridges, vice B. L. Pate.

Hill—Thomas J. Murray, vice J. P. Weir.

Houston—Wm. L. Moore, vice S. A. Miller.

Kaufman—James T. Rayel, an original appointment.

Lampasas—M. L. Cooksey, vice W. C. Wiseman.

“ Albert G. Lane, an original appointment.

“ Williamson Jones, “ “

La Vaca—H. R. McLean, vice C. Ballard.

Limestone—G. M. Sorrelle, vice J. B. Vallandingham.

“ Wm. M. Patrick, vice N. H. McDaniel.

“ M. Belcher, vice Thos. C. Stevens.

Matagorda—Wm. H. Burkhart, an original appointment.

Navarro—Don Donaldson, vice J. C. C. Winch.

Newton—H. F. Wilson, an original appointment.

Nueces—J. C. Russell, “ “

Panola—B. B. Anderson “ “

Panola—Wm. F. Ball, an original appointment.  
 Refugio—David M. Hastings, reappointed.  
 Rusk—Samuel Thomas, vice L. P. Harris.  
 San Patricio—Samuel C. Villeyard, an original appointment.  
 “ Thomas H. O’Callahan, “ “  
 Sabine—Henry F. Goodloe, an original appointment.  
 Shelby—James W. Ballard, “ “  
 Tarrant—Hiram Crowley, vice H. J. Fairly.  
 Travis—George R. Freeman, vice Peter B. Lowe.  
 Tyler—Matthew T. Perryman, vice Seymour White.  
 “ Levi G. McGaughey, vice A. B. Pedigo.  
 Wharton—Joseph Deadrick, an original appointment.  
 Wise—S. S. Morris, “ “  
 “ A. B. Marshall “ “

On motion of Mr. Potter, the nominations were made the order of the day for Tuesday next.

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TUESDAY, April 2, 1861.

The foregoing nominations were unanimously confirmed.

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THURSDAY, April 4, 1861.

A message was received from the Governor, transmitting the following communication:

EXECUTIVE OFFICE, }  
 AUSTIN, April 4, 1861. }

*To the Honorable Senate  
 Of the State of Texas:*

I respectfully submit the following appointments of Notaries Public, to which I respectfully ask your advice and consent.

EDWARD CLARK.

FOR THE COUNTY OF

Angelina—J. W. Guinn, an original appointment  
 “ W. W. Manning “ “  
 Blanco—James S. Abbott “ “  
 Cameron—S. E. Langdon, reappointed  
 Dallas—S. H. Fisher, vice Thomas Coats  
 “ John Wilson, vice George M. Baird  
 “ Hezekiah Lucas, an original appointment  
 El Paso—John D. Holliday, vice Bart J. DeWitt  
 “ John Spencer, vice Leonard Pierce



## FOR THE COUNTY OF

El Paso—Patrick Murphy, vice J J Thibault

Falls—J Bennett, vice R W Scott

“ James McDonald, an original appointment

Hardin—Joseph N Dark “ “

“ N B Bendy “ “

“ J P Jordan “ “

Harris—Benjamin E Roper, vice Thos. Parmer

Houston—James R Bracken, an original appointment.

•Nueces—Charles Lovenskiold

Travis—Ellison Saunders, vice M K Ryan

Trinity—Thomas J Samford, an original appointment

Washington—A J Sparks, vice Geo W Campbell

On motion of Mr. Potter, the foregoing nominations were laid on the table until the 5th instant.

EXECUTIVE OFFICE, }  
AUSTIN, April 4, 1861. }*To the Honorable Senate**Of the State of Texas:*

I respectfully submit to you the following appointments of Notaries Public, made by my predecessor, and which require your confirmation.

EDWARD CLARK.

