

Twelfth amendment: Strike out all of section twenty-two.

Thirteenth amendment: In section twenty-eight, strike out all after the word "precinct," in third line.

Fourteenth amendment: In section thirty, in third line from bottom, after the word "conviction," strike out the remainder of the section, and insert "be punished as provided by law." And in third and fourth lines from bottom, same section, the word "misdemeanors" be stricken out, and the word "felonies" be inserted in lieu thereof.

Fifteenth amendment: In section thirty-one, in fifth line from bottom, strike out all after the word "felony," and insert "and shall be punishable as directed by law."

Sixteenth amendment: In section thirty-three, in thirteenth line after the word "poll," strike out all to the word "be," in the sixteenth line."

Seventeenth amendment: Strike out all of section thirty-five.

Eighteenth amendment: Strike out all of section thirty-seven.

Nineteenth amendment: In section forty-one, in third line, strike out all before the words "the mayor."

Twentieth amendment: In section forty-five insert the following as a substitute for the section: Sec. 45. That it shall be the duty of the county or police courts of the several counties to furnish the judges of elections with the necessary blanks and instructions for holding the county, district and State elections in their several counties, and for charter elections the same shall be furnished the board of aldermen of incorporated towns or cities.

Twenty-first amendment: Strike out all of section forty-six.

Twenty-second amendment: In section forty-seven, in third line from the bottom, after the words "be punished," strike out and insert "as provided by law."

Twenty-third amendment: Strike out sections 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58 and 59.

Minority report:

COMMITTEE ROOM,
Austin, August 9, 1870

Hon. DON CAMPBELL,

President of the Senate:

SIR: The undersigned member of the select committee, to whom was referred House bill No. 381, has had the same under careful consideration, and begs leave to most respectfully dissent from the opinion of the majority of the committee, and to recommend the passage of the bill without amendments.

P. W. HALL.

Reports laid over under the rules.

On motion of Senator Hall rules suspended to take up an act, Senate bill No. 343, "To incorporate the Bank of Discount and Deposit at Calvert."

Rules suspended, bill read second time; rules further suspended, bill read third time and passed by the following vote:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Latimer, Mills, Pickett, Priest, Pyle, Rawson, Ruby, Shannon—22.

Nays—None.

On motion of Senator Hertzberg the rules were suspended to take up House bill No. 392 "An Act to incorporate the city of San Antonio."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time and passed by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Clark, Cole, Douglas, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pickett, Priest, Pridgen, Rawson, Ruby Shannon—20.

Nays—Alford.

Sent to the House.

Senator Ruby offered the following resolution:

Resolved, That the Committee on Internal Improvements be and are hereby requested to report back to the Senate their action upon Senate bill No. —, "Incorporating the Galveston, Austin and Pacific Railroad Company."

Adopted.

Report of Committee on Internal Improvements:

COMMITTEE ROOM,
Austin, August 8, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: The Committee on Internal Improvements to whom was referred Senate bill No. 280 entitled "An Act to aid in the construction of the Southern Trans-Continental Railroad," have considered the same. Accompanying this report are several amendments proposed by the committee. The amendments will modify, to some extent, the details of the measure, and, we think, more securely guard the interests of the State. The committee have previously reported a bill recommending like assistance by the State to the Southern Pacific Railroad. This bill and the one just referred to propose that the State shall guarantee the interest on the bonds of the two companies to the amount of \$25,000 per mile on about seven hundred miles of road, or about three hundred and fifty miles to

each company. That is on the Southern Pacific from Hallville west to the twenty-third degree west longitude, and in the Trans-Continental, from Jefferson to Texarkana and thence west to the same degree of longitude.

The committee believe that every necessary safeguard, to secure the State from risk or loss, has been incorporated in the bill. No bonds can issue and receive the State's guarantee of interest until twenty miles of road have been completed and ready for the use of the public, and been inspected and properly certified to the Governor by some person authorized by him to examine and report upon the same. The interest on the bonds of the company has to be met by the company six months in advance by payment of the money into the State Treasury, or by the deposit of such an amount of United States securities in the State Treasury as the Governor may deem sufficient to meet the demand. In case of default, in any particular, the Governor has the power to seize the road and operate the same until the interest due, and expenses incurred, are paid.

When the road is completed to the twenty-third degree of longitude west from Washington, two per cent. of the gross earnings of the road are to be paid into the treasury of the State, and be applied as a sinking fund for the redemption of the company's bonds.

In view of the fact that it is now almost certain that Congress intends to aid in the construction of a railroad through Texas to the Pacific Ocean, and as it is apparent that Texas can, by liberality and harmony, concentrate the vast commercial interests of the railway lines converging at Cairo, Memphis and Vicksburg, upon one common centre and on one main trunk line in Texas, and appreciating the vast importance to Texas of securing this great commercial highway, connecting the oceans, and over which must pass a very large proportion of the wealth and travel of this continent, of Europe, and the old world; and believing the construction of such grand trunk line through Texas would insure tapping lines from every part on our own gulf coast, and that our people, without exception, are heartily in favor of the most liberal policy to secure an end so desirable, the committee ask the adoption of the amendments and the passage of the bill.

W. A. SAYLOR,

Chairman.

First amendment: In section one, third line, between the words "bonds" and "payable," insert "in sums of one thousand dollars each." In fifth line of first section between the words "shall" and "be," insert "be denominated its first mortgage bonds and." In same section, seventh line, between the words "Texas" and "signed," insert "and his successors in office as trustee, and be."

In ninth line of same section after the words "Comptroller of," and before the word "the," insert "public accounts of." After the word "expressed," the last word of section, add the following: "in trust for the purpose of securing the payment of said bonds."

In section two, ninth line, strike out the words "to the extent of thirty, and insert "not to exceed twenty-five." At the end of section two add "provided, nothing in this act shall be so construed as to make the State liable for the principal of said bonds."

In section three, first line, strike out the words "thirty days," and insert "six months."

In third section and third line, after the word "when," and before the word "said," insert "one hundred miles of;" and in fourth line of same section, between the words "year" and "to," insert the word "thereafter."

In same section, eleventh line, strike out the word "run," and insert "operated;" and end of same section add the words, "and to pay all expenses incurred by said default."

In section five, fourth line, strike out the words "for five," and insert the word "until." At the end of same section add, after the last word "completion," the words "to the twenty-third degree from Washington."

Add additional section :

SEC. 8. That the mortgage authorized by the first section of this act shall specify the particular parts of said road by sections, which it is intended to be included in the same, and the number of bonds to be issued, which section so included, and the number of bonds to be issued and secured by said mortgage, shall never exceed twenty-five thousand dollars per mile upon any section of said road.

Add the following as

SEC. 9. That instead of a deposit of the money to pay the interest as provided by the third section of this act, the company may place in the Treasury of the State, from time to time, such an amount of United States securities as the Governor may deem necessary to provide for the accruing interest on the bonds guaranteed by the State, and upon default of the company to promptly meet its interest, the Governor shall direct the sale of the bonds so deposited, or a sufficient amount thereof, to meet the interest due. And in the event that the State should at any time become liable, and pay the interest on any of the bonds guaranteed by the State, it shall be the duty of the Comptroller of Public Accounts to direct the assessment and collection of taxes sufficient to meet the same.

Reports of Committee on Internal Improvements :

COMMITTEE ROOM,
Austin, August 6, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Internal Improvements, to whom was referred Senate bill No. 157, entitled "An Act to incorporate the Colorado Railroad Company," also Senate bill No. 156, "An Act to incorporate the Texas Mining Company," also Senate bill No. 217, "An Act to incorporate the Houston, San Jacinto Canal and Navigation Company," respectfully report they have had the same under consideration, and recommend that they do pass.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

Report of Committee on Engrossed Bills:

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 332, "Authorizing the county courts to sell the school lands situated in their respective counties," and Senate bill No. 146, "Prescribing the powers and duties of clerks of district courts," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL

On motion of Senator Mills the rules were suspended to take up Senate bill No. 317, "An Act making an appropriation for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiency incurred in the support of the State government for the fiscal year ending August 31, 1870."

Bill read second time.

[Senator Ruby in the Chair.]

Senator Alford offered to amend by striking out the "appropriation of \$35,000 for district attorneys."

Lost.

Senator Bowers offered the following amendment: amend by adding the words, "for pay of pension claims for first half of year 1865, \$1037 50.

Adopted.

Senator Mills offered the following amendment:

For salary of Assistant Attorney General.....\$3,000
 For two clerks Attorney General's office..... 3,600

Adopted.

Senator Pickett offered the following amendment: section one, line two, after the word "sums," insert, "or so much thereof as may be necessary."

Adopted.

Senator Bowers offered the following amendment: strike out all of line seven, section one, and insert "for previous years."

Adopted.

[The President in the Chair.]

Senator Mills offered the following: Under the head of "State Department," amend by striking out "clerk," line two, and adding "two clerks," and striking out in same line "1500," and inserting "3000;" also strike out all of line three.

Adopted.

Senator Saylor offered the following amendment: Amend page thirteen, under "Adjutant General's Office," after line four:

ENGINEER'S OFFICE.

For salary of State Engineer.....\$2,000
 For expenses of same..... 2,000

Lost.

On motion of Senator Mills passed to engrossment.

Rules suspended, bill passed to third reading; read third time and passed.

Yeas---Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Saylor, Shannon---22.

Nays---None.

Absent---Flanagan, Fountain, Pridgen---3.

Not voting---Broughton, Douglas, Evans, Latimer---4.

By leave, Senator Broughton introduced "An Act to organize and incorporate the East Line and Red River Railroad Company of Texas."

Read first time and referred to Committee on Internal Improvements.

Senator Baker moved to reconsider the vote of yesterday (evening session) on House bill No. 315, "An Act to incorporate the town of Round Top."

Yeas and nays taken on the motion to reconsider:

Yeas---Mr. President, Baker, Bell, Bowers, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor---17.

Nays--Alford, Broughton, Cole, Douglas, Evans, Latimer, Pickett, Shannon--8.

Absent--Clark, Dohoney, Flanagan, Fountain--4.

On motion of Senator Baker the bill was referred to a committee of three.

The Chair appointed Messrs. Baker, Cole and Alford.

By leave Senator Pyle introduced "An Act for the relief of the Texas and New Orleans Railroad Company."

Read first time and referred to Committee on Internal Improvements.

Special order, House bill No. 454, "An Act to provide for the appointment of public weighers."

Read second time.

On motion of Senator Alford, made special order for to-morrow at 10:30 A. M. One hundred copies ordered to be printed.

Special order, Senate bill No. 273, "An Act to provide for the sale of the Houston Tap and Brazoria Railway."

Bill read second time.

Senator Mills moved to postpone to Friday next.

Lost.

Senator Ruby moved to fill the blank in section three with \$50,000.

Adopted.

Senator Cole moved to make the bill the special order for to-morrow, 10 A. M.

Lost.

Senator Douglas offered the following amendment:

Amend section three: add, "Provided that the Governor of the State shall be authorized to purchase said railway, if in his discretion he may deem it necessary to protect the interest of the State, provided the Governor shall not bid more for said road than the indebtedness of the company to the school fund and interest thereon."

Adopted.

Rules suspended; bill read third time and passed by the following vote:

Yeas--Mr. President, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Ford, Gaines, Hall, Hertzberg, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon--24.

Nays--Alford, Evans, Mills--3.

Absent--Flanagan, Fountain--2.

Message from the House informing the Senate that the Speaker had signed in open session the following bills:

Enrolled bill No. 486, "An Act to authorize the Police Courts

of counties to levy and collect a special tax for the repair of public buildings."

Enrolled bill No. 172, "An Act to amend an act to incorporate Herman's University, approved January 27th, 1844, as amended by an act passed April 11th, 1846."

Enrolled bill No. 487, "An Act to repeal an act to prevent the sale of intoxicating drinks within the limits of the league of land, in Fayette county, granted to Franklin Lewis, on which the town of Rutersville is situated."

Enrolled bill No. 260, "An Act to incorporate the town of Gatesville, Coryell county, Texas," signed by the President and returned to the House.

Report of Committee on Enrolled Bills :

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Enrolled Bills have examined, and find correctly enrolled Senate bill No. 106, entitled "An Act to authorize the consolidation of the Indianola Railroad Company with the San Antonio and Mexican Gulf Railroad Company, under the name and style of "The Gulf, Western Texas and Pacific Railway Company," and Senate bill No. 272, entitled "An Act to incorporate the North Texas Manufacturing Company," and Senate bill No. 252, entitled "An Act for the relief of Mrs. A. K. Foster, widow of Senator A. K. Foster, deceased," and to-day at 11 o'clock, A. M., presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

[Senator Ruby in the Chair.]

By leave, Senator Clark introduced "An Act to prevent the obstruction of navigable streams."

Read first time and referred to the Committee on Internal Improvements.

Message from the House, informing the Senate that the House had passed Senate bill No. 2, "An Act to incorporate the Jefferson and Shreveport Railroad Company; to provide the ways and means for constructing and maintaining their road; and to authorize the sale of said road, and the acquisition by the company of other road or roads," with the following amendment:

Amend section three by inserting in the blank, after the words "to consist of," the words "five or more."

Special order: House bill No. 478, "An Act to provide for a system of public free schools for the State of Texas."

Read third time.

Senator Pickett moved to amend section three, line ten, by inserting after the word "exceeding" the words "one-tenth of."

Senator Mills offered an amendment to the amendment by inserting "one-half of one per cent." instead of "one-tenth."

Yeas—Mr. President, Alford, Bell, Ford, Hertzberg, Mills, Priest, Rawson, Ruby, Saylor, Shannon—11.

Nays—Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Gaines, Hall, Latimer, Parsons, Pickett, Pettit, Pyle—15.

Absent—Flanagan, Fountain, Pridgen—3.

Lost.

The question recurring upon the adoption of the amendment offered by Senator Pickett, the yeas and nays were demanded and resulted as follows:

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pyle, Shannon—12.

Nays—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Lost.

The yeas and nays were demanded on the final passage, and resulted as follows:

Yeas—Mr. President, Alford, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—15.

Nays—Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pyle, Shannon—11.

Bill passed.

On motion of Senator Dohoney the Senate adjourned until 8 P. M. Tuesday, August 9, 1870.

EVENING SESSION.

Senate met pursuant to adjournment. President Don Campbell presiding. Roll called; quorum present.

The Secretary carried to the House Senate bills Nos. 260, 273, 35, 164, 171, 174, 239, 264, 274, 304, 344.

On motion of Senator Pickett the rules were suspended to take up House bill No. 394, "An Act to incorporate Salter's Commercial and Library College."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Broughton, Clark, Cole, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Rawson, Ruby, Shannon—21.

Nays—None.

Bill passed and sent to the House.

On motion of Senator Flanagan the Senate concurred in the following House amendments:

Amend section three, after the words "to consist of," fill the blank by adding "five or more."

Senate bill No. 262, "An Act to change the present boundaries of Brazos and Burleson counties."

On motion of Senator Flanagan the Senate concurred in the following House amendment:

Amend by striking out in second section, fifth and sixth lines, the words, "the town of Lexington," and inserting instead the words, "the place receiving the majority of the votes cast at said election, as the county seat."

On motion of Senator Pickett the rules were suspended to take up Senate bill No. 107, "An Act to incorporate the Pine Island Bayou Bridge Company."

Bill read second time; rules further suspended and bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Baker, Bowers, Clark, Cole, Douglas, Evans, Flanagan, Gaines, Hertzberg, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Rawson, Ruby—20.

Nays—None.

Absent—Bell, Broughton, Dohoney, Ford, Fountain, Hall, Pyle, Saylor, Shannon—9.

Bill passed.

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined and compared Senate bill No. 273, "To provide for the sale of the Houston Tap and Brazoria Railway;" also Senate bill No. 164, "To incorporate the Navasota Insurance Company;" also Senate bill No. 239, "To incorporate the Bank of Sabine Pass;" also Senate bill No. 171, "To incorporate the Houston Hebrew Benevolent So-

ciety;" also Senate bill No. 264, "For the relief of the heirs of Lynn Bobo, deceased;" also Senate bill No. 304, "To prohibit the sale of intoxicating or spirituous liquors within the vicinity of George's Creek Seminary;" also Senate bill No. 35, "To incorporate the officers and members of San Antonio Harmonia Lodge No. 1, O. D. H. S.;" also Senate bill No. 274, "To incorporate Troupe Seminary;" also Senate bill No. 174, "To incorporate the Kemper City Bridge Company;" also Senate bill No. 344, "To incorporate the city of Calvert;" also Senate bill No. 260, "To incorporate the Texas Timber and Prairie Railroad Company," find the same to be correctly engrossed.

G. T. RUBY.
E. L. DOHONEY,
P. W. HALL.

By leave, Senator Priest offered the following report:

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Senate bill No. 295 has been for sometime before the Judiciary Committee. The press of business has prevented action on part of the committee, and time is so short now that your committee can only report it back and recommend it to the favorable consideration of the Senate.

The bill provides for a State tax of one hundred dollars, and a county tax of fifty, on all who sell spirituous liquors in any quantity—the treasurer's receipt to be all the license required.

The present tax on this class of our citizens is unreasonable and oppressive. If it be a moral wrong to sell liquor, it should be forbidden. The State should not license a wrong. If it be legal to sell, it should not be punished as a crime simply for the sake of making a revenue to the State. Even if this be the object of such oppressive taxation, the object fails, as but comparatively few can engage in the traffic—those who have means. If it be allowed at the tax here imposed, the revenue of the State from this source will be increased rather than diminished. Taxes should be uniform as far as practicable. These views are suggested not in advocacy of the improper use or sale of spirits, but in justice and right.

Respectfully submitted,

M. PRIEST,
Chairman.

On motion of Senator Priest the rules were suspended to consider the report.

Report of committee read.

Bill read second time.

On motion of Senator Pridgen the rules were suspended to take up Senate bill No. 291, "An Act to incorporate the Beaumont, Galveston and Coast Railway Company," with amendments.

Report of Committee read.

On motion of Senator Pridgen the amendment reported by the committee was rejected.

Bill read second time.

Senator Pridgen moved to amend by striking out sections eight, nine, ten and eleven.

Carried.

Rules suspended, bill passed to engrossment; rules further suspended and bill read third time.

Yeas and nays taken on final passage.

Yeas—Mr. President, Alford, Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Flanagan, Ford, Gaines, Hall, Hertzberg, Mills, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—23.

Nays—None.

Absent—Bell, Evans, Fountain, Latimer, Parsons, Saylor—6.

Bill passed.

On motion of Senator Pyle the rules were suspended to take up House bill No. 439, "An Act to incorporate the Colorado Valley Immigration Company."

Bill read first time.

Senator Hertzberg moved the bill be referred to Committee on Immigration.

Lost.

Rules suspended, bill read second time.

Senator Gaines moved to amend by striking out section four.

Yeas and nays taken:

Yeas—Baker, Bell, Dohoney, Douglas, Evans, Gaines, Hertzberg, Mills, Parsons, Pickett, Priest, Ruby, Shannon—13.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Flanagan, Latimer, Pettit, Pridgen, Pyle, Rawson—12.

Absent—Ford, Fountain, Hall, Saylor—4.

Amendment adopted.

Senator Dohoney offered the following amendment.

Strike out section six.

On motion of Senator Bowers the further consideration of the bill was postponed until to-morrow evening.

MESSAGE FROM THE GOVERNOR.

AUSTIN, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: I herewith return to your House, where it originated, "An Act to incorporate the Austin Bridge Company," with a request that the same be reconsidered.

I return this act for the main reason that a good bridge ought to be built across the Colorado at Austin, and this act may have the effect to keep the present inefficient pontoon for thirty years to come. This pontoon bridge is of very little service when the water is low, because the river is then fordable; and when the water is high it cannot be used at all. This act fixes an exorbitant tariff of charges, and prohibits any other ferry or bridge for a distance of four miles in front of Austin, for thirty years. This is a monopoly that there will not be even the excuse of a good serviceable bridge to compensate for.

Under the general law regulating ferries, these persons can secure all ferry privileges that they are fairly entitled to, by application to the police court, and I suggest that they be remitted to that tribunal.

Very truly,

(Signed)

EDMUND J. DAVIS,
Governor.

On motion of Senator Flanagan the reading of the message was dispensed with.

Message from the House informing the Senate the Speaker had signed in open session enrolled bill "An Act to legalize the organization and qualification of the county officers of Hamilton county, and to legalize the acts of the same."

Enrolled bill "An Act to incorporate the Houston City Street Railway Company."

Also, that the House had passed joint resolution No. 22, "Joint Resolution in relation to the salaries of provisional district judges."

Joint resolution No. 26, "Joint Resolution authorizing the Treasurer of the State of Texas to pay to the order of the board of managers of the State Lunatic Asylum, certain funds retained in the treasury by special act, approved June 15, A. D. 1870."

House bill No. 151, "An Act for the relief of railroad companies indebted to the State for loans from the special school fund."

House bill No. 180, "An Act to ascertain and adjudicate certain claims for land against the State, situated between the Nueces and Rio Grande rivers."

