

Mr. Wælder offered the following resolution:

Resolved, That the committee on Finance be instructed to provide for the payment of the men called out by the Governor under the instructions of this Legislature, for the protection of Brownsville and the Rio Grande frontier, and that they report by bill or otherwise. Adopted.

Mr. Robinson introduced a bill to authorize the county of Fayette to levy a special tax. Read first time.

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

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

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

A bill for the relief of John Burris.

A bill for the relief of Harmon Fracy.

A bill for the relief of Jacob S. Horn, John P. Grisham and James Y. Pistole.

A bill to grant land to N. G. Shelley, W. H. D. Carrington and Wm. Alexander.

A bill to legalize election of officers of Montague county.

A bill to fix salary of Accountant in Comptroller's Office.

A bill to amend an act to incorporate the city of Brownsville.

Also, had passed the following named House-bills:

A bill to authorize the County Court of Henderson county to levy a special tax.

A bill for the relief of Wm. Drake.

A bill for the relief of Bigham White.

A bill to relinquish State tax of Orange and Navarro counties, for 1859 and 1860, to said counties.

Also, had amended and passed House's bill authorizing certain counties to levy and collect additional tax for erecting county buildings.

A bill to incorporate Cedar Grove Male and Female Intitute.

And a bill to amend the 24th section of an act of 27th August, 1856, to consolidate in one act and amend the several acts incorporating the city of Galveston.

And had indefinitely postponed House's bill to change south boundary line of Smith county.

And had concurred in the amendments, by the House, to Senate's bill for the relief of W. A. Bush.

A bill to define the boundaries of Hopkins county.

And had refused to concur in first, second and fourth amend-

ments of House, and concurred in third amendment of Senate's bill amendatory of Penal Code.

Also, had refused to concur in first and ninth amendments, and concurred in second, third, fourth, fifth, sixth, seventh, eighth, tenth and eleventh amendments to bill amendatory of an act to establish a Code of Criminal Procedure.

Mr. Craig, chairman of committee on Court of Claims, reported as follows :

COMMITTEE ROOM, }
Feb. —, 1860. }

The joint select committee on the Court of Claims have had under consideration the cases referred to them by the Commissioner, and beg leave to submit the following report :

They deem it proper to state that the labor has been very great, and that they have faithfully and assiduously investigated these claims ; believing that they have done under the circumstances, and the limited time allowed them from other Legislative duties, full and ample justice to parties interested—both to the State and to the individual.

The examination of each particular claim was necessarily tedious, and in passing upon them where the proof was sufficient, and the credibility of the witness properly testified to and authenticated, and no evidence that the party had heretofore received the same, we have recommended them favorably, and where the proof failed to establish the claim fully, we have rejected it—in most cases, too, without giving any particular reasons in this report, as it was regarded as entirely useless, as well as unnecessary consumption of the time of this body, to hear all of the objections to this character of claims.

The committee have acted upon all the recommended claims, and upon most of the referred claims for land, which have been submitted to the Legislature by the Commissioner of Claims, and would have acted upon all of the latter, had the Legislature continued long enough to have permitted it.

Besides the claims which had been acted upon by the Commissioner of Claims, the committee have also acted upon a large number of bills, memorials, &c., which were referred to them by the two Houses of the Legislature.

The following claims are recommended by the committee :

A C C Bailey, 320 acres, bounty.

Moses Little, 1476 acres headright, and 1920 acres bounty.

Wm P Newman, 640 acres, donation, to be issued to the heirs.

J B Fox, 320 acres, bounty.

Robert C Cappy, 640 acres, bounty headright.

Moses Townsend, 640 acres, donation.

Philip Howard, 640 acres, headright.

M B Lamar, a duplicate donation issue for 640 acres.

Houston McKey, a duplicate of unconditional certificate issued by the Board of Land Commissioners of Upshur county, for 640 acres, which issued upon conditional certificate No. 93, in Bowie county, be issued.

George Dedrick, $\frac{2}{3}$ of a league and one labor, augmentation headright.

Chester S Gorbett, duplicates for 320 acres bounty, and 640 acres donation issue.

Reynold Reynolds, unconditional headright certificate issue upon conditional No. 83, issued by the Board of Land Commissioners of Nacogdoches county, on the 5th July, 1838.

Robert Wilkins, 1476 acres, headright.

William Gray, 1280 acres, headright.

B F Childress, 1280 acres, bounty.

Charles B Clough, 1476 acres headright, and 1920 acres bounty.

Mathew Dunn, 320 acres, bounty.

Heirs John Childress, 1 league and 1 labor.

Hudson Westbrook. That unconditional certificate issue for 640 acres, upon conditional No. 78, issued by the Board of Land Commissioners of Liberty county, on the 8th November, 1839.

Samuel Arbuckle, that unconditional certificate issue for 320 acres, upon conditional, issued by the Board of Land Commissioners of Galveston county, on the 30th December, 1839; No. 767.

Francis A Whitaker, that unconditional certificate issue for 640 acres, upon conditional No. 118, issued by the Board of Land Commissioners of Matagorda county.

John W. Anderson, 640 acres, donation, San Jacinto service.

George Sargent, 1 league and 1 labor, headright.

George Reynolds, 640 acres, donation.

Spzar Singleton, 640 acres, bounty.

William Earp, 640 acres, headright.

F W Johnson, 1 league and 1 labor, headright.

Samuel C King, 1280 acres, bounty.

Charles S Fields, 320 acres, headright.

John W. Hale, 320 acres, headright.

John H Pierson, 320 acres, bounty.

John Moss, 640 acres, donation.

James M Thomas, 1280 acres, bounty.

- Robert Barr, 1476 acres headright, and 640 acres donation.
- Jonathan B Frost, 1476 acres, headright.
- Heirs Daniel Fox, 640 acres, headright.
- Hannah Donahoe, alias Alexander, 1 league and 1 labor.
- Daniel H Vail, 1 league and 1 labor.
- Robert Foote, 320 acres, bounty.
- Joseph Morrison, 1280 acres, bounty.
- G S Park, 640 acres, donation.
- William Davis, 640 acres, headright.
- Isaac P Wallace, 1476 acres, headright.
- Anthony Foster, 320 acres bounty, and 640 acres donation.
- Charles Jackson, 1280 acres, headright.
- Wm D Hayden, 320 acres, headright.
- James Smith, 640 acres, headright.
- Rudolph Dufour, 640 acres, headright.
- George W McCurley, $\frac{3}{4}$ of a league and 1 labor augmentation headright. (Reconsidered and rejected; no service proved.)
- J D Jennings, 640 acres, donation.
- Peter Kendall, 640 acres, bounty.
- Isaac Robertson, 320 acres, bounty.
- Thomas Robbins, 640 acres, bounty.
- Richard Treat, 640 acres, headright.
- John Birth, 960 acres, bounty.
- Thomas J Thompson, that unconditional certificate issue upon conditional No. 101, issued by the Board of Land Commissioners of Washington county, on the 2d August, 1838, for 640 acres
- Wm A Wood, 640 acres, headright.
- Heirs Jacob Black, 1476 acres, headright.
- James M Robinson, recommended that a donation certificate for 640 acres, issued by the Commissioner of Claims, No. 4-15, issued on the 5th January, 1859, to the heirs of James M Robinson, be validated.
- William E Glenn—captain in the navy, served three years—320 acres, headright.
- John M Smith, that unconditional certificate issue upon conditional, issued by the Board of Land Commissioners of Bastrop county, for 640 acres, in July, 1838.
- Alexander E Patton, that a duplicate for $\frac{1}{4}$ of a league issue, in lieu of one issued to him by the Adjutant-General, and failed to be countersigned by the Commissioner of the General Land Office.
- John H Adie, 1280 acres bounty, and 640 acres donation.
- John H Cullum, that unconditional certificate No. 41, issued

by the Board of Land Commissioners of Hopkins county, for 320 acres, on the 19th February, 1855, be validated.

Greenberry Gates, 1476 acres, headright.

Heirs Wistar Evans, 640 acres headright, and 320 acres bounty.

Thomas Gray, $\frac{1}{4}$ of a league, headright.

Heirs Charles Spaulding, 640 acres, headright.

Heirs Andrew P Cunningham, $\frac{1}{3}$ of a league, headright.

J D Morris, 320 acres bounty, and 640 acres donation, for waiting on the sick.

Ransom G. Blanton, 320 acres, additional headright.

W W Warring, 320 acres, headright.

Heirs Douglas Brown, 320 acres, bounty.

Simon P Ford, 640 acres, donation.

Levi P. Scott, 369 acres, augmentation headright.

F C Catonet, that $\frac{1}{3}$ of a league be issued in lieu of No. 224, issued by the Board of Land Commissioners of Brazoria county, and the original be cancelled.

Randolph D Spain, 960 acres, additional bounty.

Antonio Hernandez, that donation warrant No. 724, issued by Adjutant-General Gillett, for 640 acres, be validated.

Jose Alameda, that donation warrant, issued by Adjutant-General Gillett, No. 732, for 640 acres, be validated.

James McDaniel, that bounty warrant No. 1542, issued by Adjutant-General Gillett, for 320 acres, be validated to original grantee.

Heirs John Jacobs, that $\frac{1}{3}$ of a league issue in lieu of $\frac{1}{4}$ of a league issued by George Antonio Nixon, 26th October, 1835, and that the original be cancelled.

John F Lund, 1476 acres, headright.

Gustavus Bunson, $\frac{1}{3}$ of a league headright, and 960 acres bounty, (additional.)

Robert M. Burton, 1476 acres headright, and that it issue to Josiah Bishop, as assignee.

Anthony Bates, 1280 acres, bounty, (one having issued for that amount heretofore, but failed to be signed.)

Louas Lapodun, $\frac{1}{3}$ of a league, headright.

Jacob Rogers, 240 acres, bounty.

Thomas G Masterson, 1280 acres, headright.

John James, 1600 acres bounty, and 640 acres donation.

Heirs Ulrich Wutrich, 960 acres, additional bounty.

Heirs Benjamin F Blake, 1280 acres, bounty.

Heirs M P Kelly, 320 acres bounty, and 640 acres donation.

Heirs Willis Edson, 1280 acres, bounty.

Stephen Stanley, 1 labor, additional headright.

Heirs Thos J Robinson, $\frac{1}{3}$ of a league headright, 320 acres bounty, and 640 acres donation.

Syvanus Dunham, 24 acres, bounty.

James Calk, $\frac{1}{3}$ of a league headright, 1920 acres bounty, and 640 acres donation.

Joseph Smith Johnson, $\frac{1}{3}$ of a league headright, and 1280 acres additional bounty.

James D Sharum, 640 acres, bounty.

Evin Corner, 640 acres, donation.

Heirs McK Moses, 640 acres, bounty.

Heirs Thomas Robenett, 320 acres, headright.

Horace Hall, 1476 acres headright, and 1280 acres bounty.

Thomas D Brooks, 320 acres, bounty.

Jacob Allbrachet, 960 acres, bounty, and to be issued to Henry Teal.

Heirs Leroy Wilkinson, 960 acres bounty, and 640 acres donation, for being in the battle of San Jacinto.

Thomas Stokely, 320 acres, bounty.

Charles B Banister, 640 acres, donation.

Lewis Wells, 320 acres, bounty.

Benjamin Howard, 1280 acres, bounty.

John B. Rhodes, 640 acres, bounty.

Henry Halbrook, 640 acres, bounty.

Jacob Eyler, 640 acres, San Jacinto donation.

John L Boatright, 640 acres, bounty.

M M Parkerson, 640 acres bounty, in lieu of Poe certificate.

Stephen H Burton, 640 acres, bounty, (reconsidered and recommended.)

Heirs Placedo Venabides, 320 acres bounty and 640 acres donation, for being at the siege of Bexar.

W B Burditt, 1 labor, augmentation.

A Greenlaw, 640 acres, donation, for being at San Jacinto.

Henry Gardner, 320 acres, headright.

Heirs John Henry Maynard, 320 acres, headright.

Miguel del Taro, 1 league and 1 labor, less 1280 acres.

Justo Travieso, 3325 acres, additional headright.

Lucus Munoz, 3325 acres, additional headright.

Heirs Jose Delgado, 1 league and 1 labor, in lieu of an amparo title issued by Gov. Letona, on the 20th April, 1831.

Octavius A Cook, that a duplicate donation warrant issue upon certificate No. 7, issued by the Board of Land Commissioner of Matagorda county, for 1 league.

J C Earp, 320 acres, headright.

- Mary Ann Brush, 640 acres, headright.
 Elizabeth Stanley, 1 league, additional headright.
 J R Miller, 320 acres, headright.
 John Frederick, that unconditional certificate issue upon conditional, issued by the Board of Land Commissioners of Harris county, on the 6th June, 1858, for 640 acres.
 Heirs Isaac D Steel, 640 acres headright, and 640 acres bounty.
 John F Gilbert, 1476 acres, headright.
 Edward S Jones, 1476 acres, headright.
 James Cole, 1476 acres, headright, less 640 acres.
 John Anderson, that bounty warrant No. 1715, issued by Adjutant-General Gillett, F Brichta assignee, for 320 acres, be validated.
 James A Umphries, 320 acres, bounty, inlieu of lost Poe certificate.
 George M Deadrick, 640 acres bounty, and 640 acres donation.
 Fielding Deadrick, 640 acres bounty, and 640 acres donation.
 Daniel Martindale, 1476 acres headright, 640 acres bounty, and 640 acres donation.
 Thomas P Hotchkiss, 640 acres, bounty.
 Heirs James Bowie, 1 labor augmentation headright, and 1920 acres bounty.
 William Crittenden, 640 acres, bounty.
 Samuel Shupe, $\frac{2}{3}$ of a league and 1 labor augmentation.— (The district court decreed to him this amount in 1838, but the clerk failed to issue it, and it cannot now be issued by the clerk, because the power to do so elapsed with the expiration of the time within which such power could have been exercised under the law.)
 Santiago Hernandez, 1 league and 1 labor, less 640 acres, headright.
 Heirs David Cowan, 320 acres bounty, and 640 acres, donation.
 A E C Johnson, 320 acres, bounty.
 Heirs Ephriam Tally, 320 acres, bounty.
 H Anderson, 320 acres, bounty.
 Juan Ximenes, 960 acres, bounty.
 Lewis Mathews, 1476 acres, headright.
 Oliver T Brown, 1280 acres bounty, and 640 acres donation.
 Washington P Kelly, 640 acres, bounty.
 J D Rains, 320 acres, special bounty, for being at Bexar.

John Cooper, 320 acres, bounty.

E C Miller, 320 acres, bounty.

William Watts, 320 acres, bounty.

Heirs J Rutherford, 320 acres, special bounty, for being at Bexar.

E G Rector, 1 league, donation, for being permanently disabled in the battle of San Jacinto.

Thomas Dresser, 320 acres, bounty.

Wm A Thorn, 640 acres, bounty.

Heirs Wm C Crenshaw, 640 acres, headright.

W B Rhew, H L Kinney assignee, that unconditional certificate No. 6, class 4, issued by the Board of Land Commissioners of Nueces county, the 11th January, 1854, be validated to the original grantee.

Clemente Garcia, 960 acres, additional bounty.

Mates Cassillas, 960 acres, additional bounty.

Ciriaco Confi, 960 acres, additional bounty.

Carlos Chacan, 960 acres, additional bounty.

Luis Castanon, 960 acres, additional bounty.

Domingo Losoza, 1280 acres bounty, and 640 acres donation.

Marcelena de la Garzia, 960 acres, additional bounty.

Ped o Gaona, 960 acres, additional bounty.

Jesus Gomez, 1280 acres bounty, and 640 acres donation.

Marjil Salinas, 960 acres, bounty.

Agapeto Cervantes, 960 acres, additional bounty.

Guadalupe Garcia, 960 acres, additional bounty.

Francisco Dias, 960 acres, additional bounty.

John C Baker, $\frac{1}{3}$ of a league, headright.

Justo Travieso, 1280 acres bounty, and 640 acres donation.

Antonio Balle, 1280 acres bounty, and 640 acres donation.

Juan Casillas, 1280 acres bounty, and 640 acres donation.

Juan Jose Arocha, 1280 acres bounty, and 640 acres donation.

John H Hyde, Sen'r, 1 league and 1 labor, less 1280 acres.

John H Hyde, Jr., $\frac{1}{3}$ of a league, less 640 acres.

George S Hyde, $\frac{1}{3}$ of a league, less 640 acres.

The following are the claims rejected by the committee :

George N Robinson, application for $\frac{1}{3}$ of a league, headright ; rejected. The applicant is at present a citizen of another State.

Samuel C King, application for headright and bounty. This claim was recommended for bounty, under the head of recommended claims, and rejected as to headright.

Ed F Williams, application for headright. No evidence of his being a free white man. Rejected.

George W McCurley, application for $\frac{2}{3}$ of a league and labor. No evidence of service. Rejected.

Eli and John Roberts, application for headright and bounty.

Martin Gordon, application for a colony certificate of 640 acres. Proof insufficient. Rejected.

Heirs Christiana Gurling, application for 1 league and 1 labor. Her daughter was married when they came to Texas; all lived together, and the son-in-law received a league and labor of land as a headright.

John H Simons, application for headright, bounty and donation. Rejected.

George P Kearn, application for headright and donation.— Rejected.

Heirs J G W Pierson, application for 1 labor, augmentation. John G W Pierson has already obtained two leagues of land.— Rejected.

John H Adie, application for headright, bounty and donation. This claim was recommended for bounty and donation, under the head of recommended claims, but was rejected as to headright.

Thomas P Hotchkiss, application for headright and bounty. Recommended for the bounty, and rejected as to headright.

Heirs Wistar Evans, application for headright, bounty and donation. Recommended for bounty and donation, and rejected as to headright.

George Grounds, application for 1 league and 1 labor. Rejected.

Noah Smithwick's bounty warrant for 1280 acres, No. 3295, issued by Barnard E Bee, Secretary of War, 10th May, 1838. Recommended by the committee that this warrant be condemned by the Comptroller. This is one of six, all for the same amount, that has been issued in this name: three by special acts, and three by the Secretary of War.

Heirs James Brown, application for $\frac{2}{3}$ of a league and 1 labor. No proof of service, or that he contributed in any manner to the war of Independence.

George D Shaw, application for headright. Rejected.

John James, application for headright, bounty and donation. Recommended under the head of recommended claims, for bounty and donation, and rejected as to headright.

H H Hawley, application for headright. Rejected.

James J White, application for headright. Rejected.

Wm Hale, application for headright. Rejected.

Battice Palverdora, application for headright. Rejected.

Samuel Raimond, application for 1 league and 1 labor, headright. Rejected.

Heirs Willis Maguire, application for headright.

Wm Lewis, application for $\frac{2}{3}$ of a league and 1 labor, augmentation. Rejected.

John Jones and Lewis Jones; application for bounty. No proof of actual participation in the reduction of Bexar.

Heirs Jane Brown, application for headright. Rejected.

Jose Ignacio Travieso, application for headright. Rejected.

Mercrado Martinez, application for headright. Rejected.

Windslow Turner, application for bounty and donation. Rejected. There is no evidence of his participation in the reduction of Bexar, nor any evidence of the witnesses having obtained a donation for having entered Bexar, as alleged.

Fernando Seguin, application for headright. Rejected.

Alexander Blair, application for $\frac{2}{3}$ of a league and 1 labor, augmentation. Rejected.

Heirs McK Moses, application for headright, bounty and donation. Bounty heretofore recommended. Rejected as to headright and donation.

Heirs Thomas Robenett, application for $\frac{1}{3}$ of a league. 320 acres is all that he is entitled to; that has been heretofore recommended. Rejected as to the balance.

George P Diggs, application for a duplicate of 1 league and 1 labor. The committee have no jurisdiction over this claim, it should properly belong to the Land Office.

George Howell, application for $\frac{1}{3}$ of a league, headright. Rejected.

Heirs Ezra Cobb, application for headright. Rejected.

Benjamin Howard, application for headright and bounty.—Recommended for bounty heretofore, and rejected as to headright.

George W Scott, application for bounty. Rejected. He has received a bounty warrant for this service, No. 2137, issued by Bernard E Bee, Secretary of War.

Heirs John Creed, application for 1 league and 1 labor. Rejected.

A Greenlaw, application for headright, bounty and donation. This claim has been recommended for 640 acres donation, for being at San Jacinto. He was a teamster, a mere employee of the government, and not entitled to bounty; he is also alive, and the captain of a steamer running the Mississippi, consequently not entitled to a headright.

Heirs Jeffry Mumfred, application for 1 league and 1 labor, headright. Rejected.

Heirs Hiram Bebee, application for 1 league and 1 labor, headright. Rejected.

Heirs George W Cash, application for 1 league and 1 labor, headright. The party applying are representing the heirs of Cash; his widow survived him, and her heirs are not represented, although they are the only legal ones. Rejected.

— Thompson, application for headright, bounty and donation. Proof of identity insufficient. Rejected.

Heirs Samuel Rositer, application for 1 league and 1 labor, headright. Rejected.

Heirs Robert Johns, application for 1 league and 1 labor, headright. Rejected.

Oliver T Brown, recommended heretofore for bounty and donation. Rejected as to headright.

James Canfield, colony certificate. Rejected.

Heirs Thomas Utley, application for 1 league, donation, for being wounded at San Jacinto. Those donations being regarded as merely a pension, and for the benefit of the individual during his lifetime, consequently his heirs are not entitled to it.

Heirs James Odle, application for headright. The heirs are not entitled to it.

Heirs William H Steel, application for headright. Proof insufficient.

Heirs Joseph B Jewell, application for 1 league and 1 labor, headright. Proof insufficient.

John D Rains, application for $\frac{1}{3}$ of a league, headright. He has already received $\frac{1}{3}$ of a league by special enactment, issued to Richard B Jarmon, assignee.

John Cassady, application for headright. Proof insufficient.

Nathan Davis, to validate certificate No. —, issued by the Board of Land Commissioners of Harrison county, 10th Sept., 1842. Two men by this name have each received 1 league and labor. No evidence that this is not one of them. Dismissed.

The foregoing report is respectfully submitted, and the bill this day introduced in the Senate, and recommend its passage.

J. W. THROCKMORTON,

Chairman on part of the Senate.

E. T. CRAIG,

Chairman on part of the House.

On motion of Mr. Davis of H., the rule was suspended, and the bill to fix times of holding courts in second judicial district was taken up.

Mr. Anderson offered a substitute for the bill, which was adopted, and ordered to be engrossed.

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

On motion of Mr. McClarty, the rule was suspended, and a bill for the relief of H. H. Edwards was taken up, read second time, and ordered to be engrossed.

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

On motion of Mr. Clark, the rule was suspended, and the bill to incorporate the Dialectic Association of McKenzie Institute was taken up, read second time, and ordered to be engrossed.