## FOR THE COUNTY OF

Angelina—Jo Herrington, an original appointment

“ Joel Hill “ “

“ John Stovall “ “

Austin—Samuel A Shelbourn, reappointed

“ D A Parker, an original appointment

Bastrop—Elias J Jones, reappointed

“ John D Railey, vice C C McGinnis

“ Adam Thomas, vice Geo. P. Shaw

Bexar—R J Jones, vice G Schleicher

“ F J Hewitt, vice G H Nelson

Brazoria—J T Shannon, vice R F Clement

“ James S Rogers, vice E D Nash

Bandera—August Klappenbach, reappointed

Blanco—Edward Degener, an original appointment

Brown—S S Jackson “ “

Caldwell—Edward Baily, an original appointment

“ Wm Montgomery, vice B F Luce

Calhoun—Henry Beaumont, vice F Clegg

“ George R Finley, vice E Ker

Cameron—Wm Stalworth, vice Theo Delmas

## FOR THE COUNTY OF

- Cameron—Joseph R. Palmer, vice J Galvan  
 “ Edward S Tilghman, vice Jos Klicher  
 Chambers—James P Magee, vice Thos Palmer  
 “ James Armstrong, an original appointment  
 Cherokee—C F Jay, reappointed  
 “ T T Gammage, vice M H Bonner  
 “ Russell C Mitchell, vice V H Moody  
 Collin—D D Graham, vice Moses Jones, deceased  
 Colorado—Don F Payne, reappointed  
 “ John D Gillmore, vice M Naive  
 “ Stephen M Wells, vice J H Robson, deceased  
 Coryell—F W Fontleroy, vice J C Russell  
 “ John H Chrisman, vice W H Priddy  
 “ J M Perryman  
 Dallas—John Taylor, reappointed  
 Denton—Michael Maltzberger, vice P L Wado  
 “ A Robinson  
 DeWitt—John C Terrell, vice J H Johnson  
 El Paso—Joseph Nangle, vice Charles H. Morrett  
 Ellis—William J Stokes, vice Wm Peel  
 Fannin—Sylvanus Howell, vice Thos. Ragsdale  
 “ Samuel Day, vice A McClellan  
 “ Stanhope Cox  
 Fayette—Robert Zapp, vice U Gregory  
 “ U Gregory, vice W B Anderson  
 “ James C Gaither, reappointed  
 Freestone—Joseph Lynn, “  
 Galveston—W T Austin, vice Wm P Griffiths  
 Grayson—George W Newcome, vice J H Clark  
 “ John R Diamond, vice J G Reeves  
 Grimes—E D Bigler, vice John F Kennard  
 “ W C Sheppard, vice U F Case  
 “ Ben B Goodrich, jr  
 Guadalupe—S Wright, vice W P H Douglass  
 Harris—William Andus, reappointed  
 “ Aug't C Daws, “  
 Harrison—George L Hill, vice E Cater, deceased  
 “ C C Coppage, vice Wm R McAdams  
 “ Wm Woodson, vice Wm H Watson  
 Hill—John T Eubank, an original appointment  
 Hunt—John D McCaurant vice Jno E Wilson  
 “ John Landon vice Robert Hooker  
 “ Wm B Lane vice J G Stevens

## FOR THE COUNTY OF

- Jackson—J W Allen, an original appointment  
     " T F. Royster " "  
     " Wm M Varnell  
 Jack—W W O Stanfield  
 Jasper—John Frazer, reappointed  
 Jefferson—Otis M Gaffey, reappointed  
     " John W Blount vice C H Alexander  
 Johnson—S A Carpenter vice J C Barnes  
     " George W Hutchinson  
     " William C Magee  
 Kaufman—R H English vice J T Royal  
     " H B Shephard, an original appointment  
     " Jasper W Johnson vice C W Edgeworth  
 Kerr—Ernest Altgelt, an original appointment  
     " H M Burney  
     " C C Quinlan vice J D Buchanan  
 Lamar—Thomas H Skidmore vice J McCarty  
 La Vaca—H K Judd vice J J Bullord  
     " Marmaduke K Box, reappointed  
 Leon—Ephraim C Driskills  
 Liberty—John W Stephens vice H M Farrier  
     " P L Palmer vice C Bryan  
 Llano—G W Barber, an original appointment  
 McLennan—E A McKenney vice Richard Coke  
 Madison—J W Hackett, an original appointment  
 Marion—W P Saufly " "  
     " D Campbell " "  
     " William M Freeman " "  
 Matagorda—Albert Wadsworth  
 Medina—G H Noonan, reappointed  
     " B J Brice vice J W Van Slyck  
 Montgomery—Lem G Clepper  
     " Charles L S Jones vice L L Bradbury  
 Nacogdoches—M W Bush vice Wm R Anderson  
     " John R Clute vice Wm Castles  
     " W W Barrett vice Charles S Taylor  
 Navarro—L T Wheeler  
 Nueces—O H P Anderson vice Charles Lovenskiold  
 Panola—Henderson Fyke  
     " John M Vawter  
     " William C Lyons  
 Polk—Daniel L Jagers, an original appointment  
     " J W Moore vice H B Fontaine

## FOR THE COUNTY OF

- Polk—John Mann, an original appointment  
 “ R T Walker, vice Robert Hooker  
 “ Harper Copeland  
 Parker—John H Phelps vice R A Eddleman  
 “ John F Paschall vice John Francis  
 Palo Pinto—Sam A Oxford vice B F Walker  
 Red River—N C Gould vice Thos. J Crooks  
 “ Francis M Sims  
 “ John Beaty  
 “ Wiley W Giddens  
 Refugio: Alfred M Hobby vice C K Stribling  
 Robertson: J C C Brettett vice D H Stokes  
 “ D U Barziza vice P A Barziza  
 “ Isaac Lloyd vice J H Heeny  
 San Saba—George B Cooke  
 “ M A Wadsworth  
 Smith—Rufus R Collier, reappointed  
 “ Joseph L McKey, “  
 “ Samuel Pinkerton, an original appointment  
 “ Benjamin Branden “  
 “ D F Bancroft vice J W Chancey  
 Starr—Noah Cox  
 “ A M Sanders  
 “ John P Kelsey  
 “ John Vale  
 Titus—E G Rogers, reappointed  
 Travis—A B McGill vice Thos E Sneed  
 Tarrant—John W Oliver vice J W Smith  
 Victoria—J J Kendrick, an original appointment  
 “ John H McClanahan vice C L Thurmond  
 Washington—John Alexander vice T B Haynes\*  
 Williamson—Charles Babcock vice J C Caskey  
 Wilson—John Sutherland  
 Wood—J C Wright  
 “ A Baird  
 Wise—John M McCulloch vice J D Robinson  
 On motion of Mr. Potter, the nominations were laid on the table until the 5th instant.