House bill No. 222 "An Act to incorporate the French Benevolent and Mutual Assistance Society of Galveston, Texas."

House bill No 383, "An Act to incorporate the Lake Fork Toll Bridge Company."

House bill No. 343, "An Act to provide for the obtaining and transcribing of the several acts or charters founding the towns of Reynosa, Camargo, Mier and Guerro in the Republic of Mexico, and of Laredo in Texas."

House bill No. 507, "An Act appropriating certain moneys for the use of the State Lunatic Asylum."

House bill No. 184, "An Act to authorize Car Forrest to erect a toll bridge over Chamber's Creek, in Ellis county, Texas." •

House bill No. 506, "An Act to amend an act entitled 'An Act to incorporate the Washington Fire Engine Company No. 1, of the city of Austin, approved July 19, 1870.'" •

House bill No. 505, "An Act to change the county line between the counties of Bexar and Medina."

Whereupon the enrolled bills were signed by the President and returned to the House.

On motion of Senator Rawson the rules were suspended to take up Senate bill No. 334, "An Act to add a part of the county of Refugio, herein described, to the county of San Patricio."

Rules suspended, bill read second time and passed to engrossment; rules further suspended, bill read third time and passed.

On motion of Senator Ruby the rules were suspended to take up House bill No. 166, "An Act to incorporate the Southwestern Insurance and Trust Company.

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—23.

Nays—None.

Absent—Broughton, Dohoney, Douglas, Fountain, Pickett, Saylor—6.

Bill passed.

On motion of Senator Shannon the rules were suspended to take up House bill No. 184, "An Act to authorize Car Forrest to erect a toll bridge over Chamber's Creek, in Ellis county, Texas."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Cole⁴

Dohoney, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon--24.

Nays--None.

Absent--Fountain, Saylor--2.

Not voting--Broughton, Clark, Pickett--3.

Bill passed.

On motion of Senator Campbell, the rules were suspended to take up House bill No. 496, "An Act to require the judge of the Twentieth Judicial District to hold a special term of the District Court of Lavaca county."

Bill read first time; rules suspended, bill read second and third times and passed.

On motion of Senator Alford, the rules were suspended to take up Senate bill No. 242, "An Act for the relief of Jacob T. Chandler."

Bill read second time.

Senator Priest moved the postponement of the bill until the second Tuesday in January, 1871. Carried.

On motion of Senator Baker, the rules were suspended to take up House bill No. 376, "An Act for the relief of Andrew J. Nichols."

Bill read second time; rules further suspended and bill read third time and passed.

On motion of Senator Bell, the rules were suspended to take up House bill No. 407, "An Act to provide for the salaries and fees of District Attorneys *pro tem*."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time and passed.

Senator Bowers offered the following resolution:

Resolved, That H. R. Latimer be granted leave of absence the balance of the session, commencing Friday, August 12, 1870.

Adopted.

On motion of Senator Bowers, the rules were suspended to consider the Governor's veto on Senate bill No. 16, "An Act to incorporate the Austin Bridge Company."

Senator Bowers moved the Senate, on reconsideration, pass the bill.

Yeas and nays taken:

Yeas--Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Pickett, Priest, Pridgen, Pyle, Shannon--19.

Nays--Gaines, Hall, Hertzberg, Pettit, Rawson, Ruby--6.

Absent--Ford, Fountain, Parsons, Saylor--4.

So the Senate, on reconsideration, passed the bill over the Governor's veto.

On motion of Senator Dohoney, the Senate adjourned.

SENATE CHAMBER,
AUSTIN, TEXAS, Wednesday, August 10, 1870.

Senate met pursuant to adjournment. President Don Campbell presiding. Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Flanagan, the reading of the journal was dispensed with.

The Secretary carried to the House the following House bills: Nos. 166, 184, 376, 407, 478, 496.

Also the following Senate bill by Senator Pickett:

A Bill entitled "An Act to validate the authentication and registration of deeds and other instruments, acknowledged as proven before county judges."

Bill read first time.

On motion of Senator Pickett, the rules were suspended to consider the bill.

Bill read second time.

Senator Bowers offered the following amendment:

Amend section —, by adding, "and all depositions taken before a county judge shall be as valid as if taken before an officer authorized to take depositions."

Adopted.

Senator Bowers moved to amend the caption, to read as follows:

A bill to be entitled "An Act to validate certain official acts of county judges."

Adopted.

Bill passed to engrossment.

Rules further suspended; bill read third time and passed.

Message from the House informing the Senate that the House had passed, with amendments, Senate bill No. 267, "An Act to incorporate the Hempstead, Eastern and Western Trunk Railway Company of Texas," and Senate bill No. 260, "An Act to incorporate the Texas, Timber and Prairie Railroad Company;" also, without amendments, House bill No. 503, "An Act prescribing the mode of proceeding in district courts in matters of probate."

By Senator Baker:

A bill to be entitled "An Act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico."

Bill read first time.

On motion of Senator Cole, the rules were suspended to consider the bill.

Bill read second time and passed to engrossment; rules further suspended, bill read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Rawson, Ruby, Saylor, Shannon—25.

Nays—None.

Absent—Fountain, Latimer, Pridgen, Pyle—4.

Bill passed.

The following joint resolution was offered by Senator Pettit :

Be it resolved by the Senate and House of Representatives, That two commissioners be appointed, one by the Senate and one by the House, in order to visit other States for the purpose of obtaining information upon the subject of free school systems, and report thereon at the next session of the Legislature; and that _____ dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to meet the expenses of said commissioners.

Read first time.

Senator Pettit moved the suspension of the rules to consider the resolution.

Yeas and nays taken :

Yeas—Mr. President, Bowers, Clark, Ford, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pyle, Ruby, Saylor—13.

Nays—Alford, Bell, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Gaines, Rawson Shannon—11.

Absent—Baker, Fountain, Latimer, Mills, Pridgen—5.

Motion to suspend the rules lost.

By Senator Dohoney :

An act to be entitled "An Act to regulate the sale of lands under decrees of courts."

Read first time; rules suspended, bill read second time.

Senator Dohoney offered the following amendment :

Amend by adding, "Provided, that when more than one lot shall be purchased by the same person the sheriff, unless otherwise requested by the purchaser, shall include all of said lots in the same deed, and shall in such case be entitled to fees for making one deed only.

Adopted.

Rules further suspended, bill read third time and passed.

Report of Committee on Engrossment :

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Engrossed Bills having examined and compared Senate bill No. 317, "Making appropriations for the support of the State government for the fiscal year, commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Reports of Committee on Internal Improvements :

COMMITTEE ROOM,
Austin, August 6, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Internal Improvements, to whom was referred Senate bill No. 279, "An Act to incorporate the Rio Grande Railroad Company," have carefully considered the same, and respectfully report it back to the Senate, and recommend it do pass.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Internal Improvements, to whom was referred Senate bill No. 346, "An Act to organize and incorporate the East Line and Red River Railroad Company," have had the same under consideration, and report it back, recommending its passage.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

On motion of Senator Priest the rules were suspended to take up House bill No. 503, "An Act to prescribe the mode of proceeding in district courts in matters of probate."

Bill read first time; rules further suspended, bill read second time; rules suspended, bill read third time and passed.

Sent to the House.

On motion of Senator Hall the rules were suspended to take up Senate bill No. 260, "An Act to incorporate the Texas Timber and Prairie Railroad Company."

Senator Hall moved the Senate concur in the following House amendments to Senate bill No. 260 :

Amend section one by striking out the word "perpetual," and insert after the word "succession," the words "for ninety-nine years."

Amend section twenty-four by striking out the words, "or other acts of God."

Adopted.

Senator Douglas offered the following :

Resolved, That a special committee of three be appointed to arrange and report special orders of the most important general acts now pending before the Senate.

Adopted.

The Chair appointed Senators Douglas, Baker and Ruby on said committee.

On motion of Senator Mills the rules were suspended to take up House bill No. 466, "An Act to aid the Brazos Branch Railroad to change the gauge, extend the time of construction, erect a telegraph line, and permit the company to extend the road to the International Railroad."

Bill read first time.

On motion of Senator Parsons the further consideration of the bill was postponed, with leave to call up substitute for the same any time when not in conflict with any bill pending at the time of calling up the substitute.

Senator Pyle offered the following resolution :

Resolved, That Thos. Powell, Assistant Sergeant-at-Arms, be allowed ten days extra pay for services in preparing the Senate Chamber before the commencement of this session.

On motion of Senator Mills it was referred to Committee on Contingent Expenses.

On motion of Senator Rawson the rules were suspended to take up Senate bill No. 259, "An Act to establish and incorporate the Beneficial Society of Galveston."

Bill read second time and passed to engrossment; rules further suspended, bill read time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Alford, Bell, Bowers, Clark, Cole, Donohy, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Pickett, Priest, Pridgen, Pyle, Saylor, Shannon—22.

Nays—None.

Absent—Baker, Broughton, Fountain, Mills, Parsons, Pettit, Ruby,—7.

Bill passed.

On motion of Senator Saylor the rules were suspended to take up House bill No. 205, "An Act to incorporate the Bryan Bridge Company, and allow them certain privileges therein named."

Bill read first and second times; rules further suspended, bill read third time.

Yeas and nays taken :

Yeas—Mr. President, Alford, Bell, Bowers, Clark, Dohoney, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Saylor, Shannon—20.

Nays—None.

Absent—Baker, Broughton, Cole, Douglas, Fountain, Latimer, Mills, Rawson, Ruby—9.

Bill passed.

On motion of Senator Parsons the rules were suspended to take up Senate bill No. 217, "An Act to incorporate the Houston and San Jacinto Canal and Navigation Company."

Bill read second time and passed to engrossment; rules suspended, bill read third time.

Yeas and nays taken :

Yeas—Mr. President, Alford, Baker, Bowers, Clark, Cole, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—24.

Nays—None.

Absent—Bowers, Broughton, Dohoney, Fountain, Mills—5.

Bill passed.

On motion of Senator Pettit the rules were suspended to take up House bill No. 150, "An Act to revive an act, and amend the first section thereof, incorporating the Burnell Male and Female Academy."

Read first time; rules suspended, bill read second time, and on motion of Senator Bowers was referred to the Committee on Judiciary.

On motion of Senator Pickett the rules were suspended to take up House bill No. 151, "An Act for the relief of railroad companies indebted to the State for loans from the special school fund."

Bill read first time; rules suspended, bill read second time and passed to third reading; bill read third time and passed.

On motion of Senator Priest the rules were suspended to take up Senate bill No. 325, "An Act fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the court to establish rules."

Read second time, passed to engrossment, and put on its third reading; rules suspended, bill read third time and passed.

On motion of Senator Bridgen the rules were suspended to take up Senate bill No. 335, "An Act to permanently locate the county seat of San Patricio county."

Read second time and passed to engrossment; rules suspended, bill read third time and passed.

On motion of Senator Pyle the rules were suspended to take up House bill No. 446, "An Act supplementary to 'An Act to incorporate the Victoria and Columbia Railroad Company,' approved November 13, 1866."

Read first time; rules suspended, bill read second time and passed to third reading; rules suspended, bill read third time and passed.

Senator Flanagan offered the following resolution:

WHEREAS, There are a large number of Senate bills awaiting passage; and, whereas, the constant accumulation of House bills and the passage thereof necessitates additional sessions of the Senate besides those already had; therefore,

Resolved, That the Senate hold evening sessions from four till six o'clock, for the consideration of Senate bills.

Adopted.

On motion of Senator Bell the Senate concurred in the House amendments to Senate bill No. 267, "An Act to incorporate the Hempstead, Eastern and Western Trunk Railway Company of Texas."

On motion of Senator Rawson the rules were suspended and House bill No. 461, "An Act to incorporate the town of Carthage, in Panola county," read first time; rules suspended, read second time and passed to third reading.

Bill read third time and passed.

The hour having arrived for the consideration of special order, House bill No. 454, "An Act providing for the appointment of public weighers of cotton and wool within the State of Texas, and prescribing the fees and duties thereof."

Senator Flanagan offered the following amendment:

Amend section three, second line, after "wool," strike out "brought into and."

Adopted.

Senator Dohoney moved to amend by striking out "sections eight, nine and ten" Adopted.

Senator Flanagan moved to amend by striking out all after the word "Houston," line six, section one. Adopted.

Senator Pickett moved its indefinite postponement.

Yeas and nays taken:

Yeas—Mr. President, Alford, Clark, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pridgen, Pyle, Rawson, Shannon—13.

Nays—Baker, Bowers, Broughton, Cole, Flanagan, Ford, Gaines, Hertzberg, Mills, Pettit, Priest, Ruby, Saylor—13.

Motion to postpone lost.

Senator Hall offered the following amendment:

After the word "Houston," in section one, line four, insert "Calvert and the terminus of the Houston and Texas Central Railroad."

Adopted.

Senator Dohoney offered the following amendment:

Amend section eleven, line three, by striking out the word "fifteen" and insert the word "ten."

Adopted.

Senator Bowers offered the following amendment:

Amend by adding at the end of section eleven, the words "Provided, when any cotton bale or other package has once been weighed by a public weigher, the same shall not be weighed by any other public weigher in this State."

Adopted.

Senator Cole offered the following amendment:

Amend section one by adding after the word "appoint," in line two, the words "by and with the advice and consent of the Senate."

Adopted.

Senator Ford offered the following amendment:

Amend section three, line one, by inserting after the word "cotton," "when called upon by the seller or purchaser."

Adopted.

Senator Flanagan moved the previous question. Previous question seconded.

Senator Flanagan moved the bill pass to its third reading.

Yeas and nays taken:

Yeas—Mr. President, Baker, Bowers, Broughton, Cole, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Ruby, Saylor—13.

Nays—Alford, Clark, Dohoney, Douglas, Evans, Pettit, Pickett, Pyle, Rawson, Shannon—10.

Carried.

Bill read third time.

The yeas and nays were taken on final passage:

Yeas—Mr. President, Baker, Bowers, Broughton, Cole, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Ruby, Saylor—13.

Nays—Alford, Clark, Dohoney, Douglas, Evans, Pettit, Pickett, Pyle, Rawson, Shannon—10.

Absent—Bell, Fountain, Mills, Parsons, Priest, Pridgen—6.

Bill passed, and sent to the House.

Message from the House, informing the Senate that the Speaker had signed, in open session, enrolled bill, entitled "An Act for the incorporation of the city of Paris, in the county of Lamar."

Also, enrolled bill, "An Act to amend an act entitled 'An Act to incorporate the Neches Navigation Company,' approved November 8, 1866."

Also, "An Act to incorporate a Bank of Discount and Deposit at Navasota, Texas."

Signed by the President.

Message from the House, informing the Senate that the House had passed, without amendments, Senate bill No. 281, "An Act to organize the courts of justices of the peace and county courts, and to define their jurisdiction."

Also, Senate bill 132 "An Act requiring justices of the peace to tax a jury fee of three dollars in each criminal case tried before them, and to allow fees to jurors in such cases."

On motion of Senator Ruby the rules were suspended to take up House bill No. 381, "An Act to provide for the mode and manner of conducting elections, making returns, and for the protection and purity of the ballot box."

Bill read second time.

Reported back from special committee.

Report of majority and minority read.

Senator Broughton moved the adoption of the majority report:

Yeas and nays called on the adoption of the majority report:

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Pickett, Pridgen, Pyle, Shannon—13.

Nays—Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Rawson, Ruby, Shannon—12.

Report adopted.

Senator Ruby moved the indefinite postponement of the bill.

Yeas and nays called on the motion to indefinitely postpone:

Yeas—Alford, Baker, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—12.

Nays—Mr. President, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Pickett, Pridgen, Pyle, Shannon—16.

Absent—Fountain.

Motion to postpone lost.

Message from the House by Chief Clerk, transmitting enrolled bills:

House bill No. 368, "To incorporate the Sabine Valley Agricultural and Mechanical Society."

House bill No. 28, "To incorporate the Alamania Association, of the town of LaGrange, Texas."

House bill No. 123, "An Act to incorporate the Galveston Insurance Company."

House bill No. 395, "An Act making an appropriation for the purpose of covering a deficiency in the amount appropriated by the Commanding General of the Fifth Military District for the purpose of having made a copy of the list of registered voters."

House bill No. 77, "An Act for the relief of certain persons therein named."

They were signed by the President and returned to the House.

Senator Ruby moved a call of the Senate. Call sustained.

Pending call of the rell, Senator Parsons moved a suspension of the call. Call suspended.

Senator Parsons moved the Senate go into executive session.

Yeas and nays called :

Yeas—Baker, Bell, Ford, Gaines, Hall, Hertsberg, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Saylor--15.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Pridgen, Shannon--12.

Absent—Fountain, Latimer--2.

Senate went into executive session.

IN SENATE.

The Secretary informed his Excellency, the Governor, that the Senate, in executive session, advises and consents to the following nomination : H. C. Pedigo, for Judge of the District Court of the Second Judicial District.

The Senate refused to advise and consent to the nomination of J. H. Rogers, for Judge of the District Court for the Seventh Judicial District.

Report of Committee on Contingent Expenses :

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Contingent Expenses, to whom was referred Senate resolution No. —, "Authorizing the payment of Thomas Powell, Assistant Sergeant-at-Arms, for ten days' service in the Senate Chamber previous to the commencement of this session," having duly considered the same, instruct me to report it back to the Senate and recommend its passage.

J. S. MILLS,
Chairman.

Laid over under the rules.

By leave, Senator Mills presented the following bill:

"An Act to authorize the holding of a special term of the District Court, in the county of Grimes, as the summer term of the year 1870.

On motion of Senator Mills, the rules were suspended to consider the bill.

Bill read second time and passed to engrossment.

Rules further suspended, and bill read third time and passed.

On motion of Senator Saylor, the rules were suspended to take up Senate bill No. 279, "An Act to incorporate the Rio Grande Railroad Company."

On motion of Senator Dohoney, the Senate adjourned till 4 o'clock this evening.

AFTERNOON SESSION.

4 O'CLOCK, P. M.

Senate met pursuant to adjournment; President Don Campbell presiding. Roll called; quorum present.

The Secretary carried to the House the following engrossed bills: Nos. 446, 461, 151, 205, 454.

Also, enrolled Senate bill 90, "An Act to incorporate the Sabine, and Neches River and Pine Island Bayou and Internal Improvement Company." Signed by the Speaker, and returned and signed by the President.

Enrolled Senate bill No. 197, "An Act prescribing the times of holding the district courts in the several judicial districts in this State. Signed by the Speaker and returned and signed by the President.

Enrolled Senate bill 262, "An Act to change the present boundaries of Burleson and Brazos counties. Signed by the Speaker, and returned and signed by the President.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bill No. 186, entitled "An Act to incorporate a Bank of Discount and Deposits at Navasota, Texas;" also, Senate bill No. 237, entitled "An Act to amend an act entitled 'An

Act to incorporate the Neches Navigation Company," approved November 8, 1866;" also, Senate bill No. 265, entitled "An Act for the incorporation of the city of Paris, in Lamar county;" and to-day at 2:30 P. M., presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

[General File.]

Senate bill No. 63, "An Act concerning judgment and mortgage liens upon real estate."

Report of Committee recommending that the bill do not pass, was adopted.

Senate bill No. 70, "An Act to repeal part of an act, entitled 'An Act to levy taxes,' approved November 6, 1866."

The Report of Committee recommending that the bill do not pass, was adopted.

Petition of C. F. Millett for relief.

Report of Committee recommending the relief asked for do not be granted, was adopted.

Petition for the relief of H. W. Faison, of Fayette county.

Report read, and on motion of Senator Alford, was indefinitely postponed.

Petition for the relief of estate of Thomas Corothers.

Report of Committee read, recommending the relief asked for be not granted, was adopted.

Petition of U. C. Philips.

Report of Committee recommending the relief asked for be not granted, was adopted.

Petition of D. W. Hancock for relief.

Report recommending it do not pass, was adopted.

Petition of J. Wadsworth for relief.

Report of Committee recommending it do not pass, was adopted.

Petition of H. Clay Evans.

Report of Committee recommending it do not pass, was adopted.

Petition of Jeremiah Morton.

Report of Committee recommending that it do not pass was adopted.

Senate bill No 18, "An Act to incorporate the Dallas Bridge Company."

Bill read second time and passed to engrossment; rules further suspended, and bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Bell, Bowers, Clark, Cole, Doho-

ney, Douglas, Ford, Gaines, Hall, Hertzberg, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Ruby, Shannon--21.

Nays—None.

Absent—Baker, Broughton, Evans, Flanagan, Fountain, Mills, Rawson, Saylor—8.

Bill passed.

Message from the House transmitting House bill No. 501, "An Act to incorporate the Gilmer Manufacturing Company."

The House concurred in Senate amendments to House bill No. 478; also, to Senate Amendment to House bill No. 314.

[General File Resumed.]

Senate bill No. 19, "An Act to incorporate the Cedar Creek Bridge Company."

Bill read second time and passed to engrossment.