On motion of Mr. Clark, the rule was further suspended, bill read third time and passed by a two-third vote.

On motion of Mr. Hartley, the rule was suspended, and bill No. 205 taken up, and made the special order for to-night.

ORDERS OF THE DAY.

Joint resolution authorizing the Governor, Comptroller and Treasurer to apply monies heretofore appropriated for payment of public debts, to claims of more immediate necessity, was taken up and read first time.

On motion of Mr. Dickson, rule suspended, bill read second time and passed to third reading.

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

House bill to regulate estrays, with amendments by the Senate, was taken up, and amendments concurred in.

Senate's bill to incorporate Clarksville and Red River Insurance Company, taken up, read first time.

On motion of Mr. Epperson, rule suspended, bill read second time and passed to third reading.

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

YEAS.—Messrs. Speaker Anderson Armstrong Barnard Baxter Billingsley Bogart Branch Bryan Caddell Camp Craig Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dickson Duncan Epperson Francis Franklin Foscoe Harrison of C. Harrison of V. Z. Hartley Haynes Houghton Hubert Lewis of E. Manly Martin Maverick McClarty McCutchan McKnight Middleton Mills Munson Owens Parker Perry Pirkey Redgate Robinson Ross Shelton Short Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore Wortham and Wrede—62.

Mr. Redwine voting in the negative.

The joint resolution to permit withdrawal of certificate No. 127, issued by Board Land Commissioners of Houston county, to Finess Robertson, read first time.

On motion of Mr. Shannon, rule suspended, bill read second time and passed to third reading.

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

House's bill to authorize certain counties to levy and collect additional taxes, with amendments, taken up, and amendments concurred in.

House bill to incorporate Cedar Grove Male and Female Institute, in Kaufman county, with amendments by Senate, taken up, and amendments concurred in.

House's bill to amend acts incorporating city of Galveston, with amendments by Senate, taken up, and amendments concurred in.

Senate's bill to legalize locations on Kemper's Island, taken up, and read first time.

On motion of Mr. Barnard, rule suspended, bill read second time, and passed to third reading.

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

Senate's bill to amend act to incorporate Freestone School Association, taken up, read first time.

On motion of Mr. Perry, rule was suspended, bill read second time and passed to third reading.

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

Senate's bill for the relief of heirs of Wm. Becks, taken up, read first time.

On motion of Mr. Dennis, rule suspended, bill read second time, and passed to third reading.

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

A message was received from the Senate informing the House that the Senate had amended and passed House's bill to authorize the formation of county and town agricultural societies.

Senate's bill for relief of B. B. B. & C. R. W. Co., taken up, read first time.

On motion of Mr. Redgate, rule suspended, bill read second time, and passed to third reading.

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

Senate's bill to provide for next election of Representative to

U. S. Congress from Texas, read first time, and referred to Judiciary committee.

Senate's bill to incorporate the Masonic and Odd Fellows Male and Female Academy, read first time.

On motion of Mr. Shannon, rule suspended, bill read second time, and passed to third reading.

On motion the rule was suspended, bill read third time, and passed by the following vote :

YEAS.—Messrs. Speaker Anderson Armstrong Baxter Benevides Billingsley Bogart Branch Bryan Caddell Craig Crawford Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dougherty Epperson Francis Franklin Foscue Hall Harrison of C. Harrison of V. Z. Hartley Henry Hubert Lewis of M. Lynch Mabry Martin Maverick McCutchan McKnight Middleton Mills Mundine Munson Norton Owens Parker Perry Pirkey Redwine Robinson Ross Shannon Shelton Short Smith Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore Wortham and Wrede—65.

Bill to validate A. D. Kennards bounty certificate No. 242, for 320 acres. Read first time.

Mr. Shannon moved to suspend rule, and place bill on second reading. Lost.

Senate's bill for relief of Harmon Tracy, taken up, and read first time.

On motion of Mr. Smith, the rule was suspended and bill to incorporate town of Sabine Pass, taken up, read second time, and ordered to be engrossed.

On motion of Mr. Smith, bill read third time and passed.

House's bill to authorize formation of town and agricultural societies, with amendments by the Senate, taken up, and amendments concurred in.

Senate's bill to amend act to incorporate city of Brownville, read first time.

Mr. Crooks, chairman of committee on Engrossed Bills, reported as follows :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The committee on Engrossed Bills, have examined the following bills and report them correctly engrossed :

A bill for the relief of A. H. Edwards.

A bill to amend an act, authorizing and requiring the county courts to regulate roads, appoint overseers, &c.

A bill to be entitled an act amending the several acts regulating proceedings in the District Court.

A bill to be entitled an act to authorize the county surveyor of Denton county to transcribe the land records of said county, from the records of the late Denton Land District, and to legalize the same.

A bill to be entitled an act to make admissible in courts of the State, unrecorded deeds and conveyances on file in the General Land Office.

Mr Ellett offered the following resolution :

Resolved, That the committee on Public Lands be and they are hereby requested to report a bill which was referred to them early in the session, to sectionize and sell the Indian Reservation. Adopted.

TO HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following bills, viz :

A bill to be entitled an act for the relief of Jose Maria Gonzales.

A bill to incorporate the town of Shelbyville.

A bill to authorize the County Courts of Shelby county to regulate the pay of Sheriffs therein, in certain cases.

A bill to regulate the time of holding the District Courts in the eighteenth Judicial District.

A bill to be entitled an act for the relief of Myram Mudget, Daniel Kitchings, A. L. Spencer and E. G. Cantwell.

A bill for the relief of W. A. Bush.

An act entitled an act to define the boundary of Hopkins county.

A bill to be entitled an act for the relief of James Herndon.

A bill to incorporate the Texas Insurance and Saving Fund Company.

A bill to be entitled an act authorizing the Comptroller of public accounts to dispose of United States bonds.

An act creating the county of Greer.

A bill granting land to the Lavaca Navigation Company.

A bill for the relief of Alexander Miller.

A bill concerning Common Schools, and find the same correctly enrolled, properly signed, and have this day been presented to the Governor for his signature.

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills have examined the following bills, to-wit :

“An act to incorporate the town of Kaufman in Rusk county,

approved February 12, 1852, and an act to reorganize the Court of Claims, and to extend the time for the presentation of claims for land against the Republic or State of Texas," and find the same correctly enrolled, properly signed, and this day presented the same to the Governor for his signature and approval.

On motion of Mr. Dale, the rule was suspended, and the bill to amend the first section of the act to encourage construction of steamboats, &c., was taken up, together with report from committee recommending a substitute, which was adopted and ordered to be engrossed.

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

On motion of Mr. Armstrong, the rule was suspended, and the joint resolution for relief of Catharine R. S. Jones, was taken up, read second time and ordered to be engrossed.

On motion of Mr. Armstrong, rule suspended, joint resolution read third time and passed by two-thirds vote.

On motion of Mr. Maverick, the rule was suspended, and the bill for the relief of the assignees of the B. B. B. & C. R. Way Company, was taken up, read second time and ordered to be engrossed.

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

On motion of Mr. Mills, the rule was suspended, and bill for relief of Jose Ygnacio Cordova, was taken up, read second time and ordered to be engrossed.

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

On motion of Mr. Francis, the joint resolution to distribute Oldham & White's Digest, was taken up, read second time and ordered to be engrossed.

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

On motion of Mr. Warfield, the rule was suspended, and the bill to incorporate the Greenville Institute, was taken up, read second time and ordered to be engrossed.

On motion of Mr. Warfield, the rule was further suspended, and the bill passed by the following vote :

YEAS—Messrs. Speaker Anderson Barnard Benevides Billingsley Bogart Branch Bryan Caddell Camp Craig Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Epperson Francis Franklin Foscue Harrison of C., Harrison of V. Z., Hartley Haynes Houghton Hubert Lewis of M. Mabry Manly Martin Maverick McClarty McCutchan McKnight Mid-

dleton Mills Munson Norton Owens Parker Redgate Redwine Robinson Ross Shannon Shelton Short Smith Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore Wortham and Wrede—63.

On motion of Mr. Wrede, the rule was suspended, and the bill to adjust the boundaries of Kerr and Blanco counties, taken up, read second time and ordered to be engrossed.

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

YEAS.—Messrs. Speaker Barnrd Baxter Benevides Billingsley Bogart Branch Bryan Camp Craig Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dougherty Epperson Hall Harrison of V. Z. Haynes Houghton Hubert Lewis of M. Lynch Mabry Manly Martin Maverick McClarty McCutchan McKnight Middleton Mills Munson Norton Owens Parker Perry Redgate Robinson Shannon Shelton Short Smith Speights Townes Wælder Walworth Warfield Waterhouse Whitmore Whitfield Wortham and Wrede—56.

NAYS.—Messrs. Anderson Crawford Dickson Redwine and Ross—5.

The House's amendments (which Senate refused to concur in) to the Senate's bill supplementary of and amendatory to the act to establish a Code of Criminal Procedure for the State of Texas, were taken up, and the House recessed from them.

The House's amendments to the Senate's bill supplementary to and amendatory of the act to establish and adopt a Penal Code, which the Senate refused to concur in, were taken up, and the House recessed from them.

Senate's bill for relief of J. S. Horn, John T. Gresham and J. Y. Pistole, taken up, read first time.

On motion of Mr. Middleton, rule suspended, bill read second time and passed to third reading.

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

On motion of Mr. Wrede, the rule was suspended, and the bill to adjust the boundaries of Kerr and Blanco counties, taken up, read second time, and ordered to be engrossed.

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

YEAS.—Messrs. Speaker Barnard Baxter Benevides Billingsley Bogart Branch Bryan Camp Craig Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dougherty Epperson Hall Harrison of V. Z. Haynes Houghton Hubert Lewis of M. Lynch Mabry Manly Martin Maverick McClarty McCutchan McKnight

Middleton Mills Munson Norton Owens Parker Perry Redgate Robinson Shannon Shelton Short Smith Speights Townes Wælder Walworth Warfield Waterhouse Whitmore Whitfield Wortham and Wrede—56.

NAYS—Messrs. Anderson Crawford Dickson Redwine and Ross—5.

The House's amendments which Senate refused to concur in, to the Senate's bill supplementary of and amendatory to the act to establish a code of criminal procedure for the State of Texas, were taken up, and the House receded from them.

The House's amendments to Senate's bill supplementary and amendatory of the act to establish and adopt a penal code, which the Senate refused to concur in, were taken up, and the House receded from them.

Senate's bill for relief of J. S. Horn, John T. Grisham and J. Y. Pistole, taken up, read first time.

On motion of Mr. Middleton, rule suspended, bill read second time, and passed to third reading.

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

Mr. Mabry, chairman of the House committee on Enrolled Bills, submitted the following report :

COMMITTEE ROOM, }
Feb. 6, 1860. }

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills have examined the subjoined list of bills, and find them correctly enrolled, properly signed, and have this day presented the same to the Governor for his approval and signature.

“An act for the relief of the heirs of Wm. McDowell.”

“An act in relation to the pay of grand and petit jurors in Harrison county.”

“An act for the relief of the assignees of John Hennecke.”

“An act to continue the pension heretofore granted to Henry Tierwester, to his widow.”

“An act supplementary to an act supplementary and amendatory of an act to give to each corporate county of this State its own county surveyor, maps and records, and defining the duties of surveyors.”

“An act to amend the 6th and 7th sections of an act entitled an act regulating sequestrations,” approved March 15, 1848.

“An act to amend an act entitled an act to incorporate the Sabine and Rio Grande Railroad Company.”

“An act supplementary to an act and amendatory of an act to regulate railroad companies.” And

“An act to locate site of Justice of Tarrant county.”

On motion of Mr. Dougherty, the rule was suspended, and the bill to amend an act to incorporate city of Brownsville, was taken up, read second time, and passed to third reading.

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

The Senate bill to grant land to N. G. Shelley, W. H. D. Carrington and Wm Alexander, was taken up and read first time.

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

Mr. Townes moved a further suspension to place bill on final reading. Lost.

On motion of Mr. Mills, a call of the House was ordered.

On motion, the House adjourned till 7 o'clock, P. M.

7 O'CLOCK, P. M.

House met pursuant to adjournment—roll called—quorum present.

Mr. Dickson offered the following resolution :

Resolved, That the committee on Printing have printed 2000 copies of the captions of the acts passed at the present session of the Legislature for use of the House. Adopted.

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

Bill to incorporate the Hydraulic Company of San Antonio.

Bill to incorporate the Southern Cotton Press and Manufacturing Company.

Bill to incorporate Ingleside College on Corpus Christi bay.

Bill to provide for organization of militia of Texas.

Joint resolution relative to mail route from Austin to El Paso.

And the House's bill to reorganize the 13th District and fix times of holding courts therein.

The House's bill amendatory of and supplementary to the act to incorporate the Galveston Wharf and Cotton Press Company, with report from committee, recommending amendments, was taken up.

Mr. Hartley offered the following as a substitute for committee amendments: strike out in 3d section all after expedient. Adopted, and bill ordered to be engrossed.

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

YEAS—Messrs. Speaker Armstrong Benevides Billingsley Bogart Branch Caddell Camp Craig Crawford Crooks Clark Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Epperson Flewellen Francis Foscue Harrison of C. Harrison of V. Z. Hartley Henry Houghton Hubert Lewis of M. Lewis of R. Lynch Mabry Manly Martin Maverick McClarty McCutchan McKnight Middleton Munson Norton Owens Parker Perry Redgate Ross Shannon Shelton Short Smith Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore and Wortham—61.

Mr. Redwine voting in the negative.

Mr. Crooks, chairman of committee on Engrossed Bills, reported correctly engrossed bill to incorporate Yegua Bridge and Turnpike Company.

Mr. Manly, one of the committee on Engrossed Bills, reported correctly engrossed joint resolution relative to distribution of Oldham & White's Digest.

On motion of Mr. Craig, the rule was suspended and the bill to incorporate Indianola and Goliad Bridge and Ferry Company, was taken up, read second time, and ordered to be engrossed.

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

YEAS—Messrs. Speaker Anderson Armstrong Benevides Billingsley Bogart Branch Caddell Camp Craig Crawford Crooks Clark Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Epperson Flewellen Francis Harrison of C. Harrison of V. Z. Hartley Houghton Hubert Lewis of R. Lynch Mabry Manly Maverick McClarty McCutchan Middleton Mundine Munson Norton Owens Parker Perry Redgate Shannon Shelton Short Smith Speights Townes Wælder Walworth Warfield Waterhouse Whitfield Wortham and Wrede—56.

NAYS—Messrs. Foscue Lewis of M. Redwine Ross and Whitmore—5.

On motion of Mr. Hubert, the rule was suspended, and the bill for the relief of M. F. Alexander was taken up, read second time, and ordered to be engrossed.

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

On motion of Mr. Speights, the rule was suspended, and the bill to regulate elections of county commissioners, with report from committee, recommending a substitute, was taken up, the substitute adopted.

Mr. Dougherty proposed to amend as follows :

Provided, That the counties of Cameron, Hidalgo and Galveston be exempted from the operations of this law.

Mr. Wortham moved to lay the bill on the table, carried by the following vote, the yeas and nays ordered on motion of Mr. Davis of B. :

YEAS—Messrs. Speaker Armstrong Branch Bryan Caddell Camp Craig Crooks Clark Dale Dennis Dickson Dougherty Flewellen Franklin Foscue Hall Harrison of C. Hartley Haynes Houghton Kinney Lewis of R. Mabry Manly Maverick Munson Owens Parker Redgate Robinson Ross Short Smith Townes Warfield Whitmore Wortham and Wrede—39.

NAYS—Messrs. Anderson Benevides Billingsley Bogart Crawford Daniels Davis of B. Davis of H. Duncan Epperson Francis Lynch Martin McCutchan McKnight Middleton Mundine Norton Perry Pirkey Redwine Shelton Speights Stewart Wælder Waterhouse and Whitfield—27.

Mr. Anderson moved to suspend rule and take up bill for relief of heirs of Ben. B. Milam. Lost.

Mr. Dougherty moved to suspend rule and take up bill 73. Lost.

Mr. Owens moved to take up bill for relief of Philip Hogan. Lost.

The Senate's bill for the relief of Jas. C. Dillingham was taken up, read second time, and passed to third reading.

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

Senate's bill for relief of heirs of Wm J. Wills with report from committee, recommending that the bill be not passed, was taken up, and report adopted.

Senate's bill for relief of Benjamin A. Campbell *et al*, was taken up and read second time.

Mr. Wælder proposed to amend by inserting the name of Thos. A. Rodriguez, ruled out of order, and bill passed to third reading.

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

Mr. Crawford, one of the committee on Engrossed Bills, reported as follows :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The committee on Engrossed Bills to which were referred the bills to be entitled an act for the relief of Jose Ygnacio Cordova.

An act for the relief of the Buffalo, Brazos and Colorado Company, or their assignees. And

Joint resolutions relinquishing to Catherine R. S. Jones all the right, title and interest that the State has to the orphaned.

property of David Williams, deceased, have examined the said bills and resolutions, and report them correctly engrossed.

The Senate's bill to incorporate Galveston Firemen's Relief Fund Association, was taken up, read second time, and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Armstrong Baxter Billingsley Bogart Branch Bryan Caddell Craig Crawford Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dougherty Epper-son Flewellen Francis Franklin Foscue Hall Harrison of C. Hartley Houghton Hubert Kinney Lewis of R. Lynch Mabry Manly Martin Maverick McClarty McCutchan Mundine Mun-son Norton Parker Redgate Robinson Ross Shannon Shelton Speights Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore Wortham and Wrede—57.

NAYS—Messrs. McKnight Mills Owens and Redwine—4.

Bill for the relief of Nancy Robertson taken up, read second time, and passed to third reading.

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

Mr. Mills moved to reconsider the vote refusing to pass bill relative to surveys in Young land district. Lost.

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

Bill for relief of heirs of Shelby Corzine.

Bill for relief of Wm. DeWoody.

Bill for relief of heirs of Addison Litton.

Bill for relief of Sarah Miles.

Bill for relief of W. D. Langham.

Bill for relief of J. T. Wilson, T. H. Roberts, and heirs of Mark Copeland, dec'd

Bill for relief of Thos. J. Smith of Ft. Bend county, one of the survivors of Col. Fannin's command.

Bill for relief of Richard B. Wardroup.

Bill for relief of Richard N. Williams.

Bill for relief of heirs of William L. Flemmings, a settler in Mercer's colony.

Bill to prevent sale of vinous, spirituous or other intoxicating liquors within one mile of New London, in Rusk county, Veal's Station, in Parker county, and Mt. Enterprise in Rusk county.

Mr. Cumby moved to reconsider the vote passing the bill to define the boundary line of Hopkins county. Carried by the

following vote, the yeas and nays being ordered on motion of Mr. Norton :

YEAS—Messrs. Speaker Anderson Baxter Benevides Billingsley Bogart Caddell Camp Craig Crawford Clark Cumby Dickson Epperson Flewellen Francis Foscue Henry Hubert Lewis of B. Lynch Mabry Manly Martin McClarty McCutchan McKnight Mills Norton Perry Redgate Robinson Speights Stewart Townes Wælder Whitmore Wortham and Wrede—39.

NAYS—Messrs. Armstrong Crooks Davis of B. Davis of H. Dickson Epperson Flewellen Francis Foscue Harrison of C. Harrison of V. Z. Hartley Haynes Houghton Maverick Middleton Mundine Parker Redwine Ross Shelton Short Smith Walworth Warfield Waterhouse and Whitfield—24.

On motion of Mr. Wortham, a further consideration of the bill was postponed till 11 o'clock, A. M. to-morrow.

Mr. McClarty, chairman of Special committee, by permission, reported as follows :

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The Special committee appointed to draft suitable resolutions expressive of the respect entertained by this House for the memory of the Hon. J. Pinckney Henderson, dec'd, beg leave to submit the following resolutions :

WHEREAS, It having been the will of the Divine ruler of the destinies of men and nations, to remove by death, from a high sphere of usefulness, our late distinguished fellow-citizen, J. Pinckney Henderson.

Resolved, 1st. That in his death our State has sustained a great and almost irreparable loss ; that so long as patriotic services in the camp, the Cabinet and the Senate, are respected by the citizens of Texas, so long will the memory of the deceased be cherished and revered.

Resolved, 2nd. That in the circumstances which preceded his death—in his self-devoted fidelity to the duties of his position—we recognize evidences of that exalted heroism of character which had so justly concentrated in him the general admiration and confidence of the people of his State ; and that the family of the deceased have our heartfelt sympathy in their bereavement, with the assurance that the claims of the husband and father upon the State, which his services while living, so much contributed to establish and sustain, will not be forgotten.

Resolved, 3rd. That these resolutions be spread upon the journals of this House, and a copy of the same be forwarded to

the family of the deceased ; and as an evidence of respect to the memory of the deceased, this House do now adjourn.

Unanimously adopted.

JOHN McCLARTY,
ISAAC N. DENNIS,
E. H. BAXTER.

MR. SPEAKER :

At an early period of this session I offered a resolution requesting you to appoint a committee, whose duty it should be to report to this House resolutions expressive of its respect for the memory of J. PINCKNEY HENDERSON, late United States Senator from Texas, and who died whilst in the discharge of his duties at Washington city, in the month of June, 1858, and since the adjournment of our last Legislature. I am aware, sir, that this duty has been long delayed ; I will remark that this delay has arisen from no want of respect on the part of the committee toward either this House or to the memory of the distinguished deceased. The resolutions just read, have been long since prepared, and as its chairman, and as the personal friend of him whose loss we deplore, the committee have requested me to accompany the presentation of the resolutions with at least an outline of the public and private life of J. PINCKNEY HENDERSON.

I speak in all candor, when I say that I am ever reluctant to gain the floor of this House, or to occupy its valuable time with any remarks of mine. There were other reasons which have influenced this delay. The deceased was for a period of over twelve years, my warm personal friend. Although, sir, his manly form and generous eye may now lie mingled with the dust ; although that mellow voice that once fell in sweet music upon my ear, is now hushed to be heard no more, yet my heart is not nor will not be treacherous to his memory. His memory is inseparably linked with that of the earlier years of my life, and with that of other near and dearly beloved friends, who like himself, have lain down in that sleep from which naught but the archangel's trump shall awake them. When I reflect that upon this earth I shall mingle with them no more, that mutual assurances of affectionate regard are indeed ended, it is not my nature to be otherwise than affected with emotions which are sacred to my own heart, and which I never desire to obtrude upon others.