FRIDAY, April 5, 1861.

The nominations contained in the first of the preceding lists  
 14-S

sent in on yesterday, were taken up, and unanimously confirmed.

The appointments made by Governor Houston, and sent in for confirmation by Governor Clark, were taken up.

On motion of Mr. Stockdale, the nomination of Henry Beaumont, for Calhoun county, and that of J. W. Allen, for Jackson county, were laid on the table.

On motion of Mr. Scarborough, the nomination of William Stalsworth, for Cameron county, was laid on the table.

On motion of Mr. Neal the nomination of O. H. P. Anderson, for Nueces county, was laid on the table.

On motion of Mr. Shepard, the nomination of John Alexander, for Washington county, was laid on the table.

The balance of the nominations were confirmed by a unanimous vote.

SATURDAY, April 6, 1861.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT, }  
AUSTIN, April 6, 1861. }

*To the Honorable Senate:*

I respectfully submit, for your advice and consent, the accompanying additional appointments of Notaries Public.

EDWARD CLARK.

For Blanco county: Seaman Field, an original appointment.

“ Washington county: G W Campbell, an original appointment

“ “ T B Haynes, reappointed

“ “ B F Rucker,

On motion of Mr. Shepard, the nominations were confirmed, unanimously.

MONDAY, April 8, 1861.

The following message was received from the Governor:

EXECUTIVE OFFICE, }  
AUSTIN, April 8, 1861. }

*The Honorable the Senate of Texas:*

I submit, for your consideration, the following appointments of Notaries Public:

For Clay county: H K Vallintine, an original appointment.

“ Leon, “ J J Bell

“ “ “ H M Cook

EDWARD CLARK.

The nominations were confirmed, by a unanimous vote.

# INDEX TO SENATE JOURNALS.

## A

Adjournment Resolution	153, 185, 200
Admiralty Court, Joint Resolution in relation to the establishment of an	146, 176, 182
Air Line Railroad Company, bill for relief of	542, 44, 53 60
Alamo Ditch, bill concerning	197, 201
Allen, R T P, memorial of	41
Anderson, William H, bill granting a pension to	115, 119, 120, 122, 135
Anderson county, bill to authorize the County Court of, to levy and collect a special tax	133, 141, 145
Apportionment of Representatives in the Congress of the Confederate States, bill making an	163, 167, 169, 171, 177, 181
Appropriation for the mileage and per diem of the members and officers of the extra session of the Eighth Legislature, bill making an	40, 41
Appropriation to pay for supplies furnished the troops now on the frontier, bill making an	48, 52, 89, 107
Appropriations for the protection of the frontier, and for paying for former expenditures, bill making	52
Appropriation to pay for mules furnished the military service of the State, bill making	116, 150
Appropriation for the mileage and per diem pay of the members and officers of the adjourned session of the Eighth Legislature, bill making an	163, 167, 169, 171, 172, 177, 181
Appropriation for the subsistence and transportation of supplies for the regiment ordered to be raised by an Ordinance of the Convention	178, 199, 200
Appropriation to supply deficiencies for the year 1861, bill making	199

Asylums for the Lunatic, Deaf and Dumb, and Blind, bill to establish certain regulations for the man- agement of	149, 168, 178, 181, 185, 196
Attorneys and Counselors-at-law, bill to amend the first section of an act of May 12, 1846, to regu- late the license and practice of, etc, 117, 119, 121,	132, 140
Austin City lots, bill to authorize the sale of the re- mainder of	170, 188

## B

Barvard George, petition of	48, 83, 95
Barklay, B F, Greenup Wm, and W C Trimble, peti- tion of	45, 53, 67
Baylor University, bill to prohibit the sale of intoxica- ting liquors within three miles of	197, 200
Bell and Milam counties, bill to define the lines of	139, 141, 145, 154, 166
Benge Ware, bill for relief of	112, 144, 173
Blanco and Kerr counties, petition of citizens of	48, 83, 95
Bogart, Hon. Sam, Resolutions on the death of	190, 191, 193
Brazos river, bill to extend the time for completing the improvement of the	151, 162, 173
Britton, Hon Forbes, resolutions on death of	114

## C

Capitol. joint resolution with regard to the roofing of the	62, 63, 74, 76
Cass county, petition of county court of	53
Clark, Charles, bill for relief of	38, 83, 95
Claims for money against the State, bill to allow the holders of to take lands in lieu thereof	49, 51, 54, 59, 63, 66, 74, 75, 84, 85
Columbus, San Antonio and Rio Grande Railroad Company, bill to amend an act entitled, an act to amend an act to incorporate	38, 42, 43, 47, 53, 60
Columbus Tap Railway Company, bill to amend an act to incorporate	114, 115, 118, 121, 183, 196
Columbus Lodge, No. 51, I O O F, bill to incorpo- rate	143, 144, 173, 183
Cockrill, Mrs. Sarah, petition of	123
Commissioners to a Convention of Southern States, to be held in the city of Montgomery, Alabama, in the month of February, joint resolution for the election of	37