Rules further suspended and bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Ruby, Saylor, Shannon--24.

Nays—None.

Absent—Baker, Flanagan, Priest, Rawson—4.

Bill passed.

Senate bill No. 75, "An Act to incorporate the Austin Joint Stock Building Company."

Bill read second time and passed to engrossment.

Rules further suspended, bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Ruby, Shannon—21.

Nays—None.

Absent—Baker, Flanagan, Fountain Hertzberg, Latimer, Priest, Rawson, Saylor—8.

Bill passed.

Senate bill No. 102, "An Act requiring the presiding justices in each county in this State to receive, disburse and account for all funds belonging to their respective counties.

Report of Committee read; bill read second time.

The following amendment was adopted:

Amend section three by adding, after the word "force," in fourth line from bottom, the words "and hereafter enacted."

Bill passed to engrossment as amended; rules further suspended, and bill read third time.

Yeas and nays taken:

Yeas—Bowers, Broughton, Clark, Cole, Dohoney, Evans, Latimer, Shannon—8.

Nays—Mr. President, Alford, Baker, Bell, Douglas, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Ruby—14.

Bill lost.

By leave, Senator Mills introduced a bill, entitled "An Act supplemental to an act making appropriations for the support of the State government for the fiscal year, commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years, ending August 31, 1870."

Bill read first time; rules suspended, bill read second time.

Senator Bowers moved to strike out "\$1000 for salary of district attorneys." Carried.

Senator Dohoney offered the following amendment:

Move to amend, by striking out, "salary of one clerk, one thousand dollars." Carried.

Bill passed to engrossment; rules further suspended, bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Baker, Bell, Clark, Dohoney, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon—18.

Nays—Broughton, Douglas, Evans, Flanagan—4.

Absent—Bowers, Cole, Fountain, Gaines, Latimer, Pyle, Rawson—7.

Bill passed.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined, and find correctly enrolled Senate bill No. 90, entitled "An Act to incorporate the Sabine and Neches Rivers, and Pine Island Bayou Internal Improvement Company;" also Senate bill No. 262, entitled "An Act to change the boundaries of Burleson and Brazos counties;" also Senate bill No. 197, entitled "An Act prescribing the times of holding the district courts in the several judicial districts in the State," and to-day, at five o'clock P. M. presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Report of Committee on engrossment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined Senate bill No. 291, "to incorporate Beaumont, Galveston and Coast Railway Company;" Senate bill No. 325, "fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the court to establish rules;" Senate bill No. 334, "to add a part of the county of Refugio, herein described, to the county of San Patricio;" Senate bill No. 343, "to incorporate the Bank of Discount and Deposit at Calvert;" Senate bill No. 350, "granting pensions to the surviving veterans of the revolution which separated Texas from Mexico," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Message from the House informing the Senate that the House had passed, without amendments, the following bills: Senate bills Nos. 284, 62, 341, 330, 319, 144, and 146.

[General File Resumed.]

Senate bill No. 28, "An Act for the relief of the heirs of James S. Holman, deceased."

Bill read second time and passed to engrossment; rules suspended, bill read third time and passed.

Senate joint resolution for the relief of S. W. Baker.

Report of committee rejected.

Resolution read second time and passed to engrossment; rules suspended, bill read third time and passed by the following vote:

Yeas—Mr. President, Alford, Baker, Bowers, Clark, Cole, Dohoney, Ford, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Ruby, Saylor, Shannon—17.

Nays—Bell, Douglas, Evans, Flanagan, Hall, Priest—6.

Senate bill No. 30, "An Act to incorporate the Home Insurance Company, of Houston, Texas," with amendments.

On motion of Senator Parsons the amendments were adopted.

Bill read second time and passed to engrossment.

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

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Evans, Flanagan, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon—22.

Nays—None.

Absent—Broughton, Douglas, Fountain, Gaines, Latimer, Pyle, Rawson—7.

Senator Hall moved a reconsideration of the vote had upon the amendment to House bill No. 429, "An Act to incorporate the Colorado Valley Immigration Company," striking out ten dollars for each immigrant introduced.

On motion of Senator Pettit the Senate adjourned, pending Senator Hall's motion to reconsider.

EVENING SESSION.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll called; quorum present.

The Secretary carried to the House the following Senate bills Nos. 291, 325, 334, 343, 350, 308, 335, 351, 352, 353 and 259.

On motion of Senator Clark the rules were suspended to take up House bill No. 433, "An Act to release A. M. Nips from paying State, county or city corporation tax on the sale of goods, wares and merchandise in the State of Texas."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time and passed.

Sent to the House.

On motion of Senator Cole the rules were suspended to take up House bill No. 383, "An Act to incorporate the Lake Fork Toll Bridge Company."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Evans, Ford, Hertzberg, Latimer, Mills, Pettit, Pickett, Priest, Pridgen, Rawson, Ruby, Shannon—20.

Nays—None.

Absent—Broughton, Douglas, Flanagan, Fountain, Gaines, Hall, Parsons, Pyle, Saylor—9.

Bill passed.

Sent to the House.

On motion of Senator Dohoney, the rules were suspended to take up Senate joint resolution for the relief of R. S. Brane.

Report of committee read and adopted.

Rules suspended, resolution read second time and passed to engrossment.

Rules suspended, and resolution read third time and passed.

On motion of Senator Douglas, the rules were suspended to take up House bill No. 480, "An Act for the relief of David Cole, or his assigns."

Bill read second time; rules suspended, bill read third time and passed and sent to the House.

On motion of Senator Douglas, the rules were suspended to take up House bill No. 195, "An Act for the relief of James P. Goodnight."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time, passed, and sent to the House.

By leave, Senator Ford introduced an act to confer the jurisdiction heretofore exercised by the chief justices of the several counties of this State, under an act approved January 13, 1862, upon the presiding justices.

On motion of Senator Priest, the rules were suspended and bill read second time and passed to engrossment.

Rules suspended, bill read third time and passed.

Message from the House informing the Senate that the House had passed Senate bills Nos. 314, 218, 51 and 66, also Senate bill No. 332, with the following amendment:

Amend Senate bill No. 332 by striking out the words "Superintendent of Education" wherever they may occur, and insert in lieu thereof the words "Superintendent of Public Instruction."

The House also passed Senate bill No. 248 without amendments.

Message from the House informing the Senate that the House, on reconsideration, had refused to pass "An Act to incorporate the Austin Bridge Company," vetoed by the Governor, August 9, 1870.

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 259, "To establish and incorporate the Beneficial Society of Galveston;" also Senate bill No. 352, "To regulate the sale of lands under decrees of the courts;" also Senate bill No. 335, "To permanently locate the county seat of San Patricio county;" also Senate bill No. 351, "to validate certain official acts of county judges;" also Senate bill No. 102, "Requiring the presiding justices in each county in this State to receive, disburse and account for all the funds belonging to their respective counties;" also Senate bill No. 353, to authorize a special term of

the district court to be holden in the county of Grimes for the year 1870," and Senate bill No. 388, "To incorporate the San Antonio and Rio Grande Telegraph Company," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL

On motion of Senator Evans, the rules were suspended to take up Senate bill No. 279, "An Act to incorporate the Rio Grande Railroad Company."

Bill read second time.

Senator Pridgen moved that the words "perpetual succession" be stricken out and "ninety-nine years" inserted instead.

Adopted.

Bill passed to engrossment: rules suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Mills, Parsons, Priest, Pridgen, Rawson, Ruby, Saylor, Shannon--22.

Nays—None.

Absent—Broughton, Flanagan, Fountain, Gaines, Pettit, Pickett, Pyle--7.

Bill passed.

On motion of Senator Evans the rules were suspended to take up House bill No. 488, "An Act making an appropriation to pay Peter Metzger for conveying his daughter Anna Metzger from Arkansas to her home in Texas, who was captured by the Indians and recovered at the boundaries of the State."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon--24.

Nays—None.

Absent—Flanagan, Fountain, Gaines, Pickett, Saylor--5.

Bill passed and sent to the House.

On motion of Senator Hall the rules were suspended to take up House bill No. 84, "An Act to incorporate the town of Hallettsville, in Lavaca county."

Bill read first time; rules suspended, bill read second time.

Senator Alford moved the further consideration of the bill be postponed until to-morrow.

Lost.

The question recurring upon the third reading of the bill, the bill was read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—23.

Nays—Alford.

Absent—Flanagan, Fountain, Gaines, Saylor—4.

Bill passed.

[Senator Dohoney in the Chair.]

On motion of Senator Hertzberg the rules were suspended to take up House bill No. 147, "An act to encourage stock raising, and for the protection of stock raisers."

Bill read first time ; rules suspended, bill read second time.

Senator Alford moved the indefinite postponement of the bill.

Yeas and nays taken :

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Hall, Hertzberg, Pickett, Pridgen, Pyle—13.

Nays—Mr. President, Baker, Bell, Ford, Latimer, Parsons, Pettit, Priest, Rawson, Ruby—10.

Absent—Flanagan, Fountain, Gaines, Mills, Saylor, Shannon—6.

Carried.

By leave, Senator Douglas offered the following report of select committee :

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your select committee, appointed to arrange and report special orders of the most important general acts, now pending before the Senate, have considered the subject, and instruct me to report and recommend the adoption of the following special orders :

J. P. DOUGLAS,

Chairman.

THURSDAY, August 11, 9 A. M.—Substitute for House bill No. 115, "An Act to provide for the mode and manner of holding elections, making returns, and for the protection of the ballot-box.

12 M.—House bill No. 507, "An Act appropriating certain moneys for the use of the State Lunatic Asylum."

8:30 P. M.—Substitute for House bill No. 20.

9 P. M.—House joint resolution No. 3.

FRIDAY, August 12, 9 A. M.—A bill to be entitled "An Act to provide for the levying of taxes."

12 M.—A bill to be entitled “An Act to provide for the assessment of taxes.”

8 P. M.—Senate bill No. 327, “An Act concerning railroads.”

SATURDAY, August 13, 9 A. M.—Senate joint resolution concerning public debt.

Senator Pridgen moved a reconsideration of the vote taken to indefinitely postpone House bill No. 147.

Senator Cole moved to lay the motion to reconsider on the table.

Yeas and nays taken :

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pyle—11.

Nays—Mr. President, Baker, Bell, Ford, Hall, Hertzberg, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor—13.

Absent—Flanagan, Fountain, Gaines, Mills, Shannon—5.

Motion to lay on table lost.

The question recurring upon the motion of Senator Pridgen to reconsider the vote to indefinitely postpone, the yeas and nays were taken :

Yeas—Baker, Bell, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor, Shannon—14.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pyle—12.

Absent—Flanagan, Fountain, Gaines—3.

Motion to reconsider carried.

Senator Pickett moved the Senate adjourn.

Lost.

Senator Priest moved to adjourn.

Lost.

Senator Pyle moved the bill be made the special order for Monday at 11:30.

Lost.

Senator Parsons moved the bill be made the special order for Friday, at 11 o'clock.

Carried.

On motion of Senator Latimer the rules were suspended to take up House bill No. 429, “An Act to incorporate the Colorado Valley Immigration Company.”

Senator Mills moved it be made the special order for to-morrow, at 11 A. M.

Yeas and nays taken :

Yeas—Mr. President, Baker, Bell, Dohoney, Douglas, Evans, Hertzberg, Mills, Priest, Ruby—10.

Nays—Alford, Bowers, Broughton, Clark, Cole, Hall, Latimer, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor—13.

Absent---Flanagan, Ford, Fountain, Gaines, Pickett, Shannon—6.
Motion to postpone lost.

Senator Saylor moved the bill be made the special order for Friday at ten o'clock.

Carried.

On motion of Senator Campbell the rules were suspended to reconsider the vote taken on Senate bill No. 2.

On motion of Senator Mills the rules were suspended to take up House bill No. 466, "An Act to aid the Brazos Branch Railroad to change the gauge, extend the time of construction, erect a telegraph line, and permit the company to extend the road to the International Railroad."

Read second time.

Senator Parsons offered a substitute; read and adopted.

Rules suspended; substitute bill read second time and passed to engrossment; rules suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Bell, Bowers, Clark, Cole, Dohoney, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—20

Nays—None.

Absent—Baker, Broughton, Douglas, Evans, Flanagan, Fountain, Gaines, Latimer, Saylor—9.

Bill passed.

On motion of Senator Parsons the rules were suspended to take up Senate bill No. 249, "A bill to incorporate the Young Men's Beneficial Club of Harris county."

Report read and adopted.

Bill read second time and passed to engrossment; rules suspended bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Bell, Bowers, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby—20.

Nays—None.

Absent—Baker, Broughton, Clark, Flanagan, Fountain, Gaines, Mills, Saylor, Shannon—9.

On motion of Senator Pyle the Senate adjourned until the usual hour to-morrow morning.

SENATE CHAMBER,
AUSTIN, TEXAS, Thursday, August 11, 1870.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll called; quorum present.

Prayer by the Chaplain.

Message from the House informing the Senate the House on motion had agreed to reconsider the vote on House bill No. 505, "An Act to change the county line between Bexar and Medina counties," and ask it be returned to the House.

Secretary returned House bill No. 505.

On motion of Senator Mills, the rules were suspended to consider the report of committee on the following report:

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Contingent Expenses, to whom was referred Senate resolution No. —, "Authorizing the payment of Thomas Powell, Assistant Sergeant-at-Arms, for ten days' service in the Senate Chamber, previous to the commencement of this session," having duly considered the same, instruct me to report it back to the Senate and recommend its passage.

J. S. MILLS,
Chairman.

Report of committee read and adopted.

By leave, Senator Priest introduced a bill to be entitled, "An Act to fix the time when certain acts shall take effect and be in force."

Bill read first time; rules suspended, bill read second time and passed to engrossment; rules suspended, bill read third time and passed.

Report of Special Committee:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: The majority of your Special Committee, to whom was referred the "Act to incorporate the town of Round Top, Fayette county," respectfully report that they have examined into all the facts in the case and find that a majority of the citizens have petitioned for the incorporation of the town. That such incorporation

will secure the good order and improvement of the place, and the observance of law, and as your committee can see no valid objection to the passage of the act, but on the other hand every reason that it should become a law, your committee recommend the passage of the bill.

THOS. H. BAKER,
D. W. COLE,

Majority of Com.

On motion of Senator Baker the rules were suspended to consider the report.

Report read and adopted.

Rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Baker, Bell, Clark, Cole, Dohoney, Evans, Ford, Gaines, Hertzberg, Latimer, Mills, Parsons, Pettit, Priest, Pridgen, Pyle, Rawson, Ruby—19.

Nays—Douglas.

Absent—Alford, Bowers, Broughton, Flanagan, Fountain, Hall, Pickett, Saylor, Shannon—9.

Bill passed and sent to the House.

On motion of Senator Cole the rules were suspended to introduce "An Act for the incorporation of the Rusk and Harrison county Railway Company."

Bill read first and second times and passed to engrossment; rules suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Clark, Cole, Dohoney, Douglas, Ford, Gaines, Hertzberg, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby—21.

Nays—None.

Absent—Bowers, Broughton, Evans, Flanagan, Fountain, Hall, Saylor, Shannon—8.

Bill passed.

On motion of Senator Mills the rules were suspended to introduce "An Act making an appropriation to defray the contingent and printing expenses of the twelfth legislature."

Bill read first time.

Senator Dohoney moved the further consideration of the bill be made the special order for to-morrow at 9:30.

Lost.

Bill read second time and passed to engrossment; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Clark, Cole, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ru'ly--19.

Nays—Dohoney, Douglas, Evans—3.

Absent—Bowers, Broughton, Flanagan, Fountain, Latimer, Saylor, Shannon--7.

Bill passed.

Senator Bell offered the following concurrent resolution :

Resolved, That a joint committee of five be appointed, two from the Senate and three from the House, to visit the State Penitentiary during vacation, for the purpose of ascertaining the condition of that institution in the following particulars, to-wit :

First. Its sanitary condition.

Second. Whether any necessity exists for enlarging the buildings of the institution.

Third. A statement of the different kinds of manufacture carried on, and of the number of convicts employed in each during the (12) twelve months ending August 15th, 1870.

Fourth. A statement of the number of spindles and looms in operation, and the actual product of yarn and cloth during that period.

Fifth. A similar statement with regard to any other manufacture that may have been carried on in the institution in the same time.

Sixth. A statement of yarn, cloth and other manufactured articles, the product of the institution, on hand at the beginning and end of the period named.

Seventh. A statement of the number of yards of each of the fabrics manufactured in the institution, sold during the same period, and of the prices per yard—to whom sold, and whether the pay for the same was received in money or material.

Eighth. A similar statement with regard to any other manufactured articles sold during the same period.

Ninth. A statement of raw material on hand at the beginning and end of the same period.

Tenth. A statement of the purchases of raw material, during the same time, together with the prices paid for the same, and whether paid in money or in manufactured articles, the product of the institution.

Eleventh. The number of persons, not convicts, employed in any capacity whatever, about the Penitentiary, the nature of their duties, the number of hours on duty, and the amount paid for such services.

Twelfth. Any and all other accessible information, bearing directly upon the financial and mechanical management and condition of the Penitentiary.

Resolved, further, That the chairman of said committee be, and he is hereby authorized to employ a clerk; also, a competent and disinterested machinist, to examine and report upon condition of machinery.

Adopted.

The Chair appointed on said committee, Senators Hall and Pickett.

By leave, Senator Dohoney introduced "An Act authorizing and requiring the Comptroller of Public Accounts to audit the public debt of Texas, and prescribing the manner in which it shall be done."

Read first time, and referred to Committee on Finance.

On motion of Senator Douglas the report of select committee on arrangement of important business for the rest of the session was taken up.

Report read and adopted.

On motion of Senator Pickett the vote concurring in House amendment to Senate bill No. 2 was reconsidered.

Senator Pickett moved the Senate do not concur in House amendment to Senate bill No. 2, and that a committee of two of free conference be appointed.

Carried.

The Chair appointed Senators Pickett and Saylor.

[Special Order.]

The hour having arrived for the consideration of special order, House bill No. 381, Senator Dohoney moved to postpone special order to 11 o'clock.

Lost.

[Senator Ruby in the Chair.]

The question recurring upon the consideration of special order, House bill No. 381, "An Act to provide for the mode and manner of conducting elections, making returns, and for the protection and purity of the ballot box," Senator Mills moved the Senate go into Committee of the Whole.

Carried.

IN SENATE.

Senator Priest, Chairman of Committee of the Whole having under consideration House bill No. 381, reported progress, and asked leave to sit again.

Senator Ruby moved the report of the committee be received and adopted.

Carried.

Special message from the Governor:

EXECUTIVE OFFICE,
AUSTIN, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: I return to your House, where it originated, "An Act to amend an act entitled 'An Act to incorporate the Neches Navigation Company,' approved November 8, 1866."

This act, throughout, conflicts with the requirements of section eighteen, article twelve of the constitution. Said section provides that "no law shall be revised or amended by reference to its title, but in such cases the act revised or section amended shall be *re-enacted* and published at length."

I presume the error in this case was clerical, but it violates the act in question.

Very respectfully

EDMUND J. DAVIS,
Governor.

Senator Saylor moved the message be referred to a special committee of three.

Carried.

The Chair appointed on said committee Senators Saylor, Priest and Pridgen.

Senator Ruby moved the Senate go into Committee of the Whole on House bill No. 381.

IN SENATE.

Senator Priest, Chairman of Committee of the Whole having under consideration House bill No. 381, reported it back with the following amendment: Amend section one, line two, strike out "a general" and insert "an," and ask to be discharged from further consideration of the subject.

Senator Ruby moved the report of the committee be received and adopted.

Carried.

Senator Ruby moved the bill, as amended, pass.

Senator Bowers moved the Senate adjourn.

Yeas and nays taken:

Yeas—Bowers, Clark, Cole, Dohoney, Douglas, Evans, Pyle, Shannon—8.

Nays—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Absent—Alford, Broughton, Flanagan, Fountain, Latimer, Pickett, Pridgen—7.

Motion lost.

Pending discussion, message from the House transmitting House

bill No. 338, "An Act to establish the Sabine Pass and Red River Railway Company."

Also House bill No. 512, "An Act to authorize justices of the peace to act as notaries public, and to define their duties when acting as such."

Also House bill No. 97, "An Act to define fornication and to punish the same."

Also House bill No. 117, "An Act to amend articles 389 and 390, title 12, chapter 2, of the Penal Code."

Also House bill No. 508, "An Act to appropriate the sum of seven thousand dollars, or so much thereof as may be necessary, out of any money in the treasury not otherwise appropriated, to defray the expenses of the commission heretofore authorized (by virtue of a joint resolution of the Senate and House of Representatives) to visit the frontier and the Wichita Indian reservation, for the purpose of taking testimony, etc."

Also House Bill No. 187, "An Act to further regulate the license and practice of attorneys and counselors-at-law."

Also House bill No. 482, "An Act to incorporate the town of Burton, in Washington county."