I desired further, sir, that all of our political differences and rivalries should be ended before I submitted the report. It was not within the scope of my purpose in the remarks I should submit, to excite partisan feelings. I disclaim any such purpose, and any allusions which I may make on this occasion to his

peculiar political views and my full endorsement of those sentiments I trust may not so be so construed. Surely, on an occasion like this, all feelings other than sorrow for the noble, the gifted dead, should be banished from our minds. However widely we may have differed with him politically whilst he lived, now that he is dead may we not gather around his tomb and remember him only as the patriot,—

“As those who meet upon some foreign shore,

Wrecked by the same tempestuous surge, recall past feuds no more:
Thus let friends and foes combine

To pour the homage of their hearts upon one common shrine.”

JAMES PINCKNEY HENDERSON was born in Lincoln county, North Carolina, on the 31st day of March, 1808.

His parentage was of the highest respectability. He was one of a family of several sons, all of whom like himself, were remarkable for their fine intellects. After having well improved favorable educational opportunities, at an early period in his youth, he devoted himself to the study of the law. At the age of nineteen years he was admitted to the practice of his chosen profession.

I regret that it is not within my power to give any particular account of the years of his life, from his admission to the bar up to the age of twenty-seven. I can, however, state confidently, that during that period he was a close and an ambitious student, and that he laid then that deep foundation which so well supported him in his after efforts in his profession. JAMES PINCKNEY HENDERSON, at all times, was modest in the extreme, and never willingly made himself the topic of conversation. In the year 1835, he removed to the State of Mississippi, and entered upon the practice of the law. His progress in attaining an enviable reputation was rapid, a brilliant career seemed to be opening upon him. But at that juncture the thrilling appeals of Texans struggling for freedom, reached him, and in 1836, almost without a second thought, he abandoned the tempting prospect which was unfolding itself around him, and repaired to Texas. So high were the credentials which he presented and so forcibly did his demeanor endorse them, that the Provisional Government of the infant Republic at once conferred upon him the rank of General of Brigade in its armies. It was not his fortune to share the glorious victory of San Jacinto with Houston and his Spartan band, his appointment having been made subsequent to that engagement.

At the conclusion of hostilities he was successively a member of the State Department and Attorney General of the Republic.

In 1837, he was appointed Minister Plenipotentiary and Envoy Extraordinary to the Courts of England and France, where, by his exalted discretion he succeeded in obtaining a recognition of the independence of Texas as a sovereign State. In 1844, he was elected as an adjunct to Mr. Vanzandt, our United States Minister at Washington city.

When the annexation of Texas to the United States of America was consummated, Gen. HENDERSON was chosen without opposition, as the first Executive of the new State.

It will be remembered that the first Legislature of our State was in session when hostilities began in 1846, between our country and Mexico. Soon after the battles of Palo Alto and Resaca de la Palma, fought on the 8th and 9th of May in that year, Gen. Taylor, who was in command of the army of occupation, which had against desperate odds achieved those brilliant victories, made a requisition upon the government of Texas for five regiments of troops. Four of those were soon enrolled, and Gen. HENDERSON, by the joint request of both Houses of the Legislature of the State, repaired to the field and assumed the command of these forces. His rank as Major General was recognized by the United States Government, and in this position he rendered valuable assistance in the reduction of Monterey. At the termination of that engagement he was selected by the commanding General—Taylor—as one of the three Commissioners chosen to conclude the terms of capitulation of the city with the Mexican Commander-in-Chief—Gen. Ampudia. As a testimonial to his bravery and able generalship in this action, the Congress of the United States afterwards presented him with a magnificent sword—a fitting tribute to his merit. For many years after the conclusion of the Mexican war, Gen. HENDERSON devoted himself to the practice of his profession and the cultivation of the more private but not less satisfactory enjoyments of life. Although often and pressingly solicited, he declined to enter upon political life in official position. It is true that he was keenly alive to the progress of political events as they transpired, and ever ready and fearless when occasion required in the expression of his opinions. He was, I believe, elector for the State at large on the Democratic ticket in the contest between Cass and Taylor in 1848. When the noble but ill-fated Rusk vacated his seat in the United States Senate in 1857, the State, by one almost unanimous voice, solicited HENDERSON to fill his unexpired term. I know that he accepted this position with reluctance, for office-seeking—a hungering and thirsting after place and position—was a spirit which he always contemned. It was his misfortune

to be in very feeble health when the intelligence of his election as United States Senator reached him. He felt gratified in the fact that he was the unanimous choice, or almost so, of the representatives of a free people who had known him so long and well, and by whom his political opinions were so well understood; but he felt that the finger of death was then feeling about his vitals, and that the time of his sojourn upon this earth was drawing to a close.

Yielding to the earnest entreaties of his friends, who were ever at his bedside, for a brief period he delayed his departure for the Federal Capitol, but he found that his physical energies were failing; and impelled by an ardent desire to reach the field of his last labors, he began his journey, and dragged by the power of an indomitable will, his disease-smitten frame onward to his post of duty, like a stricken soldier upon the field of battle. For a time he tarried amidst the orange groves of the Island of Cuba, with a faint hope that the balmy breath of the tropics would yet quicken the flagging life-stream within his veins. He found that this was not to be so, for each day and each hour the solemn warning—"Dust thou art and to the dust thou shall soon return"—became more audible.

With a final exertion he reached the Federal Capitol. He assumed for a few days his seat in the Senate, then a reaction took place—the flame of life flickered feebly for a time, then passed away gently as the breath of morning, when it floats among the trees. JAMES PINCKNEY HENDERSON, in the meridian of his manhood—clothed with well-earned honors—was dead. His mortal career was ended, but he still lived on the page of history and in the hearts of friends, where his virtues will remain embalmed while life endures.

It was in his character as a lawyer that I first became acquainted with General HENDERSON. At the time he stood proudly eminent as a profound jurist and eloquent advocate. When I remark that his associates at the bar were such men as Rusk, Anderson, Vanzandt, Clark, Jennings, Hill, Wheeler, Roberts and Ochiltree, who have contributed so much to establish and maintain the dignity and reputation of the profession of the law in Texas, it will be seen that I pay to the memory of the deceased no empty compliment.

For the study of the sublime principles and skillful application of the details of the common law, General HENDERSON had an intellect peculiarly fitted. His mind grasped the subject with masterly force, and the beauty and harmony of the system were ever objects of his special admiration. The common law to his

mind was not as an exhalation that had arisen in a single night, nor as the deceitful mirage of the desert that invites but to betray into confusion he who seeks an intimate acquaintance with its principles—but like some massive structure, which had its foundations in the first aspirations of our favored Anglo-Saxon race for self-government, and which had laid under contribution the master minds of every age which marked the history of its existence in the work of its enlargement and improvement.

A system at once the foundation of our civil liberties, and as the most nearly perfect work of human reason. With such exalted conceptions of the object of the common law, coupled with a clear and elevated intellect as an ardent ambition for success, he could not be otherwise than successful. To this combination he had another quality inseparable from a thorough knowledge of the law—he had an honest, truth-loving nature.

As a soldier, Gen. HENDERSON was a very Bayard for bravery, skill, and high-toned chivalric spirit. As an officer, he placed the highest estimate upon the duty of obedience of inferiors to those superior in command. At the close of the third day of the battle of Monterey, at the head of the Eastern Texas Rangers, under command of Col. Wood, and the glorious Mississippi rifles under the distinguished Davis, Gen. HENDERSON made a desperate assault upon the eastern end of the city.

The Mexicans knew that this charge, if successful, would close the engagement, and fought with the desperation of despair. But despite the fearful odds of superior numbers and the more favorable position of the enemy, HENDERSON'S gallant band forced its way onward, cutting through the solid walls, whilst from house top to house top, protected by parapets and sand bag defences, the enemy kept up a steady fire, and every street was swept as with an iron sleet from the cannon in the barricades. I remember that evening well, as I sat upon my horse whilst upon picket guard, high upon the side of a towering mountain that overlooked the city. Dense clouds of smoke were ascending over the scene of combat, but the shouts of my friends and the shrill reports of their rifles, as the tide of battle rolled onward like a resistless wave, were plainly audible, save when drowned by the sullen roar of artillery. At this juncture, when maddened by success and the loss of friends and comrades; when the glorious fruition of victory seemed to be just within their grasp, an order from Gen. Taylor reached HENDERSON, commanding him to withdraw his command from the field, and thus abandon a position he had so gallantly conquered—Davis states that he asked HENDERSON what he should do. "Do!" replied the hero,

“ why, sir, obey superior orders ;” and without a murmur he gave the signal for retreat, which was sullenly obeyed by his command.

As a politician, Gen. HENDERSON entertained clearly defined views. His estimate of the powers of the Federal and State Governments, was founded upon a true basis, for he read the Constitution of our country aright. To obtain a correct knowledge of the Federal Constitution, he had devoted much labor and research. In the prosecution of this labor he had to contend with erroneous views, imprinted in his mind by early impressions received from his father, but he entered upon the study with a clear and vigorous intellect, well trained to habits of patient thought, and an honest, truth-loving heart. The mists of pre-conceived opinion were gradually dissipated, and the Constitution, symmetrical in all its parts, rose in its true outlines before his understanding. It will be seen that in thus truly conceiving the spirit and meaning of that wonderful instrument, he was led to the same conclusions which those mighty minds—Jefferson, Madison and Calhoun, had adopted before him. He held that the dangers, which, above all others, menaced the perpetuity of the confederated form of our Government, was in a tendency toward consolidation, arising from latitudinous constructions of the Constitution ; and against these he held that the people should combat as against the incipient developments of a deadly disease. The fearful storms which had swept over our political horizon in the last ten years preceding his death, he believed had their origin in the mistaken views of some, and the selfish desires of others for a strong central Government, and such as was never contemplated by the framers of the Constitution, undesired and unsanctioned by the genius of the American people. No man has lived in Texas who has exerted such an influence upon the public mind. Upon great political questions, there have been others, who, by the superior advantages of a military popularity, always captivating to a border people who have had cause to bless its influences; who for a time outranked him in public esteem; but when the period arrived, when our constitutional rights were menaced, he at a stride passed to the front of the political line, and became the leader-in-chief of what is known as the State Rights Democratic party, and the only one which has had an existence for several years in this State. For some time before the question of the relative powers of the Federal and State Governments was canvassed freely in Texas, Gen. HENDERSON stood with a slender minority, who were unjustly branded as fire-eaters and extremists, contending for the true doctrines of the Constitution, against what was regarded then as a hopeless oppo-

sition. But he faltered not, nor shrunk from the issue. His heroic soul rose more grandly, if possible, in the midst of desperate contest and defeat, than in the delirious intoxication of victory. He lived to see the views, which for years he had proclaimed as correct, adopted by a vast majority of the people of Texas. And though now he is dead—though “those lips which were once tremulous with the divine afflatus of a swelling heart,” are crumbled to the dust—though no more he shall be seen in his place in the Senate, or hear, with the joy of a warrior, the shrill trump or rolling drum, he is not altogether dead, for his labors do live after him. Though at present, through unfortunate circumstances, the party to which he belonged, and of which he was the chief ornament and leader in his State, be under a cloud, that cloud will soon be swept away, nor leave a trace of its ephemeral existence behind. The people of Texas will be found, when the emergency arrives, which the tokens of the times evince to be rapidly approaching, loyal to their best interests.

For the minor details of party management Gen. HENDERSON had little fitness. He was ever for open, manly contests upon clearly defined issues. He could not riot in the filthy sinks of partisan rancor, nor gloat like a vulture or hyena in the work of personal defamation. Nor had he ever a thought for personal advancement linked with his political action: no! his heroic soul scorned the fetid atmosphere of such a region, and soared aloft into the purer altitudes of principle.

It has been urged against him that he was at heart an enemy to our Federal form of Government, and desirous for its overthrow. This accusation I know to be most unjust. The wonderful wisdom which effected the Union of the thirteen original States, was always a theme of his admiration. It was the abuse of the delegated powers of the Constitution to which he was a foe. I have heard him declare that could the true intent of our Constitution be carried out and its provisions sacredly maintained, the advancement of our system of Government would outstrip every prophecy which had been made in its favor. Like that river which the prophet of God in holy vision saw—which was at its source but a shallow stream, but rolled on widening and deepening until it passed beyond the scope of mortal vision, so would the current of our American institutions flow onward like an advancing tide, that should know no retiring ebb until it filled every bay and inlet, and the music of its billows was heard on every shore.

However elevated a man's position may be in the control of

human affairs, upon close inspection he is some times found to dwindle down into littleness in his private character. In the history of many men who have figured proudly before the public eye, arrayed in the gaudy trappings of official position, we find traits even of a revolting character. When the curtain, which has concealed their private life, has been removed, the revolting evidences of a moral leprosy has been discovered ; treachery has been found to lurk behind a captivating address ; self-interest, as remorseless as the spirit which impels some of the brute creation to feed upon their own offspring, has been found concealed, a misanthropy as hideous as a den of hissing serpents has been found to lurk in their hearts. My deceased friend was marked in his character by no such hideous deformities of soul. To say that he had not his faults would be to say that he was not mortal. His friends who knew him best, knew that he was strongly, it may be for his own good, perilously human. His character was none of that smooth description that was seemingly faultless, for his nature was a positive one. He had his errors, but they arose from the redundancy of a generous, impulsive and noble soul, and moderation and self-restraint were his acquired virtues. In forming him, nature seemed to have been in one of her most prodigal moods. In person, he was tall, well-proportioned, erect and dignified in his carriage. His head was large, finely formed, with a broad and full forehead, whilst his features were moulded in a form of uncommon manly beauty.

In the social circle he was ever the centre and focal point of attraction, for his bright and generous smile and mellow voice were singularly attractive. Wherever he went he won the hearts of those with whom he met, whilst his intimate friends knew no bounds to their love and devotion to him.

It was characteristic of his life, that he should have met with his death whilst devoting himself to what he considered to be the discharge of his duty. Had he have yielded to the persuasions of friends, it may be that by careful attention his life might have been prolonged ; but he was as immovable as adamant when once his course was determined upon. I have heard of a distinguished French soldier, Pierre Latour I believe was his name, who, though gifted with a highly improved intellect and noble by birth, devoted his whole life to the elevation of the rank of the common soldier in the armies of his country.—The great Napoleon knew him personally, and appreciated his exalted merits, and often sought by urgent solicitation to induce him to accept official promotion ; but the hero refused, and replied that his sole ambition was to be the first grenadier of

France. Death came to him as he desired, upon the field of battle with his harness on and his weapons in his hands. When the star of Napoleon's empire was setting in the gloom of the evening of Waterloo; when Grouchy did not come up and Blucher did come to the aid of the English; when the Imperial leader of the French was hurried a heart broken fugitive from the field, one heroic band, amidst the fearful and dismaying scenes of defeat, still, with unavailing valor, strove to rally up the desperate fight. It was the Old Guard. As the shot shattered their stubborn ranks, with his back to the earth and his feet to the foe, Pierre Latour fell with the dying cry upon his lips—the "Old guard dies but never surrenders."

That an example so glorious should never be forgotten to this day—Pierre Latour's name is still called as though he were yet living in the French army and an officer always responds "Pierre Latour lies dead on the field of honor." If I had an epitaph to inscribe upon the tomb of our deceased Senator, it would be "JAMES PINCKNEY HENDERSON *lies dead upon the field of honor.*"

In accordance with the above resolutions, the House adjourned till 10 o'clock, A. M., to-morrow.

HOUSE OF REPRESENTATIVES, }
Tuesday, February 7th, 1860. }

House met pursuant to adjournment—roll called—quorum present—journal of yesterday read and adopted.

Mr. Shannon, chairman of committee on Private Land Claims, reported as follows:

The committee on Private Land Claims beg leave to report back to the House the accompanying bills and petitions without prejudice, and ask to be discharged from their further consideration.

Mr. Craig, chairman of committee on Roads, Bridges and Ferries, reported, recommending the passage of the Senate's bill to incorporate the Dallas Bridge Company.

On motion of Mr. Craig the rule was suspended and the bill taken up and read second time.

On motion of Mr. Craig the rule was suspended, bill read 3d time, and passed by the following vote:

YEAS—Messrs. Speaker Anderson Armstrong Barnard Baxter Benevides Billingsley Bogart Branch Caddell Camp Craig Crawford Crooks Clark Cumby Daniels Davis of B. Davis of H. Den-

nis Dougherty Duncan Ellett Epperson Hall Harrison of C. Hartley Haynes Houghton Lewis of R. Mabry Manly McCutchan McKnight Mundine Munson Norton Owens Parker Perry Pirkey Redgate Redwine Robinson Ross Shannon Shelton Smith Spights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore Wortham and Wrede—59.

NAYS—Messrs. Francis and Foscue—2.

Mr. Wortham, one of the committee on Public Lands, reported, recommending the passage of a substitute for the bill to authorize the Governor to raise means for expenses of the Government by sale of land certificates.

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

Bill to incorporate Texas Mutual Insurance Company at Boston.

Bill for relief of Daniel Hopkins.

Bill to fix time of holding courts in 19th Judicial District ; and bill supplemental to the act to change the time of holding courts in 10th and 14th Judicial Districts ; and to amend the second section of the act to fix times of holding courts in 10th and 14th Judicial Districts : and had passed the following named Senate's bills :

Bill for relief of Samuel Everett.

Bill for the relief of heirs of W. H. Settle.

Bill to amend 1st section of act to amend caption of the 1st and 16th sections of act to incorporate the Texas Western Railroad Company.

Bill requiring the Paymaster for the State troops on the Rio Grande to receive pay for arms and other necessary articles furnished by individuals to said troops. And

Bill supplementary to and amendatory of the act to incorporate the city of Corpus Christi, and had amended and passed the House's bill to incorporate the city of San Antonio, approved July 17th, 1856 : also had passed House's bill to reorganize the 16th Judicial District of State of Texas, and to define the times of holding courts therein.

On motion of Mr. Dougherty the rule was suspended, and the bill to regulate times of holding Justices' Courts in 12th Judicial District, was taken up, read second time, and ordered to be engrossed.

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

On motion of Mr. Harrison of C., the bill for relief of the heirs of James Boulter, deceased, was taken up, read second time and ordered to be engrossed.

On motion of Mr. Harrison of V. Z., the rule was suspended, bill read third time and passed.

Mr. Branch, one of the committee on Enrolled Bills, reported as follows :

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills have examined the following bills, viz :

A bill to authorize the corporation of Laredo to dispose of certain lands.

A joint resolution authorizing the Governor, Comptroller and Treasurer of the State to apply the monies heretofore appropriated for the payment of the public debt to the payment of other claims of greater emergency.

A bill to be entitled an act to incorporate Solado College in Bell county.

A bill for the appointment of Public Weighers, and prescribing their duties and liabilities.

A bill to be entitled an act to incorporate the Gulf Coast Association, located at Victoria.

An act supplementary to an act supplementary and amendatory of an act to regulate Railroad Companies, approved February 7th, 1853, approved December 19th, 1857, and find the same correctly enrolled, properly signed, and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,

One of the committee.

Mr. Davis of B., offered the following resolution :

Resolved, That a committee of five be appointed to arrange all the bills of a private nature that are on the Speaker's table, and such as are reported on favorably and sustained by proof, to be reported in one general bill, and said committee be instructed to report by Friday next. Adopted.

Speaker announced Messrs. Parker, Dale, Ross, Whitfield and Shannon on said committee.

Mr. Munson, one of the committee on Federal Relations, reported as follows :

REPORT.

TO THE HON. M. D. K. TAYLOR.

Speaker of the House of Representatives :

The "preamble and resolutions" passed by the Legislature of the State of South Carolina, and submitted for our consideration, have been deliberated upon by the committee on Federal Relations, and your committee respectfully submit to the House for its action the following resolutions :

1st. *Resolved*, That the State of Texas declares, that "when-ever one section of the Union presumes upon its strength for the oppression of the other, then will our Constitution be a mockery, and it would matter not how soon the Union was severed into a thousand atoms, and scattered to the four winds."

2d. *Resolved*, "If the principles" of confederation upon which the American Union "was consummated, are disregarded," there will be for Texas neither honor nor interest in the Union; if the mighty, in the face of written law, can place with impunity an iron yoke upon the neck of the weak, Texas will be at no loss how to act or where to go before the blow aimed at her vitals is inflicted. "In a spirit of good faith" Texas "entered the Federal fold. By that spirit she will continue to be influenced until it is attempted to make her the victim of Federal wrong. As she will violate no Federal right, so will she submit to no violation of her rights by Federal authority."

3d. *Resolved*, That the Legislature of Texas assure South Carolina and all her sister States, that "she will not submit to the degradation threatened by the Black Republican party, for sooner than subject herself to "ignomy ensuing from sectional dictation, she would prefer restoration to that independence which she once enjoyed. Sorrowing for the mistake which she committed in sacrificing her independence upon the altar of her patriotism, she would," if there were none others to act with her, "unfurl again the banner of the lone star, and re-enter upon a national career, where if no glory awaited her, she would at least be free from a subjection by might, to wrong and to shame."

4th. *Resolved*, That we pledge ourselves to any one or more of the States to co-operate with them, should it become necessary, to resist Federal wrong, and claim that it is not only our right, but imperative duty, at all times to aid any member of this confederacy, in protection of property, in preserving the lives of women and children, and in resisting fanaticism and treason.

Sec.— And that the Governor is hereby requested to transmit a copy of the above preamble and resolutions to the Governor of South Carolina, and to the Executive of the various States of the Union, and to our Representatives and Senators in Congress.

M. S. MUNSON,

One of the committee.

On motion of Mr. Short the rule was suspended, and the report and resolutions were taken up.

Mr. Townes moved to make them the special order of the day for Friday next.

On motion of Mr. Short the motion was laid on the table.

Mr. Manly offered the following as a substitute for the resolution :

MINORITY REPORT OF COMMITTEE ON FEDERAL RELATIONS.

“JOINT RESOLUTIONS.”

1st. That the Constitution of the United States is the fundamental basis of our Federal Union ; that the laws and treaties made in pursuance thereof are with the Constitution itself, in the supreme law of the land, by which the Judges in every State are bound ; any thing in the Constitution or laws of our State to the contrary notwithstanding ; that the decisions of the Supreme Court of the United States are conclusive and binding upon every citizen. And obedience to the Constitution, laws and authorities of the federal government is the only condition upon which the Union can be maintained.

2d. That none of the alleged evils of which have ever or are now disturbing the harmony of the confederacy are ascribable to the legitimate operations of the federal government, but are justly chargeable to the disloyalty of those who, in obstructing the laws and authorities are themselves designedly or undesignedly enemies of the Union, and so far from considering these troubles a pretext for unfriendly demonstrations against it, we regard them as a fit occasion for summoning every patriot to its defence against all assaults, from whatever quarter, or on whatever pretence.

3d. That a dissolution of the Union would cure no evil, repel no aggression, right no wrong, diminish no alarm, indemnify no damage ; but on the contrary would be the fruit of unnumbered evils. If wrongs are inflicted, they can better be righted in the Union than out of it. And it behoves those who have been faithful to the Constitution to maintain the government, and not surrender it to the enemies of the Constitution.