Commissioner of the General Land Office, bill to regulate the duties of, and to define the duties of clerks and employees therein	73, 83, 90
Commissioner of the General Land Office, bill to amend an act to authorize the, to issue patents upon surveys heretofore made not in the form required by law	136, 166, 187, 196
Commissioner of the General Land Office, bill requiring the, to procure all papers, in this State, relating to land titles issued either by Spain or Mexico, and to have them filed in the General Land Office	152, 175
Commissioner of Boundary Survey, bill to authorize the, to draw the pay of clerk of said survey	154, 160, 187
Commission merchants, factors and others, bill prescribing the duties and obligations of	140, 161, 187
Commissioners to ascertain losses by Indian depredations, bill to pay	146
Comptroller, communication from, in relation to the finances	136
Common schools, bill to amend the ninth section of an act concerning	142
Convention of the People, joint resolution validating the acts of the, to be held in the city of Austin, on January 28, 1861, and providing for the pay of members thereof	37
Convention of the People of Texas, bill providing for the election of delegates to a general	37
Convention of the People, joint resolution concerning the	49, 50, 60
Convention, bill to fix the compensation of members and officers of the	84, 99, 111
Convention, bill to prescribe the pay and mileage of the members and officers of the, and to make an appropriation for the same	120, 122, 123
Convention, bill supplemental to an act making an appropriation to pay the expenses of	125, 132, 135
Convention of the People, bill providing means for the payment of certain debts created by authority of the late	143, 145, 156, 165, 197, 200
Convention, bill supplemental to an act supplemental to an act making an appropriation for the per diem pay of the members of the	149, 151, 152, 170, 193
Convention, bill to provide for printing the journals of	187



Convention of Border States, joint resolution to send delegates to the	41
County courts, bill to amend an act authorizing and requiring, to regulate roads, appoint overseers etc	112, 130, 135
County courts of the several counties, bill to authorize the, to transfer portions of the jury fund to the general county fund	118, 119, 121, 163, 166
County courts of Nacogdoches and other counties, bill to authorize the, to regulate the pay of sheriffs in certain cases	154, 164, 169, 178, 182, 185, 198
County surveyors, bill to repeal the joint resolution concerning, approved December 29, 1837	116, 122
Court of claims, bill to amend an act to reorganize the, and to extend the time for the presentation of claims for land	54, 83, 95
Crockett, memorial of citizens of the town of	113, 115, 121, 197, 199
Cummings, John A, bill for relief of	106

## D

Dallas bridge company, bill supplementary to, and amendatory of, an act to incorporate	113, 123
Davis Nathan, bill for relief of	124, 174
Descent and distribution of intestate estates, bill to amend the third section of an act to regulate the	77, 84, 87, 91, 107
Delegates now assembled in Convention, joint-resolution to provide for the payment of	61, 63, 67
Digest of the laws of Texas, bill to amend article 1116, page 260, of the	68, 72, 85
Dispatches to Washington city, bill for the payment of expenses of bearer of	40, 46, 52, 90, 99, 107
District court, bill to amend section 12 of an act concerning proceedings in	69, 71, 87, 96, 97, 103, 106, 108, 124, 173, 76
District court, bill further regulating proceedings in the	114, 115, 121, 132, 140
District Courts, bill to amend sections 71 and 92 of an act to regulate proceedings in	140, 142, 151, 152, 181, 196
District attorney for Smith county, bill authorizing the election of	124, 189
District Judges, bill concerning contested elections of	127, 135, 170, 174

Dulancy, P C, Senator from fourteenth district, took  
his seat 49

## E

Eastern Texas Railroad Company, bill concerning 49, 74, 85, 96  
Edwards, petition of citizens of county of 128, 130  
Edwards, bill to attach the county of to the county of  
Uvalde for Judicial and other purposes, 130, 136, 163, 166  
Electors of President and Vice President of the United  
States, bill to amend the act of March 15, 1848,  
relative to the election of 197, 198, 200  
Estates of deceased persons, bill regulating the settle-  
ment of 53, 73, 87  
Estrays, bill supplemental to an act to regu-  
late 54, 55, 59, 67, 74, 76  
Estrays, bill supplemental to an act supplemental to an  
act to regulate, approved February —  
1861, 113, 114, 117, 134, 136, 178, 193  
Eubanks, Wm, assignee of Simon Clements, bill for  
relief of 198, 199, 200  
Everett, Samuel, petition of 124, 161, 172  
Executions, bill supplemental to an act to reduce into  
one, and to amend the several acts concerning,  
passed January 27, 1842, 119, 121, 128, 140, 143, 146, 150

## F

Federal courts of the United States of America, in the  
State of Texas, bill to provide for the transfer of  
all the record books, papers and causes of, to the  
appropriate courts of the State 65  
Ferries, bill to amend an act to regulate 122, 169, 187  
Finney, Charles, bill for relief of 118  
Flanagan, James W and his associates, bill to author-  
ize, to construct a bridge across the Sabine river 113  
Forced sales, bill to postpone 96, 99, 104, 105, 112  
Forced sales, bill concerning 113  
Forced sales of property under execution, by sheriffs  
and other officers, bill to regulate 116, 121  
Forshey, C G, communication from 75  
Frontier, protection, bill making appropriation for, and  
for paying former expenditures for 52  
Frontier protection, bill to supply deficiencies in former  
appropriations for, and to provide for future ex-  
penses for 142, 144, 147, 170, 174