Also House bill No. 157, "An Act to change article 773 *a* of the Penal Code of the State of Texas, defining swindling, and to amend article 773 *b* of the Penal Code."

Also House bill No. 122, "An Act to amend article 648, title 5, chapter 6, of the Code of Criminal Procedure."

Also House bill No. 470, "An Act to incorporate the town of Richmond, Fort Bend county."

Also informing the House that on reconsideration of the vote on Senate bill No. 281, the House requested the Senate to transmit the same back for action thereon.

Message from the House informing the Senate that the Speaker had signed in open session enrolled bill, "An Act to provide for the salary and fees of district attorneys," enrolled bill, "An Act to incorporate the Caranchua Bridge and Road Company," enrolled bill, "An Act to require the judge of the twentieth judicial district to hold a special term of the district court of Lavaca county," enrolled bill, "An Act to incorporate the Lone Star Express and Transportation Company."

Enrolled bills signed and returned.

Also, that the House has passed substitute Senate bill No. 238, "An Act to incorporate the Pacific and Great Eastern Railroad Company of Texas," with amendments.

The Secretary carried to the House enrolled bills, viz:

Senate bill No. 284, "An Act to provide that certified copies of

written documents, filed in any of the State departments, shall be admitted in evidence in the courts of this State."

Also, Senate bill No. 132, "An Act requiring justices of the peace to tax a jury fee of three dollars in each criminal case tried before them, and to allow fees to jurors in such cases."

Also, Senate bill No. 144, "An Act appropriating money for the Treasury Department."

Also, Senate bill No. 248, "An Act to incorporate the Texas and Mexico Railway Company."

Signed by the Speaker, returned and signed by the President.

Message from the House informing the Senate that the House had passed the following bills: House bill No. 517, "An Act fixing the compensation of the Speaker of the House of Representatives;" House bill No. 269, "An Act to incorporate the town of Cleburne, in Johnson county;" House bill No. 469, "An Act appropriating five hundred dollars for certain purposes;" House bill No. 513, "An Act making an appropriation to pay for repairing the State Lunatic Asylum;" House bill No. 514, "An Act making an appropriation to pay for repairing the Supreme Court building;" House bill No. 515, "An Act making an appropriation for refitting and repairing the Governor's mansion;" House bill No. 516, "An Act making an appropriation for the repairing of the desks and purchasing chairs for the Senate Chamber and Hall of Representatives."

Also joint resolution to defray the contingent expenses of the Twelfth Legislature.

Senator Douglas moved a call of the Senate.

Call sustained. Roll called.

Absent--Broughton, Clark, Latimer, Flanagan, Pickett.

On motion of Senator Ruby, the call of the Senate was suspended.

Senator Bowers moved a call of the Senate.

Call sustained. Roll called.

Absent--Broughton, Clark, Latimer, Flanagan, Pickett.

Senator Dohoney moved the Senate adjourn until 4 o'clock this evening.

Carried.

AFTERNOON SESSION.

4 O'CLOCK P. M.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll call; quorum present.

Reports of Committee on engrossment:

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 249, "incorporating the Young Men's Beneficial Club, of Harris county," also Senate bill No. 358, "to fix the time when certain acts shall take effect and be in force," also Senate bill No. 30, "to incorporate the Home Insurance Company, of Houston, Texas," and Senate joint resolution No. —, "for the relief of B. B. Brame," find the same to be correctly engrossed.

G. T. RUBY.

P. W. HALL.

E. L. DOHONEY,

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Engrossed Bills having examined and compared Senate bill No. 28, "for the relief of the heirs of James B. Holman, deceased;" also Senate bill No. 356, "making an appropriation to defray the contingent and printing expenses of the Twelfth Legislature;" also Senate bill No. 18, "to incorporate the Dallas Bridge Company;" also Senate bill No. 17, "to incorporate the Houston and San Jacinto Canal and Navigation Company;" also Senate Joint Resolution No. 7, "allowing the sum of three hundred and fifty-four dollars and seventeen cents, (\$354 17) to Doctor S. W. Baker, Superintendent of the Blind Asylum for the use of a horse and buggy;" also Senate bill No. 354, "supplemental to an act making appropriations for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years, ending August 31, 1870;" also Senate bill "to incorporate the Pine Island Bayou Bridge Company;" also Senate bill No. 19, "to incorporate the Cedar Creek Bridge Company;" also Senate bill No. 355, to confer the jurisdiction and powers heretofore exercised by the chief justices of the several counties of this State, (under an act approved January 13th 1862, entitled "An Act to amend section fifth of an act entitled 'An Act to provide for the organization of the State Lunatic Asylum and other purposes,'" upon the presiding justices; also Senate bill No. 73, "to incorporate the Austin Joint Stock Building Company," and Senate substitute for House bill No.

466, "To change the gauge of the Brazos Branch Railroad, extend the time of construction, erect a telegraph line, and to permit the company to extend their line of road," find the same to be correctly engrossed.

G. T. RUBY,
P. W. HALL.
E. L. DOHONEY,

Message from the House informing the Senate the House had appointed a Committee of Free Conference on tax and appropriation bills, as follows: Messrs. Schutze, Youngkin, R. Allen, McLean and Abbott; also, Committee of Free Conference on Senate bill No. 2, the House appoints: Messrs. Sinclair, Morris and Becton, and ask the appointment of a like committee on the part of the Senate.

On motion of Senator Cole the rules were suspended to concur in House amendments to Senate bill No. 238.

On motion of Senator Cole the Senate concurred in the following House amendments:

Section one, line seventeen, by striking out the word "perpetual," and inserting after the word "succession," "and remain and be in force for the period of ninety-nine years."

Senator Hertzberg offered the following resolution:

Resolved, That his Excellency, the Governor, be and he is hereby requested to furnish to this body copies of the correspondence between the Department of State and the Commanding General of the Texas district, on the subject of our frontier protection.

Adopted.

On motion of Senator Alford the rules were suspended to take up Senate bill No. 332, "An Act authorizing the county courts to sell the school lands situated in their respective counties."

And on further motion the following House amendments were concurred in:

Amend Senate bill No. 332, by striking out the words "Superintendent of Education" wherever they may occur, and insert in lieu thereof the words "Superintendent of Public Instruction."

[General File.]

Senate bill No. 143 "An Act to release to the county of Anderson the State tax for the years 1870 and 1871, for certain purposes."

Report of committee, recommending that it do not pass, read and adopted.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined, and find correctly enrolled Senate bill No. 132, entitled "An Act requiring justices of the peace to tax a jury fee of three dollars, in each criminal case tried before them, and to allow fees to jurors in such cases," and Senate bill No. 144, entitled "An Act appropriating money for the Treasury Department," and Senate bill No. 284, entitled "An Act to provide that certified copies of written documents filed in any of the State Departments shall be admitted in evidence in the courts of this State," and Senate bill No. 248, entitled "An Act to incorporate the Texas and Mexico Railway Company," and to-day, at 12:35 P. M. presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Senate bill No. 72, "An Act granting the right to John W. King to establish and operate a ferry at King's Crossing, on Sabine river."

Bill read third time.

Yeas and nays taken on final passage:

Yeas--Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Parsons, Pickett, Priest, Pyle, Ruby, Saylor, Shannon--21.

Nays--None.

Absent--Broughton, Flanagan, Fountain, Latimer, Mills, Pettit, Pridgen, Rawson--8.

Bill passed.

On motion of Senator Ruby, a committee of conference was appointed to confer with a like committee on part of the House on tax and appropriation bills.

The Chair appointed Senators Ruby, Pyle and Ford on said committee.

Senate bill No. 189, "An Act to incorporate the Burgess Business College, of Galveston."

Bill read second time and passed to engrossment.

Rules suspended; bill read third time.

Yeas and nays taken on final passage:

Yeas--Mr. President, Baker, Bell, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Parsons, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon--20.

Nays--None.

Absent—Alford, Bowers, Flanagan, Fountain, Latimer, Mills, Pettit, Pyle, Rawson—9.

Bill passed.

Senator Saylor offered the following resolution :

Resolved, That the resolution confining evening sessions to the consideration of Senate bills only, be so far amended as to include any and all business now pending before either branch of the Legislature.

On motion of Senator Pickett, the rules were suspended to consider the resolution.

Resolution read and adopted.

Senator Pridgen offered the following resolution :

Resolved, That his Excellency the Governor be requested to return to the Senate the enrolled bill No. 248, entitled "An Act to incorporate the Texas and Mexico Railway Company."

Adopted.

On motion of Senator Gaines, the rules were suspended to take up House bill No. 482, "An Act to incorporate the town of Burton, in Washington county."

Bill read first and second times ; rules suspended, bill read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Bell, Bowers, Broughton, Clark, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon—20.

Nays—Alford.

Absent—Baker, Cole, Flanagan, Fountain, Latimer, Mills, Pyle, Rawson—8.

Bill passed.

The Secretary carried to the House the following Senate bills : Senate joint resolution No. 7, Senate bills Nos. 18, 9, 28, 30, 73, 107, 217, 249, 354, 355, 356, 358, Senate joint resolution No. 15, Senate substitute of House bill 466.

On motion of Senator Pickett, the rules were suspended to take up House bill No. 467, "An Act legalizing certain writs and process issued by or from district courts."

Bill read first time ; rules suspended, bill read second time ; rules suspended, bill read third time and passed.

On motion of Senator Evans, the rules were suspended to take up House bill No. 239, "An Act for the relief of Alexander Smith, deceased.

Bill read first time ; rules suspended, bill read second time ; rules further suspended, bill read third time and passed.

On motion of Senator Ford, the rules were suspended to take up

House bill No. 459, "An Act to incorporate the town of Springfield."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time.

Yeas and nays taken on final passage.

Yeas--Mr. President, Baker, Bell, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Saylor, Shannon--19.

Nays--Alford.

Absent--Bowers, Broughton, Flanagan, Fountain, Latimer, Mills, Pyle, Rawson, Ruby--9.

Bill passed.

On motion of Senator Hertzberg, the rules were suspended to take up Senate bill No. 152, "An Act to incorporate the Germania Club of San Antonio, Texas."

Bill read second time and passed to engrossment.

Rules further suspended and bill read third time.

Yeas and nays taken on final passage

Yeas--Mr. President, Alford, Baker, Bell, Clark, Cole, Dohoney, Douglas, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon--20.

Nays--None.

Absent--Bowers, Broughton, Evans, Flanagan, Fountain, Latimer, Mills, Pyle, Rawson--9.

Bill passed.

On motion of Senator Hall the rules were suspended to take up House bill No. 514, "An Act making an appropriation to pay for repairing the Supreme Court building."

Bill read first time.

Message from the House, informing the Senate the House had passed Senate bills Nos. 351, 273, 246, 239, 138, 350, 352 and 325.

Message from the House, informing the Senate the House had adopted the following amendments to Senate bill No. 281, entitled "An Act to organize the courts of justices of the peace and county courts, and to define their jurisdiction:"

In section one, strike out "on first Monday in _____, 1874," and insert in lieu thereof the following: "At the next general election for State and county officers."

And as an additional section:

SEC. —. That this act take effect and be in force from and after its passage.

Senator Pickett moved the Senate concur in the action of the House.

Carried.

On motion of Senator Ruby the rules were suspended to take up House bill No. 492, "An Act to amend an act, entitled 'An Act authorizing quarantine on the coast of Texas, and elsewhere within the State,' approved June 10, 1870."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time and passed.

On motion of Senator Douglas the rules were suspended, to take up House bill No. 507, "An Act appropriating certain moneys for the use of the State Lunatic Asylum."

Bill read first time.

Senator Dohoney moved its reference to the Committee on Finance.

Carried.

On motion of Senator Cole the rules were suspended to take up House bill No. 338, "An Act to establish the Sabine Pass and Red River Railway Company."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Clark, Cole, Dohoney, Douglas, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Pridgen, Ruby, Saylor, Shannon—19.

Nays—Evans.

Absent—Bowers, Broughton, Flanagan, Fountain, Latimer, Mills, Priest, Pyle, Rawson—9.

Bill passed.

On motion of Senator Bell the rules were suspended to take up House bill No. 469, "An Act appropriating five hundred dollars for certain purposes."

Bill read first time.

Senator Alford offered the following amendment:

Strike out the following words: "Said sum to be deducted from the proceeds of the estate of John C. Clark, deceased, so soon as a sufficient amount thereof shall be realized."

Amendment lost.

Rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Baker, Bell, Clark, Cole, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon—17.

Nays—Alford, Dohoney, Douglas, Evans—4.

Absent—Bowers, Broughton, Flanagan, Fountain, Latimer, Mills, Pyle, Rawson—8.

Bill passed.

Report of Select Committee on veto message:

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: The Special Committee to whom was referred Senate bill entitled, "An Act to incorporate the Neches Navigation Company," and the Governor's message vetoing the same, have had the same under consideration, and report that said act is clearly unconstitutional, as pointed out in said message. Your committee therefore recommend that on reconsideration the Senate refuse to pass said bill.

W. A. SAYLOR,
Chairman Special Committee.

On motion of Senator Ruby the report of the committee was read and adopted.

On motion of Senator Parsons the rules were suspended to take up House bill No. 309, "An Act to incorporate the Gregory Institute of Harris county."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Pending bill, no quorum present.

On motion of Senator Dohoney the Senate adjourned until 8 o'clock to-night.

EVENING SESSION.

8 O'CLOCK, P. M.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll called; quorum present.

Senator Ruby moved the adoption of the report of the Committee of the Whole on House bill No. 381, "Bill to regulate elections."

Yeas and nays taken:

Yeas--Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Priest, Rawson, Ruby--14.

Nays--Bowers, Broughton, Clark, Dohoney, Douglas, Evans, Pickett, Pyle, Shannon--9.

Absent--Alford, Cole, Flanagan, Fountain, Fridgen, Saylor--6.
Adopted.

Senator Douglas offered the following as a substitute for section seven:

"SEC. 7. A special election shall be held on the first Tuesday after the first Monday in November, A. D. 1870, at which time district attorneys for the several judicial districts of the State shall be elected to serve until the next general election; and there shall be elected, at the same time, Senators and Representatives to the State Legislature, to fill such vacancies as may then exist; also, at the same time, officers shall be elected to fill all State and county offices in which vacancies may exist, when the officers are required to be elected by the constitution; and there shall be held at the same time, in the several congressional districts of the State, as prescribed by the Constitutional Convention of 1869, an election for members to the Congress of the United States."

Yeas and nays taken:

Yeas--Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pyle, Shannon--11.

Nays--Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby--13.

Absent--Alford, Flanagan, Fountain, Pridgen, Saylor--5.

Lost.

Senator Dohoney proposed to amend section seven by striking out "1872," and inserting "1871."

The President decided the amendment out of order, for the reason that amendments had been offered to the section and rejected, and that the Senate had just voted down a substitute for section seven, and that it was not susceptible of further amendment.

Senators Bowers appealed from the decision of the Chair, whereupon the yeas and nays were demanded and stood thus:

Yeas--Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Rawson, Ruby--12.

Nays--Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Priest, Pridgen, Pyle, Shannon--12.

Absent--Alford, Flanagan, Fountain, Saylor--4.

Not voting--Mr. President.

The Senate sustained the Chair.

Senator Dohoney moved to amend by striking out sections "nine, ten, eleven, fourteen, nineteen, thirty, thirty-one, thirty-five, forty-six, forty-seven and fifty-nine."

Yeas and nays taken:

Yeas--Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pridgen, Pyle, Shannon--12.

Nays--Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor--14.

Absent--Alford, Flanagan, Fountain--3.

Amendment lost.

Senator Douglas offered the following amendment to section sixty : Amend section sixty by adding, " Provided further, that all electors shall be privileged from arrest, except in cases of felony, treason or breach of the peace."

Yeas and nays taken :

Yeas—Bowers, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pridgen, Pyle, Shannon—11.

Nays—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Absent—Alford, Broughton, Flanagan, Fountain—4.

Lost.

Senator Hall moved the previous question.

Senator Bowers moved a call of the Senate.

Call sustained.

Roll called.

Absent—Flanagan, Alford, Fountain.

Senator Bell moved the call of the Senate be suspended.

Carried.

Senator Hall moved the bill pass to a third reading.

Carried by the following vote :

Yeas—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Nays—Bowers, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pridgen, Pyle, Shannon—11.

Absent—Alford, Broughton, Flanagan, Fountain—4.

Message from the House informing the Senate that the House had passed substitute Senate bill No. 34, " An Act to amend an act entitled ' An Act to incorporate the Western Texas Life, Fire and Marine Insurance Company of the city of San Antonio, Texas,' passed February 16, 1858 ;" Senate bill No. 32, " An Act to incorporate the Houston Hook and Ladder Company No. 1, of the city of Houston ;" Senate bill No. 35, " An Act to incorporate the officers and members of San Antonio Harmonia Lodge No. 1, O. D. H. S. ;" Senate bill No. 29, " An Act to incorporate the Stonewall Fire Company of the city of Houston ;" Senate bill No. 8, " An Act to incorporate the town of Hallville, in Harrison county, Texas ;" Senate bill No. 216, " An Act to incorporate the town of Bremond ;" Senate bill No. 45, " An Act to incorporate Butler Male and Female College in the county of Freestone."

Substitute Senate bill No. 1, " An Act for the relief of freedmen and freedwomen," with the following amendment: amend caption to read " For the relief of persons formerly in bondage."

Also, House bill No. 299, " An Act making an appropriation for

the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State Government for the fiscal year ending August 31, 1870."

On motion of Senator Priest, the Senate adjourned to to-morrow at nine o'clock, A. M.

SENATE CHAMBER,
AUSTIN, TEXAS, Friday, August 12, 1870.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Pyle, the reading of the journal was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Hertzberg :

Petition of citizens of Bexar county asking the passage of House bill No. 255, "An Act to authorize the Governor to procure from the archives of the old Spanish missions the history of this State prior to 1793, and to make appropriation for the same."

On motion of Senator Hertzberg, the rules were suspended to take up House bill No. 255.

Senator Pridgen moved the reference of the bill and petition to Committee on State Affairs.

Yeas and nays taken :

Yeas—Alford, Baker, Bell, Bowers, Broughton, Clark, Dohoney, Douglas, Evans, Gaines, Hall, Mills, Parsons, Pickett, Priest, Pridgen, Pyle, Rawson, Shannon—19.

Nays—Mr. President, Hertzberg, Pettit, Ruby, Saylor—5.

Absent—Cole, Flanagan, Ford, Fountain, Latimer—5.

Carried.

Report of Committee on Enrollment :

COMMITTEE ROOM,
Austin, August 12, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Enrolled Bills beg leave herewith to return to your honorable body engrossed Senate bill No. 66, for the reason that the same has been improperly engrossed.

B. J. PRIDGEN,
Chairman.

On motion, it was referred to Engrossing Committee for re-engrossment.

Report of Committee on Engrossment :

COMMITTEE ROOM,
Austin, August 12, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Engrossed Bills, having examined and compared Senate bill No. 359, "To incorporate the Rusk and Harrison County Railway Company," and Senate bill No. 279, "To incorporate the Rio Grande Railroad Company," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Reports of Committee on Internal Improvements :

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your committee to whom was referred Senate bill No. 323, to be entitled "An Act to authorize railroad companies to regulate the gauges of their roads, beg leave to report that they have carefully considered the same, and recommend that it do pass.

Respectfully,

W. A. SAYLOR,

Chairman Committee on Internal Improvements.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Internal Improvements to whom was referred Senate bill No. 294, entitled "An Act to incorporate the Navasota Narrow Gauge Railroad Company," have had the same under consideration, and report it back to the Senate and recommend its passage.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Internal Improvements to whom was referred House bill No. 327, "An Act to incorporate the Galveston

and Northwestern Railroad Company," have had the same under consideration, and would respectfully recommend that it do pass.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

Report of Committee on Judiciary:

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: House bill No. 150 was referred to the Judiciary Committee. The committee has no time to devote to the business of the committee.

This is a bill to amend the corporation of Burnett Male and Female Academy—a simple corporation of a literary institution, and we see no reason why the same should not pass, and respectfully report the same back to the Senate.

M. PRIEST,
Chairman.

On motion of Senator Priest the rules were suspended to consider the bill.

Bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Rawson, Ruby, Saylor, Shannon,
—22.

Nays—Alford.

Absent—Flanagan, Fountain, Hall, Latimer, Pridgen, Pyle—6.

Bill passed and sent to the House.

Report of Committee of Free Conference on Senate bill No. 317:

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee of Free Conference, with similar House Committee on Senate bill No. 317, "An Act making appropriations for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years, ending August 31, 1870," unanimously agree in reporting back to the Senate the following amendments to said bill, and recommend their adoption:

On page thirteen, under the caption "Adjutant General's office," add:

For telegraphing and printing.....	\$1,000
For pay of Adjutant General from June twenty-four to August thirty-one.....	558
For pay of clerk for July and August, 1870.....	200
	<hr/>
	\$1,758

On page fifteen add before "deficiencies in appropriations:"
For support of State Police..... 75,000

Thus amending page sixteen, "deficiencies," by adding.. \$76,758

G. T. RUBY,
W. H. PYLE,
S. W. FORD,
Committee.

Laid over under the rules.