4th. That we dissent from the doctrine that a State has a right to secede from the Union at pleasure.

5th. That we in like manner dissent from the doctrine of nullification.

6th. That we deem it inexpedient to send deputies to a convention of the slaveholding States, as invited to do by South Carolina.

7th. That in our opinion there is no sufficient cause to justify us in taking the incipient steps for a dissolution of the Union.

8th. That the Governor be requested to cause a copy of these

resolutions, under the seal of the State, to be transmitted to the Governor of South Carolina, and to each of the Governors of the other States.

JOHN H. MANLY,

One of the committee.

Mr. Haynes moved to have 200 copies of the substitute printed, and that they be postponed till, and made the special order for, to-morrow night, at 7 o'clock.

A division of the question being called for, 200 copies were ordered to be printed.

The question recurring on making the resolution the order for to-morrow night, Mr. McCutchan moved to postpone the resolution till the 13th inst.

On motion of Mr. Short the motion was laid on the table, and the resolution made order for to-morrow night.

Mr. Crawford, one of the committee on Engrossed Bills, reported correctly engrossed the bill providing for the disposition of runaway slaves, and bill to authorize county court of Fayette county to levy special tax.

Mr. Haynes moved to suspend rule, and take up bill requiring the paymaster for the State troops on the Rio Grande to receive pay for arms and other necessary articles furnished by individuals to said troops. Lost.

[Mr. Flewellen in the chair.]

The hour having arrived, the special order, to-wit: the bill making appropriation for the erection of suitable buildings for the Lunatic Asylum, and for support and maintenance of same, was taken up.

Mr. Townes offered a substitute for the bill, which was adopted, and the bill ordered to be engrossed.

Mr. Parker moved to suspend rule, and place bill on final reading.

On motion of Mr. Foscoe the yeas and nays were ordered, and rule suspended, by the following vote:

YEAS—Messrs Speaker Anderson Barnard Baxter Billingsly Bogart Branch Bryan Craig Crawford Clark Cumby Dale Daniels Davis of B. Davis of H. Dickson Dougherty Duncan Epperson Flewellen Francis Franklin Hall Harby Houghton Lewis of M. Lynch Mabry Manly Martin Maverick McClarty McCutchan Mundine Munson Norton Parker Perry Pirkey Redgate Robinson Shelton Short Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Wortham and Wrede—54.

NAYS—Messrs. Armstrong Caddell Foscoe McKnight Redwine Ross and Whitmore—7.

The question recurring on the final passage of the bill, the yeas and nays were ordered on motion of Mr. Foscue, and the bill passed by the following vote :

YEAS—Messrs. Anderson Barnard Billingsley Bogart Branch Bryan Craig Crawford Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Ellett Epperson Flewellen Hall Houghton Lewis of M. Lewis of R. Lynch Mabry Manly Martin Maverick McClarty McOutchan Middleton Mundine Munson Norton Parker Perry Redgate Short Smith Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Wortham and Wrede—50.

NAYS—Messrs. Speaker Armstrong Caddell Francis Foscue Hartly Redwine Robinson Boss Shelton Speights and Whitmore—12.

On motion of Mr. Taylor of Cass, the rule was suspended, and the bill to organize the county of Marion, and to fix the times of holding courts therein, was taken up, read second time, and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Armstrong Baxter Benevides Billingsley Bogart Branch Bryan Caddell Clark Cumby Dale Davis of B. Davis of H. Dennis Dougherty Duncan Epperson Flewellen Hall Harrison of C. Haynes Houghton Lewis of M. Lewis of R. Lynch Mabry Martin Maverick McClarty McCutchan Middleton Munson Norton Parker Perry Redgate Redwine Robinson Boss Short Smith Speights Stewart Wælder Walworth Warfield Waterhouse Wortham and Wrede—51.

NAYS—Messrs. Barnard Dickson Franklin Foscue McKnight Mundine Pirkey Shelton Townes and Whitmore—10.

Mr. Lynch offered the following resolution :

Resolved, That the Hon. John McClarty be requested to furnish a copy of his speech and accompanying resolutions on the death of the Hon. J. Pinckney Henderson, late U. S. Senator, and that 500 copies be printed for use of this House.

Mr. McKnight proposed to amend by including the remarks of the other gentlemen who addressed the House on that occasion.

Mr. Crawford moved to lay the amendment on the table. Carried by the following vote :

YEAS—Messrs. Anderson Barnard Baxter Bogart Caddell Crawford Clark Dale Dickson Dougherty Francis Franklin Foscue Harrison of C. Hartly Houghton Lewis of R. Lynch McCutchan Norton Parker Perry Pirkey Redgate Robinson Boss Shelton Speights Stewart Walworth Warfield Waterhouse Whitfield Whitmore and Wortham—36.

NAYS---Messrs. Speaker Armstrong Billingsley Branch Craig Cumby Daniels Davis of H. Dennis Flewellen Hall Haynes Mabry Manly Martin Maverick McKnight Middleton Munson Redwine Short Smith Townes and Wælder---24.

Mr. Short moved to amend as follows :

And that the Hon. C. W. Buckley be requested to furnish his remarks on the life and death of ex-President M. B. Lamar, and that an equal number of the same be printed. Adopted.

Mr. Davis of Bastrop moved to amend by adding the remarks of Messrs. Benevides and Billingsley on the death of General Lamar. Lost.

The question recurring on the adoption of the original resolution as amended, the yeas and nays were ordered, on motion of Mr. Mabry. The same was adopted by the following vote :

YEAS---Messrs. Speaker Anderson Baxter Billingsley Bogart Branch Bryan Caddell Craig Crawford Clark Cumby Dale Dennis Dickson Flewellen Francis Foscoe Hall Harrison of C. Lynch Manly Martin Maverick Munson Parker Perry Pirkey Redwine Robinson Ross Shelton Short Smith Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whiteore and Wrede---44.

NAYS---Messrs. Armstrong Barnard Benevides Daniels Davis of B. Davis of H. Hartly Haynes Houghton Mabry McCutchan McKnight Norton Redgate Whitfield and Wortham---16.

Mr. Hall moved to suspend rule and take up joint resolution relative to Mail Service from Austin to El Paso. Lost.

Mr. Stewart, chairman of committee on Finance, reported, recommending the passage of the Senate's bill to provide payment of the supplies furnished to Capt. John William's Company of Rangers, with an amendment by committee: insert "or consent," after authority, in the proviso to 2d section.

The House's bill to prevent sale of spirituous or other intoxicating liquors in one mile of towns of New London, Veal's Station, and Mt. Enterprise, with amendments by the Senate, was taken up, and the amendments concurred in.

Mr. Perry, one of the committee on Education, reported adversely to the petition of sundry citizens of Freestone and Limestone counties.

Mr. Clark, one of the committee on Engrassed Bills, reported as follows :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The committee on Engrassment have examined the following bills, and found them correctly engrassed, to-wit :

An act to authorize the county surveyor of Grayson county to transcribe certain books of record in his office.

An act to fix the times of holding courts in the seventeenth Judicial District.

An act making appropriations for the use and support of the State Government for the years 1860 and 1861.

And an act to incorporate the West Fork Bridge Company.

Mr. Davis of Bastrop, one of the committee on Enrolled Bills, reported as follows :

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The Joint Committee on Enrolled Bills have examined the following bills, to-wit :

An act legalizing locations made on Kemper's Island, in the Guadalupe river, in Victoria county.

An act for the relief of the heir of Wm. Becks.

And an act to incorporate the Texas Medical College.

And the act to amend an act to incorporate the city of Brownsville, approved February 7th, 1853.

And an act to amend the act to incorporate the Freestone School Association, approved February 13th, 1858.

An act for the relief of the heirs of Shelby Corzine.

And find the same correctly enrolled, properly signed, and this day presented the same to the Governor for his signature and approval.

Mr. Branch, one of the committee on Judiciary, reported, recommending the indefinite postponement of Senate's bill providing for the next election of Representatives to the Congress of the U. States from State of Texas.

Messrs. Wælder, Pirkey and Munson submitted a minority report, recommending the passage of the bill

On motion of Mr. Foscue the bill appropriating lands to the Asylums, was made special order for 3½ o'clock, P. M.

Mr. Davis of H., moved to adjourn till 3½ o'clock, P. M. Lost.

Senate's joint resolution relative to a mail route from Austin to El Paso was taken up, read first time ; and on motion of Mr. Hall the rule was suspended, bill read second time and passed to third reading.

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

Senate's bill requiring the paymaster for State troops on the Rio Grande to receive pay for arms and other necessary articles furnished by individuals to said troops, was taken up, read first time.

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

Mr. Harrison of V. Z., proposed to amend as follows: Provided, the account of such creditors are filed with paymaster and acknowledged by the party by whom the articles were purchased.

Mr. Shelton moved to adjourn till 3½ o'clock, P. M. Lost.

Mr. Cumby moved to adjourn till 7 o'clock, P. M. Lost.

On motion the House adjourned till 3½ o'clock, P. M.

3½ O'CLOCK, P. M.

House met pursuant to adjournment—roll called—no quorum present.

Mr. McKnight moved to adjourn till 7 o'clock, P. M. Lost,

Mr. Owens moved to adjourn till 10 o'clock, A. M., to-morrow. Lost.

Quorum being present, the special order of the day, to-wit: the bill appropriating lands to the Asylums was taken up, read second time.

Mr. Crooks, chairman of committee on Engrossed Bills, reported as follows:

The committee on Engrossed Bills have examined the following bills, and report them correctly engrossed:

A bill for the relief of M. H. Alexander.

A joint resolution respecting the Public Property purchased for the use of the Boundary Survey.

A bill to incorporate the Greenville Institute.

A bill to be entitled an act to abolish the office of State Engineer and Superintendent.

A bill to be entitled an act to incorporate the Indianola and Goliad Ferry and Bridge Company

A bill amendatory to an act to incorporate the Galveston Wharf and Cotton-Press Company.

Mr. Bogart proposed to amend by striking out \$1 25 and insert 75c. Lost.

Mr. Ross moved to strike out "160 acres" and insert "one-fourth section."

Mr. Hartly moved to amend the amendment by striking out "one-fourth section" and inserting "one-half section." Lost. And the amendment adopted.

Mr. Stewart proposed to amend as follows: "Strike out fifty leagues wherever it occurs, and insert 100 leagues; and strike out 25 leagues whenever it occurs, and insert 50 leagues. Adopted, and bill ordered to be engrossed.

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

The bill with proposed amendment, and amendment to amendment, pending when the House adjourned, was again taken up, and the amendment and the amendment to the amendment rejected.

Mr. McKnight proposed to amend as follows: And the treasurer of the State is also hereby directed to withhold the pay of members of the Legislature for payment of their board, washing, and grocery bill: and the bill ruled out of order.

Mr. Knight proposed to amend as follows: Provided the remedy provided in this act shall not be construed to apply to contracts heretofore made.

On motion of Mr. Hartly, laid on the table, and the bill passed to third reading.

A message was received from the Senate, informing the House that the Senate had passed a bill in relation to the location, survey and patenting of the lands granted by the State to the Galveston and Brazos Navigation Company. Also had concurred in the House's amendments to the Senate's bill supplemental to the act to provide for the registry of deeds and other instruments of writing.

Also had passed a resolution (the House concurring), to meet in joint session, at 8 o'clock to-night, to go into election of Commissioner of Court of Claims.

Mr. Clark, one of the committee on Engrossed Bills, reported correctly engrossed the bill making appropriation for completion of the present buildings, for erecting out-houses, enclosing grounds, and for organization, support and maintenance of the Lunatic Asylum for 1860 and 1861. Also, as one of committee on Enrolled Bills, reported correctly enrolled, properly signed, &c., bill to incorporate Matagorda Railroad Company, and the bill to incorporate Sabine and Neches River Insurance Company.

Mr. Crawford, one of the committee on Engrossed Bills, reported correctly engrossed bills to change time of holding courts in 2d Judicial District, and require clerks therein to apportion their dockets.

The Senate's resolution relative to going into election of Commissioner of Court of Claims, was taken up and adopted.

Senate's bill to provide for organization of militia of Texas, was taken up, read first time and referred to committee on Military Affairs.

Mr. Smith moved to suspend rule and take up bill to incorporate American Agency. Lost.

Senate's bill to fix salary of accountant in Comptroller's office was taken up, and read first time.

On motion of Mr. Townes the rule was suspended, bill reapead second time, and passed to third reading.

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

Senate's bill to incorporate the Southern Cotton-Press and Manufacturing Company. Read first time.

On motion of Mr. Hartly, rule suspended, bill read second time and passed to third reading.

On motion of Mr. Hartly the rule was further suspended, bill read third time, no quorum voting on the final passage of the bill.

On motion the House adjourned till 7 o'clock, P. M.

7 o'clock, P. M.

House met—roll called—quorum present.

The bill under consideration when the House adjourned was taken up and passed by the following vote :

YEAS—Messrs. Speaker Anderson Armstrong Baxter Benefides Bogart Branch Caddell Camp Craig Crawford Crooks Clark Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Epperson Flewellen Francis Franklin Foscue Harrison of V. Z. Hartly Houghton Lewis of M. Lynch Mabry Martin Maverick McClarty McCutchan Mundine Munson Norton Parker Perry Pirkey Redgate Redwine Ross Shelton Short Smith Speights Stewart Townes Wælder Warfield Waterhouse Whitfield and Wortham—56.

NAYS—Messrs. McKnight Owens Whitmore and Wrede—4.

The special order of the House, to-wit: the Senate's bill to prohibit the sale of spirituous liquors within one mile of Soule University, taken up, read first time.

On motion of Mr. Flewellen, rule suspended, bill read second time, and passed to third reading.

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

Mr. Anderson offered the following resolution :

Resolved, by the House of Representatives of the State of Texas, That our fellow-citizen, C. G. Baylor, formerly U. S. Consul at Amsterdam, Holland, and late U. S. Consul at Manchester, in England, be requested to report to this body the result of his labors in regard to direct trade between the Southern States of

America and Europe, as well as such information as he may possess touching the cotton interest abroad. Adopted.

Senate bill for relief of John Burress, taken up, and read first time.

Mr. Foscue moved to refer the bill to committee on Private Land Claims. Lost. And the bill read second time.

Mr. Crooks, chairman of committee on Engrossed Bills, reported correctly engrossed the following named bills:

Bill to encourage the building of steam-boats, steam-vessels, &c., in State of Texas.

Bill to change boundary lines of Kerr and Blanco counties.

And bill to provide for the incorporation of town of Sabine Pass.

Mr. Mabry, chairman of the House committee on Enrolled Bills, submitted the following report:

RE.

COMMITTEE ROOM, }
February 7, 1860. }

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives:

The joint committee on Enrolled Bills have examined the subjoined list of bills, and find them correctly enrolled, properly signed, and have this day presented the same to the Governor for his approval and signature, viz:

A bill to be entitled an act to relinquish the State tax for the years 1859 and 1860 to the counties of Orange and Navarro, for the purposes therein mentioned.

An act to incorporate a Literary Institution at Gilmer, in Upshur county.

A bill for the relief of K. Bigham White.

An act for the relief of the widow and heirs of Lorenzo de Zavala.

An act to authorize the formation of county and town Agricultural Societies.

An act for the relief of Jacob S. Horn, John F. Grisbam and James J. Pistole.

An act to release Benj. A. Campbell, James Ingram Nuner and Francis J. Lewis from the disability of minority.

An act creating the county of Marion, and providing the holding of the District Court therein.

The hour appointed for the election of Commissioner of Claims, by joint ballot of the two Houses, having arrived, the Senate appeared, headed by the President, who was invited to a seat on the right of the Speaker, and the Senators to seats prepared for them.

Roll called—quorum present.

Nominations on part of the Senate being in order, Senator Hyde nominated W.S. Hotchkiss, and Senator Blanche nominated H. H. Bristow.

On part of the House Mr. Smith nominated W.S. Hotchkiss.

Mr. Munson nominated Jos. Lee.

Mr. McClarty nominated M. R. Reagan.

Mr. Flewellen nominated J. W. Lawrence ; and Mr. Franklin nominated F. W. Moore.

The joint session proceeded to the 1st vote, which resulted as follows :

Mr. Hotchkiss received 54 votes.

Mr. Lee received 8 votes.

Mr. Reagan received 16 votes.

Mr. Bristow received 3 votes.

Mr. Neil received 11 votes.

Mr. Lawrence received 1 vote.

Mr. Moore received 6 votes.

Mr. Gildart received 3 votes.

Mr. St. Clair received 1 vote.

Those voting in the House for Mr. Hotchkiss, were Messrs. Anderson Armstrong Benevides Bogart Branch Bryan Camp Craig Crawford Clark Davis of B. Davis of H. Dickson Duncan Epperson Haynes Henry Kinney Lewis of M. Lewis of R. Lynch Mabry Manly Martin Maverick Middleton Redgate Shelton Smith Speights Townes Walworth Warfield Whitfield Whitmore and Wortham.

Those voting for Mr. Lee, were Messrs. Munson Ross Cumby Redwine Pirkey Norton Short and Waterhouse.

Those voting for Mr. Reagan, were Messrs. Caddell Crooks Dale Foscue Harrison of C. Harrison of V. Z. Houghton McClarty McCutchan McKnight Parker Stewart and Francis.

Those voting for Mr. Moore, were Messrs. Franklin Hall Hartly Wælder and Wrede.

Those voting for Mr. Bristow, were Messrs. Speaker and Baxter.

Those voting for Mr. Gildart, were Messrs. Daniels Mundine and Owens.

Those voting for Mr. Neil, were Messrs. Dougherty Hubert Robinson and Shannon.

Mr. Dennis voted for Mr. St. Clair, and Mr. Flewellen voted for Mr. Lawrence.

Mr. Hotchkiss having received a majority of all the votes cast,

was declared by the Speaker duly and constitutionally elected Commissioner of the Court of Claims.

On motion of Senator Britton, the Senate retired.

Mr. Daniels moved to take up bill to incorporate Franklin College. Lost.

House's bill to amend act to incorporate city of San Antonio, with amendment by Senate, taken up, and amendments concurred in.

Senate's bill to legalize first election of officers of Montague county. Read first time.

On motion of Mr. Bogart, rule was suspended, bill read second time, and passed to third reading.

On motion of Mr. Bogart, rule further suspended, bill read 3d time, and passed.

Senate's bill to incorporate Hydraulic Company of San Antonio. Read first time.

[Mr. Foscue in the chair.]

On motion of Mr. Wælder the rule was suspended, and bill read third time.

Mr. Munson proposed to strike out so much as permits the sale of bills of exchange. Rejected.

On motion of Mr. Wælder the vote rejecting amendment was reconsidered, and the amendment adopted, and bill passed to third reading.

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

YEAS—Messrs. Speaker Anderson Baxter Benevides Bogart Bryan Caddell Camp Craig Crawford Crooks Cumby Dale Daniels Davis of B. Dickson Dougherty Epperson Flewellen Franklin Foscue Hall Harrison of V. Z. Hartley Haynes Houghton Hubert Kinney Mabry Manly Martin Maverick McClarty McCutchan McKnight Mundine Munson Parker Perry Pirkey Redgate Redwine Robinson Ross Shannon Shelton Short Stewart Wælder Walworth Warfield Waterhouse Whitfield Wortham and Wrede—55.

NAYS—Messrs. Harrison of C. Middleton Norton Speights Townes and Whitmore—6.

Senate's bill to incorporate Ingleside College, on Corpus Christi Bay, read first time.

Senate bill to amend first section of the act to amend the caption of the first and sixteenth sections of the act to incorporate Texas Western Railroad Company, approved Feb. 16th, 1856, read first time.

On motion of Mr. Baxter, rule was suspended bill read second

time, and passed to third reading.

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

YEES—Messrs. Speaker Anderson Armstrong Baxter Benevides Bogart Branch Bryan Camp Craig Crawford Crooks Cumby Dale Daniels Davis of B. Dennis Dougherty Duncan Epperson Foscoe Hall Harrison of C. Harrison of V. Z. Hartley Haynes Houghton Hubert Kinney Mabry Manly Martin Maverick McClarty McCutchan McKnight Munson Norton Parker Perry Pirkey Redgate Redwine Robinson Ross Shannon Shelton Smith Speights Stewart Townes Waelder Walworth Warfield Waterhouse Whitfield and Whitmore—57.

NAYS—Messrs. Dickson Francis Franklin Middleton and Wortham—5.

On motion the House adjourned till 9 1-2 o'clock, A. M. tomorrow.

HOUSE OF REPRESENTATIVES, }
Wednesday, February 8th, 1860. }

House met pursuant to adjournment—roll called—quorum present—journal of yesterday read and adopted.

Mr. Lewis of M., chairman of committee on Agriculture, reported, asking to be discharged from further consideration of the petition of the Caldwell Agricultural Society, and the bill to incorporate the Ellis county Agricultural and Mechanical Association.

Messrs. Dale, Wortham, Crooks and Hartley, submitted the following report in relation to Governor's Message on public printing :

To HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The committee on Public Printing, to which was referred the bids and contract lately entered into by the Commissioners of the State with John Marshall, to do the State printing.

Also the bid of the Intelligencer, and the Message of the Governor, calling attention to the public printing, have had the same under consideration, and after a patient and careful examination would report :

1st. The first point to which the Governor directs our attention, is the following :

“That portion of the proposal which specifies the rates at which he (John Marshall) will print reports and documents ordered by the Legislature, is as follows :

"I will print 100 copies of the reports and documents ordered by the Legislature, at one and a half cent per page ; one cent per page for second and third hundred ; half cent per page for fourth hundred, and $\frac{1}{3}$ cent per page for fifth hundred, and for all over that number $\frac{1}{4}$ cent per page."

In the opinion of your committee, the 17th section of the law relating to public printing, to which the Governor refers, as fixing the maximum of $\frac{1}{3}$ cent per page for messages, &c., does not contemplate the publication of a less number than 500 copies, and would only afford a limit, where a less number than 500 under the bid would exceed in amount the cost of 500 at the maximum.

Your committee do not believe that the Legislature ever intended that the sum of \$5 33 cents should be paid for one hundred copies of the message, for instance of 16 pages, when it would actually cost the Public Printer fully \$12 to have the work done. This is made evident by reference to the 3d section of the law, where it will be found that the bidder is required to state at what price per page he will print *one hundred* copies of all such other reports and documents, and what price per page the party will furnish *each additional hundred copies* of such reports that may be ordered. This 3d section invites bids for less than 500 copies of such reports and documents as may be ordered, and says nothing whatever as to a maximum, but on the contrary, the bidder is required to state at what price per page he will print *one hundred* copies, and at what the party will furnish each additional hundred, thus clearly indicating that the party was to fix the price. In the 17th section the *maximum is fixed for 500 copies*, but no where mentioned a less number, and as we find the third section invites proposals for a less number than 500 and *does not fix the maximum*.