Frontier of Texas, bill to provide for the protection of	61, 62, 66, 70, 71
Frontier, joint resolution construing a part of the act for the protection of	62
Founderies in Texas, joint resolution concerning	187, 200
Funds in the Treasury, bill directing how certain shall be applied	48, 52, 54

## G.

Galveston Seminary, bill to incorporate	113, 115, 118, 121
Galveston Turner's Association, bill to incorporate	113, 115, 118, 121
Galveston and Houston Junction Railroad Company, bill to incorporate the	63, 75, 85, 139, 147, 170, 197, 200
Ganahl, Charles, bill for relief of	154, 163, 169, 175, 194
General Land Office, bill to reduce the expenditures on account of, and to regulate the fees and manner of conducting the same	151, 173
Geological survey of the State, joint resolution suspending the, and dispensing with the employees therein	60, 67, 69, 70, 197, 199, 200
Goliad and Victoria, bill to change the boundary line between the counties of	163, 174
Governor's message	6
Governor's message, transmitting resolutions adopted by the Legislature of Tennessee	57, 58, 59
Governor's message in relation to the finances	77, 90
Grimes, Jesse, resignation of the office of President <i>pro tem.</i> of the Senate	141
Grimes, Jesse, resolution complimenting	198
Guinn, Senator, elected President <i>pro tem.</i>	141

## H.

Hamilton, John R and wife, petition of	114, 131, 136
Harrison county, memorial of citizens of	67
Haynie, Swisher and Doyle, bill appropriating the sum of \$2,500 for the payment of	73, 83, 99, 103, 108
Hays county, bill requiring public sales in, to be made on the square in the town of San Marcos,	176, 183, 196
Hidalgo county, bill to change the name of the county seat of	64, 67, 85, 96
Hollingsworth, S P, bill to refund to, money advanced by him for the State and for services rendered	129, 134, 176, 180, 188

Homestead, not in a town or city, bill to define the	114, 131, 135
Hopkins county, bill to define the boundary	
of	134, 138, 149, 173
Houston and Texas Central Railroad Company, bill	
for relief of	5, 42, 44, 47, 53, 57, 60, 61, 65, 68, 69, 76
Houston and Texas Central Railroad Company, joint	
resolution authorizing the Governor to appoint	
commissioners to examine into the affairs of	
the	178, 180, 183, 196
Houston, Trinity and Tyler Railroad Company, bill	
supplementary to an act to incorpo-	
rate	38, 42, 43, 47, 53, 57, 63
Houston Tap and Brazoria Railroad Company, bill for	
relief of	43, 47, 53, 60
Houston Cotton Press Company, bill to incorpo-	
rate	174, 185, 196

## I

Insurance companies, and agencies not chartered in	
this State, bill requiring, to take out license and	
to secure the risks taken by them	118, 189
Instruments of record, bill prescribing the manner of	
authenticating	154, 164, 170, 193
Interest arising on loans to Railroad Companies, bill	
authorizing the Governor to extend the time of	
payment of	170, 174, 183,

## J

Jones, Wu H, administrator of Lorenzo de Zavalla,	
memorial of	5
James Martin, bill for relief of	112, 145, 153
James Simon, petition of	113
Judgments from becoming dormant, bill to repeal sec-	
tions 2, 3 and 4, of an act to prevent, and to pre-	
serve judgment liens	69
Judicial District, Twentieth, bill to give additional time	
for holding the courts in, and to change the time of	
holding courts in certain counties in said	
district	5, 39, 46, 47, 51
Judicial District, Nineteenth, bill to define the time of	
holding courts in	38, 42, 63
Judicial District, Seventeenth, bill to define the time	
of holding courts in	51, 59, 64, 65, 72, 85, 107
Judicial District, Eighteenth, bill to reorganize and	
regulate the time of holding courts therein	52, 60

Judicial District, Ninth, bill changing the time of holding courts in	54, 59, 60, 61	112
Judicial District, Eighth and Twentieth, bill to reorganize the, and to define the times of holding the courts	69, 72, 99, 107	
Judicial District, Twenty-first, bill to create	127, 189	
Judicial District, Seventh, bill to fix the time of holding the courts in	133, 134, 140, 143	
Judicial District, Fifteenth, bill to amend the second section of an act to reorganize the, and regulate the time of holding courts therein	133, 134, 140, 146	
Jurors, selection of, bill to amend article 1049, section 4, of the law relating to	53, 151, 175	
Juries, bill to amend sections 4, 6, 7, 8, and 10, of an act passed February 13, 1858, entitled an act amendatory of an act regulating, approved May 4, 1840		185
Justice's Courts, bill to amend an act to organize, and define the powers and jurisdiction of the same	71, 86, 95, 96, 107	
Justice's Courts, bill to amend an act to amend an act to organize, and define the powers and jurisdiction of the same, approved February 7, 1861	179, 199, 201	

## K

Kansas Affairs, Joint Resolution, repealing the Joint Resolution in response to the Governor's message on, approved February 17, 1858	6, 41
Kaufman, bill supplementary to, and amendatory of, an act to create the county of	154, 164, 169, 173, 194
Kiuney, M M, memorial of	64