On motion of Senator Pridgen the rules were suspended to take up Senate bill No. 269, "An Act to provide substitutes for certain documents and books destroyed by fire in the court house of Goliad."

Bill read second time and passed to engrossment; rules suspended, bill read third time and passed.

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August 11, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, to whom was recommended substitute for Senate bill No. 248, having carefully examined and compared the same, find it to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

On motion of Senator Parsons the rules were suspended to take up House bill No. 309, "An Act to incorporate the Gregory Institute of Harris county."

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Shannon—23.

Nays—None.

Absent—Flanagan, Fountain, Hall, Latimer, Pridgen, Saylor—6.

Bill passed.

BILLS AND RESOLUTIONS.

By Senator Pettit: Joint resolution concerning public debt.

Resolution read first time.

By Senator Bowers: "An Act to make an appropriation to pay fees of justices of the peace, and peace officers in criminal prosecutions before justices of the peace."

Bill read second time and passed to engrossment; rules suspended, bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hertzberg, Mills, Parsons, Pickett, Priest, Pyle, Rawson, Saylor, Shannon—21.

Nays—Alford.

Absent—Flanagan, Fountain, Hall, Latimer, Pettit, Pridgen, Ruby—7.

Bill passed.

The Secretary of the Senate carried to the House the following bills: House bills Nos. 289, 338, 459, 469, 492, 467 and 482; Senate bills Nos. 72, 279 and 359.

The Secretary of the Senate carried to the House the following enrolled Senate bills:

No. 367, "An Act to incorporate the Hempstead, Eastern and Western Trunk Railway Company, of Texas."

No. 138, "An Act to change the name of Anna O'Donnell to Anna Rowe."

No. 20, "An Act regulating the right to keep and bear arms."

No. 146, "An Act prescribing the powers and duties of clerks of district courts."

No. 314, "An Act to regulate the disposal of public lands of the State of Texas."

No. 341, "An Act making appropriations for the payment of the expenses of maintaining ranging companies on the frontier."

No. 62, "An Act to amend an act entitled 'An Act to establish a Code of Criminal Procedure, etc.'"

No. 319, "An Act authorizing and requiring the Comptroller of Public Accounts to invest in United States bonds the school fund now in the State Treasury."

Signed by the Speaker, returned and signed by the President.

By Senator Pickett: "An Act to incorporate the Neches Navigation Company."

Read first time and referred to Committee on Internal Improvements.

On motion of Senator Dohoney, the rules were suspended to take

up House bill No. 269, "An Act to incorporate the town of Cleburne, in Johnson county."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Alford, Baker, Bowers, Broughton, Clark, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Shannon—22.

Nays—None.

Absent—Bell, Cole, Flanagan, Fountain, Latimer, Pridgen, Saylor—7.

Bill passed.

Message from the House informing the Senate that the Speaker had signed in open session the following enrolled bills :

Enrolled bill, "An Act to authorize B. P. Riddle and James Blackburn to erect a toll bridge over Neches river, in the county of Cherokee and State of Texas."

Enrolled bill, "An Act to incorporate the Southwestern Insurance and Trust Company."

Enrolled bill, "An Act for the relief of James P. Goodnight, late assessor and collector of Dallas county, and his sureties."

Enrolled bill, "An Act to release A. M. Neps from paying State, county or city incorporation tax on the sale of goods, wares and merchandise in the State of Texas."

Enrolled bill, "An Act to incorporate the Lake Fork Toll Bridge Company."

Enrolled bill "An Act to incorporate the stockholders of the Union, Marine and Fire Insurance Company of the city of Galveston."

Enrolled bill "An Act authorizing the Governor to order an election to be held in Hill county for the permanent location of their county seat."

Enrolled bill "An Act making appropriation to pay Peter Metzgar for conveying his daughter, Anna Metzgar, from Arkansas to her home in Texas, who was captured by Indians and recovered at the boundaries of the State."

Enrolled bill "An Act for the relief of David Cole, or his assigns."

Enrolled bill "An Act to prohibit the sale, or otherwise disposing of spirituous or vinous liquors within two miles of Greenwood Masonic Institute."

Also, that the House has passed House bill No. 102, "An Act for the relief of the Texas and New Orleans Railroad Company, and to protect it in the enjoyment of its rights."

House bill No. 509, "An Act to repeal an act amendatory of 'An Act to punish certain offenses committed on Sundays, passed November 13, A. D. 1866.'"

Whereupon the enrolled bills were signed by the President and returned to the House.

Also, transmitting Senate bill No. 344, "An Act to incorporate the city of Calvert."

Senate bill No. 299, "An Act to incorporate the Belzora Navigation Company."

Senate bill No. 317, "An Act making appropriations for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for the previous year."

Also, that the House had passed re-engrossed Senate bill No. 248, "An Act to incorporate the Texas and Mexico Railway Company."

Also, that the House had passed Senate bill No. 191, "An Act to incorporate the North Texas Railway Company," with the following amendments:

After the word "succession," in seventh line, section one, insert "for ninety-nine years."

Also, that the House had adopted the following amendments, offered by the Committee of Free Conference on Senate bill No. 317:

Adjutant General's office, after line four, insert:

Telegraphing and printing.....	\$ 1,000
Pay of Adjutant General, from June 24th to August 31st, 1870.....	558
Clerk hire for July and August, 1870.....	200

And on page 15, add,

For support of State Police.....	75,000
----------------------------------	--------

House concurs in Senate amendments to House bill No. 478.

Also, to Senate amendment to House bill No. 314.

[Special Order.]

The hour having arrived for the consideration of special order, House bill No. 429, "An Act to incorporate the Colorado Valley Immigration Company,"

Senator Bowers moved a reconsideration of the vote adopting the amendment to strike out section four.

Yeas and nays taken.

Yeas—Alford, Bowers, Broughton, Clark, Cole, Ford, Parsons, Pettit, Pyle, Rawson—10.

Nays—Mr. President, Baker, Bell, Dohoney, Douglas, Evans, Gaines, Hertzberg, Priest—9.

Absent—Flanagan, Fountain, Hall, Latimer, Mills, Pickett, Pridgen, Ruby, Saylor, Shannon—10.

No quorum voting.

Senator Bowers moved a call of the Senate.

Call sustained.

Roll called.

Absent—Flanagan, Fountain, Latimer, Mills—4.

On motion of Senator Bowers, the call of the Senate was suspended.

The question recurring upon the motion to reconsider, Senator Priest moved to lay the motion to reconsider upon the table.

Yeas and nays taken :

Yeas—Baker, Bell, Dohoney, Douglas, Evans, Gaines, Hertzberg, Priest—8.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Ford, Hall, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Saylor—15.

Absent—Flanagan, Fountain, Latimer, Mills, Pickett, Shannon—6.

Lost.

The question recurring upon the motion to reconsider, the yeas and nays were taken :

Yeas—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Ford, Hall, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor—15.

Nays—Baker, Bell, Dohoney, Douglas, Evans, Gaines, Hertzberg, Priest, Shannon—9.

Absent—Flanagan, Fountain, Latimer, Pickett, Ruby—5.

Carried.

Senator Gaines moved the bill be postponed until January 13, 1871.

Yeas and nays taken :

Yeas—Baker, Bell, Douglas, Evans, Gaines, Hertzberg, Priest, Shannon—8.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Ford, Parsons, Pettit, Pridgen, Pyle, Rawson—12.

Absent—Dohoney, Flanagan, Fountain, Hall, Latimer, Mills, Pickett, Ruby, Saylor—9.

Lost.

Senator Alford moved the adoption of the amendment.

Yeas and nays taken :

Yeas—Baker, Bell, Dohoney, Douglas, Evans, Hertzberg, Priest, Shannon—8.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Gaines, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor—13.

Absent—Flanagan, Ford, Fountain, Hall, Latimer, Mills, Pickett, Ruby--8.

Amendment lost.

[Senator Ruby in the chair.]

Senator Dohoney offered the following amendment :

“ Provided that one-third of the emigrants introduced by this company shall be landed either at the town of Jefferson or at the western terminus of the Southern Pacific Railroad.

[Special Order.]

The hour having arrived for the consideration of special order House bill No. 147, on motion of Senator Pridgen it was postponed until the matter before the Senate is disposed of.

The question recurring upon the adoption of the amendment offered by Senator Dohoney, Senator Gaines moved to lay the whole matter upon the table.

Yeas and nays taken :

Yeas—Baker, Bell, Dohoney, Evans, Ford, Gaines, Hertzberg, Priest, Shannon—9.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Hall, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor—13.

Absent—Douglas, Flanagan, Fountain, Latimer, Mills, Pickett, Ruby--7.

Motion lost.

Senator Hall moved the postponement of the matter until tomorrow at 12 o'clock M.

Lost.

The question recurring upon the amendment of Senator Dohoney, the yeas and nays were taken :

Yeas—Baker, Bell, Broughton, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Priest, Shannon—11.

Nays—Mr. President, Alford, Bowers, Clark, Cole, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Saylor—13.

Absent—Flanagan, Fountain, Hertzberg, Latimer, Pickett--5.

The Senate refused to adopt the amendment.

Senator Bell offered the following amendment :

Amend section four by inserting : “ Any person bringing any number of immigrants to Texas shall receive from the State Treasury the sum of ten dollars for each and every one so landed in Texas.”

Yeas and nays taken :

Yeas—Baker, Bell, Dohoney, Douglas, Evans, Ford, Gaines, Hertzberg, Priest, Ruby, Shannon—11.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Hall, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor—14.
Absent—Flanagan, Fountain, Latimer, Pickett—4.

Amendment lost.

Senator Saylor moved the bill pass to the third reading.

Carried.

Senator Bowers moved to suspend the rules and the bill be read third time.

Yeas and nays taken :

Yeas—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Ford, Hall, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor—15.

Nays—Baker, Bell, Dohoney, Douglas, Evans, Gaines, Hertzberg, Priest, Ruby, Shannon—10.

Absent—Flanagan, Fountain, Latimer, Pickett—4.

Motion to suspend the rules lost, four-fifths not voting in the affirmative.

Senator Parsons moved to take up House bill No. 381, "An Act to provide for the mode and manner of conducting elections, making returns, and for the protection and purity of the ballot-box."

Carried.

Bill read third time.

Senator Parsons moved the bill pass.

Senator Priest moved the previous question.

Senator Bowers moved a call of the Senate.

Call sustained.

Roll called.

Absent—Flanagan.

Excused—Senators Latimer and Fountain.

On motion of Senator Campbell the call of the Senate was suspended.

The question recurring upon the motion of Senator Priest for the previous question, Senator Bowers moved a call of the Senate.

The Chair ruled the motion out of order, for the reason that after the previous question was seconded, a call of the Senate was not in order.

Senator Bowers appealed from the decision of the Chair.

Yeas and nays taken :

Yeas—Baker, Bell, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Rawson, Saylor—12.

Nays—Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Pridgen, Pyle, Shannon—10.

Absent—Alford, Flanagan, Fountain, Latimer—4.

Not voting—Mr. President, Ford—2.

The Senate sustained the ruling of the Chair.

The Chair then put the question, "Shall the main question be now put?"

Yeas and nays taken :

Yeas—Baker, Bell, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby Saylor—12.

Nays—Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Pickett, Pridgen, Pyle, Shannon—11.

Absent—Alford, Flanagan, Fountain, Latimer—4.

Not voting—Mr. President, Ford—2.

Main question ordered.

The question recurring upon the final passage of the bill, the yeas and nays were taken :

Yeas—Baker, Bell, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—12.

Nays—Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Pickett, Pridgen, Pyle, Shannon—11.

Absent—Alford, Flanagan, Fountain, Latimer—4.

Not voting—Mr. President, Ford—2.

Bill passed.

Report of Committee on Enrollment :

COMMITTEE ROOM,

Austin, August 12, 1870.

Hon. DON. CAMPBELL,

President of the Senate :

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bill No. 319, entitled "An Act authorizing and requiring the Comptroller of Public Accounts to invest in United States bonds the School Fund now in the State Treasury;" also Senate bill No. 267, entitled "An Act to incorporate the Hempstead, Eastern and Western Trunk Railway Company of Texas;" also Senate bill No. 138, entitled "An Act to change the name of Anna O'Donnell to Anna Rowe;" also Senate bill No. 62, entitled "An Act to establish a Code of Criminal Procedure for the State of Texas, approved August 26, 1856;" also Senate bill No. 341, entitled "An Act making appropriations for the payment of the expenses of maintaining ranging companies on the frontier;" also Senate bill No. 314, entitled "An Act to regulate the disposal of the public lands of the State of Texas;" also Senate bill No. 146, entitled "An Act prescribing the powers and duties of clerks of the district courts;" also Senate bill No. 20, entitled "An Act regulating the right to keep and bear arms," and have this day, at eleven o'clock and forty-five minutes, presented them to the Governor for his approval.

B. J. PRIDGEN,

Chairman.

Report of Committee on Contingent Expenses:

COMMITTEE ROOM,
Austin, August 12, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Contingent Expenses, to whom was referred Senate resolution authorizing the Secretary to draw a warrant in favor of C. L. Abbott (for services performed by Lev Wilson, deceased, as Senate porter) for eighteen days labor, at four dollars per diem, seventy-two dollars, have considered the same and recommend the adoption of the resolution.

J. S. MILLS,
Chairman of Committee.

On motion of Senator Mills, the rules were suspended to consider the report.

Report read and adopted.

Special message from the Governor:

EXECUTIVE OFFICE,
AUSTIN, August 12, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: In compliance with the resolution adopted by the honorable Senate on the tenth inst., calling for correspondence between the military authorities of the United States and myself in relation to frontier protection, I have the honor to enclose the following, viz:

One. Copy of letter from headquarters to J. J. Reynolds, United States Army, commanding Department of Texas, of July 23, 1870.

Two. Copy of letter from J. J. Reynolds, United States Army, commanding Department of Texas, to myself, of August 5, 1870.

Three. Copy of my answer to above, of August 8, 1870.

I have further to state that General Reynolds has informed me that he will use his influence to induce the War Department to adopt some such plan for the treatment of the frontier Indians as that indicated in my letter to him. I am sure that everything in the power of that officer will be done to secure permanent peace on the frontier with as little delay as possible.

Respectfully,

EDMUND J. DAVIS,
Governor.

HEADQUARTERS OF THE ARMY,
 ADJUTANT GENERAL'S OFFICE,
 WASHINGTON, July 23, 1870.

To the Commanding Officer, Department of Texas, through Headquarters, Military Division of the South, Louisville, Kentucky :

SIR : In accordance with instructions from the President, the General of the Army directs that you inform the Governor of Texas, in connection with an act passed by the Legislature of that State, entitled "An Act to provide for the protection of the frontier," that the authorities of the State of Texas will not be permitted to make war upon the Indians ; but that the military authorities of the United States will, to the extent of their ability, preserve the peace of the frontier.

You will please acknowledge receipt, and report action to this office.

Very respectfully, your obedient servant,
 (Signed) E. D. TOWNSEND,
 Adjutant General.

Official :

H. CLAY WOOD, Assistant Adjutant General.

A true copy :

JAMES DAVIDSON, Adjutant General State of Texas.

HEADQUARTERS, DEPARTMENT OF TEXAS, }
 (TEXAS AND LOUISIANA,) }
 AUSTIN, TEXAS, August 5, 1870. }

His Excellency, E. J. DAVIS, Governor of Texas :

GOVERNOR : I have the honor to forward herewith official copy of letter received from the Adjutant General of the Army.

Enclosed you will also please find copy of circular issued from Headquarters, District of Texas, Austin, February 23, 1868, authorizing and inviting the citizens of the frontier counties of Texas to aid the United States troops in the defence of the frontier against Indians.

The circular was approved by the War Department, under date of June 20th 1868, and is still in force. Very little aid has, however, thus far been rendered by the people of the frontier counties for their own protection ; owing probably to the fact that the Department Commander has not been authorized to promise them pay for such service.

If companies should be organized under the recent act of the Legislature of Texas "to provide for the protection of the frontier," on being officially notified by your Excellency of such organization, orders will be issued from department headquarters directing each

company where to rendezvous, and from what post commander on the frontier they shall receive instructions, under the provisions of the enclosed circular.

After the receipt of a reply to this communication, the whole matter will be again referred to the War Department, in compliance with instructions contained in the accompanying letter from the Adjutant General of the army.

I am, Governor, very respectfully, your obedient servant,
(Signed)

J. J. REYNOLDS,
Colonel 25th U. S. Infantry,
Commanding Department.

[Two inclosures.]

A true copy :

JAMES DAVIDSON, Adjutant General State of Texas.

AUGUST 8, 1870.

Major General J. J. REYNOLDS, United States Army, Commanding Department of Texas, Austin, Texas.

GENERAL: I have to acknowledge receipt of your communication of August 5th, enclosing copy of a letter from Headquarters, U. S. Army, of 23d July. In this, you are directed to inform me in connection with the act recently passed by the Legislature, to provide for the protection of the frontier, "that the authorities of the State of Texas will not be permitted to make war upon the Indians, but that the military authorities of the United States will, to the extent of their ability, preserve the peace of the frontier."

The mentioned act of the Legislature was adopted with no purpose—in the proper sense of that expression—to "make war upon" the Indians, but only to enable the frontiersmen to protect themselves. In this view of the subject, it is greatly to be regretted that the general Government should have been induced to send those suffering people a message which cannot be otherwise than disheartening.

It is hard to realize that the general Government is fully aware of the extent of the troubles on the frontier of Texas, when the matter is spoken of so lightly in their official correspondence. I call attention to the following extract from a letter written by Brevet Major General W. B. Hazen, on June 26th last, to the Chairman of the Military Committee of our State Senate: "In the matter of investigation of operations of Indians on Wichita Reserve, if desired I would be glad to submit evidence that the matter has been going on for ten years, and that the attention of the Gov-

ernment has frequently been called to it. Here Indians go regularly and with the avowed purpose of raiding upon Texas from the Reserve. It is always known, or might be known, when and who go, and when they return, and a system might easily be put in operation to prevent it."

The Indians on this Reservation (and others of the same tribes who have not been on the Reserve), are believed to be now depredating on the settlements from Red River down to the neighborhood of the city of San Antonio.

I think, General, with all respect for our authorities at Washington, it is time that some change should take place in the treatment of the Indian question—at any rate in regard to those infesting the Texas frontier. War should be made on them—not to exterminate; we do not desire that—but, to secure a permanent and real peace by compelling all these Indians to surrender themselves to the United States authorities. Their arms and horses should then be taken from them, and they should be kept in Reservations under constant and close surveillance. As a question of cost, this manner of treating these Indians is certainly the cheapest, while on the score of humanity, as well to the Indian as the white; it is also advisable.

As long as the practice continues as heretofore, of allowing these Indians to retain their arms and horses, and to come and go when they please, the reserve system will be a farce; encouraging the Indians to resort thither during winter and times of scarcity, where they may recuperate and procure fresh supplies of clothing and ammunition.

Surely the United States government will not permit this condition of affairs to continue indefinitely. I will therefore, General, ask your influence with the War Department to the end that plans be now arranged for operations against the Indians infesting the frontier of Texas during the coming fall and winter. That the object in view—that is, the capture and submission of all these tribes—be persisted in till all are united in proper reservations, and their arms and horses taken from them. That in this general plan the Kickapoos, now residing in Mexico, be included—of course under preconcert with that government.

To this end the State troops, now being organized under the said act, "for the protection of the frontier," can be placed at the disposition of the War Department, and act in co-operation with the United States forces, and under the command of United States officers of the proper rank. The State troops will number from eight hundred to twelve hundred men, mostly used to frontier and Indian warfare.

In the meantime I will accept your offer to forage and ration these

men, and will direct their movements and stations so as to accord with your views, and to co-operate with your forces.

Respectfully,

(Signed)

E. J. DAVIS, Governor.

A true copy:

JAMES DAVIDSON, Adjutant General, State of Texas.

Senator Campbell moved that five thousand copies of the Governor's message and accompanying documents be printed for the use of the Senate.

Carried.

By leave, Senator Pickett offered the following from the Committee on Conference:

SIR: Your Committee of Free Conference, to whom was referred Senate bill No. 2, entitled "An Act to incorporate the Jefferson and Shreveport Railroad Company, to provide the ways and means for constructing and maintaining their road, and to authorize the sale of said road, and the acquisition by the company of other road or roads," have had the same under consideration, and have agreed upon the following report:

1. The Senate to concur in House amendment to section three, in line twenty, by filling a blank with the words "five or more."
2. That section one, line eight, be amended by striking out the word "perpetual."

Also amend line nine by inserting after the word "succession," the words, "for ninety-nine years."

Very respectfully,

WM. H. SINCLAIR,

C. D. MORRIS,

E. P. BEGTON,

Committee on part of House.

E. B. PICKETT,

W. A. SAYLOR,

Committee on part of Senate.