In alluding to abuses which might grow up under the contract entered into with John Marshall, by the Secretary of State, Comptroller and Treasurer, the Governor states that *according to the contract* Marshall would be entitled to receive \$277,33 for 500 copies of the report of the Superintendent of the State Penitentiary, containing 64 pages, when he should only receive \$106,66, by reference to the account on file in the Comptroller's Office, it was found that the Public Printer only claimed \$106,66 and according to the ruling of the Comptroller, that was the full amount to which he was entitled, and could not receive any more under the old or the new contract. The Comptroller stated to your committee that when 500 copies of any document of the kind alluded to, were ordered, he would only allow the

maximum of $\frac{1}{3}$ of a cent per page for the whole number, and that when a less number were ordered he should confine it within the maximum, and in no case would allow an account for a less number than five hundred copies, when the amount charged would exceed that allowed in the 17th section for the whole number of 500 copies. In this construction of the law and the contract, the Public Printer entirely agreed in the presence of your committee. In the bond of the Public Printer is to be found the following clause :

“And whereas, it is distinctly understood that should more than 500 copies of any report or document of any kind be required (except the laws, journals, bills and Resolutions) that the first 500 copies are to be charged for at the rate of $\frac{1}{3}$ of one per cent. per page.”

This clause in the bond places the matter beyond cavil, and your committee deem it wholly unnecessary to enter into an argument to enforce so plain and self-evident a proposition.

2d. The second proposition to which the Governor calls attention, is in reference to the bills and resolutions, and your committee would state that there exists an apparent inconsistency in this bid from the fact that the 3d section of the law invites proposals for one hundred copies of bills and resolutions, and the 17th section fixes a maximum for two hundred copies, leaving it an open question as to how much shall be charged for one hundred copies when only that number are ordered. The attention of the Comptroller was called to these alleged inconsistencies by the Governor, who requested the Comptroller to cancel the contract, which he declined to do, or attempt to do, on the ground that such objections were fully removed by a proper construction of the contract *which construction had precisely been made and fully concurred in by the contracting parties.*

The only other bid made was by the proprietors of the Intelligencer, which in the opinion of your committee was very objectionable. The 4th section of the law required that such proposals shall be accompanied by an offer in writing of two more responsible persons to become the security of the party proposing [to do the public printing] for the faithful performance of his duty, in case the contract should be awarded to him. The bid of the Intelligencer was accompanied by no such offer as was required by the above recited section. It was merely stated that Geo. W. Paschal and E. M. Pease would become security for the parties ; Consequently their bid under the law, could not be considered. But supposing this palpable informality to have been waved by the Commissioners, your committee find the following facts to exist :

John Marshall's bid was as follows :

For 5000 copies of the General laws at 1-10 per cent. per page, supposing there was 300 pages,	\$1,500,00
For 800 copies special laws, 183 pages at 1-6 cent per page,	244,00
For 500 copies of the House journals, 945 pages, at 1-5 cent per page,	787,50
For 500 copies Senate journals, at 1-5 cent per page, 734 pages,	734,00

Making a total,

\$3,265,80

The bid of the Intelligencer was as follows :

For 5,000 copies General laws, 300 pages, at 1-4 cent per page,	\$2,500,00
For 800 copies Special laws, 183 pages, at 1-6 cent per page,	244,00
For 500 copies House journals, 945 pages, at 1-4 cent per page,	1,181,25
For 500 copies Senate journals 734 pages, at 1-4 cent per page,	917,50

Making a total of,

\$4,842,75

Deduct Marshall's bid for same work,

3,265,50

makes a difference against the bid of the Intel-
ligencer of,

1,577,25

The bid of John Marshall was considered much better than
that of the Intelligencer in every state of the case.

All of which is respectfully submitted.

MATT DALE,
W. A. WORTHAM,
THOS. J. CROOKS,
R. K. HARTLEY,

Mr. McKnight gave notice that a minority report would be
submitted.

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

House bill to incorporate the Trustees of Baptist State Con-
vention.

House bill granting R. B. Francis, the right to build a bridge.

And had amended and passed House bill to authorize the
County Court of Fayette county, to levy a special tax.

Also had passed Senate bill supplemental to an act to incor-
porate Houston Trinity and Tyler Railroad Company, and the
act amendatory thereof, passed at present session of the Legis-
lature.

Mr. Perry offered the following resolution :

Resolved, That in consequence of a most faithful discharge of duty by Jos. Mangum, during the present session of the Legislature, the House donate to him an additional sum of \$1 per day for the time he has been in service, the same to be paid out of the contingent fund.

Mr. Baxter proposed to amend by adding Adrian after Mangum. Adopted, and resolution adopted by the following vote :

YEAS.—Messrs. Speaker Anderson Baxter Branch Bryan Camp Craig Crooks Clark Cumby Dale Daniels Davis of B. Dickson Dougherty Francis Franklin Foscue Hall Harrison of C. Harrison of V. Z. Hartley Houghton Lewis of M. Lewis of R. Lynch Manly Martin McClarty Mundine Owens Parker Perry Redgate Robinson Shelton Short Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield and Wrede—48.

NAYS.—Messrs. Barnard Caddell Davis of H. Ellett Epper-son Mabry McCutchan Munson Norton Ross Smith and Whitmore—12.

Mr. Dale offered the following resolution :

Resolved, That the Public Printer be allowed five days to complete the House journals, after the clerk shall have read the last proof. Adopted.

Mr. Short, chairman of committee on Military Affairs, reported, recommending the passage of Senate's bill to provide for the organization of militia of State of Texas.

Senate's bill in relation to the Galveston and Brazos Navigation Company. Read first time.

On motion of Mr. Hartley, rule was suspended, bill read second time and passed to third reading.

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

Senate's bill for the relief of heirs of W. H. Settle, taken up, read first time.

On motion of Mr. Parker, rule suspended, bill read second time and passed to third reading.

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

Senate's bill for the relief of heirs of Sam'l Everett, read first time, and on motion of Mr. Wælder, rule suspended, read second time and passed to third reading.

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

Message from Senate informing the House that the Senate had passed,

Bill to create county of Wilson.

And a bill to incorporate Marcelona Manufacturing Company.

Senate's bill to amend an act to incorporate the city of Corpus Christi. Read first time.

On motion of Mr. Dougherty, rule suspended, bill read second time and passed to third reading.

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

Senate's bill to adjust western boundary line of Uvalde and Dawson, and eastern boundary of Karnes counties, with report from committee recommending the indefinite postponement of the bill was taken up

Mr. Wælder moved to lay the report on the table. Lost, and report adopted.

Senate's bill supplemental to the act to incorporate the Houston, Trinity and Tyler Railroad Company, and the act amendatory thereof, passed at present session of the Legislature, taken up, read first time and,

On motion of Mr. Lewis of M. rule suspended bill read second time and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Branch Crooks Clark Dale Daniels Dennis Dougherty Epperson Francis Franklin Foscue Harrison of C. Harrison of V. Z. Hartley Houghton Hubert Lewis of M. Lewis of R. Lynch Martin Maverick McClarty McCutchan McKnight Nelson Owens Parker Perry Pinkey Redgate Robinson Stewart Townes Wælder Walworth Whitfield and Wrede—40.

NAYS—Messrs. Barnard Baxter Bryan Cumby Davis of B. Davis of H. Ellett Manly Mundine Manson Norton Ross Shannon Shelton Smith Speights Warfield Whitmore and Wortham—20.

Senate's bill for the relief of Jacob Laux, read second time and passed to third reading.

Mr. Shannon moved to suspend rule and place bill on third reading. Lost

Senate's bill to authorize the Governor to appoint three persons to examine the State Penitentiary, read second time and passed to third reading.

On motion of Mr. Branch, the rule was suspended, bill read third time.

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

House bill to ascertain and adjudicate certain legal claims for land against the State, situated between the Nueces and Rio Grande rivers.

Also had passed a substitute for the House's bill to regulate Factors and Warehousemen.

Mr. Manly, one of the committee on Engrossed Bills, reported, correctly engrossed,

· Bill for relief of heirs of James Boutler, deceased.

Bill to incorporate the Dialectic Society of McKenzie Institute.

Mr. Nelson moved the previous question.

On motion of Mr. Harrison of V. Z., a call of the House was ordered.

Absentees, Messrs. Baxter, Benevides, Billingsley, Camp, Crooks, Darnell, Foscue, Henry, Kinney, Martin, Navarro and Taylor.

Mr. Davis of B., one of the committee on Enrolled Bills, reported as follows :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills have examined the following bills, to-wit :

A bill to restore lands sold for taxes and purchased by the State, to former owners on certain conditions.

A bill to authorize the County Court of Comal county to levy a special tax.

A bill to incorporate the Sulphur and White Oak Bridge and Plank Road Company.

A bill for the relief of the Buffalo Bayou Brazos and Colorado Railway Company.

A bill to incorporate the Palestine Tap Railway Company.

A bill to incorporate the Texas Telegraph Company.

A bill to incorporate the Masonic and Odd Fellows Male and Female Academy.

And a joint resolution to permit the withdrawal of certificate No. 127, issued by Board of Land Commissioners of Houston county, to Finness Robertson.

And a bill to incorporate the Clarksville and Red River Insurance Company ; and find the same correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval.

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

The motion for the previous question was seconded and the main question ordered, which being on the final passage of the

bill, the yeas and nays were ordered on motion of Mr. Dickson, and the bill passed by the following vote :

YEAS.—Messrs. Speaker Anderson Armstrong Branch Bryan Craig Crawford Clark Daniels Davis of B. Davis of H. Dickson Duncan Ellett Epperson Flewellen Francis Franklin Haynes Houghton Lewis of M. Lewis of R. Lynch Mabry Manly Maverick McCutchan McKnight Middleton Mundine Norton Owens Parker Perry Redgate Robinson Shannon Smith Speights Stewart Townes Walworth Waterhouse Whitfield Whitmore and Wrede—46.

NAYS—Messrs. Caddell Dale Dennis Dougherty Hall Harrison of C. Harrison of V. Z. Hartley Hubert McClarty Munson Nelson Pirkey Ross Shelton Warfield and Wortham—16.

Mr. Franklin moved to reconsider the vote.

Mr. Whitmore moved to lay the motion on the table. Carried by the following vote, the yeas and nays being ordered on motion of Mr. Dickson :

YEAS—Messrs. Anderson Armstrong Barnard Benevides Branch Craig Crawford Clark Daniels Davis of H. Dickson Duncan Ellett Epperson Flewellen Haynes Houghton Lewis of M. Lewis of R. Lynch Mabry Manly Martin Maverick McCutchan Mundine Norton Owens Parker Perry Redgate Robinson Shannon Smith Speights Stewart Townes Waterhouse Whitfield and Whitmore—42.

NAYS—Messrs. Speaker Bryan Caddell Cunby Dale Dennis Dougherty Franklin Hall Harrison of C. Harrison of V. Z. Hartley Hubert McClarty Munson Nelson Pirkey Ross Shelton Short Walworth Warfield and Wortham—23.

Mr. Lewis of M. moved to suspend rule and take up bill relative to Warehousemen. Lost.

Senate's bill for relief of heirs of Thos. Blanton deceased, was read second time and passed to third reading.

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

Senate's bill to amend 34th section of act to regulate proceeding in District Court, with report from committee recommending its indefinite postponement, was taken up and report adopted.

Senate's bill for the relief of heirs of Charles Inloes deceased, read second time and passed to third reading.

Senate's bill to incorporate the Mystic Club Society in Tyler county, taken up read second time.

Bill passed to third reading.

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

YEAS—Messrs. Speaker Barnard Benevides Branch Bryan Craig Crawford Clark Cumby Dale Daniels Dennis Dickson Dougherty Duncan Ellett Epperson Flewellen Hall Harrison of V. Z. Haynes Houghton Hubert Lewis of M. Lewis of R. Martin Manly McCutchan Mundine Norton Owens Parker Perry Pirkey Redgate Short Stewart Walworth Warfield Waterhouse Whitfield and Wrede—43.

NAYS.—Messrs. Caddell Davis of B. Francis Foscue Harrison of C. Lynch Mabry Maverick McClarty Middleton Munson Nelson Ross Shelton Speights Townes Whitmore and Wortham—18.

Senate's bill to incorporate Franklin College, with report from committee, recommending amendments, was taken up, read second time, amendments adopted, and bill passed to a third reading.

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

YEAS—Messrs. Anderson Armstrong Barnard Benevides Branch Bryan Caddell Craig Crawford Clark Dale Daniels Davis of B. Davis of H. Dennis Dougherty Duncan Ellett Epperson Flewellen Francis Franklin Harrison of C. Hartley Haynes Houghton Hubert Lewis of M. Lewis of R. Lynch Mabry Manly Martin Maverick McClarty McCutchan McKnight Middleton Mundine Munson Norton Owens Parker Perry Pirkey Redgate Robinson Ross Shelton Speights Stewart Townes Waulder Warfield Waterhouse Whitmore Wortham and Wrede—58.

NAYS—Messrs. Foscue and Harrison of V. Z.—2.

On motion, the House adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

House met—roll called—no quorum.

On motion, the H. use adjourned till 7 o'clock, P. M.

7 O'CLOCK, P. M.

House met—roll called—quorum present.

The special order of the hour, to-wit: the majority and minority report on the South Carolina Resolutions, were taken up.

On motion of Mr. Dickson, the resolutions were postponed, and made the special order for Friday night next.

Mr. Dickson, chairman of committee on Public Debt, reported a substitute for Senate's bill for the relief of James W. Parker, *et al*, and recommended its passage.

Mr. Dennis, chairman of committee on State Affairs, reported, recommending the indefinite postponement of the Senate's bill

supplemental to the act to permit the county of Brazoria to levy a special tax for the purposes of internal improvements.

Mr. Shannon, chairman of committee on Private Land Claims, reported, recommending the passage of Senate's bill for the relief of Edward Hall.

House's bill to authorize the County Court of Fayette county to levy a special tax, with amendments by the Senate, was taken up, and amendments concurred in.

Senate's bill to grant certain privileges to the Company carrying the Overland Mail from St. Louis through Texas, to San Francisco, and to the Company carrying the Overland Mail from San Antonio to El Paso, with report from committee, recommending the indefinite postponement of the bill, was taken up, and report adopted.

Mr. Foscue, by permission, introduced a bill supplemental to the act, and to consolidate into one act the several acts incorporating the city of Galveston. Read first time.

Mr. Hartley moved to suspend the rule, and place bill on second reading.

Mr. Haynes moved to commit the bill to committee on Internal Improvements. Lost.

And Mr. Hartley withdrew his motion.

Mr. Armstrong moved to take up bill to organize an American Agency. Lost.

Mr. Stewart moved to suspend the rule, and take up bill to authorize the Governor to raise means for the support of the government, and make it the special order for to-morrow.—Carried.

Senate's bill supplemental to an act concerning vendor's lien, with report from committee, recommending its indefinite postponement, was taken up, and report adopted.

Senate's bill supplemental to the act to incorporate the town of Waco, was taken up, read second time, and passed to a third reading.

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

Senate's bill amendatory of the act to regulate proceedings in case of forcible entry and detainer, with report from committee, recommending indefinite postponement, was taken up, and report adopted.

Senate's bill for the relief of Benj. Baccus was taken up, read second time, and passed to a third reading.

Senate's bill for the relief of the heirs of Caldwell Carson, dec'd, with report from committee, recommending amendments,

was taken up, and amendments adopted, bill read second time, and passed to a third reading.

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

Senate's bill concerning return of certificate's in Fisher & Miller's Colony, was taken up, read second time, and passed to a third reading.

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

Senate's bill for the relief of Andres Manchaca, with report from committee, recommending amendments, was taken up, and amendments adopted, bill read second time, and passed to a third reading.

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

Senate's bill for relief of Jose Leonardo de la Garza Trudo, with report from committee, recommending amendment, taken up, and amendment adopted. Bill read second time, and passed to third reading.

On motion of Mr. Wælder, rule suspended, bill read third time, and passed by the following vote, the yeas and nays being ordered on motion of Mr. Whitmore :

YEAS—Messrs. Speaker Anderson Armstrong Baxter Billingsley Branch Bryan Camp Craig Crawford Crooks Clark Cumbly Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Epperson Franklin Hall Harrison of V. Z. Hartley Haynes Houghton Hubert Lewis of M. Lynch Mabry Manly Martin Maverick McCutchan Middleton Mundine Munson Norton Owens Parker Perry Redgate Robinson Shannon Smith Townes Wælder Walworth Waterhouse Wortham and Wrede—52.

NAYS—Messrs. Caddell Francis Foscue McKnight Pirkey Ross Shelton Speights Warfield and Whitmore—10.

Senate's bill for relief of Washington county Railroad Company, taken up, read second time, and passed to third reading.

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

Senate's bill to incorporate Planter's Danologian Society of Gonzales county, taken up, read second time, and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Armstrong Baxter Benavides Billingsley Branch Bryan Caddell Camp Craig Crawford Crooks Clark Daniels Davis of B. Davis of H. Dennis Dickson

Dougherty Ellett Francis Franklin Hall Harrison of V. Z. Hartley Haynes Houghton Kinney Lewis of M. Lewis of R. Lynch Mabry Manly McClarty McCutchan Mundine Munson Norton Owens Parker Perry Redgate Robinson Ross Shelton Short Stewart Townes Wælder Warfield Waterhouse Whitfield Wortham and Wrede—57.

NAYS—Messrs. Maverick Middleton Speights and Whitmore—4.

Senate's bill for relief of S. Pangburn, ass'ee of C. L. Wood, taken up, read second time, and Mr. Pirkey moved to strike out "ass'ee." Lost.

Mr. Crooks moved to indefinitely postpone the bill. Lost, and bill passed to third reading.

Senate's bill for relief of heirs of Ellen M. Gibbs, taken up, read second time, and passed to third reading.

Mr. Townes moved to suspend rule; and place the bill on its final reading. Carried by the following vote, the yeas and nays being ordered on motion of Mr. Pirkey :

YEAS—Messrs. Speaker Anderson Armstrong Baxter Benevides Branch Bryan Camp Craig Crawford Clark Cumby Dale Daniels Dennis Dougherty Ellett Epperson Franklin Hall Harrison of V. Z. Hartley Haynes Houghton Lewis of M. Lewis of R. Lynch Mabry Manly Maverick McClarty Middleton Mundine Munson Norton Parker Perry Redgate Robinson Smith Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield and Wrede—50.

NAYS—Messrs. Caddell Crooks Davis of B. Davis of H. Francis Foscue McKnight Pirkey Ross Shelton Whitmore and Wortham—12.

And the bill passed.

Senate's bill to incorporate Houston Gas Company, taken up, read second time, and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Baxter Benevides Billingsley Branch Bryan Caddell Camp Craig Crawford Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dougherty Epperson Francis Franklin Foscue Hartley Haynes Houghton Kinney Lewis of M. Mabry Manly Maverick McClarty McKnight Middleton Mundine Munson Norton Owens Parker Perry Pirkey Redgate Robinson Ross Shannon Shelton Short Smith Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore and Wrede—59.

NAYS—Mr. Harrison of V. Z.—1.

Senate's bill for relief of W. P. Tendall, taken up, read second time, and passed to third reading.

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

Senate's bill for the relief of John Smith, read second time, and passed to third reading.

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

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

Bill for relief of Wilson Woods, and

Bill for relief of Leslie Combs, and had amended and passed House's

Bill to incorporate the Metropolitan Railroad Company.

Also, had concurred in House's amendments to Senate's bill to incorporate Franklin College.

Also, had passed Senate bill for relief of T. F. White.

And a bill to incorporate the Texas Cotton Seed Oil and Manufacturing Company.

Mr. McClarty moved to suspend rule and take up House's bill to incorporate Metropolitan Railroad Company, with amendments by Senate. Lost.

Senate's bill to incorporate Corpus Christi Brazos St. Iago Canal Company, taken up, read second time.

On motion, the House adjourned till 10 o'clock, A. M., tomorrow.

HOUSE OF REPRESENTATIVES, }
Thursday, February 9th, 1860. }

House met pursuant to adjournment—roll called—quorum present—journal of yesterday read and adopted.

On motion of Mr. Walder, the vote refusing to pass the Senate's bill to change the boundary lines of Uvalde, Dawson, and Kinney counties, was reconsidered.

House's bill to incorporate the Metropolitan Railroad Company, with amendments by the Senate, was taken up, and amendments concurred in.

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

Bill to incorporate West Fork Bridge Company.

Bill for relief of heirs of John E. Ross.

Bill for relief of Lucretia Franklin.

Bill to revive and continue in force the act to incorporate Jefferson Railroad Company.

Bill regulating times of holding Justice's Courts in 12th judicial district.

Also, had amended and passed House's bill for protection of game on Galveston Island.

Bill to incorporate Alamo Fire Association.

Bill to incorporate Lexington Male and Female Academy.

Also, had passed substitute for House's bill, to reorganize the 17th judicial district, and fix the times of holding courts therein.

And had concurred in House's amendments to Senate's bill to incorporate Hydraulic Company of San Antonio.

And had adopted the report of the Committee of Conference, on bill to pay certain persons for arresting one John T. Shanks.

On motion of Mr. Dennis, the rule was suspended, and the bill to incorporate the Brazos and St. Iago Canal Company, taken up, read third time and passed by the following vote :

YEAS—Messrs. Speaker Armstrong Baxter Benevides Billingsley Branch Bryan Camp Craig Crawford Crooks Clark Cumby Dale Daniels Dennis Duncan Ellett Epperson Francis Franklin Foscue Hall Harrison of C. Farrison of V. Z. Haynes Henry Houghton Hubert Kinney Lewis of M. Lynch Manly Martin Maverick McCutchan Mundine Norton Owens Parker Perry Redgate Robinson Ross Shannon Smith Stewart Townes Wælder Waterhouse Whitfield and Wrede—52.

NAYS—Messrs. Davis of B. Dickson Hartley Pinkey Speights Warfield Whitmore and Woriham—3.

Mr. Shannon, chairman of committee on Private Land Claims, reported, recommending the passage of the Senate's bill for relief of Voltaire Roundtree.

Senate's bill for relief of A. J. Ford, taken up, read first time.

On motion of Mr. Parker, rule suspended, bill read second time and passed to third reading.

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

House's bill for protection of Alabama Indians, with amendments by Senate, taken up, and amendments concurred in.

House's bill to incorporate Alamo Fire Association, with amendments by Senate, taken up, and amendments concurred in.