## L

Lands ceded to the United States for Indian purposes, by act of the Legislature, approved February 6, 1854, bill to provide for the sale of	39, 83, 98, 118, 142, 161, 167
Lands, bill reserving from sale or location, certain	96, 98, 112
Laux, Jacob, bill legalizing the colony certificate of	126, 199, 200
La Vaca Wharf Company bill to incorporate	41, 49, 54, 60, 76, 90
Lea, Pryor, memorial of, concerning extradition	143, 144, 188
Legal process after judgment, bill to suspend	154

Linney, Charles and James Adams, bill for relief of	161, 188
Loan, bill authorizing a, and imposing a specific tax to meet the principal and interest, and specifying how the money shall be appropriated	147, 156, 157, 158, 165, 175, 193
Long, Samuel J W, and others, petition of, praying relief from forced sales	111
Lunatic Asylum, Report of Superintendent of	55
Lyon, Henry, petition of	53, 73, 85

## M

McGehee, Thomas G, petition of	120
McKinney and East Fork Bridge Company, bill to incorporate	127
McMullen county, bill to define the boundaries of	170, 195
Manufactories in Texas, bill to encourage the establishment of	96, 116, 147, 154, 155, 156, 164, 175, 194
Maritime and admiralty jurisdiction, bill conferring, in the district courts of the State	61
Marion, Cass and Titus, bill for running the county lines between the counties of,	65, 113, 116, 154, 166
Marshall, John, bill to pay for certain services	103, 106, 128, 132, 140
Marshall, John, joint resolution to pay, \$2,500 00 for printing Appendix to Gazette,	107
Mattock, W R., and others, memorial of, praying for arms and equipments,	111
McHenry, William and others, memorial of praying a donation of a site for divine worship,	111, 133
Memphis, El Paso and Pacific Railroad Company, bill amendatory of, and supplemental to an act to incorporate,	99, 100, 102, 104, 106, 107, 108
Miller, Hon S A., took his seat,	3, 5, 6
Militia of the State of Texas, bill supplementary to an act to provide for the organization of,	61
Militia of the State of Texas, bill to repeal an act to provide for the organization of,	73
Minute men, bill to appropriate money, to pay for services on the frontier,	99, 100, 103
Money due by the United States, to the State of Texas, bill in relation to the procurement of,	5, 42
Montgomery county, memorial and proceedings of citizens of,	5, 51
Morris, George W., petition of,	128, 138, 149

- Mount Pleasant, in Titus county, bill to incorporate the town of, 64, 189  
 Mudgett, Myram, Daniel Kitchings, A. L. Spencer and E. G. Cantwell, bill supplemental to an act for the relief of, 64, 73, 85, 91, 107

## N

- Navarro, Angel, bill for relief of, 96, 100, 101, 103, 107  
 Neal, Hon B F., Senator from 19th District took his seat, 110, 112  
 Nueces, San Patricio and Bee counties, petition of citizens of, 49, 52

## O

- Officers of State, and Clerks, bill to regulate the salaries of certain, and to reduce the number of clerkships in the Comptroller's office, and to arrange the same, and to abolish the allowance for contingent fund, 151, 168  
 171, 172, 197, 200  
 Ordinance of Secession, bill to provide for submitting to a vote of the people the, 63, 67, 74, 103, 105, 106, 109  
 Ordinance of secession, bill supplemental to an act to provide for submitting to a vote of the people, the, 103, 105, 106, 109  
 Ordinances of the Convention, joint resolution recognizing as the organic law, the, 198  
 Ordinance of the Convention in relation to Custom House Officers and Customs revenue, 142, 144, 153

## P

- Panola county, petition of citizens of, 117  
 Parker, Cynthia Ann, bill granting a pension to, 132, 144, 176  
 194  
 Parker, Cynthia Ann, and her daughter To-Kusan Parker, bill donating land to, 132, 144, 177, 183, 196  
 Paschal, Senator, resignation of, 137  
 Patents from being issued until the patent fees and all law dues are paid, bill to prevent, 127, 131, 136  
 Penal Code, bill to amend the 7th chapter of the, 179  
 Plaster, Capt Thomas P., joint resolution authorizing the payment of the salary of the late, to D. C. Dickson, 153, 164, 174  
 Plaster, Thomas P., resolutions on death of, 133

Pilots, bill supplemental to an act providing for the appointment of,	103, 105, 109
Police regulations in respect to slaves, bill prescribing,	65, 76 131, 135
Port Sullivan Railroad Company, bill to incorporate,	62, 68, 74
Pre-emption field notes, bill to extend the time for the return of,	65, 73, 76, 85, 96
Pre-emption privileges, bill granting to certain persons therein named,	132, 194
Presidential electors, bill making an appropriation for mileage and per diem pay of,	42, 43
Prima facie evidence in certain cases in suits brought by the State, bill providing what shall be sufficient,	40, 41, 47 69, 76
Pridgeon, H McBride, petition of,	114