Report of committee read and adopted.

On motion of Senator Parsons the Senate adjourned to 8 o'clock this evening.

EVENING SESSION.

8 o'clock P. M.

Senate met pursuant to adjournment. President Don Campbell in the Chair. Roll called; quorum present.

[Senator Priest in the chair.]

On motion of Senator Parsons, the rules were suspended to take up Senate bill No. 156, "An Act to incorporate the Texas Mining Company."

Bill read second time and passed to engrossment.

Rules suspended, and bill read third time.

Yeas and nays taken on final passage:

Yeas--Alford, Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hertzberg, Parsons, Pettit, Pickett, Priest, Pyle, Rawson Ruby, Saylor, Shannon--20.

Nays--Bell, Flanagan, Fountain, Gaines, Hall, Latimer, Mills, Pridgen--8.

Absent--Mr. President.

Bill passed.

On motion of Senator Pettit, the rules were suspended to take up "Joint Resolution to appoint two commissioners to obtain information relating to public free schools."

Resolution read second time and passed to engrossment.

Senator Pyle moved to lay the resolution on the table.

Carried.

On motion of Senator Pickett, the rules were suspended to take up House bill No. 331, "An Act to incorporate the Liberty county, Texas, Agricultural Mechanical Blood Stock Association."

Bill read first time.

On motion of Senator Pickett, the Senate receded from the following amendments to the bill:

Amend section one by striking out the word "commissioners," and insert "incorporators."

On motion of Senator Dohoney the rules were suspended to take up House bill No. 507, "An Act appropriating certain moneys for the use of the State Lunatic Asylum."

Report of committee read and adopted.

Bill read first time; rules suspended, bill read second time.

Message from the House by Chief Clerk informing the Senate that the House had passed the following Senate bills: Nos. 19, 24, 28, 30, 46, 59, 60, 65, 73, 76, 78, 83, 100, 107, 119, 124, 125, 141, 145, 160, 164, 169, 171, 174, 178, 180, 183, 208, 209, 217, 221, 226, 249, 257, 259, 264, 279, 354 and 356.

Also substitute for Senate bills Nos. 93, 97, 210, 244 and 261.

Also Senate substitute for House bill No. 466.

Also, with amendments, Senate bills Nos. 196 and 69.

Also House bill No. 87, "An Act making an appropriation to pay the widow and heirs of W. A. Smith, deceased, for services rendered the State"

Message from the House informing the Senate that the Speaker of the House had signed, in open session, the following enrolled bills, viz :

Enrolled bill, "An Act to incorporate the town of Canton, in Van Zandt county."

Enrolled bill, "An Act to amend 'An Act to incorporate the Fire Association of the city of San Antonio,' approved February 8, 1858."

Enrolled bill, "An Act to revise an act, and amend the first section of the same, incorporating the Burnett Male and Female Academy."

Enrolled bill, "An Act to incorporate the town of Round Top, Fayette county."

Enrolled bill, "An Act to incorporate the Jefferson Insurance, Savings and Exchange Company"

Enrolled bill, "An Act to incorporate the Big Cypress Bridge Company."

Enrolled bill "An Act supplementary to an act to incorporate the Victoria and Columbia Railroad Company, approved November 13, 1866."

Enrolled bill "An Act to reorganize the city of Indianola, in Calhoun county, Texas."

Whereupon they were signed by the President and returned to the House.

Under direction of the President the Secretary carried to the House the following enrolled bills :

Senate bill No. 218, "An Act regulating public printing."

Senate bill No. 29, "An Act to incorporate the Stonewall Fire Company of the city of Houston."

Senate bill No. 32, "An Act to incorporate the Houston Hook and Ladder Company No. 1, of the city of Houston."

Senate bill No. 246, "An Act creating the county of San Jacinto, and naming the county site thereof."

Senate bill No. 351, "An Act to validate certain official acts of county judges."

Senate bill No. 8, "An Act to incorporate the town of Hallyville in Harrison county, Texas."

Senate bill No. 260, "An Act to incorporate the Texas Timber and Prairie Railroad Company."

Senate bill No. 51, "An Act providing for a geological survey of the State of Texas."

Senate bill No. 45, "An Act to incorporate Butler Male and Female Academy, in the county of Freestone."

Senate bill No. 350, "An Act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico."

Substitute Senate bill No. 34, "An Act to amend an act entitled 'An Act to incorporate the Western Texas Life, Fire and Marine Insurance Company of the city of San Antonio, Texas, passed February 16, 1858.'"

Senate bill No. 352, "An Act to regulate the sale of lands and decrees of the courts."

Senate bill No. 299, "An Act to incorporate Belzora Navigation Company."

Senate bill No. 332, "An Act authorizing the county courts to sell the school lands situated in their respective counties."

Senate bill No. 325, "An Act fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the court to establish rules."

Senate bill No. 248, "An Act to incorporate the Texas and Mexico Railway Company."

Signed by the Speaker and returned.

Senator Ruby moved the Senate concur in the report of the Committee of Conference on Senate bill No. 317, "An Act making appropriation for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years."

Senator Douglas moved a call of the Senate.

Call sustained; roll called.

Absent—Senators Gaines and Mills.

On motion of Senator Alford the call of the Senate was suspended.

On motion of Senator Priest the Senate adjourned.

SENATE CHAMBER,
AUSTIN, TEXAS, Saturday August 13, 1870.

Senate met pursuant to adjournment; **President** Don Campbell in the Chair. Roll call; quorum present. Prayer by the Chaplain.

The Secretary carried to the House the following enrolled bills: Enrolled bill, "An Act to incorporate the Pacific and Great Eastern Railway Company of Texas."

Signed by the Speaker, returned and signed by the President.

Also Senate bills Nos. 361, 189, 152, 269, and substitute for Senate bill No. 66.

The President signed in open session the following enrolled Senate bills, Nos. 299, 325, 332, 352, 34, 350, 45, 51, 260, 8, 351, 246, 32, 29, 248 and 218.

On motion of Senator Pridgen the rules were suspended to take up Senate bill No. 273, "An Act to provide for the sale of the Houston Tap and Brazoria Railway."

On motion of Senator Pridgen the following House amendments to Senate bill No. 273 were concurred in:

Amend section two by striking out "sixty days" and inserting "ninety days."

Amend section three by striking out all after the word "State," in line twenty-four, and inserting the following: "Provided further, that should said railway, when offered for sale to the highest bidder, not bring the sum of \$100,000 (one hundred thousand dollars,) coin, the Governor is hereby authorized to purchase the same for the State."

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August 13, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 361, "To make an appropriation to pay fees of justices of the peace and peace officers in criminal prosecutions before justices of the peace;" also Senate bill No. 269, "To provide substitutes for certain documents and books destroyed by fire in the court house at Goliad;" also Senate bill No. 152, "To incorporate the Germania Club of San Antonio, Texas;" also Senate bill No. 189, "To incorporate Burgess Business College of Galveston, Texas," and substitute for Senate bill No. 66, "Defining the

homestead and other property exempt from forced sale in this State," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

On motion of Senator Campbell, the rules were suspended to take up Senate bill No. 327, "An Act concerning railroads."

Bill read second time and passed to engrossment.

Rules suspended; bill read third time and passed.

Senator Ruby offered the following Report of Committee of Free Conference, and recommend the adoption of the following amendments:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee of Free Conference on House bill No. 511, "for the Assessment and Collection of Taxes," with like committee on the part of the House, having duly considered the same, unanimously agree to report said bill to the Senate with the accompanying amendments, and recommend its passage.

G. T. RUBY,
W. H. PYLE,
S. W. FORD,
Committee.

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. IRA H. EVANS,

Speaker of the House of Representatives:

SIR: Your select committee, to whom was referred House bill No. 511, entitled "An Act for the assessment and collection of Taxes," having duly considered the same, respectfully report the same back, with the recommendation that it be passed with accompanying amendments. The committee acknowledge the services of the Comptroller, and chief clerk in the Comptroller's office, in the examination of the bill.

SINCLAIR,
BURNETT,
ABBOTT.

Amend as follows:

Strike out section one, and insert the following as a substitute:
"SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the justices of the peace of the several counties of

this State shall be the assessors of taxes in their respective precincts, under such rules and regulations as may be prescribed by law."

Strike out section two, down to the words, "And I do," in fifth line, and insert the following in lieu thereof: "That every justice of the peace shall, within ten days after he has received notice of his election, in addition to the bond and oath required for the performance of his other duties as justice of the peace, give a bond, payable to the State of Texas, in a penalty of two thousand dollars, with at least three good and sufficient sureties, to be approved by the district judge of his county; and shall also take and subscribe the following oath:" Also, strike out in line eleven, section two, the words "or appointed;" also, strike out in line seventeen, of same section, the word "court," and insert in lieu thereof the word "judge;" also, line twenty-four, section two, strike out all after the words "official term," and insert in lieu thereof the following: "And in case of the removal, by the district judge, the cause therefor, and order of removal, shall be entered on the minutes of the court."

Strike out in line two, section four, the words, "and with the consent of the district court;" and in line three, same section, strike out the words "approved by the court."

Section five, line seven, strike out all after the word "shall," and insert the following: "Be subject to a fine of fifty dollars, on indictment or information in the district court."

Section eight, line two, strike out the words "or county court," and insert in lieu thereof the word "judge."

Section eleven, line six, strike out all after the word "failure," and insert the following: "Be subject to a fine of fifty dollars, on indictment or information in the district court."

Section twenty-two, line thirteen, strike out all after the word "shall," and insert the following: "Be subject to a fine of fifty dollars, on indictment or information in the district court."

Strike out all of sections thirty-four, thirty-five, thirty six, thirty-eight and thirty-nine, and the words "income and salary" in sections forty, forty-one and forty-five, and wherever they occur in the bill. Also, in section thirty-seven, strike out lines twenty-one and twenty-two.

Section forty-five, lines two and three, strike out the words "tax, or schedule for the assessment of the income, salary or poll," and insert the words "and poll;" and in line twenty-three, same section, strike out the words "and schedule."

Strike out sections forty-seven, forty-eight, forty-nine, fifty, fifty-one and fifty-two, and insert the following as a substitute for section fifty-one, viz:

"SEC. 51. Every railroad, canal or navigation company shall hereafter report quarterly, on the 15th days of March, June, September and December in each year to the Comptroller of Public Accounts, the gross amount received by such company for the transportation of freight and passengers over such road or canal, or any part thereof, during the quarter of the year next preceding the first day of the month in which such report is made; and at the time of making such reports shall pay into the State treasury two per cent. of such gross amount, received in compliance with section three of 'An Act to levy taxes.'"

Section fifty-five, line two, strike out the word "forfeit," and insert the words "be subject to a fine of;" and in section fifty-eight, line five, and section sixty-two, line two, make the same amendment.

Section sixty-nine, line one, strike out the words "each book and of the schedules of income, salary, occupation and poll tax," and insert in lieu thereof the words "of the land book and one copy of the book of personal property and poll tax."

Section seventy, line three, strike out word "two," and insert "one." Also, strike out in line five, same section, the words "and schedules of income, salary and poll tax."

Section seventy-six, line three, strike out word "forfeit," and insert words "be subject to a fine of."

Section eighty-eight, line two, strike out "county courts," and insert district judge." Also, in line three, same section, strike out "court," and insert judge." Also, strike out all of said section after the words "justices of the peace," in line seven.

Section ninety-five, strike out lines one, two and three and insert, at the beginning of the section, "The sheriff in each county in addition to," etc.

Section ninety-nine, line seven, strike out "county" and insert "district;" also, in section one hundred and twenty-seven, line three, make same amendment, and in line ten, section one hundred and twenty-seven, strike out "damages" and insert "penalty."

Add, after section one hundred and thirty-four, an additional section to read as follows: "That the sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, for the purchase of blanks, and contingencies necessary to carry this act into effect."

Senator Ruby moved the adoption of the report.

Senator Bowers moved a call of the Senate.

Call sustained.

Roll called.

Absent—Cole and Pickett.

On motion of Senator Alford the call of the Senate was suspended. Senator Alford moved the previous question.

Previous question seconded.

Bill read first time as amended; rules suspended, bill read second time.

On motion of Senator Ruby the report of committee and amendments were concurred in.

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

Yeas—Mr. President, Alford, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pyle, Rawson, Ruby, Saylor—16.

Nays—Bowers, Broughton, Cole, Dohoney, Evans, Pickett, Shannon—7.

Absent—Douglas, Flanagan, Fountain, Latimer, Pridgen—5.

Bill passed and reported to the House.

Senator Ruby moved that the report of the Committee of Free Conference on Senate bill No. 317; "An Act making an appropriation for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years," be concurred in by the Senate.

Yeas and nays called and resulted as follows:

Yeas—Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—13.

Nays—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Pickett, Pyle, Shannon—11.

Absent—Mr. President, Flanagan, Fountain, Latimer, Pridgen—5.

Report of committee and amendments concurred in.

By leave Senator Mills introduced a bill to be entitled "An Act supplementary to 'An Act making appropriations for the State government,'" etc.

Read first time.

Senator Ruby moved a suspension of the rules to put the bill on its second reading.

Yeas and nays taken:

Yeas—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Nays—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Pickett, Pyle, Shannon—11.

Absent—Flanagan, Fountain, Latimer, Pridgen—4.

Senate refused to suspend the rules.

By leave Senator Pickett presented the following bill, "An Act

supplementary to an act entitled, 'An Act to provide for districting the State of Texas into judicial districts.'

Bill read first time; rules suspended, bill read second time and passed to engrossment; rules further suspended and bill read third time and passed.

Senator Mills offered the following resolution:

Resolved, That the Sergeant-at-Arms be required to remain at the Capitol during the time that elapses before the meeting of the next Legislature, to take charge of the property belonging to the Capitol and committee rooms in the different buildings, in use by the Legislature; to secure the safety of all furniture and other property, and to attend to such repairs and business as he may be directed to do. The President of the Senate and the Sergeant-at-Arms shall retain the chief porter of the Senate until the next session.

On motion of Senator Alford the resolution was laid on the table.

Report of Committee on Enrolled Bills:

COMMITTEE ROOM,
Austin, August 13, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bill No. 351, entitled "An Act to validate certain official acts of county judges;" also Senate bill No. 246, entitled "An Act creating the county of San Jacinto, and naming the county site thereof;" also Senate bill No. 51, entitled "An Act for a geological survey of the State of Texas;" also Senate bill No. 238, entitled "An Act to incorporate the Pacific and Great Eastern Railway Company;" also Senate bill No. 325, entitled "An Act fixing the terms of the Supreme Court of the State of Texas, and authorizing the court to establish rules;" also Senate bill No. 350, entitled "An Act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico;" also Senate bill No. 45, entitled "An Act to incorporate Butler Male and Female College, in the county of Freestone;" also Senate bill No. 248, "An Act to incorporate the Texas and Mexico Railway Company;" also Senate bill No. 260, entitled "An Act to incorporate the Texas Timber and Prairie Railroad Company;" also Senate bill No. 34, entitled "An Act to amend an act entitled 'An Act to incorporate the Western Texas Life, Fire and Marine Insurance Company, of the city of San Antonio, Texas,' passed February 16, 1858;" also Senate bill No. 352, entitled "An Act to regulate the sale of lands under the decrees of the courts;" also Senate bill No. 332, entitled "An Act authorizing the county courts to sell school

lands situated in their respective counties;" also Senate bill No. 218, entitled "An Act regulating public printing;" also Senate bill No. 299, entitled "An Act to incorporate the Belzora Navigation Company;" also Senate bill No. 3, entitled "An Act to incorporate the town of Hallville, in Harrison county, Texas;" also Senate bill No. 32, entitled "An Act to incorporate the Houston Hook and Ladder Company No. 1, of the city of Houston;" also Senate bill No. 29, entitled "An Act to incorporate the Stonewall Fire Company, of the city of Houston," and this day, at nine o'clock and thirty minutes A. M., presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

On motion of Senator Alford the rules were suspended to take up House bill No. 429, "An Act to incorporate the Colorado Valley Immigration Company."

Bill read third time.

Senator Alford moved its final passage.

Yeas--Mr. President, Alford, Bowers, Broughton, Clark, Cole, Ford, Hall, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor--15.

Nays--Baker, Bell, Dohoney, Douglas, Evans, Gaines, Hertzberg, Priest, Shannon--9.

Absent--Flanagan, Fountain, Latimer, Pickett, Ruby--5.

The Chair decided the bill was lost, two-thirds not voting in the affirmative.

Senator Bowers appealed from the decision of the Chair.

Yeas and nays taken:

Yeas--Baker, Bell, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Pettit, Priest, Ruby, Shannon--13.

Nays--Alford, Bowers, Broughton, Clark, Cole, Parsons, Pridgen, Pyle, Rawson, Saylor--10.

Absent--Flanagan, Fountain, Latimer, Mills, Pickett--5.

The Senate sustained the decision of the Chair.

Message from the House informing the Senate the House had appointed the following Committee of Conference on House bill No. 454: Messrs. Plumley, Harn, R. Allen, McLean and Jenkins, and asks the appointment of a like committee on the part of the Senate.

The Chair appointed on said committee Senators Hall, Gaines and Pyle.

Senator Pyle offered the following resolution:

Be it resolved by the Senate of the State of Texas, That after the adjournment of the Legislature, the Secretary of the Senate be, and he is hereby authorized and required, to have the proceedings of

this body, for the past session, compared, corrected and printed up to the date of such adjournment. That he also be authorized and required to index, rule, compare and affix marginal notes to the "journal;" and, for the purpose of assisting him in this work, and bringing up said "journal" to date of adjournment, he is hereby authorized to retain the journal clerk.

That the Secretary shall be required to take charge of, and forward to, the proper address, all letters, papers or other mail matter which may be received for the officers, members and employes of this body, after their departure for their several places of residence.

That the Second Assistant Secretary and Calendar Clerk be authorized to remain thirty days after the adjournment of this body, to bring up and complete the unfinished business of their respective positions.

That the Comptroller of Public Accounts is hereby authorized and required to audit the accounts for per diem pay of the officers and clerks, authorized by this resolution, to be retained after adjournment, upon the certificate of the Secretary of the Senate that they have duly performed the work required of them.

Senator Bowers moved to strike out the word "corrected."

Carried.

On motion of Senator Pyle the resolution was adopted.

Senator Pyle offered the following resolution:

Resolved, That the use of the Senate Chamber be tendered to General J. B. Magruder, next Monday night, for the purpose of delivering a lecture on Mexico, and the policy of the United States with reference thereto.

Adopted.

On motion of Senator Bowers the rules were suspended to take up Senate bill No. 184, "An Act to incorporate the Superannuated Preacher's Aid Society."

Bill read second time and passed to engrossment; rules further suspended, bill read third time.

Yeas and nays taken:

Yeas—Alford, Baker, Bell, Bowers, Broughton, Clark, Dehoney, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Saylor, Shannon--20.

Nays—None.

Absent—Mr. President, Cole, Douglas, Evans, Flanagan, Fountain, Latimer, Pridgen, Ruby--9.

Bill passed.

Message from the House informing the Senate that the House had passed Senate bill No. 359, "An Act to incorporate the Rusk and Harrison County Railway Company."

Also, Senate bill No. 308.

Also, that the House had concurred in the Senate amendments to House bill No. 381.

Also, that the Speaker had signed, in open session, the following enrolled bills :

Enrolled bill, "An Act to incorporate the town of Carthage, in Panola county."

"An Act to incorporate the town of Rockport, in Refugio county."

"An Act to incorporate the Texas Land Company."

"An Act to incorporate the town of Hallettsville, in Lavaca county."

"An Act for the relief of John B. Craig, deceased."

"An Act legalizing certain writs and processes issued by or from district courts."

"An Act for the relief of James L. Lipscomb and John Blair of Houston county, and State of Texas."

"An Act to prohibit the sale of intoxicating liquors within certain limits of Johnson Station High School, in the town of Johnson Station, in Tarrant county."

"An Act to incorporate the Bean's Wharf Warehouse and Cotton Compress Company in the city of Galveston."

"An Act to amend an act entitled 'An Act authorizing quarantine on the coast of Texas and elsewhere within the State,' approved June 10, 1870."

"An Act to incorporate the Belton Bridge Company."

"An Act to incorporate the Weatherford Masonic Institute."

"An Act to establish the Sabine Pass and Red River Railway Company."

"An Act for the relief of Andrew J. Nichols."

"An Act for the relief of Alex. Smith, deceased."

"An Act to incorporate the town of Springfield."

"An Act to incorporate Trinity University."

Whereupon they were signed by the President and returned to the House.

Also, that the House had passed Senate bill No. 291, "An Act to incorporate the Beaumont, Galveston and Coast Railway Company," with the following amendment :

Insert the words, "for ninety-nine years," after the word "succession" in section one.

[Senator Dohoney in the chair.]

On motion of Senator Bell, the rules were suspended to take up House bill No. 517, "An Act fixing the compensation of the Speaker of the House of Representatives."