House's bill to incorporate Lexington Male and Female Academy, with amendments by Senate, taken up, and amendments concurred in.

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The Joint committee on Enrolled Bills, have examined the following bills, viz:

A bill to incorporate the Fireman's Relief Fund Association.

A bill to amend the first section of an act entitled an act to amend the caption and the first and sixteenth sections of an act to incorporate the Texas Western Railroad Company, approved February 16th, 1852.

A joint resolution in relation to a mail route from Austin to El Paso.

A bill to be entitled an act to incorporate the East Fork Bridge Company.

An act to regulate estrays.

And find the same correctly enrolled, properly signed, and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,

One of the committee.

Mr. Davis of B., submitted the following report :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following named bills, and find them correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval, to-wit :

An act supplementary to and amendatory of an act entitled an act to adopt and establish a Penal Code for the State of Texas.

An act to fix the salary of accountant in the Comptroller's office.

An act for the relief of Nancy Robinson.

An act to be entitled an act for the relief of James C. Dillingham.

An act for the relief of Richard N. Williams.

An act to ascertain and adjudicate certain legal claims for land against the State, situated between the Nueces and Rio Grande rivers.

An act for the relief of Thomas J. Smith, of Fort Bend county, one of the survivors of Col. J. W. Fannin's command.

An act to incorporate Cedar Grove Male and Female Institute in Kaufman county.

An act to authorize the County Court of the counties of Wise, Denton, Bosque, Coryell, Hill, Falls, Fort Bend, Jackson, Calhoun, Cameron, Hidalgo, Orange, Comanche, Hamilton, Lam-

pasas, Gillespie, Van Zandt, Bexar and Karnes, to levy and collect additional taxes.

An act for the relief of William Drake.

An act to amend the 24th section of an act passed the 27th day of August, 1856, entitled an act and to amend the several acts incorporating the city of Galveston.

An act for the relief of Sarah Mills.

An act to prevent the sale of vinous, spirituous, or other intoxicating liquors, within one mile of the town of New London in Rusk county, Veal's Station in Parker county, Mount Enterprise in Rusk county, and Vicksburge in Upshur county.

An act for the relief of Daniel Hopkins.

An act supplementary to an act entitled an act to incorporate the Houston, Trinity and Tyler Railroad Company, and of the act amendatory thereof, passed at the present session of the Legislature.

An act for the relief of the heirs of W. H. Settle.

An act to provide for the registry of deeds and other instruments of writing.

An act to prohibit the sale of intoxicating liquor near Soule University.

An act to legalize the election of county officers of Montague county.

B. H. DAVIS,

One of the committee.

Senate's bill to authorize the Commissioner of the General Land Office to patent surveys made by virtue of certain Peters' Colony augmentation certificates, taken up, and read second time.

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

Senate's bill for relief of heirs of Jos. C. Gentry, taken up, read second time.

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

A message was received from the Senate, informing the House that the Senate had passed House bill supplemental to the act to authorize the appointment of commissioner's to take acknowledgement of deeds, depositions and other instruments of writing executed out of this State, with amendments.

Also, had passed a bill to change time of holding District Courts in the 9th Judicial District.

Senate's bill to incorporate Clifton Academy, taken up, read second time and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Armstrong Baxter Ben-vides Billingsley Branch Bryan Caddell Camp Craig Crawford Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dickson Duncan Epperson Franklin Foscue Hall Harrison of C. Hartley Haynes Henry Houghton Hubert Kinney Lewis of M. Lynch Martin Maverick McClarty McCutchan McKnight Middleton Mundine Munson Nelson Norton Owens Parker Perry Pirkey Redgate Robinson Ross Shannon Shelton Stewart Townes Wælder Walworth Waterhouse Whitfield Whitmore Wortham and Wrede—63.

NAYS—Mr. Harrison of V. Z.—1.

Senate's bill for relief of Benjamin Baccus, taken up, read third time and passed.

Senate's bill to validate certificate No. 567, issued to S. Pangburn, assee of C. L. Wood, taken up, read third time and passed.

Senate's bill to consolidate Waco Female Seminary, and Waco Female Academy, and to incorporate them, taken up, read second time and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Armstrong Baxter Billingsley Branch Bryan Caddell Camp Craig Crawford Clark Cumby Dale Daniels Davis of H. Dennis Dickson Dougherty Duncan Ellett Francis Franklin Foscue Hall Harrison of C. Harrison of V. Z. Hartley Haynes Henry Houghton Hubert Kinney Lewis of M. Lynch Manly Martin Maverick McClarty McCutchan McKnight Middleton Mundine Munson Nelson Norton Owens Perry Pirkey Redgate Robinson Ross Shannon Smith Stewart Townes Wælder Walworth Waterhouse Whitfield Whitmore Wortham and Wrede—63.

Bill supplemental to the act to appoint commissioners to take acknowledgements of deeds, depositions, &c., of writing executed out of this State, with amendments by Senate.

Mr. Foscue moved to disagree to Senate's amendments.

The special order of the day, to-wit :

Bill to authorize the Governor to sell land certificates for support of the Government, with report from committee recommending a substitute, was taken up.

Mr. Shannon proposed to substitute the House bill to provide for the sale of the public domain, for the original bill and substitute.

A message was received from the Senate, informing the House that the Senate had passed a bill to authorize the County Court of Nueces county to levy a special tax.

And a bill to restore Geo. W. Bates to his civil rights.

The question recurring on the adoption of the substitute offered by Mr. Shannon, the yeas and nays were ordered on motion of Mr. Nelson, and the substitute adopted by the following vote :

YEAS—Messrs. Speaker Barnard Baxter Billingsley Caddell Clark Cumby Dale Daniels Davis of B. Dennis Dougherty Duncan Flewellen Francis Foscue Hall Harrison of C. Harrison of V. Z. Haynes Houghton Hubert Lewis of M. McKnight Mundine Nelson Norton Owens Parker Perry Redgate Ross Shannon Short Speights Townes Wælder Walworth Warfield Whitfield Whitmore and Wrede—41.

NAYS—Messrs. Anderson Armstrong Bryan Craig Crawford Crooks Davis of H. Dickson Ellett Epperson Hartley Lynch Mabry Manly Maverick McClarty McCutchan Munson Pirkey Robinson Shelton Smith Stewart Waterhouse and Wortham—24.

Mr. Ellett offered a substitute for the bill.

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

Mr. Wælder proposed to amend as follows :

Strike out fifty cents, and insert forty cents, in first section.

Mr. Flewellen moved to lay the amendment on the table.—

Carried by the following vote, the yeas and nays being ordered on motion of Mr. Wælder :

YEAS—Messrs. Speaker Armstrong Barnard Baxter Billingsley Branch Bryan Craig Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Epperson Flewellen Francis Franklin Foscue Harrison of C. Harrison of V. Z. Hartley Houghton Lewis of M. Mabry Manly Martin Maverick McClarty McKnight Mundine Owens Perry Pirkey Redgate Robinson Ross Shannon Shelton Short Smith Speights Townes Walworth Warfield Whitfield Whitmore and Wortham—50.

NAYS—Messrs. Anderson Benevides Caddell Crawford Dickson Duncan Hall Hubert Lynch McCutchan Nelson Norton Parker Stewart Wælder Waterhouse and Wrede—17.

Mr. Townes proposed to amend by striking out "80," and inserting "160."

Mr. Nelson moved the previous question, which was seconded.

The question being, shall the main question be now put, the yeas and nays were ordered on motion of Mr. Nelson, and the main question refused by the following vote :

YEAS—Messrs. Speaker Baxter Caddell Craig Crawford Cumby Dickson Dougherty Duncan Francis Hall Haynes Houghton Lewis of M. Lynch McClarty McCutchan McKnight Nelson Norton Owens Perry Ross Shannon Short Speights Wælder Walworth Waterhouse Whitmore and Wrede—31.

NAYS—Messrs. Anderson Benevides Billingsley Branch Bryan Clark Dale Daniels Davis of H. Dennis Ellett Epperson Flewellen Franklin Foscue Harrison of C. Hartley Mabry Manly Martin Maverick Mundine Parker Pirkey Redgate Robinson Shelton Smith Stewart Townes Warfield Whitfield and Wortham—33.

Mr. Hartley moved to amend the amendment by striking out 160 and inserting 320.

On motion of Mr. Nelson, laid on the table, and the amendment adopted.

Mr. Stewart moved to amend as follows :

After "company" in first section, in exceptions, insert "and except all other lands reserved by law from location." Adopted.

Mr. Foscue proposed to strike out \$1 50 wherever it occurs, and inserting \$1 25. Adopted.

Mr. Epperson proposed to amend by adding as follows :

That this act is only intended to meet the present emergency for raising revenue, and the Governor is authorized, whenever he may deem it expedient, to suspend the operations of the same.

Mr. Franklin proposed to amend the amendment as follows :

And that no more land scrip or certificates shall be sold under this act, than shall be sufficient to raise the sum of \$500,000. Accepted by Mr. Epperson, and the amendment adopted, and bill ordered to be engrossed.

Mr. Taylor of Cass, moved to suspend rule, and place bill on final reading.

Mr. Franklin moved to adjourn till 3 o'clock, P. M. Lost, and the rule suspended, bill read third time and passed by the following vote, the yeas and nays being ordered on motion of Mr. Manly :

YEAS.—Messrs. Speaker Anderson Barnard Baxter Benevides Caddell Crawford Cumby Dale Daniels Davis of B. Dennis Dickson Dougherty Duncan Flewellen Francis Hall Harrison of C. Harrison of V. Z. Hartley Haynes Kinney Lewis of M. Lynch Martin McCutchan McKnight Middleton Mundine Nelson Norton Parker Perry Redgate Shannon Short Smith Speights Stewart Townes Wælder Walworth Waterhouse Whitfield Whitmore and Wrede—47.

NAYS.—Messrs. Armstrong Billingsley Bryan Craig Crooks Clark Davis of H. Ellett Epperson Franklin Foscue Mabry Manly Maverick McClarty Owens Pirkey Robinson Ross Shelton Warfield and Wortham—22.

On motion of Mr. Manly, the rule was suspended and the bill

to organize the American Agency was taken up, and made special order for 8 o'clock, to-night.

Mr. Nelson introduced a bill for the relief of M. L. Stewart. Read first time.

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

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

On motion the House adjourned till 7 o'clock, P. M.

7 O'CLOCK, P. M.

House met pursuant to adjournment—roll called—quorum present.

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

Bill to revive the act to incorporate LaGrange Collegiate Institute, and to change the name to that of Ewing College.

Bill for the relief of Peter B. Norton.

Bill to encourage citizens of El Paso county, to irrigate Rio Grande valley.

Bill to authorize Commissioner General Land Office, to introduce the DeRyee method of printing and multiplying maps.—

Also had amended and passed bill to change times of holding courts in second Judicial District and require clerks therein to apportion their dockets.

Bill to amend act to incorporate Herman University.

And bill to amend 4th, 8th, 15th and 18th sections of act to provide for assessment and collection of taxes

Also had passed bill to encourage the construction of Canals by donations of land.

And a bill to incorporate Texas, New Orleans and Northern Express Company.

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives:

The joint committee on Enrolled Bills, have examined the following bills, viz:

An act for the relief of Wilson Woods.

An act for the relief of Leslie Combs.

An act to incorporate the Dallas Bridge Company.

An act for the relief of Samuel Everett.

An act for the relief of John Smith.

A bill to be entitled an act for the relief of the heirs of William L. Fleming, deceased.

An act for the relief of W. D. Langham.

An act to be entitled an act for the relief of Richard B. Wardrup.

A bill for the relief of John T. Wilson, T. H. Robertson, and the heirs of Mark Copeland, deceased.

A bill authorizing the county court of Henderson county to levy a special tax.

A bill to be entitled an act for the relief of the heirs of Addison Litton.

A bill to be entitled an act to reorganize the thirteenth Judicial District, and to fix the time of holding court therein.

A bill to pay certain persons for arresting John T. Shanks, and procuring testimony against him.

A bill for the relief of William DeWoody.

A bill to reorganize the sixteenth Judicial district of the State of Texas, and to define the time of holding courts therein.

A bill to revive and continue in force an act to incorporate the Jefferson Railroad Company, approved February 2nd 1854.

And find the same correctly enrolled properly signed and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,

One of the committee.

On motion of Mr. Norton, the rule was suspended and the bill to incorporate Kaufman University was taken up, read second time and ordered to be engrossed.

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

YEAS.—Messrs. Anderson Armstrong Baxter Billingsley Branch Caddell Camp Crawford Crooks Clark Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Ellett Flewellen Francis Franklin Foscue Harrison of C. Harrison of V. Z. Haynes Henry Houghton Hubert Lewis of M. Lynch Mabry Maverick McClarty McCutchan McKnight Middleton Mundine Munson Norton Owens Parker Perry Redgate Robinson Ross Shannon Shelton Short Smith Speights Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Whitmore and Wertham—60.

On motion of Mr. Duncan, the rule was suspended and the bill to define boundary of Calhoun county, with report from committee recommending a substitute was taken up, substitute adopted and ordered to be engrossed.

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

On motion of Mr. Wertham, the rule was suspended and the

bill to incorporate Bright Star Association taken up, read second time and ordered to be engrossed.

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

YEAS—Messrs. Speaker Anderson Armstrong Baxter Billingsley Camp Crawford Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Ellett Flewellen Francis Franklin Harrison of C. Haynes Henry, Houghton Hubert Lewis of M. Lynch Mabry Martin Maverick McClarty McCutchan McKnight Middleton Mundine Munson Norton Owens Parker Perry Redgate Robinson Ross Shannon Shelton Short Smith Speights Stewart Townes Walworth Warfield Waterhouse Whitfield Whitmore Wortham and Wrede—60.

Mr. Clark, one of the committee on Engrossed Bills, made the following report :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The committee on Engrossed Bills, find correctly engrossed:

A bill to be entitled an act for the relief of Malcom D. Stewart.

And an act to authorize and provide for the sale of the public domain of the State of Texas.

The following House bills with amendments from the Senate, were taken up, and the amendments concurred in:

A bill entitled an act to amend the 4th, 8th, 15th and 18th sections of an act to provide for the assessment and collection of taxes.

A bill to amend an act to incorporate Herman University, approved January 27th, 1844.

House's bill to change times of holding the courts in the 2nd Judicial District and to require the clerks therein to apportion their dockets with amendment, was taken up, and House refused to concur in the amendments.

House's bill to regulate Factors and Warehousemen, with substitute by the Senate read first time.

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

Mr. Franklin proposed to amend by striking out all after the 1st section. Lost, and bill passed to third reading.

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

YEAS—Messrs. Anderson Armstrong Baxter Benevides Branch Caddell Camp Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dickson Duncan Flewellen Francis Foscue Harrison

of C. Harrison of V. Henry Houghton Hubert Lewis of M. Martin McCutchan McKnight Middleton Munson Norton Owens Parker Perry Redgate Robinson Shannon Shelton Smith Speights Stewart Townes Walworth Warfield Waterhouse Whitfield Whitmore Wortham and Wrede—50.

NAYS—Messrs. Speaker Crawford Dougherty Franklin Hartly Haynes Lynch Manly Mabry Maverick McClarty Ross and Wælder—12.

The special order of the House, to-wit :

The bill to incorporate the American Agency, with report from committee recommending a substitute was taken up, substitute adopted, and ordered to be engrossed.

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

YEAS—Messrs. Speaker Anderson Armstrong Benevides Billingsley Branch Crawford Crooks Clark Dale Daniels Davis of H. Dennis Duncan Ellett Epperson Franklin Foscue Harrison of C. Hartly Henry Hubert Lynch Mabry Manly Martin Maverick McCutchan McKnight Norton Owens Parker Pirkey Redgate Ross Shannon Short Smith Speights Stewart Townes Wælder Walworth Waterhouse Whitfield and Wrede—46.

NAYS—Messrs. Bryan Caddell Cumby Davis of B. Dickson Flewellen Francis Harrison of V. Z. Haynes Houghton Lewis of M. McClarty Middleton Mundine Munson Perry Robinson Shelton Warfield Whitmore and Wortham—21.

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

Bill to incorporate Casino Association at La Grange.

Bill to incorporate Yegua Bridge and Turupike Company.

Bill amendatory of act to incorporate Galveston Wharf and Cotton Press Company.

Bill to attach Blanco county to 4th Judicial District, and fix time of holding courts therein.

And had substituted House's bill making appropriation for the support of the State Government for years 1860 and 1861, by two bills.

Mr. Crooks, chairman of committee on Engrossed Bills, reported correctly engrossed :

The bill to incorporate Bright Star Educational Company.

On motion of Mr. Dale, the rule was suspended and bill to change times of holding courts in 9th Judicial District taken up. Read first time.

On motion of Mr. Dale, rule suspended bill read second time and passed to third reading.

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

Mr. Shannon, one of the Select committee, reported a bill for relief of sundry person therein named, and recommended its passage. Bill read first time.

Mr. Shannon moved to suspend rule and take up bill. Lost.

Senate's substitute for House's bill making appropriation for maintenance of Government for 1860 and 1861, taken up. Read first time.

A message was received from the Senate informing the House that the Senate had passed the following named House's bills:

Bill for relief of legal representatives of Calvin Gage, dec'd.

Bill to authorize the county Surveyor of Grayson county to transcribe certain books of record in his office.

Also had amended and passed following House bill donating one league of land each to Dennis Mead, Richard Mead and — Eastland.

And bill for relief of Buffalo Bayou and Colorado Railroad Company or their assignees.

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

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

Senate's second substitute taken up. Read first time.

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

Mr. Mabry proposed to amend by striking out \$250 00, to pay James S. Robinson, District Attorney of 16th Judicial District. Adopted.

Mr. Foscue moved to strike out \$150 00, for James Swindells for making a map of Young Land District. Adopted.

Mr. Dale moved to strike out \$750 00 each to J. G. Swisher and S. G. Haynie, as Commissioners for building State Capitol.

On motion, the House adjourned till 1-2 past 9 o'clock, A. M., to-morrow. Pending the motion to strike out.

HOUSE OF REPRESENTATIVES, }
Friday, February 10th, 1860. }

House met pursuant to adjournment—roll called—quorum present—journal of yesterday read and adopted.

Mr. Crooks, chairman of committee on Engrossed bills, reported

correctly engrossed, bill to define the boundaries of Calhoun county.

On motion of Mr. Nelson, rule suspended and the bill to incorporate the Texas Cotton Seed Oil and Manufacturing Company, taken up, read first time.

On motion of Mr. Nelson, rule suspended, bill read second time and passed to third reading.

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

YEAS—Messrs. Speaker Anderson Armstrong Barnard Baxter Billingsley Branch Bryan Camp Craig Crawford Clark Cumby Daniels Davis of B. Davis of H. Dennis Dickson Dougherty Elliott Epperson Flewelen Franklin Foscoe Hall Harrison of C. Harrison of V. Z. Haynes Houghton Hubert Lynch Mabry Manly Maverick McClarty McCutchan McKnight Middleton Mundine Munson Nelson Norton Owens Parker Perry Pirkey Redgate Ross Shannon Shelton Short Speights Stewart Townes Walder Walworth Warfield Waterhouse Whitfield Wortham and Wrede—61.

NAYS—Messrs. Caddell and Whitmore—2.

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

Bill for relief of Matiana Vega Delgado.

Bill to authorize County Surveyor of Denton county to transcribe certain records.

Bill making appropriations for completing and supporting Lunatic Asylum.

Also, had amended and passed House bill to prevent judgments from becoming dormant.

Also, had passed a bill to regulate the fees of the General Land Office.

Mr. Craig introduced a bill for relief of certain persons therein named. Bill read first time.

A message was received from Senate informing the House that the Senate had passed bill to regulate surveys of land.

Bill to incorporate the San Antonio Literary Association.

Bill to provide for sale of reservations of land ceded to the United States for Indian purposes.

And bill to repeal 2nd section of act to authorize the Commissioner of General Land Office to issue patents on surveys, heretofore made not in regular form according to law.

Mr. Epperson introduced a bill to provide for raising a revenue by taxation, to meet the present deficit in the Treasury, the current expenses of the government for 1860 and 1861, for fron-

tier protection, and for paying interest on Treasury Warrants. Bill read first time.

On motion of Mr. Epperson, rule suspended, and bill taken up.

Mr. Flewellen moved to postpone the bill and make it special order for half past 3 o'clock P. M. Lost, and bill read second time.

Mr. Flewellen moved to postpone bill and make it special order for 4 o'clock P. M. Lost.

Mr. Ross proposed to amend as follows :

Section—There shall be levied and collected of every physician and lawyer practicing their several professions for pay or emolument, a special occupation tax of twenty-five dollars, and in case of refusal to pay said tax, they, or either of them, shall forfeit all rights to collect their or his fees for services during the term of such refusal.

On motion of Mr. Dickson, bill and amendments laid on table by the following vote, Mr. Perry calling for yeas and nays :

YEAS—Messrs. Anderson Armstrong Barnard Bryan Caddell Crawford Cumby Dale Davis of B. Dickson Duncan Francis Foscue Hall Harrison of C. Harrison of V. Z. Henry Houghton Hubert Lewis of M. Lynch McCutchan McKnight Mundine Munson Parker Perry Pirkey Ross Shannon. Shelton Short Speights Stewart Warfield Waterhouse Whitfield and Wortham—38.

NAYS—Messrs. Speaker Baxter Billingsley Branch Camp Craig Crooks Clark Daniels Davis of H. Dennis Duncan Ellett Epperson Franklin Hartley Haynes Mabry Manly Martin Maverick McClarty Middleton Nelson Norton Redgate Smith Townes Wælder Walworth Whitmore and Wrede—33.

On motion of Mr. Wælder, the rule was suspended, and the bill to provide for payment of the supplies furnished to Captain John Williams' company of rangers, with report from committee recommending amendments, was taken up, amendments adopted. Bill read second time and passed to third reading.

A message was received from Senate informing the House that the Senate had passed House's bill for relief of M. F. Alexander.

Also had amended and passed House's bill for relief of Chas. D. Ferris.

And that Senate adheres to their amendment to House's bill to fix times of holding courts in second Judicial District, and had appointed Messrs. Townes and Duggan committee of conference, and asked that a like committee be appointed on part of House.

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

Mr. Clark, one of committee on Engrossed bills, reported correctly engrossed, bill to incorporate American Agency.

Mr. McKnight submitted the following minority report :

House's bill supplemental to act to authorize the appointment of commissioners to take acknowledgements of deeds depositions and other instruments of writing, executed out of the State, approved May 8th, 1846, with amendments by the Senate, was taken up.

On motion of Mr. Harrison of V. Z., a call of the House was ordered.

Absentees—Messrs. Benevides Branch Buckley Clark Darnell Flewellen Hartley Haynes Henry Kinney Lewis of R. Mills Navarro and Taylor—14.