## R

Railroads in Texas, bill for relief of,	42, 44, 47
Railroads, bill to modify the provisions of an act of 30th January, 1854, granting lands to,	134
Railroad Companies, bill to amend the 10th section of an act supplementary to an act to regulate approved February 7th, 1853, &c.,	69, 71, 75, 90
Railroad Companies, bill to authorize the Governor to grant relief to certain,	171
Railroad Certificates, bill to extend time for the survey of,	90, 96, 107
Revenue Cutter Dodge, joint resolution in relation to,	146, 147, 151 153, 156
Revenue by taxation, bill to amend the act amendatory of the laws to raise, approved February 16th, 1858,	153, 164, 169, 177, 201
Rice, William, petition of,	120, 138, 149

## RESOLUTIONS OF THE SENATE.

Resolution by Mr. Potter, in relation to the duties of Enrolling clerk,	5
Resolution by Mr. Potter, in relation to an increase in taxation,	64
Resolution by Mr. Lott, instructing the committee on the Judiciary to enquire into the expediency of passing a stay law,	5
Resolution by Mr. Erath, that the committee on Indian Affairs act jointly with any committee appointed by the House for the protection of the frontier,	37



- Resolution by Mr. Erath, that the Finance committee enquire what amount of funds may be used from unexpended appropriations on deposits in the Treasury, &c., &c. 46, 48
- Resolution by Mr. Erath, that the committee on apportionment prepare and report a bill to apportion the State for Representation in Congress of the Confederate States. 127, 128, 129
- Resolution by Mr. Whaley, that the committee on the Militia enquire into, and report where in the Militia law is defective, and what amount of money will be required for the purchase of arms, &c., &c. 28, 80
- Resolution by Mr. Throckmorton, that 2500 copies of the Governor's message and accompanying documents, be printed for the use of the Senate, 39
- Resolution by Mr. Throckmorton, that the committee on Public Buildings enquire into the contract made for roofing the Capitol, &c., &c. 39, 62
- Resolution by Mr. Throckmorton, that a joint committee of three from the Senate and five from the House, be raised for the purpose of examining into the propriety of reducing the expenditures of the State Government, 119, 125, 160, 189
- Resolution by Mr. Parsons, that the committee on printing contract for ten copies of each weekly issue of the State Gazette and Intelligencer for each Senator, 39
- Resolution by Mr. Miller, that the committee on printing contract for twenty copies of the weekly issue of the State Gazette for each Senator, 40
- Resolution by Mr. Miller, that the Judiciary committee enquire into the expediency of so amending the laws as to provide the service of all citizens, and process in civil cases by leaving copies at the residence of the defendant. 125
- Resolution by Mr. Guinn, that the Judiciary committee enquire into the expediency of amending the Penal Code relative to tampering, by white, men with slaves, &c., &c. 40
- Resolution by Mr. Guinn, that the Senate will not entertain any business of a private or local nature at the present session, 51
- Resolution by Mr. Blanch, that the committee on Finance enquire into the expediency of revising the tax law, &c. 41

Resolution by Mr. Blanch, that the committee on State Affairs enquire into the expediency of changing the existing law regulating the appointment of Physician of Lunatic Asylum, Superintendent of Deaf and Dumb Asylum, and of State Geologist,	46
Resolution by Mr. Blanch, in relation to the oath to be taken by the members and officers of the Senate,	110
Resolution by Mr. Guinn, that Hon E B Scarborough and other Senators be allowed pay from the first day of the session, &c.	102
Resolution by Mr Quinan, that a committee of five from the Senate and seven from the House be appointed to enquire and report whether any, and what measures are necessary in the present state of our Federal relations for the security of the school fund invested in United States Bonds,	47
Resolution by Mr. Quinan, relative to adjournment,	83
Resolution by Mr. Quinan, that the Comptroller furnish a statement of the condition of the Treasury &c.,	127, 137
Resolution by Mr. Walker, in relation to the propriety of passing a law to authorize the issuance of a duplicate for any land certificate, scrip or other evidence of title to land, that may be lost when any part owner of the same may apply,	60, 72, 86
Resolution by Mr. Walker, that the committee on Finance take into consideration the propriety of reducing the number of officers, and also the salaries and fees of the officers of the State,	116
Resolution by Mr. Walker, that a joint committee be appointed to enquire into the manner of conducting the affairs and expenditures of certain offices and Institutions,	131, 132
Resolution by Mr. Walker, relative to the refusal of the Legislature to legislate on private business,	139
Resolution by Mr. Hyde, that the Secretary of the Senate be allowed ten days to file the papers and index the Journal of the Senate,	107
Resolution by Mr. Hyde, that Senator Pitts and all other Senators be allowed pay from the commencement of the session,	201

- Resolution by Mr. Fall, that the committee on the Land Office enquire into the necessity of having all documents relating to lands or land titles that are now at different points in the State, removed to, and deposited in the General Land Office, 116
- Resolution by Mr. Fall, that the Judiciary committee enquire into the expediency of passing a law to punish slaves for selling or giving spirituous liquors to slaves or other persons, 153
- Resolution by Mr. Chambers, that the committee on Public Lands take into consideration, the propriety of placing in market the alternate sections of land reserved by the State out of the lands surveyed by Railroad Companies, 129, 133, 139
- Resolution by Mr. Stockdale, in relation to the printing of the Constitution of the State as amended together with the ordinances of the Convention, &c, 139