Bill read first time ; rules suspended, bill read second time.

Senator Ruby moved the rules be suspended to place the bill on its third reading and final passage.

Yeas and nays taken :

Yeas—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Shannon—15.

Nays—Alford, Bowers, Clark, Cole, Dohoney, Douglas, Evans—7.

Absent—Broughton, Flanagan, Fountain, Latimer, Mills, Pridgen, Saylor—7.

Motion to suspend the rules lost; four-fifths not voting in the affirmative. •

On motion of Senator Bowers, the rules were suspended to take up House bill No. 336, "An Act to incorporate the Austin Hook and Ladder Company No. 1, of the city of Austin."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Dohoney, Douglas, Evans, Ford, Gaines, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Saylor, Shannon—23.

Nays—None.

Absent—Cole, Flanagan, Fountain, Hall, Latimer, Pridgen—6.

Bill passed.

Report of Committee on Engrossment :

COMMITTEE ROOM,
Austin, August 12, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 156, "to incorporate the Texas Mining Company," also Senate bill No. 362, supplementary to an act entitled "An Act to provide for districting the State of Texas into judicial districts, approved July 2, 1870," and Senate bill No. 327, "concerning railroad companies," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

On motion of Senator Broughton, the rules were suspended to take up House bill No. 102, "An Act for the relief of the Texas and New Orleans Railroad Company, and to protect it in the enjoyment of its rights."

Bill read first time.

S J—83

Senator Rawson moved the bill be referred to Committee on Internal Improvements.

Lost.

Senator Alford moved a suspension of rules to put the bill on its second reading.

Yeas and nays taken :

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Pyle, Saylor, Shannon—22.

Nays—Priest, Rawson—2.

Absent—Flanagan, Fountain, Latimer, Pridgen, Ruby—5.

Rules suspended.

Bill read second time.

Rules further suspended and bill read third time.

Senator Parsons moved the bill pass.

Yeas and nays taken :

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Mills, Parsons, Pettit, Pickett, Pyle, Saylor, Shannon—21.

Nays—Priest, Rawson—2.

Absent—Flanagan, Fountain, Hertzberg, Latimer, Pridgen, Ruby—6.

Bill passed. .

Senator Bowers offered the following resolution :

Resolved, That hereafter no Senator shall be permitted to speak more than two and one-half minutes at any one time without permission of the Senate.

Senator Priest moved to amend by striking out the following words: "without permission of the Senate."

Lost.

On motion of Senator Bowers, the resolution was adopted :

On motion of Senator Clark, the rules were suspended to take up House bill No. 327, "An Act to incorporate the Galveston and Northeastern Railway Company."

Bill read second time.

Senator Mills moved its reference to the Committee on Internal Improvements.

Lost.

Senator Douglas offered the following resolution :

Add to section two :

"Provided, That the said railroad shall not be so located as to run in the same general direction, within twenty-five miles of the Houston and Great Northern Railroad."

Adopted.

Rules further suspended, bill read third time.

Yeas and nays taken on final passage.

Yeas—Mr. President, Baker, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hertzberg, Parsons, Pickett, Priest, Pyle, Rawson, Saylor, Shannon—19.

Nays—Alford, Mills—2.

Absent—Broughton, Flanagan, Fountain, Hall, Latimer, Pettit, Pridgen, Ruby—8.

Bill passed.

On motion of Senator Cole, the rules were suspended to take up House bill No. 87, "An Act making an appropriation to pay the widow and heirs of W. A. Smith, deceased, for services rendered the State."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Senator Douglas moved its reference to Committee on Finance.

Lost.

The question recurring upon the final passage of House bill No. 87, the yeas and nays were taken:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Ruby, Saylor, Shannon—23.

Nays—Rawson.

Absent—Broughton, Flanagan, Fountain, Latimer, Mills—5.

Bill passed.

By leave Senator Cole introduced "An Act supplemental to an act fixing the judicial districts of the State, approved July 2, 1870, and supplemental to an act prescribing the terms of the district courts, approved August 10, 1870."

Bill read first time; rules suspended, bill read second time; rules further suspended bill read third time and passed.

On motion of Senator Douglas the rules were suspended to take up Senate bill No. 323, "An Act to authorize railroad companies to regulate the gauges of their roads."

Bill read second time; rules suspended, bill read third time and passed.

The Secretary carried to the House the following enrolled bills:

Senate bill No. 35, "An Act to incorporate the officers and members of San Antonio Harmonia Lodge No. 1, O. D. H. S."

Senate bill No. 78, "An Act concerning the levy of taxes for Bexar county."

Senate bill No. 216, "An Act to incorporate the town of Bremond."

Senate bill No. 279, "An Act to incorporate the Rio Grande Railroad Company."

Senate bill No. 356, "An Act making an appropriation to defray the contingent and printing expenses of the Twelfth Legislature."

Senate bill No. 141, "An Act to incorporate Victoria Fire Company No. 1."

Senate bill No. 97, "An Act for the relief of W. B. Price."

Senate bill No. 164, "An Act to incorporate the Navasota Insurance Company."

Senate bill No. 466, "An Act to change the gauge of the Brazos Branch Railroad, etc."

Senate bill No. 169, "An Act to incorporate the Comal Cemetery Association."

Senate bill No. 273, "An Act to provide for the sale of the Houston Tap and Brazoria Railway."

Senate bills Nos. 257, 28, 354, 100, 264, 174 and 73, were signed by the Speaker of the House, returned, and signed by the President.

Also, Senate bill No. 327, "An Act concerning Railroad Companies."

[General File.]

Senate bill No. 1, "An Act for the relief of freedmen and freedwomen," with the following House amendment:

Amend caption to read, "for the relief of persons formerly in bondage."

On motion of Senator Ruby the Senate concurred in said amendment.

Senate bill No. 291, "An Act to incorporate the Beaumont, Galveston and Coast Railway Company," with the following House amendment:

Amend section one, after the word succession insert, "for ninety nine years."

On motion of Senator Ruby the Senate concurred in said amendment.

Senate bill No. 191, "An Act to incorporate the North Texas Railroad Company," with the following House amendment:

After the word succession in seventh line, section one, insert "for ninety-nine years."

On motion of Senator Ruby, Senate concurred in said amendment.

On motion of Senator Evans the rules were suspended to take up House bill No. 508, "An Act to appropriate the sum of seven thousand dollars, or so much thereof as may be necessary, out of any money in the treasury not otherwise appropriated, to defray the expense of the commission heretofore authorized by virtue of a joint resolution."

Bill read first time.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 12, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bill No. 2, entitled "An Act to incorporate the Jefferson and Shreveport Railroad Company, to provide the ways and means for constructing and maintaining their road, and to authorize the sale of said road, and the acquisition by the company of other road or roads;" also Senate bill No. 466, "An Act to change the gauge of the Brazos Branch Railroad, extend the time of construction, erect a telegraph line, and to permit the company to extend their line of road;" also Senate bill No. 356, "An Act making an appropriation to defray the contingent and printing expenses of the Twelfth Legislature;" also Senate bill No. 141, "An Act to incorporate Victoria Fire Company No. 1;" also Senate bill No. 97, "An Act for the relief of W. B. Price;" also Senate bill No. 35, "An Act to incorporate the officers and members of San Antonio Harmonia Lodge No. 1, O. D. H. S.;" also Senate bill No. 78, "An Act concerning the levy of taxes for Bexar county;" also Senate bill No. 216, "An Act to incorporate the town of Bremond;" also Senate bill No. 279, "An Act to incorporate the Rio Grande Railroad Company;" also Senate bill No. 73, "An Act to incorporate the Austin Joint Stock Building Company;" also Senate bill No. 264, "An Act for the relief of the heirs of Lynn Bobo, deceased;" Senate bill No. 174, "An Act to incorporate the Kemper City Bridge Company;" also Senate bill No. 257, "An Act for the relief of U. B. McClelland;" also Senate bill No. 28, "An Act for the relief of the heirs of James S. Holman, deceased;" also Senate bill No. 354, "An Act supplemental to an act making appropriations for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years, ending August 31, 1870;" also Senate bill No. 100, "An Act for the relief of A. H. Cook;" also Senate bill No. 169, "An Act to incorporate the Comal Cemetery Association;" also Senate bill No. 273, "An Act to provide for the sale of the Houston Tap and Brazoria Railway;" also Senate bill No. 164, "An Act to incorporate the Navasota Insurance Company," and this day, at twelve o'clock and ten minutes, presented them to the Governor for his approval.

B. J. PRIDGEN, Chairman.

On motion of Senator Pyle, Senate adjourned to four o'clock P. M.

AFTERNOON SESSION.

4 O'CLOCK P. M.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll called; quorum present.

On motion of Senator Flanagan the rules were suspended to take up House bill No. 509, 'An Act to repeal an act amendatory of 'An Act to punish certain offenses committed on Sundays,' passed November 13, A. D. 1866.'

Bill read first time.

Senator Priest moved its indefinite postponement.

Yeas and nays taken :

Yeas—Mr. President, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Gaines, Pettit, Pickett, Priest, Pridgen—12.

Nays—Alford, Baker, Broughton, Ford, Hall, Hertzberg, Parsons, Pyle, Ruby—9.

Absent—Bell, Flanagan, Fountain, Latimer, Mills, Rawson, Saylor, Shannon—8.

Motion to indefinitely postpone carried.

On motion of Senator Ford the rules were suspended to take up House bill No. 135, "An Act to incorporate the Waco Insurance Company."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken :

Yeas—Mr. President, Alford, Baker, Bowers, Broughton, Clark, Cole, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Ruby—20.

Nays—None.

Absent—Bell, Dohoney, Flanagan, Fountain, Latimer, Mills, Rawson, Saylor, Shannon—9.

Bill passed.

Report of Committee on Engrossment :

COMMITTEE ROOM,
Austin, August 13, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 184, "To incorporate the Superannuated Preachers' Aid Society;" also Senate bill No. 363, "Supplemental to an act to provide for districting the State of Texas into judicial districts, approved July 2, 1870, and supplemental to an act pre-

scribing the time of holding the terms of the district court, approved August 10, 1870," and Senate bill No. 323, "To authorize railroad companies to regulate the gauges of their roads," find the same to be correctly engrossed.

G. T. RUBY,
P. W. HALL.
E. L. DOHONEY,

On motion of Senator Gaines, the rules were suspended to take up House bill No. 468, "An Act further regulating juries."

Bill read first time; rules suspended, bill read second time.

Senator Alford moved the suspension of the rules to put the bill on its third reading.

Yeas and nays taken :

Yeas--Mr. President, Alford, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Priest, Ruby--12.

Nays--Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Pickett, Pyle, Shannon--10.

Absent--Flanagan, Fountain, Latimer, Mills, Pridgen, Rawson, Saylor--7.

Motion to suspend the rules lost.

On motion of Senator Hertzberg, the rules were suspended to take up House bill No. 180. "An Act to ascertain and adjudicate certain claims for land against the State, situated between the Nueces and Rio Grande rivers."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time and passed.

On motion of Senator Hall, the rules were suspended to take up Senate bill No. 315, "An Act to provide for repairing and making additions to the public buildings, the property of the State, at Austin, Texas."

Bill read third time.

Yeas and nays taken on final passage.

Yeas--Mr. President, Baker, Bell, Bowers, Ford, Gaines, Hall, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Ruby, Saylor--16.

Nays--Alford, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Hertzberg, Shannon--9.

Absent--Flanagan, Fountain, Latimer, Rawson--4.

Bill passed.

On motion of Senator Hertzberg, the rules were suspended to take up Senate bill No. 290, "An Act to incorporate the San Antonio Meat Extract Company of the city of San Antonio."

Bill read second time and passed to engrossment.

Rules suspended, bill read third time.

Yeas and nays taken on final passage.

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Evans, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Ruby, Saylor, Shannon--23.

Nays--None.

Absent---Dohoney, Douglas, Flanagan, Fountain, Latimer, Rawson--6.

Bill passed.

On motion of Senator Bowers, the rules were suspended to take up House bill No. 263, "An Act to prohibit the sale of spirituous liquors, and the establishing or keeping of any gambling table or device within two miles of Trinity University, in Limestone county."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time and passed.

On motion of Senator Mills, the rules were suspended to take up House bill No. 518, "An Act authorizing and requiring the Comptroller of Public Accounts to audit the public debt of Texas, and prescribing the manner in which it shall be done."

Bill read first time; rules suspended, bill read second time.

Senator Bowers offered the following amendment:

Amend by adding at the end of section three the following words: "Provided, if the holder of any claim objects to the cancellation of the same, the Comptroller shall endorse his action on said claim and return it to the owner or the person controlling it, and if the same be approved, then said claim shall be a valid and subsisting claim against the State of Texas."

Adopted.

Senator Bowers offered the following amendment:

Strike out the word "accruing" in section 4, line 16, and insert the words "the consideration of which shall have accrued."

Adopted.

Senator Mills moved suspension of rules to put the bill on third reading. Carried.

Bill read third time and passed.

On motion of Senator Parsons, the rules were suspended to take up Senate bill No. 292, "An Act to incorporate Waco Female College."

Bill read second time and passed to engrossment.

Rules suspended; bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark,

Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hertzberg, Mills, Parsons, Pettit, Priest, Pridgen, Pyle, Shannon—20.

Nays—None.

Absent—Broughton, Flanagan, Fountain, Hall, Latimer, Pickett, Rawson, Ruby, Saylor—9.

Bill passed.

On motion of Senator Pettit the rules were suspended to take up House bill No. 221, "An Act to incorporate the Galveston Savings Bank and Trust Company."

Bill read second time; rules suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Saylor, Shannon—23.

Nays—None.

Absent—Broughton, Flanagan, Fountain, Latimer, Rawson, Ruby—6.

Bill passed.

On motion of Senator Pickett the rules were suspended to introduce "An Act supplementary to an act entitled 'An Act prescribing the time of holding the district courts in the several judicial districts in the State.'"

Bill read first time; rules suspended, bill read second time and passed to engrossment; rules further suspended, bill read third time and passed.

On motion of Senator Priest the rules were suspended to take up House joint resolution No. 22, "in relation to the salaries of provisional district judges."

Resolution read first time; rules suspended, resolution read second time.

Senator Dohoney offered the following amendment:

Amend by adding this proviso: "Provided that no salary shall be audited or paid to any such provisional judge, unless satisfactory evidence be produced to the Comptroller that such judge actually continued in the discharge of his official duties during the time for which he claims such salary."

Amendment adopted.

Bill read third time and passed.

On motion of Senator Baker the Senate adjourned until 8 o'clock P. M.

EVENING SESSION.

8 O'CLOCK, P. M.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll called; quorum present.

Report of Committee on Engrossed Bills:

COMMITTEE ROOM,
Austin, August 13, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined and compared Senate bill No. 365, "Supplementary to an act entitled 'An Act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870;" also Senate bill No. 292, "To incorporate Waco Female College;" and Senate bill No. 290, "To incorporate the San Antonio Meat Extract Company, of the city of San Antonio," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY.

On motion of Senator Pickett the rules were suspended to take up House bills on their third reading.

Senator Bowers offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized and directed to remain in the city of Austin ten days after the adjournment of the Legislature to superintend the arrangement of the furniture for safe keeping during the vacation, and to return thirty days before the meeting of the next session of the Legislature to place the Senate Chamber and committee rooms in order for the use of the Senate.

On motion of Senator Bowers the rules were suspended to consider the resolution.

Resolution read and adopted.

[General File.]

House bill No. 517, "An Act fixing the compensation of the Speaker of the House of Representatives."

Bill read third time.

Senator Ruby offered the following resolution:

Resolved, That Senator Bell be and is hereby added to the select committee on visiting the Penitentiary during the adjournment of the Legislature.

Adopted.

On motion of Senator Priest the rules were suspended to take up House bill No. 99, "An Act donating public land to actual settlers upon the same."

Bill read first time.

[Senator Dohoney in the Chair.]

On motion of Senator Pickett the rules were suspended to take up House bill No. 522, "An Act to levy taxes."

Bill read first time; rules suspended, bill read second time.

Senator Bowers offered the following amendment:

Amend by adding at the close of — section the following words:

"Provided, druggists and physicians who sell or prescribe liquors for medicinal purposes shall not be required to pay license as a vendor of spirituous, vinous, malt or intoxicating liquors."

Adopted.

Senator Pickett offered the following amendment: strike out the word "five" before hundred in line twenty, section four, and insert "two" in lieu thereof.

Amendment lost.

Senator Alford moved to amend by inserting the word "conveyancer" after the word "attorney." Lost.

Senator Alford offered the following amendment:

Land agents—strike out "fifty dollars" and insert "ten dollars."

Adopted.

Rules suspended; bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Baker, Clark, Dohoney, Ford, Gaines, Hall, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Saylor—16.

Nays—Alford, Cole, Evans, Shannon—4.

Absent—Bell, Bowers, Broughton, Douglas, Flanagan, Fountain, Hertzberg, Latimer, Pridgen—9.

Bill passed.

Report of Committee of Free Conference:

COMMITTEE ROOM,
Austin, August 13, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee of Free Conference, to whom was referred House bill 454, "An Act to provide for the appointment of public weighers of cotton and wool within the State of Texas," respectfully report that the committee have agreed to report the original bill without amendments, and to recommend its passage.

P. W. HALL,
D. W. COLE,
MATTHEW GAINES.

Senator Pickett moved the indefinite postponement of the whole matter.

Yeas and nays taken :

Yeas—Alford, Bowers, Clark, Dohoney, Douglas, Evans, Gaines, Pickett, Priest, Pyle, Rawson, Shannon—12.

Nays—Baker, Cole, Hall, Hertzberg, Mills, Parsons, Pettit, Ruby, Saylor—9.

Absent—Mr. President, Bell, Broughton, Flanagan, Ford, Fountain, Latimer, Pridgen—8.

Indefinitely postponed.

Senator Pickett moved a reconsideration of the vote just taken and to lay that motion upon the table.

Yeas and nays taken ;

Yeas—Alford, Bowers, Clark, Dohoney, Douglas, Evans, Gaines, Pickett, Priest, Pyle, Rawson, Shannon—12.

Nays—Baker, Cole, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Ruby, Saylor—10.

Absent—Mr. President, Bell, Broughton, Flanagan, Fountain, Latimer, Pridgen—7.

Carried.

On motion of Senator Pridgen, the rules were suspended to take up House bill No. 441, "An Act for the permanent location of the county seat of Refugio county."

Bill read first time ; rules suspended, bill read second time ; rules suspended, bill read third time, passed and sent to the House.

On motion of Senator Pridgen, the rules were suspended to take up House bill No. 233, "An Act to incorporate the Indianola Hook and Ladder Company No. 1 of the city of Indianola."

Bill read first time ; rules suspended, bill read second time ; rules suspended, bill read third time.

Yeas and nays taken :

Yeas—Mr. President, Alford, Baker, Bowers, Clark, Cole Dohoney, Douglas, Ford, Hall, Hertzberg, Mills, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—20.

Nays—None.

Absent—Bell, Broughton, Evans, Flanagan, Fountain, Gaines, Latimer, Parsons, Saylor—9.

Bill passed and sent to House.

The Secretary carried to the House, for signature of the Speaker, the following enrolled Senate bills : Nos. 210, 330, 145, 119, 239, 124, 125, 83, 24, 180, 46, 93, 217, 259, 160, 226, 281, 291, 30, 359. Signed by the Speaker, returned and signed by the President.

Also, for concurrence, Senate bills Nos. 184, 156, 362, 363, 323, 315, 290, 292, 365.

Also, the Senate had passed House bills Nos. 87, 102, 135, 180, 221, 263, 336; and with amendments, House bills Nos. 518, 327; House joint resolution No. 22, and refused to pass House bill No. 429.

Message from the House informing the Senate that the House had passed Senate bills Nos. 309, 333, 345, Senate joint resolution No. 13 and Senate bills Nos. 315, 361, 66, 269, 290, 323, 355, 362, 363, 365.

Message from the House informing the Senate that the Speaker had signed in open session the following enrolled bills, Nos. 389, 392, 242, 440, 394, 151, 51, 478, 269, 60, 491, 256, 331, 362 and 355.

Signed and returned to the House.

House concurred in Senate amendments to House joint resolution No. 22, and House bills Nos. 327 and 518.

Also had passed and ask concurrence in House bill No. 475, and House bill No. 511, "An Act for the assessment and collection of taxes," returned to the House, having passed as reported by Committee of Free Conference.

Also passed, Senate bill No. 327, with amendments.

On motion of Senator Campbell the Senate concurred in the following House amendment to Senate bill No. 327: Amend by striking out "section four."

On motion of Senator Pyle the rules were suspended to take up House bill No. 194, "An Act to incorporate the Bosque Bridge and Manufacturing Company of McLennan county."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Baker, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hertzberg, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—21.

Nays—None.

Absent—Bell, Broughton, Flanagan, Fountain, Gaines, Hall, Latimer, Priest—8.

Bill passed and sent to the House.