Mr. Baxter moved to suspend call. Lost.

Speaker announced Messrs. Anderson, Davis of B., Davis of H., Townes and Stewart committee of conference on bill to change times of holding courts in second Judicial District and to require clerks therein to apportion their Dockets.

Mr. Davis of B., made the following report from the committee on enrolled bill, viz :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following named bills, and find them correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval :

An act supplementary of and amendatory to an act to establish a Code of Criminal Procedure for the State of Texas.

An act for the relief of the heirs of Thomas Blanton.

An act to incorporate the Mystic Club at Woodville, Tyler county.

An act to incorporate the Corpus Christi Bay and Brazos St. Iago Canal Company.

A joint resolution authorizing the Governor to appoint three competent persons to examine the State Penitentiary.

An act to incorporate the Southern Cotton Press and Manufacturing company.

An act authorizing the County Court of Fayette county to levy a special tax.

An act to incorporate the Texas Mutual Insurance Company, at Boston.

An act to amend the act to incorporate the city of San Antonio, approved July 17th, 1856.

An act to incorporate the North Sulphur Bridge Company, in Lamar county.

An act for the relief of Lucretia Franklin.

An act to fix the time of holding courts in the nineteenth Judicial District, and to define said District.

An act for the relief of W. P. Tindall.

An act supplementary and amendatory of an act entitled an act to incorporate the city of Corpus Christi, approved February 16th, 1852.

An act to change the times of holding the District Court in the 10th and 14th Judicial Districts.

An act for the protection of the Alabama Indians.

An act regulating the time of holding Justices Courts in the counties comprising the 12th Judicial District.

An act to incorporate the Alamo Fire Association.

An act to incorporate the Trustees of the Baptist State Convention.

An act to incorporate the West Fork Bridge Company.

An act for the relief of the heirs of John E. Ross.

An act for the relief of Mrs. Ellen M. Gibbs.

An act to incorporate the Houston Gas Company.

An act ordering the return of certificates in Fisher & Miller's Colony.

And an act to incorporate Wharton College in the city of Austin

All of which is respectfully submitted,

B. H. DAVIS,
one of committee.

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives:

The joint committee on Enrolled bills have examined the following bills, viz :

An act in relation to the location, survey and patenting of the land granted by the State to the Galveston and Brazos Navigation Company

A bill for the relief of the heirs of Caldwell Carson, deceased.

A bill to incorporate the Planters Danalogian Society, of the county of Gonzales.

An act for the relief of the Washington county Railroad Company.

And find the same correctly enrolled, properly signed, and

have this day been presented to the Governor for his approval and signature.

A. M. BRACH.

one of the committee.

Senate's bill to organize State Militia, taken up, read second time.

Mr. McKnight moved to stike out all after "oath" in 15th section, and insert the official oath prescribed by the constitution in article 7, section 1. Rejected.

Mr. Lynch proposed to amend as follows :

"Strike out \$1800 and insert \$500 as salary for Adjutant-General."

Mr. Duncan offered the following substitute for Mr. Lynch's amendment :

Amend by adding \$900 as salary for Adjutant-General.

Mr Davis of H., moved to lay the amendment and amendment to amendment on table, a division was called, and Mr. Duncan's amendment tabled.

The question recurring on laying Mr. Lynch's amendment on the table, the same was put, and the House refused to table the amendment by the following vote, yeas and nays being ordered on motion of Mr. Davis of B :

YEAS—Messrs. Crooks Davis of B. Davis of H. Dennis Duncan Ellett Epperson Hall Hubert Kinney Martin McClarty Mundine Nelson Norton Short Speights Wælder and Whitmore—19.

NAYS.—Messrs. Speaker Anderson Barnard Baxter Billingsley Branch Bryan Caddell Camp Craig Clark Cumby Daniels Dickson Dougherty Foscue Harrison of C. Harrison of V. Z. Houghton Lynch Lewis of M. Mabry Manly Maverick McCutchan Middleton Munson Parker Perry Pirkey Redgate Ross Shannon Shelton Smith Stewart Townes Walworth Warfield Waterhouse Whitfield and Wrede—42.

Mr. Davis of H., moved to adjourn till 3½ o'clock, P. M. Lost.

Mr. Davis of H. proposed to substitute the amendment by striking out \$1800 and inserting \$1500.

Mr. Dickson proposed to lay the substitute on the table. Carried by the following vote :

YEAS—Messrs. Speaker Anderson Armstrong Barnard Billingsley Branch Bryan Caddell Camp Craig Clark Cumby Dale Daniels Dennis Dickson Dougherty Francis Foscue Harrison of C. Harrison of V. Z. Houghton Kinney Lewis of M. Lynch Manly Maverick McCutchan Munson Nelson Owens Parker

Perry Redgate Ross Shannon Shelton Stewart Townes Walworth Warfield Waterhouse Whitfield Wortham and Wrede—44.

NAYS—Messrs. Baxter Davis of B. Davis of H. Epperson Hall Hubert Mabry Martin McClarty Mundine Norton Short Smith Speights Wælder and Whitmore—16.

Mr. Short proposed to amend by striking out \$1800 and inserting \$1200 for first two years after act taking effect, and \$750 thereafter.

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

Mr. Maverick proposed to amend by striking out \$1800 and insert \$800.

On motion of Mr. Dickson, laid on table.

Mr. Davis of H., moved the previous question. Lost, and amendment adopted.

Mr. McKnight proposed to amend as follows :

“Strike out good behavior wherever it occurs in the bill, and insert for six years.” Adopted, and bill passed to third reading.

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

House bill for relief of C. D. Ferris, with amendments by Senate, taken up, amendments concurred in.

House bill donating league of land each to Dennis Mead, Richard Mead and Eastland, with amendments by Senate, taken up, and amendments concurred in.

House bill for relief of B. B. B. & C. R. R. Co., or their assee, with amendment by Senate, taken up, and House refused to concur in amendments.

Mr. Craig moved to suspend rule and take up bill for relief of certain persons therein named. Lost.

On motion, the House adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

House met—roll called—quorum present.

A message was received from the Senate informing the House that the Senate had passed a joint resolution instructing our delegation in Congress in relation to frontier protection.

And a bill in relation to mineral lands and salt licks, and salt springs, held in reservation by the State.

Also, had amended and passed House bill amending the several acts regulating proceedings in District Courts.

And passed House's bill to define Boundary lines of Calhoun county.

House bill to prevent judgments from becoming dormant, with amendments by the Senate, taken up and amendments concurred in.

House's bill amending the several acts regulating proceedings in the District Courts, with amendments by Senate, taken up, and amendments concurred in.

Senate's bill regulating fees of General Land Office, taken up, read first time.

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

Mr. Shannon proposed to amend as follows :

Provided that the provisions shall not be so construed as to apply to applications which have been made before the passage of this law.

Mr. Short proposed to amend the amendment as follows :

Strike out all after the word "addition," in the third line from bottom in first section. Rejected.

Mr. Lewis of M., proposed to amend as follows :

Provided that citizens shall not be required to pay for statements made or information given by the Commissioner of Land Office, in respect to their own lands. Rejected, and the amendments rejected.

A message was received from Governor.

Mr. Wælder proposed to strike out "75 cents," in first section and insert "50 cents."

Mr. Bryan proposed to amend as follows :

Strike out \$10 and insert \$6 for all over two-thirds of a league and up to a league

Strike out \$5 and insert \$3 for all over one-third of a league and up to two thirds of a league. Rejected.

On motion of Mr. Lewis of M., the main question was ordered, which being on the passage of the bill to third reading.

The yeas and nays were ordered on motion of Mr. Haynes, and bill passed to third reading by the following vote :

YEAS—Messrs. Speaker Anderson Armstrong Barnard Baxter Billingsley Branch Camp Crawford Crooks Clark Cumby Dale Daniels Davis of B. Davis of H. Dennis Dickson Duncan Epper-son Fleweller Foscue Harrison of C. Hartley Houghton Hubert Lewis of M. Martin Maverick McKnight Middleton Perry Pirkey Redgate Ross Shelton Smith Speights Stewart Townes Wælder Whitfield Whitmore and Wrede—44.

NAYS—Messrs. Bryan Caddell Dougherty Francis Harrison of V. Z. Haynes Mabry Manly McCutchan Nelson Norton Parker Shannon Short Walworth Warfield Waterhouse and Wortham—17.

Mr. Ross moved to suspend rule, and place bill on third reading. Lost by the following vote, the yeas and nays being ordered on motion of Mr. Shannon :

YEAS—Messrs. Speaker Anderson Armstrong Barnard Baxter Billingsley Branch Camp Crawford Crooks Clark Cunby Dale Daniels Davis of B. Davis of H. Dennis Dickson Duncan Epperson Flewellen Harrison of C. Hartley Houghton Hubert Lewis of M. Martin Middleton Owens Pirkey Redgate Shelton Smith Stewart Speights Townes Wælder and Whitfield—38.

NAYS—Messrs. Bryan Caddell Dougherty Francis Foscue Harrison of V. Z. Haynes Mabry Manly Maverick McCutchan McKnight Nelson Norton Parker Perry Shannon, Short Walworth Warfield Waterhouse and Wortham—22.

On motion of Mr. Shelton, the rule was suspended, and the Senate's bill supplementary to the act to amend the act to incorporate the Memphis and Pacific Railroad Company, approved Feb. 10, 1858, was taken up.

Mr. Shelton offered a substitute for the bill which was adopted and passed to third reading.

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

On motion of Mr. Dougherty, the rule was suspended, and the Senate's bill to authorize the county court of Nueces county to levy special tax, and read first time.

On motion of Mr. Dougherty, rule suspended, bill read second time, and passed to third reading.

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

The following message from the Governor was taken up and read :

EXECUTIVE DEPARTMENT, }
February 8th, 1860. }

Gentlemen of the Senate

and House of Representatives :

Believing that a sense of duty would impel me, prior to the adjournment of your honorable body, to call your attention to the condition of the treasury, I addressed a note, on the 30th ult., to Maj. C. R. Johns, Comptroller of the Treasury, whose reply is herewith submitted :

COMPTROLLER'S OFFICE, }
AUSTIN, February 2d, 1860. }

To GEN. SAM HOUSTON, GOVERNOR, &c.—

Sir : In reply to your note of the 30th ult., I have to state that there will be required to meet the expenses of the government, including the balance due on the River Appropriations, for the two years ending August 31st, 1861, the sum of - \$ 837,725 56

And for the payment of the outstanding debt of the late Republic	-	-	-	-	127,542 87
					<u>\$965,268 43</u>
The expense of keeping in the field one regiment of mounted troops, under the provisions of the act approved January 2d, 1860, during the same time would be	-	-	-	-	1,206,000 00
To which should be added the appropriations made, and hereafter to be made by the present Legislature, for military and other extraordinary purposes not embraced in the above estimates, but which, so far as known to this office, amount for military purposes	-	-	-	-	74,000 00
					<u>\$2,245,268 43</u>
To meet which there was in the Treasury on the 31st August last, the sum of	-	-	-	-	411,402 69
Amount transferred from University Fund	-	-	-	-	106,972 26
Amount of two years revenue, 1859 and 1860	-	-	-	-	696,517 22
Amount advanced by the State for frontier protection, which should be refunded by the Federal Government,	-	-	-	-	167,798 62
					<u>\$1,382,690 79</u>
Thus showing a deficit in the revenue, 31st Aug., 1861, of	-	-	-	-	862,577 64
					<u>\$2,245,268 43</u>
From the following statement it will be apparent that there is not, at this time, any funds in the Treasury subject to appropriation.					
Amount of State funds on hand for quarter ending November 30th, 1859	-	-	-	-	\$368,122 34
Amount received from that date to February 1st, 1860	-	-	-	-	14,695 80
					<u>\$382,818 14</u>
Total fund on hand February 1st, 1860	-	-	-	-	
Amount of Treasury Warrants paid during December and January last	-	-	-	-	117,127 16
Amount paid Members and Officers of the Legislature on Clerks Certificates	-	-	-	-	46,690 98
Balance due them, say	-	-	-	-	40,000 00

Current expense of Government for the month of		
January, unpaid, say	- - -	30,000 00
Amount of public debt still outstanding		122,682 59
Amount undrawn on river appropriations	- - -	73,120 67
Amount of appropriations for frontier defence made this Legislature	- - - 74,000 00	
Less amount paid, included above	27,529 54	46,470 46
Amount due on appropriations heretofore made		50,000 00
		<hr/>
		\$526,091 86

To which should be added all other appropriations made at this session of the Legislature, but which are not, at present, known to this office.

(Signed,)

CLEMENT R. JOHNS, Compt.

COMPTROLLER'S OFFICE, }
Austin, Feb. 3, '60. }

It will thus be seen that there was, on the first day of February last, in the Treasury \$143,273 72 less than the amount already appropriated. To this is to be added the additional appropriations made by the present Legislature, not reported by the Comptroller, say \$83,000 00. Of the \$382,818 14 in the Treasury, \$122,682 59 is set apart for the payment of our public debt, and \$73,120 67 for river appropriations, and \$50,000 due on appropriations heretofore made. These appropriations being pledged for a specific purpose, amounting to \$245,803 26, they should remain in the Treasury. Deducting these from the balance on hand February 1st, 1860, there was really subject to appropriation \$137,014 88. There had already been paid out on the 1st of February \$163,818 14, or \$27,293 26 more than was really subject to appropriation, which latter amount was taken from the appropriated funds. There remained in the Treasury at that date \$219,000 00, against which stands balance of appropriation for contingent expenses and per diem of Legislature - - - - - \$ 63,309 02

Expenses of Government for month of January		30,000 00
Amount set apart for public debt	- - -	122,682 59
Amount undrawn on river appropriation	- - -	73,120 67
Amount undrawn of \$74,000 appropriated to frontier defence	- - - - -	46,470 46
Amount due on appropriations heretofore made		50,000 00
Additional appropriations made by present Legislature up to 1st of February, say	- - -	83,000 00

\$468,582 74

Probable additional cost of Rio Grande War	-	40,000 00
		<hr/>
		\$508,582 74
Amount in the Treasury February 1st	-	219,000 00
		<hr/>
Deficit February 1st	-	\$289,582 74

As the act appropriating \$300,000 00 for the protection of the frontier provides that no money shall be drawn under the act, so as to leave "a deficit in the amount required of the current revenue from time to time to pay the ordinary current expenses of the Government," the Legislature need but turn to the condition of the Treasury, herewith presented, to see that there will be no money in the Treasury for frontier defence, and that therefore, unless provision is made by the Legislature, our rangers will have to go without pay and subsistence after the University Fund is exhausted. As this fund, amounting to \$106,992 26 is only to be used as a loan on account of the defence of the frontier, it cannot relieve the present embarrassed condition of the Treasury. Had the act creating a State University been repealed, and the money placed in the general fund, the Treasury operations would have not so soon have been impeded.

The Executive has, in view of the condition of the Treasury, not felt justified in calling more troops into the field than is at present absolutely necessary. We may expect, however, that when grass rises in the Spring, the Indians will come down in greater numbers, and that more rangers will be needed. The entire amount of the University Fund will barely be sufficient to sustain the companies now in the field for six months. If the regiment provided for in the "Act for the protection of the frontier" is called out, the estimates made by the Comptroller show that the sum of \$1,206,000 00 will be necessary to sustain them in the field two years. This estimate is an exceedingly low one, and does not include mules, wagons, &c., which must necessarily be purchased. The embarrassing position of the Executive will at once be seen. The Legislature have passed an act providing for calling out a regiment of men. The frontier people, supposing that the Legislature has provided for their pay and subsistence, expect their appearance in the field; but the Legislature has not done so, and hence they cannot be called out.

There was in specie and bonds in the Treasury on the 1st of February, \$219,000 00. The amounts enumerated by the Comptroller to meet the expenses of the Legislature, the current expenses for the month, the balance of \$74,000 on account of fron-

tier defence, and the amount due on appropriations heretofore made, say \$50,000, in all amount to \$166,470 46. Nearly the whole of this amount will at once be pressing upon the Treasury. To meet it alone we would have to exhaust every dollar set apart for the payment of the public debt, and \$43,787 87 of that belonging to the river appropriation fund. Of additional appropriations made by the present Legislature prior to 1st February, at least \$50,000 will be needed in a few months, which would exhaust the balance of the river fund, and still leave a deficit; so that if the Legislature authorize the disbursing of every dollar in the Treasury, the amount will still fall short of the present demand upon it, and of the entire indebtedness of the State, on the first of February last, \$289,582 74.

The ordinary expenses of government, estimated by the Comptroller are \$418,862 78 per annum, which, deducting the river fund already enumerated, will be \$31,858 53 per month, are to be met. The cost of the Rio Grande war is to be paid. The expense of government alone, from the 1st of February until the 1st of June, will be \$127,434 12. No revenue will come in until that period. The entire amount then received from that source, according to the exhibit made by the Comptroller, will be \$348,268 61. The deficit in the operations of the government will then amount to \$417,016 86, independent of the extraordinary expenses on account of frontier defence. The entire revenue may be paid out, and there will still be a deficit of \$68,755 25. The current expenses of government for the coming year will then be unprovided for, as no funds will come in until the 1st of June following—also such extra appropriations as have been made since 1st February.

The Legislature will see at once the necessity of providing for a revenue on the 1st of June, 1861, sufficient not only to meet the deficit, but also to sustain the government for the next fiscal year. To do this, taxation is absolutely necessary. It is better that the people should at once suffer taxation to relieve the present embarrassment, than that we should drift onward toward a heavy debt and utter bankruptcy.

It is by taxation alone that we can meet outstanding Treasury warrants; and a just policy towards those who may hold them, requires that the deficit shall be met and the reputation of the State remain unsullied.

The vast patrimony which it was hoped would relieve our *people* from the burthen of taxation has been wasted. We must look to the pockets of the people hereafter for revenue. Our lands are yearly legislated away, and it is perhaps idle to hope

that a change in legislation will take place at this late day. The Executive still hopes that the measures of economy and reform which he has presented to the Legislature, will be adopted. His energies have been devoted towards overturning corruption and arresting abuses, but at every step he has been met by difficulties almost insurmountable.

The Executive had hoped that in case the Legislature saw proper to authorize the use of the money set apart for the public debt, he would be able to use that money economically, and thus sustain the government until the revenue from taxation comes in ; but he has been disappointed to find that the greater part, if not all, of this money, has already been paid out upon the warrants of the Comptroller, thus making it essentially necessary that means shall be provided by the Legislature.

Events may transpire to control the action of the Executive in reference to calling troops into the field for frontier defence. If the means are placed at his command he will be justly responsible if the country is not defended. If not, the mere fact that he has been authorized to call out a regiment of men, does not justify complaint. The Executive is looking anxiously towards a settlement of our difficulties upon the Rio Grande, but he may yet be compelled by the force of circumstances to call into the field the entire force at his command. If by earnestly pressing our condition upon the attention of the General Government, a resort to our own resources can be avoided, it shall be done, but the Legislature should at least provide for the expenditures which it has authorized, leaving the Executive free and untrammelled in his action. If left in this destitute situation, and required to sustain the government, he should not meet with cooperation of the co-ordinate departments of it, he will at least enjoy the satisfaction of knowing that a failure has not arisen from any delinquency of his own. SAM HOUSTON.

On motion of Mr. Epperson, message referred to committee on Finance.

Senate's bill to create county of Wilson, taken up, and read first time.

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

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

YEAS—Messrs. Speaker Anderson Armstrong Baxter Billingsley Bryan Caddell Crawford Crooks Davis of B. Davis of H. Dennis Dougherty Duncan Epperson Hall Harrison of V. Z. Houghton Hubert Mabry Manly Martin McCutchan Middleton

Munson Nelson Owens Parker Perry Redgate Ross Shannon Shelton Short Smith Speights Stewart Wælder Walworth Warfield Waterhouse and Wrede—42.

NAVS—Messrs. Barnard Branch Camp Cumby Daniels Dickson Francis Foscue Hartley Haynes Lewis of M. Maverick McKnight Norton Towues Whitfield Whitmore and Wortham—18.

Mr. Clark, one of the committee on Engrossed Bills, reported correctly engrossed the bill to incorporate Kaufman University.

On motion of Mr. Billingsley, the rule was suspended, and the bill for relief of Truman B. Beck *et al*, was taken up, read second time, and passed to third reading.

Mr. Davis of H., one of the committee of Conference, reported a substitute for the bill to change the times of holding the courts in the 2d Judicial district, and to require the clerks in counties therein to apportion their dockets.

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

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

Mr. Hall moved to suspend rule, and take up Senate's bill for relief of T. F. White. Lost.

Mr. Short offered the following resolution :

Resolved, That the Comptroller of public accounts be and he is hereby requested to furnish this House with a full statement of the manner in which the \$10,000 appropriated under an act amendatory of an act concerning crimes and punishments, approved Feb. 2, 1856, was expended, giving the names of the persons to whom paid, the character of the services rendered, and the claims which form each separate account, and the evidence upon which said claim or claims was supported, and the names of the officers who approved and recommended the claim.

Laid over one day for consideration.

Senate's bill to encourage construction of canals in Texas by donations of land, taken up, read first time.

Mr. Hurlley moved to suspend rule and place bill on second reading. Lost.

Mr. Camp moved to suspend rule and take up bill to adjust boundary lines of Uvalde, Dawson and Kinney counties. Lost.

Senate's bill to provide for sale of reservations ceded to the United States for Indian purposes, taken up, read first time.

On motion of Mr. Ross, the rule was suspended, and bill read second time.

Mr. Hall proposed to amend as follows :

Provided, The land named in this bill shall not sell for less than \$3 per acre.

Mr. Harrison of V. Z. moved to adjourn till 7 o'clock, P. M.
Lost.

Mr. Hall withdrew his amendment, and bill passed to third reading.

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

On motion, the House adjourned till 7½ o'clock, P. M.

7½ O'CLOCK, P. M.

House met—roll called—quorum present.

On motion of Mr. Ellett, ladies were invited into the hall for the night.

The majority and minority reports on Federal Relations were taken up.

On motion of Mr. Epperson, the five minute's rule was suspended for the night.

A message from the Senate informed the House that the Senate had passed :

Bill attaching certain unorganized counties to organized counties therein named for Judicial and other purposes, until organized.

Bill to define more certain the boundaries between Erath and Comanche counties

And had passed House's substitute for Senate's bill supplementary to an act to amend an act to incorporate the Memphis, El Paso and Pacific Railroad Company, approved Feb. 10, 1858.

And had amended and passed House bill to amend the 20th section of an act to incorporate the Memphis, El Paso and Pacific Railroad Company.

And had passed a bill supplemental to the act to reorganize the court of claims, and extend the time for presentation of claims for land against the Republic or State of Texas, approved Feb. 7, 1860.