## S

- Sabine and Rio Grande Railroad Company, bill supplementary to an act to incorporate, 84
- Sampson & Henricks, assignees of W. R. S. Rondeau, bill for relief of, 132, 138
- San Antonio and Mexican Gulf Railroad Company, bill supplemental to and amendatory of an act to incorporate the, approved September 5th 1850, and supplemental to and amendatory of the above recited act, 42, 44, 47, 53
- Saunders, J. H., bill to enable the guardian of Webster J. Saunders, to remove the property of his ward from the State, 134, 142, 149, 199, 201
- School Fund, bill providing for the sale of a portion of the bonds constituting the special, 65, 85, 95, 102, 111
- School Fund derivable from taxation under the provisions of the Constitution, bill in relation to, 124, 129, 130, 132, 135, 176, 181
- School Fund, bill supplementary to, and amendatory of an act to amend the 4th section of an act to provide for the investment of special, in bonds of Railroad Companies incorporated by the State, passed August 13, 1856, approved February 22, 1868, 151, 162

School Fund, bill supplementary to the act to provide for the investment of the special, in the bonds of Railroad Companies incorporated by the State, passed August 13, 1856,	151, 188
Settlers, bill granting land to actual,	73, 75, 86, 91, 95, 100
Sherman Odd Fellows Female Institute, bill to incorporate,	116, 126
Slaves, bill preventing the emancipation of,	77, 84, 124, 129
Slaves, bill providing for the disposition of runaway,	148, 160
	187, 200
Southern Pacific Railroad Company, bill for the relief of,	64, 68, 71, 85, 96
Southern Cotton Press and Manufacturing Company, bill to amend the 2nd and 3rd sections of an act to incorporate the,	112, 115, 121
Spalding, R. W., petition of,	39, 83, 95
Star State Telegraph Company, bill to incorporate the	182, 184, 197, 199
State Bonds, bill authorize the issuance and sale of, in case of invasion of the State or necessity for frontier protection,	89, 90
Supreme Court, bill to require the Judges of, to decide causes in the order in which they are argued and at the term at which they are argued,	85, 91, 96

## T

Tarrant County, petition of citizens of, in reference to a change of venue in certain cases,	111, 153
Taxes, bill to amend an act to amend the 4th, 7th, 8th, 15th, 18th and 34th sections of an act to provide for the assessment and collection of,	88, 89, 111, 154, 164
	169, 171, 174, 179, 180, 183, 197
Terrell, E. S., petition of,	48, 83, 95
Texas and New Orleans Railroad Company, bill for the relief of,	62, 68, 70, 76, 90
Texas and New Orleans Railroad, joint resolution concerning,	96, 100, 100
Texas Baptist University, bill to incorporate the,	124, 125, 126
	183, 196
Texas and Arizona Mining and Transportation Company, bill to incorporate the,	165, 178, 183
Thomas, Rev. W., elected Chaplain,	4
Titus County, petition of citizens of,	69, 123
Titus County, petition of citizens of, in reference to the jury fund of said county,	113, 117

Treasury Warrants, bill authorizing, to be received in payment of certain dues,	85, 88, 90, 107
Treasury Warrants, receivable for taxes and all government dues, bill authorizing the issuance of,	89, 95, 104, 106
Treasury Warrants issued to William Fitzhugh, bill to provide for the redemption of,	163, 183, 193
Trimble, William C., and others, petition of,	45, 53, 67
Trinity Valley Railroad Company, bill for relief of,	85, 87, 96
Tucker, Milton T., petition of,	113
Twiggs, Brigadier General David E., joint resolution concerning,	176, 180, 194
Tyler County, petition of citizens of, for the relief of the Sheriff of said county,	146, 160, 187

## U

Uvalde Irrigation Company, bill to incorporate the	61, 67, 74 80, 103, 109
United States indemnity bonds, joint resolution authorizing the Comptroller to sell \$150,000 of,	83, 95, 101, 112
United States District Court, joint resolution concerning the records of the late,	140, 142, 149, 150, 188
University lands, bill to appropriate the money arising from the, for the purchase of supplies and ammunition for the troops on the frontier,	38, 52
University lands, bill directing how the proceeds of the sale of the, shall be applied,	42
Urguhart, Allen and Albert Johnson, memorial of, in reference to the certificates of the Buffalo Bayou, Brazos and Colorado Railroad Company,	111, 133, 139

## V

Venue in the case of the State vs. A. G. Walker, bill providing for a change of,	162, 183, 196
Volunteers, bill to organize three regiments of,	83, 100, 112

## W

Waller, Hiram B., bill requiring the Board of Auditors of debts incurred by authority of the Convention, to audit the claims of,	140, 141, 149
Washington county, memorial of citizens of,	5
Washington county Railroad, bill extending the time for the completion of,	77, 84, 96

Wichita, Wilbarger, Hardeman and Greer, bill to attach to the county of Clay, the counties of, so as to form one land district,	115, 129, 131, 135, 155, 166
Williams, Capt. John, bill providing for the settlement of the claims of minute men who served during the years 1858 and 1859 under,	102, 124, 129, 142, 143
Wilson county, bill to attach, to the 18th Judicial District, and to amend an act to provide for hold- ing courts in said District,	41, 74
Wilson, Rev. James C., resolution on death of,	120
Wood county, petition of citizens of,	117, 119