Senator Pyle offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to retain one of the messengers for thirty days after the adjournment of the Legislature.

Adopted.

On motion of Senator Rawson the rules were suspended to take

up Senate bill No. 157, "An Act to incorporate the Colorado Railway Company."

Bill read second time and passed to engrossment; rules suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas--Mr. President, Alford, Baker, Bowers, Clark, Cole, Dohoney, Douglas, Hertzberg, Mills, Parsons, Pettit, Pickett, Pyle, Rawson, Ruby--16.

Nays---Evans, Ford, Gaines, Shannon--4

Absent--Bell, Braughton, Flanagan, Fountain, Hall, Latimer, Priest, Pridgen, Saylor--9.

Bill passed.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 13, 1870.

Hon. DON. CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bill No 259, entitled "An Act to establish and incorporate the Beneficial Society of Galveston;" Senate bill No. 217, "An Act to incorporate the Houston and San Jacinto Canal and Navigation Company;" also, Senate bill No. 239, "An Act to incorporate the Bank of Sabine Pass;" also, Senate bill No. 281, "An Act to organize the courts of justices of the peace and county courts, and to define their jurisdiction;" also, Senate bill No. 46, "An Act to repeal an act approved January 14, 1860, entitled 'An Act to authorize and require the clerks of the district courts of Cherokee, Smith, Anderson, Panola and Angelina counties to apportion the causes on the dockets of said courts in words and figures;" also, Senate bill No. 125, "An Act to amend the ninth section of an act entitled 'An Act to amend the charter of the town of Goliad;" also Senate bill No. 83, "An Act to incorporate the Cat Spring Social Turn Verein;" also, Senate bill No. 93, "An Act for the improvement of the navigation of the Colorado river;" also, Senate bill No. 24, "An Act to make valid the official acts of certain surveyors;" also, Senate bill No. 180, "An Act for the relief of Cain T. Brush;" also Senate bill No. 124, "An Act to incorporate the Cuero Bridge Company;" also Senate bill No. 145, "An Act to incorporate the Railroad, Real Estate, Building and Savings Association of Texas;" also, Senate bill No. 119, "An Act to incorporate the New Anhalt Manufacturing Company;" also, Senate bill No. 226, "An Act to incorporate the Navasota, Washington and Brazos Bridge Company;" also, Senate bill No 330, "An Act to authorize counties, cities and towns to aid in the con-

struction of railroads and other works of internal improvement ;” also, Senate bill No. 160, “ An Act amendatory of, and supplementary to, an act entitled ‘ An Act to incorporate the Young Men’s Real Estate and Building Association,’ approved November 6, 1866;” also, Senate bill No. 210, “ An Act to prohibit the sale of intoxicating or spirituous liquors within the immediate vicinity of Caddo Grove Seminary ;” also, Senate bill No. 291, entitled “ An Act to incorporate the Beaumont, Galveston and Coast Railway Company ;” and Senate bill No. 30, entitled “ An Act to incorporate the Home Insurance Company of Houston, Texas,,” and to-day at nine o’clock and forty minutes P. M. presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Senator Baker offered the following resolution :

Resolved, That when the Senate adjourns to-night it shall be to meet at eight o’clock on Monday morning next.

Adopted.

On motion of Senator Mills, the Senate adjourned until Monday at eight o’clock, A. M.

SENATE CHAMBER,
AUSTIN, TEXAS, Monday, August 15, 1870.

Senate met pursuant to adjournment; President Don Campbell in the Chair. Roll called; quorum present.

Prayer by the Chaplain.

Senator Ruby asked leave to have the journal show a correction in the minutes of the morning session, August 12, by striking out, in report of Committee of Free Conference on Senate bill No. 317, the sentence, "Thus amend page sixteen, 'deficiencies,' by adding \$76,758," the same being an error in the report of the committee.

On motion of Senator Pyle the reading of the journal was dispensed with.

On motion of Senator Pridgen the rules were suspended to take from file Senate bill No. 187, "An Act for the relief of Harriet Williams and the issue of said Harriet Williams and Louis J. Bissette, deceased."

Bill read second time; rules suspended, bill read third time and passed.

On motion of Senator Pyle the rules were suspended to take up House bill No. 317, "An Act fixing the compensation of the Speaker of the House of Representatives."

Bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby—16.

Nays—Alford, Bowers, Broughton, Clark, Douglas, Evans, Flanagan, Shannon—8.

Absent—Cole, Dohoney, Fountain, Latimer, Saylor—5.

Bill passed.

By leave Senator Ruby introduced a bill entitled "An Act supplemental to 'An Act making appropriations for the support of the State government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years, ending August 31, 1870.'"

Bill read first time.

Senator Ruby moved a suspension of the rules to put the bill on its second reading.

Yeas and nays taken:

Yeas—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Rawson, Ruby—14.

Nays—Alford, Bowers, Broughton, Clark, Douglas, Evans, Flanagan, Shannon—8.

Absent—Cole, Dohoney, Fountain, Latimer, Pridgen, Pyle, Saylor—7.

So the Senate refused to suspend the rules, four-fifths not voting in the affirmative.

On motion of Senator Mills the rules were suspended to take up House joint resolution No. 27, "To defray the contingent expenses of the Twelfth Legislature."

Resolution read first time; rules suspended, resolution read second time; rules suspended, resolution read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Douglas, Flanagan, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Rawson—20.

Nays—Broughton, Evans, Shannon—3.

Absent—Dohoney, Fountain, Latimer, Pyle, Ruby, Saylor—6.

Resolution passed.

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August —, 1870.

Hon. DON. CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined and compared Senate bill No. 157, "To incorporate the Colorado Railroad Company," find the same to be correctly engrossed.

G. T. RUBY,
P. W. HALL,
E. L. DOHONEY.

Report of Committee on Contingent Expenses:

COMMITTEE ROOM,
Austin, August 15, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Contingent Expenses beg leave to report the following bills (with vouchers) passed upon and approved:

Nagle & Bro., for stationery	\$156 25
Edwards & Mitchell	35 00
J. H. Burns, room rent	60 00
Eli Green, ice	117 00

J. S. MILLS,
Chairman of Committee.

On motion of Senator Saylor the report was received and adopted.

On motion of Senator Bowers the rules were suspended to take up House bill No. 521, "An Act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within two miles of Florence Male and Female High School, in Williamson county, Texas."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time and passed.

Senator Bowers moved that a committee of three be appointed to inform his Excellency, the Governor, that the Legislature would adjourn at 12 o'clock M.

The Chair appointed on said committee Senators Bowers, Parsons and Ruby.

On motion of Senator Baker the rules were suspended to take up the Governor's veto message on "An Act for the relief of the Houston and Texas Central Railway Company."

Senator Hall moved a call of the Senate.

Senator Bowers moved the previous question.

Previous question seconded.

Main question ordered, which being, "Shall the bill pass notwithstanding the objections of his Excellency, the Governor?"

Yeas and nays taken:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Flanagan, Ford, Gaines, Mills, Parsons, Pickett, Pridgen, Pyle, Rawson, Ruby, Shannon—21.

Nays—Evans, Hall, Hertzberg, Priest—4.

Absent—Fountain, Latimer, Pettit, Saylor—4.

The Senate, on reconsideration, passed the bill.

On motion of Senator Alford the Senate took a recess until 11:30 A. M.

IN SENATE.

The Secretary carried to the House the following enrolled bills for signature of the Speaker: Senate joint resolution No. 13, Senate bills Nos. 1, 19, 59, 65, 66, 69, 76, 107, 171, 178, 183, 191, 208, 209, 244, 249, 261, 269, 290, 308, 309, 315, 317, 321, 323, 327, 333, 344, 345, 355, 361, 362, 363, 365, 60.

Also informing the House the Senate had passed House bills Nos. 517 and 521, and House joint resolution No. 27.

Also Senate bills Nos. 157 and 187.

Also, that the Senate, on reconsideration, had passed "An Act for the relief of the Houston and Texas Central Railroad Company."

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August 13, 1870.

HON. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Engrossed Bills, having examined and compared Senate bill No. 187, "for the relief of Harriet Williams, and the issue of said Harriet and Louis J. Brissette, deceased," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Special message from the Governor :

EXECUTIVE OFFICE,
AUSTIN, August 13, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : I return to your House, where it originated, "An Act to incorporate the Texas and Mexico Railway Company," and ask that the same be reconsidered.

There are several objections to this act which I will not more than refer to, as the pertinency thereof will be apparent, viz : first, it provides for relief from *all taxation* by towns, counties or other corporations for ten years. Second, it authorizes, *sweepingly*, that all "counties, incorporated towns, cities or corporations of any kind within the State of Texas," may subscribe to its stock, and may issue bonds therefor. Third : It authorizes an almost unlimited number of *branches*.

But there is a further objection that I think as good as the best. In the message which I had the honor to send to the Legislature at the opening of the session, I remarked, in connection with the matter of grants of charters for internal improvements, that, "where parties present themselves asking for no special or exclusive privileges, they should, where evidence is shown that they will be able in good faith to comply with their promises, receive from you the appropriate encouragement; but that even a simple charter should not be granted without this evidence, is made apparent by the vast number of schemes of the sort that have never progressed further than to encumber our statute books, and obstruct the ground to other more responsible companies."

This remark may well apply to the present charter. There are some names of good citizens included among the corporators, but they have not been consulted at all, and do not know of the arrangement; or, if consulted, have neither the means nor the inclination to engage in so extensive an enterprise. The purpose of the real

parties to the scheme is evidently to procure the charter for sale. I am sure that the Legislature will join me in repelling that class of schemers. Franchises of this importance should not pass into the hands of persons who are likely to peddle them as merchandise.

Respectfully,

EDMMND J. DAVIS,
Governor.

On motion of Senator Ruby, the Senate receded from its amendments to House bill No. 522, "A bill to levy taxes."

Senator Flanagan offered the following resolution:

Resolved, That the Sergeant-at-Arms be and is hereby instructed and required to obtain a portrait of General Sam Houston for the Senate Chamber.

Adopted.

Message was received from the House transmitting the following enrolled bills: Nos. 87, 109, 135, 184, 186, 194, 205, 212, 221, 233, 263, 309, 327, 336, 356, 364, 381, 482, 503, 511, 521 and 522, and House joint resolutions Nos. 22, 27, 102, 180, 441, 517, 518, which were signed by the President and returned to the House.

Also, the House had adopted Senate bill No. 358.

Senator Priest offered the following resolution:

Resolved, That the thanks of the Senate are due and are hereby tendered to the citizens of Austin for their kind and social bearing and respectful attention towards its members during the present session.

Adopted.

Senator Saylor offered the following resolution:

Resolved, That the thanks of the Senate are due and are hereby tendered the Hon. Don Campbell, President thereof, for the able, dignified and impartial manner in which he has presided over its deliberations during the present session.

Adopted.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 15, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills, have examined and find correctly enrolled Senate bill No. 309, entitled "An Act allowing further time for the redemption of lands sold for taxes between March 2, 1861 and March 30, 1870;" also, Senate bill No. 249, "An Act incorporating the Young Men's Beneficial Club of Harris county;" also, Senate bill No. 107, "An Act to incorporate the

Pine Island Bayou Bridge Company;" also, Senate bill No. 315, "An Act to provide for repairing and making additions to the public buildings, the property of the State, at Austin, Texas;" also, Senate bill No. 323, "An Act to authorize railroad companies to regulate the gauges of their roads;" also, Senate bill No. 76, "An Act to authorize the police court of Washington county to levy a special tax for building a jail at the county seat;" also, Senate bill No. 171, "An Act to incorporate the Houston Hebrew Benevolent Society;" also, Senate bill No. 208, "An Act to incorporate the Gymnastic Association of New Braunfels;" also, Senate bill No. 344, "An Act to incorporate the city of Calvert;" also, Senate bill No. 308, "An Act to incorporate the San Antonio and Rio Grande Telegraph Company;" also, Senate bill No. 221, "An Act to incorporate the Saving and Trust Company of Texas;" also, Senate bill No. 183, "An Act to incorporate the Callahan Cotton Seed Oil Manufacturing Company of Hempstead, Texas;" also, substitute for Senate bill No. 244, "An Act to prohibit the sale of intoxicating or spirituous liquors in the vicinity of Starrville Female High School;" also, substitute for Senate bill No. 261, "An Act to incorporate the Acton Masonic Institute;" also, substitute for Senate bill No. 1, "An Act for the relief of persons formerly in bondage;" also, substitute for Senate bill No. 66, "An Act defining the homestead and other property exempt from forced sale in this State;" also, substitute for Senate joint resolution No. 13, "Authorizing the Governor to invite proposals for the location of two penitentiaries, and to report the result to the next session of the Legislature;" also, Senate bill No. 362, "An Act supplementary to an act entitled 'An Act to provide for districting the State of Texas into judicial districts,' approved July 2, A. D. 1870;" also, Senate bill No. 290, "An Act to incorporate the San Antonio Meat Extract Company of the city of San Antonio;" also, Senate bill No. 361, "An Act to make an appropriation to pay fees of justices of the peace and peace officers in criminal prosecutions before justices of the peace;" also, Senate bill No. 209, "An Act to incorporate the East Texas Cotton, Woolen and Cotton Seed Oil Manufacturing Company;" also Senate bill No. 327, "An Act concerning railroad companies;" also Senate bill No. 363, "An Act supplemental to an act to provide for the districting the State of Texas into judicial districts, approved July 2, 1870, and supplemental to an act prescribing the time of holding the terms of the district courts, approved August 10, 1870;" also Senate bill No. 355, "An Act to confer the jurisdiction and powers, heretofore exercised by the chief justices of the several counties of this State under an act approved January 13, 1862, entitled 'An Act to

amend section five of an act entitled an act to provide for the organization of the State Lunatic Asylum and other purposes, upon the presiding justices;" also Senate bill No 69, "An Act to incorporate the Kaufman county Bridge Company;" also Senate bill No. 365, "An Act supplementary to an act entitled 'An Act prescribing the times of holding the district courts in the several judicial districts in the State, approved August 10, 1870;" also, Senate bill No. 269, "An Act to provide substitutes of certain documents and books destroyed by fire in the court house at Goliad;" also Senate bill No. 65, "An Act to incorporate the Austin City Ice Company;" also Senate bill No. 19, "An Act to incorporate the Cedar Creek Bridge Company;" also Senate bill No. 317, entitled "An Act making appropriations for the support of the State Government for the fiscal year commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State Government for previous years;" also Senate bill No. 59, "An Act to incorporate the Sabine and Neches Mutual Insurance Company;" also Senate bill No. 359, "An Act to incorporate the Rusk and Harrison county Railway Company;" also Senate bill No. 333, "An Act to incorporate Lamar Female Seminary;" also Senate bill No. 178, "An Act to incorporate the San Antonio Shooting Company;" also Senate bill No. 191, "An Act to incorporate the North Texas Railway Company;" also Senate bill No. 60, "An Act to incorporate the City of Sabine Pass, in Jefferson county," and this day at 11:45 A. M. presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Special message from the Governor:

EXECUTIVE OFFICE,
AUSTIN, August 15, 1870.

Gentlemen of the Senate and House of Representatives:

Being informed by your joint committee that you are about to adjourn *sine die*, and that you desire to know whether I have any further communication to make before adjournment.

I have to state that a large number of bills have been presented for my examination, on the very eve of your adjournment, amounting on Saturday and to-day to the total of one hundred and fifty-six.

I have given these bills the best examination possible under the circumstances, but the limited time has rendered this examination very hasty and unsatisfactory to myself. I have therefore confined my approval to such public and private bills as appeared in this hasty examination least objectionable, and this has necessarily caused a number of acts to remain unsigned, and thereby fail to become

laws by operation of the constitution. Among these there are but few general statutes, the great majority being private bills. Some of them may be meritorious, and in such cases the subject may again come before you at your next session, if the necessity for them be not obviated by future general laws bearing thereon.

You will perceive that I have assumed the proper construction of section twenty-five, article four, of the constitution to be, that "bills must be presented to the Governor soon enough to allow him for the examination thereof one clear day (exclusive of Sunday) previous to the day of adjournment." This construction I believe to be correct by analogy; but in any event, it is the safe one on the ground of public policy, as it allows a more reasonable time for the examination of the multitude of bills that are usually hurried through at the last moment.

Very respectfully,

EDMUND J. DAVIS,

Governor.

President Campbell arose and addressed the Senate as follows:

Gentlemen of the Senate: The time has arrived when, by your action, the Senate will take a recess from its labors, and the members shall be separated for a brief period of time. It may not be unbecoming in me, as the presiding officer of the Senate, elected to this high position by the kind partiality of my personal and political friends, in announcing to you that the hour has arrived to indulge in some remarks before we part.

When we assembled here in the last days of April, and took upon ourselves the obligations of Senators of this great State, I am sure that not a member of this body (and I speak without reserve for myself,) but felt that he was about entering upon the discharge of duties the most delicate and important, perhaps, in his whole life. The responsibilities resting upon each of us as representatives of large and respectable constituencies in the first Legislature under the new order of things, were of the greatest magnitude, and pressed with a heavy weight upon the minds of all of us who had come to the capital with a just appreciation of those responsibilities. The State was just emerging from the darkness of a long and gloomy political night, and the dawn of its regeneration and new resurrection was just beginning to appear. The clouds which had made that night a black and most fearful one to the friends of good government throughout our borders, were beginning to drift away under the beneficence of the National arm, and under the rising of a brighter and more congenial light we were enabled to emerge from the darkness, and to enter with cheerfulness and hope upon the duties of the day to

which we had been assigned. Feeling at last that the destinies and best interests of the people of the State had been entrusted to the keeping of their best friends, and, amid the pressing duties of the hour, forgetting the asperities of the past and the injustice that had been inflicted by the enemies of the government in many parts of the State upon us and our friends, we entered with a determined patriotism upon the vast field of labor before us, resolving to put forth our highest efforts in the advancement of the good of all, without regard to section or to party. That field of labor, gentlemen, was indeed a wide one, and the further we have advanced upon it the more forcibly have we been impressed with the extent of the labor to which we have been assigned. How we have thus far discharged our duties, it is perhaps not becoming in us to say, as our acts may be seen by reference to the daily journals of the Senate, but I feel assured that you will concur with me that if at any time we have appeared to be at fault by delay or otherwise, such delay is attributable not to a disposition to evade the work, but from a due sense of the magnitude and importance of the work itself and the just determination of every individual member to devote to it without reserve the most ample deliberation. We found the State, so to speak, in many of its great interests, comparatively without laws. To have accomplished less than we have done in the Legislature, which appears upon our statute books, we would have been untrue to ourselves, unjust to the loyalty of the State and false to the just expectations of a much injured people; and I congratulate the Senate, I congratulate the country; upon the great promptness and triumphant success which have attended our efforts to afford the relief which was everywhere so justly demanded.

Other measures, of the highest importance in the development of the State, were expected to come before us, and have been presented for our consideration and action. Some of these have been happily disposed of, at least, by us, and many yet remain undetermined. If all we have done could be put into practical operation, I feel sure they would, in their effects, redound to the general prosperity of the people. I allude, of course, to the legislation upon the great works of internal improvement in the State, and it is earnestly to be hoped that we shall not cease in our efforts until the whole extent of our territory shall feel the blessings of the railway—that the various divisions of the State shall be ramified and connected together by a net-work of iron rails—that all sectional bitterness may be softened—that immigration may pour upon us from the industrious and intelligent, and virtuous of the earth—that the inexhaustible resources of this vast commonwealth may in time be developed, and what is now a comparative wilderness may be made to blossom as the rose.

The work thus begun should never be permitted to relax, and on our return to this Chamber from a visit to our homes and our constituents, it should be with a renewed spirit to continue in this, as in all other great works in which we and they are so much interested, until the greatest good in our power shall be fully accomplished.

There are, gentlemen, many and various subjects pending before us, and many which will yet be brought to our consideration before the term of any of us shall expire. But I will not detain you longer by any further allusion to them. They are of the greatest importance to the people of the State—should be considered after the most mature reflection, and I feel assured that I may say through you to the country that, upon all subjects having in view the prosperity, happiness and advancement of the people, the Senate of Texas are determined to spare no pains nor lose any opportunity of meeting with favorable success the reasonable expectations of a constituency who have confided their important interests to our hands. It only remains for me now, at the closing moment of the session, to tender my warmest thanks for the respect and forbearance exhibited towards me as your presiding officer, by every Senator upon this floor. If, in the heat or mental conflict, kindly relations have been disturbed, or asperities engendered, take them not beyond the portals of this Chamber. Our intercourse has been, to me, a pleasant one; and we part to reassemble, I trust, in a spirit of kindness, friendship and good will; and it is my earnest hope that, when the period arrives that again calls us together, no seat may be vacant, no familiar face missing.

And now, in pursuance of concurrent resolution of the Senate and House of Representatives, I pronounce this Senate adjourned, *sine die*.

And the Senate adjourned at twelve o'clock M. Monday, August fifteenth, 1870.

Attest:

C. C. ALLEN,
Secretary of the Senate.