Mr. Ellett moved to reconsider the vote striking out of the deficiency bill the sum of \$150 to pay Jas. H. Swindells for making a map.

On motion, the House adjourned till 10 o'clock, A. M., tomorrow.

HOUSE OF REPRESENTATIVES, }
Saturday Feb. 11th, 1860. }

House met pursuant to adjournment—roll called—quorum present—journal of yesterday read and adopted.

Mr. Flowellen offered the following report :

On motion of Mr. Clark, the rule was suspended, and bill to incorporate Nacogdoches Histrionic Society, taken up, read second time and passed to third reading.

On motion of Mr. Clark, rule further suspended, bill read third time and passed by two-third vote.

Mr. Wælder introduced a bill to amend the 14th section of an act to organize the Supreme court of the State. Read first time.

Mr. Wælder moved to suspend rule, and place bill on second reading. Lost.

Mr. Short reported as follows in behalf of Judiciary committee :

COMMITTEE ROOM, 11th Feb., 1860.

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The committee on Judiciary to which was referred sundry bills, resolutions and petitions, have the honor to report, that many of the same have been considered by the committee, who deem it unwise and impolitic for them to be adopted, and the residue, the committee, for want of time and a pressure of more important business, have been prevented from giving them that degree of attention to which they may have been entitled, and therefore beg leave to return the same to the House, and ask for their indefinite postponement. All of which is respectfully submitted.

D. M. SHORT,

One of the Committee.

Mr. Stewart, chairman of committee on Finance, reported a bill to authorize the Governor to raise means to repel invasion and suppress insurrection. Read first time.

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

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

Mr. Ross, chairman of committee on Counties and County Boundaries, reported, recommending the passage of the Senate's bill to legalize the location of the county seat of Bee county.

Mr. Craig, chairman of committee on Court of Claims, reported, asking to be discharged from further consideration of bill to ratify and confirm a decree or judgment of district court of Bexar county.

Mr. Norton introduced a joint resolution to require certain duties of Comptroller. Read first time.

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

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

On motion of Mr. Craig, the rule was suspended, and a bill reported by committee on Court of Claims, for relief of sundry persons therein named, was taken up read second time and ordered to be engrossed.

On motion of Mr. Craig, rule further suspended, bill read third time, and the question being on the passage of the bill, the yeas and nays were ordered on motion of Mr. Whitmore, and stood as follows :

YEAS—Messrs. Anderson Barnard Baxter Billingsley Bryan Camp Craig Crooks Clark Cumby Daniels Davis of B. Davis of H. Dennis Dougherty Duncan Flewelling Franklin Hall Harrison of V. Z. Hartley Henry Lynch Mabry Manly Martin McClarty McCutchan Middleton Munson Nelson Owens Parker Pirkey Redgate Ross Shannon Shelton Short Smith Stewart Townes Wælder Walworth and Warfield—44.

NAYS.—Messrs. Speaker Branch Caddell Crawford Crooks Dickson Ellett Epperson Francis Foscue Lewis of M. McKnight Mundine Norton Speights Waterhouse Whitfield Whitmore and Wortham—19.

House's bill to amend 20th section of act to incorporate Memphis, El Paso and Pacific Railroad Company, with amendments by the Senate, taken up, and House refused to agree to amendments.

Senate's bill regulating fees in General Land Office. Read third time.

Mr. Haynes offered a substitute for the bill.

Mr. Dickson moved to lay the substitute on the table. Carried by the following vote :

YEAS.—Messrs. Speaker Anderson Armstrong Baxter Billingsley Branch Bryan Caddell Camp Craig Crawford Crooks Clark Cumby Dale Daniels Dickson Epperson Flewelling Francis Franklin Foscue Hartley Lewis of M. Lynch McClarty McKnight Middleton Owens Parker Perry Pirkey Redgate Ross Shelton Speights Stewart Townes Walworth Warfield Waterhouse Whitfield and Whitmore—44.

NAYS.—Messrs. Barnard Dougherty Ellett Hall Haynes Henry Mabry Manly Martin McCutchan Mundine Nelson Norton Shannon Short Smith and Wælder—17.

And the bill passed.

On motion of Mr. Stewart, the rule was suspended, and bill

supplemental to an act to reorganize the Court of Claims, taken up, read first time, rule suspended, read second time and passed to third reading. Rule further suspended, bill read third time and passed.

Mr. Crocks, chairman of committee on Engrossed Bills, reported correctly engrossed, the bill to authorize the Governor to raise means to repel invasion or suppress insurrection.

A message from the Senate informed the House, that the Senate had passed House's bill, to require clerks of 2nd judicial district, to apportion the causes on their dockets.

Bill supplementary to an act to incorporate the city of Marshall, Harrison county.

Bill to incorporate Washington Collegiate Female Institute in Washington county, and had passed Senate's bill making an appropriation for contingent expenses of 8th Legislature.

Also, had concurred in first amendment, and refused to concur in second amendment by House to Senate's bill to organize the State militia.

Also, concur in House's amendment to bill to provide for payment of supplies furnished to Capt. John William's company of rangers.

Senate adhere to their amendment to House's bill for relief of B. B. B. & C. Railroad Company and their assignees, and appoint Messrs. Throckmorton and Herbert committee of conference.

Also, adhere to their amendments to the bill to amend the 20th section of act to incorporate Memphis, El Paso and Pacific Railroad Company, and appointed Messrs Throckmorton Harman and Blanche committee on conference.

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following bills, to-wit :

A bill to be entitled an act to authorize the county court of the county of Nueces to levy a special tax.

A bill to validate unconditional certificate for three hundred and twenty acres No. 567, issued on the 4th February, 1856, to S. Pangburn, assignee of C. L. Wood.

A bill to authorize and require the Commissioner of the General Land Office to patent the surveys made by virtue of certain Peter's colony augmentation certificates.

A bill for the relief of the heirs of Andrew J. Ford, deceased.

A bill for the relief of the heirs of Joseph C. Gentry, deceased.

A bill to amend an act to incorporate the Herman University, approved 27th January, 1844.

A bill making appropriations for the support of the State government for the years 1860 and 1861.

And find the same correctly enrolled, properly signed and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,
One of the Committee.

Also, a bill to be entitled an act to define the boundaries of Calhoun county.

A. M. BRANCH,
One of the Committee.

Also, an act to incorporate the Hydraulic Company of San Antonio.

An act for the relief of Andres Menchaca.

An act for the relief of Jose Leonardo de la Garza Trudo.

An act supplementary to an act entitled an act to reorganize the Court of Claims, and to extend the time for presentation of claims for land against the Republic or State of Texas.

An act to encourage the building of steamboats, steamships and other vessels built in the State of Texas.

Mr. Branch, one of committee on Enrolled Bills, reported as follows.

TO THE HON M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following bills, viz :

A bill to be entitled an act to incorporate the Yegua Bridge and Turnpike Company.

A bill to be entitled an act for the relief of the legal representatives of Calvin Gage, deceased.

An act donating one league of land each, to Dennis Mead, Richard Mead and Thomas B. Eastland.

An act for the relief of the heirs of Charles D. Ferris.

And find the same correctly enrolled, properly signed and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,
One of the Committee.

A message was received from the Senate informing the House that the Senate had passed the following named House's bills :

Bill to provide for incorporation of town of Sabine Pass in Jefferson county.

Bill to incorporate Kaufman University.

Joint resolution respecting public property purchased for use of boundary survey.

And joint resolution requiring the Comptroller to furnish certain data to Secretary of Senate and Chief Clerk of House of Representatives.

[Mr. Wælder in the Chair.]

On motion of Mr. Hall, rule suspended, and Senate's bill for relief of T. F. White taken up, read second time and passed to third reading.

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

Mr. Armstrong offered the following resolution:

Resolved, That the thanks of this House are cordially tendered to the Hon. M. D. K. Taylor, for the able and impartial manner in which he has presided over the deliberations of this body since his election as Speaker. Adopted unanimously.

Mr. Crooks, chairman of committee on Engrossed Bills, reported, correctly engrossed, joint resolution requiring the Comptroller to furnish chief clerk of House of Representatives and Secretary of Senate to furnish certain data.

Mr. Branch, one of committee on Enrolled Bills, reported correctly enrolled:

Bill for relief of Matiana Vega Delgado, and that the same was properly signed and had been presented to Governor for approval.

[Speaker resumed the Chair.]

Mr. Shelton moved to reconsider the vote passing House's substitute to Senates bill, supplemental to act to incorporate Memphis, El Paso and Pacific Railroad Company, approved Feb. 10th, 1858. Carried.

House's amendment to Senate's bill to reorganize militia, taken up, and House

Bill for relief of B. B. B. & C. Railroad Company, with an amendment from Senate, to which House refused to agree, taken up, and Messrs. Mabry, Bryan and Short, appointed committee of conference on said amendments.

A bill supplementary to an act to incorporate the Memphis, El Paso and Pacific Railroad Company, approved Feb. 10th, 1858. Laid on the table.

The deficiency bill was taken up and read second time.

Motion to reconsider the vote striking out \$15 to S. Swindell, for making map of Wise county, was put and lost.

On motion of Mr. Haynes, the pending motion to strike out \$750 each to S. G. Haynie and Jas. G. Swisher, was laid on the table.

Mr. Stewart proposed to amend as follows :

"For pay of John Marshall for printing biennial reports for 1859, or so much thereof as may be necessary, \$3,859 75.

Balance due Supreme court library fund for 1859, or so much thereof as may be necessary, \$975." Adopted.

Mr. Townes proposed to amend as follows :

"For paying W. F. Wells, for keeping and feeding mules belonging to boundary survey, \$90." Adopted.

Mr. Norton proposed to amend by striking out, "E. B. Scarborough, balance due for printing laws in Spanish, \$127 60.

Mr. Dougherty moved to lay the amendment on the table. Lost by the following vote, the yeas and nays being ordered on motion of Mr. Dougherty :

YEAS.—Messrs. Speaker Billingsley Dale Davis of B. Dennis Dougherty Francis Franklin Houghton Lynch McClarty Munson Pirkey Shannon Shelton Stewart Welder Walworth and Warfield—19.

NAYS.—Messrs. Anderson Armstrong Barnard Branch Bryan Caddell Camp Crawford Clark Cumby Davis of H. Dickson Duncan Epperson Foscoe Hall Harrison of C. Harrison of V. Z. Hartley Haynes Henry Hubert Lewis of M. Mabry Manly Maverick McCutchan McKnight Middleton Mundine Nelson Norton Owens Redgate Ross Smith Townes Waterhouse Whitfield Whitmore and Wrede—41.

And the amendment adopted.

Mr. Billingsley proposed to amend by adding \$4,353 to pay Eli Kirk.

A message was received from the Senate informing the House that the Senate had passed the following named House's bills, to-wit :

A bill for the relief of L. M. Stewart.

A bill to incorporate the Bright Star Educational Company.

And a bill to encourage the building of steamboats, steamships and other vessels in the State of Texas.

And had adopted the report of committee of conference on bill for relief of E. B. B. & C. Railroad Company and their assignees.

The question recurring on the adoption of the amendment, the yeas and nays were ordered on motion of Mr. Billingsley :

YEAS.—Messrs. Anderson Baxter Billingsley Branch Cumby Dennis Dougherty Duncan Epperson Franklin Hall Harrison of C. Hartley Henry Lewis of M. Lynch Mabry Maverick McCutchan Munson Nelson Owens Perry Pirkey Redgate Shaanon Short Smith Stewart Townes Wælder Walworth Whitfield and Wrede—34.

NAYS.—Messrs. Speaker Armstrong Barnard Bryan Caddell Camp Crawford Clark Dale Davis of B. Davis of H. Dickson Foscue Harrison of V. Z. Haynes Mabry McClarty McKnight Middleton Mundine Norton Parker Ross Shelton Warfield Waterhouse Whitmore and Wortham—28.

No quorum voting.

On motion of Mr. Davis of H., a call of the House was ordered.

Absentees.—Speaker Craig, Crooks, Cumby, Daniels, Duncan, Flewellen, Francis, Harrison of V. Z., Haynes, Hubert, Kinney, McClarty, McCutchan, Parker, and Speights.

Mr. Townes proposed to amend as follows :

After "capital grounds," insert, "and for laying off and improving Capitol square." Adopted.

Also, to amend as follows :

Appropriation for library strike out, "Governor," and insert, "Board of Commissioners of public grounds and buildings." Adopted.

Mr. Dougherty proposed to amend as follows :

"And for reimbursing the corporation of the city of Brownsville and the committee of safety of Cameron county, their expenses in defense of the city of Brownsville."

On motion of Mr. Dickson, laid on the table and bill passed to third reading.

Mr. Wælder moved to suspend rule and place bill on third reading.

On motion of Mr. Norton, the yeas and nays were ordered and stood thus :

YEAS.—Messrs. Speaker Anderson Baxter Billingsley Branch Bryan Camp Davis of B. Dennis Dougherty Duncan Epperson Franklin Hall Harrison of C. Hartley Haynes Henry Houghton Lewis of M. Lynch Manly Maverick McKnight Munson Nelson Owens Parker Redgate Shaanon Short Smith Stewart Townes Wælder Walworth Whitfield Wortham and Wrede—39.

NAYS.—Messrs. Armstrong Barnard Caddell Crawford Clark Dale Davis of H. Dickson Foscue Mabry Martin McKnight Mundine Norton Perry Shelton Warfield Waterhouse and Whitmore—19.

No quorum voting.

On motion the House adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

Roll called—quorum present.

Mr. Davis of B. made the following report from the committee on Enrolled Bills :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following named bills, and find them correctly enrolled, properly signed and have this day presented the same to the Governor for his signature and approval, to-wit :

An act to incorporate the Casino Association of La Grange

An act amendatory of, and supplementary to an act to incorporate the Galveston Wharf and Cotton Press Company.

An act to incorporate the Rock Ford Bridge Company.

An act to revise an act entitled an act to incorporate the La Grange Collegiate Institute. approved Feb. 14th, 1852, and to change the name of said Institute to that of Ewing College.

An act for the relief of Benjamin Baccus.

An act for the relief of Peter B. Norton.

An act to authorize the county surveyor of Grayson county, to transcribe certain books of record in his office.

An act to incorporate Clifton Academy in the county of Bosque.

An act to consolidate into one institution the Waco Female Seminary and the Waco Female Academy, to be called the Waco Female College, and incorporate the same.

An act concerning Factors and Commission Merchants.

An act to authorize the Commissioner the General Land Office to introduce the De Rye method of printing and multiplying maps or drawings, &c., or to establish a photographic bureau.

An act to attach Blanco county to the 4th judicial district and to amend an act to fix the time of holding courts therein.

An act to change the time of holding the district courts of the 9th judicial district.

All of which is respectfully submitted.

B. H. DAVIS.

One of the Committee.

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following bills, to-wit :

A bill to provide for the payment of supplies furnished to Capt. John Williams' company of rangers.

A bill entitled an act to amend the 4th, 8th, 15th, 18th and 34th sections of an act to provide for the assessment and collection of taxes.

A bill for the relief of T. F. White.

A bill to be entitled an act to incorporate the Texas Cotton Seed Oil and Manufacturing Company.

A bill to be entitled an act to incorporate the Metropolitan Railroad Company.

And find the same correctly enrolled, properly signed and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,
One of the Committee.

COMMITTEE ROOM, 10th Feb., 1860.

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following bills, and find them correctly enrolled, properly signed and have this day presented the same to the Governor for his approval and signature

A bill to encourage the citizens of El Paso county to irrigate the Rio Grande valley.

A bill to incorporate the Lexington Male and Female Academy.

A bill making appropriations for completing the present buildings for erecting out-houses, for clearing a portion of the grounds, and for organization, support and maintenance of the Lunatic Asylum for the years 1860 and 1861.

Mr. Maby, one of the committee of Conference, reported as follows :

COMMITTEE ROOM, February 11, 1860.

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee of Conference, appointed by both House's of the Legislature, on amendments by the Senate to the House's bill for the relief of the Buffalo Bayou, Brazos and Colorado Railroad Company and their assignees, have had the same under consideration, and have agreed to the following amendment to the Senates amendment :

Insert between the words, "not located" in the first line, the words, "or may not be," and beg to ask the House to agree thereto.

THROCKMORTON,
On part of the Senate.

MABRY,
BRYAN,
SHORT,

Committee on part of the House.

Adopted.

A message from Senate informed the House, that Senate had passed

Bill to incorporate Greenville Institute.

Bill to incorporate Dialectic Society of McKenzie Institute.

Bill to pay for printing and compiling abstract of titled lands.

Bill for relief of certain persons.

Senate's joint resolution, relative to instructing our delegation relative to protection of frontier, taken up, read first time.

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

Rule further suspended, bill read third time and passed.

On motion of Mr. Wælder, the deficiency bill was taken up.

On motion of Mr. Camp, the vote passing deficiency bill to third reading was reconsidered.

On motion of Mr. Wælder, the Kirk amendment was reconsidered.

And on motion of Mr. Dickson, laid on the table.

Mr. McKnight proposed to amend follows :

"Provided that this act shall not be construed to apply to any claim, where the same shall not have been provided for by pre-existing laws. Adopted, and bill passed to third reading.

Rule suspended, bill read third time and passed.

Mr. Dennis moved to suspend rule, and take up bill for relief of certain persons. Lost.

Mr. Shannon moved to take up bill to attach certain unorganized counties to organized counties, for judicial and other purposes Carried. Bill read first time.

On motion of Mr. Nelson, rule suspended, bill read second time and passed to third reading.

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

Mr. Wælder moved to suspend rule, and to take up bill to incorporate Literary Institute of San Antonio. Lost.

On motion of Mr. Davis of H., rule suspended, and bill granting land to W. H. D. Carrington, N. G. Shelley and Wm. Alexander taken up, read third time and passed.

Mr. Norton moved to take up bill defining boundary between Erath and Comanche. Carried, and bill read third time.

A message from the Senate informed the House, that Senate had passed House's bills :

Bill for relief of heirs of E. Humphries.

Bill for relief of P. W. Fuller.

Bill for relief of A. F. Smith.

Bill for relief of Thos. McFarland.

On motion of Mr. Nelson, rule suspended, bill read second time and passed to third reading.

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

Senate's bill to make further appropriation for contingent expenses of Legislature, taken up, read first time.

On motion of Mr. Franklin, rule suspended, bill read second time and passed to third reading.

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

On motion of Mr. Middleton rule suspended, and bill for relief of Geo. W. Bates, taken up, read first time.

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

Rule further suspended, bill read third time and passed.

On motion of Mr. Dougherty, rule suspended, and bill to require the paymaster on the Rio Grande, to receive pay for arms, &c., furnished by individuals to said troops, taken up read third time and passed.

On motion of Mr. Wælder, rule suspended, and bill to incorporate Literary Association of San Antonio, taken up, read first time.

On motion of Mr. Wælder, rule suspended, bill read second time and passed to third reading.

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

YEAS.—Messrs. Speaker Anderson Armstrong Barnard Baxter Branch Bryan Camp Crawford Crooks Cumby Dale Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Ellett Epper-son Flewellen Franklin Foscue Hall Harrison of V. Z. Hartley Haynes Henry Houghton Hubert Lewis of M. Lynch Mabry Manly Martin Maverick McClarty McKnight Middleton Mun-
dine Munson Nelson Norton Parker Perry Pirkey Redgate Shan-

non Short Smith Stewart Townes Wælder Walworth Warfield Waterhouse Whitnore Wortham and Wrede—60.

NAYS.—Messrs. Caddell and Owens.

M. Perry moved to suspend rule, and take up bill for relief of certain persons therein named. Carried by the following vote, the yeas and nays being ordered on motion of Mr. Foscue :

YEAS—Messrs. Speaker Anderson Armstrong Barnard Baxter Billingsley Bryan Caddell Camp Crawford Crooks Clark Dale Davis of B. Davis of H. Dennis Dougherty Duncan Ellett Epperson Hall Hartley Haynes Henry Houghton Hubert Mabry Manly Martin Maverick McClarty McKnight Middleton Mundine Munson Nelson Norton Owens Parker Perry Pirkey Redgate Shannon Smith Stewart Townes Wælder Walworth Warfield Waterhouse Whitfield Wortham and Wrede—53.

NAYS—Messrs. Branch Cumby Flewellen Franklin Foscue Lewis of M. and Whitmore—7.

Bill read second time and ordered to be engrossed.

Mr. Camp moved to suspend rule, and place bill on final reading. Lost by the following vote, four-fifths not voting therefor :

YEAS—Messrs. Speaker Anderson Armstrong Barnard Baxter Bryan Caddell Camp Crawford Crooks Davis of B. Davis of H. Dennis Dougherty Duncan Ellett Epperson Hall Hartly Haynes Henry Houghton Hubert Lynch Mabry Maverick Middleton Mundine Munson Nelson Norton Parker Perry Redgate Shannon Shelton Smith Stewart Townes Wælder Walworth Warfield Whitfield and Wrede—44.

NAYS—Messrs. Branch Clark Cumby Dale Dickson Flewellen Franklin Foscue Lewis of M. Manly McClarty McKnight Pirkey Short Waterhouse Whitmore and Wortham—17.

Mr. Davis of B. made the following report from the committee on Enrolled Bills :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following bills, and find them correctly enrolled, properly signed and have this day presented the same to the Governor for his signature and approval :

An act for the relief of Malcom L. Stewart.

An act to require the district clerks in the second judicial district to apportion the causes on their dockets.

An act amending the several acts regulating proceedings in the district court.

An act to be entitled an act supplementary to an act incorporating the city of Marshall, Harrison county.

An act incorporating the Nacogdoches Historic Society.

An act to authorize the county to transcribe the land records of said county, from the records of the late Denton land district, and to legalize the same.

B. H. DAVIS.

One of the Committee.

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills, have examined the following bills, to-wit :

A bill to be entitled an act to provide for the incorporation of the town of Sabine Pass in Jefferson county.

A bill to prevent judgments from becoming dormant, and to create and preserve judgment liens.

A bill for the relief of M. F. Alexander.

A bill to be entitled an act to incorporate Washington Collegiate Female Institute in Washington county.

And find the same correctly enrolled, properly signed, and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,

One of the Committee.

Message from the Senate informed the House that the Senate had passed House's bill for relief of Jose Ygnacio Cordova.

Also, had amended and passed House's bill providing for the investment of the sinking fund.

Also, had passed House's bill for the relief of B. H. Zachary.

And had refused to concur in House's amendment to Senate's bill making appropriation to supply the deficiency in former appropriations and for other purposes.

And had passed House's bill to consolidate into one act the several acts incorporating the city of Galveston.

On motion of Mr. Hartley, rule suspended, and bill to consolidate into one act, the several acts incorporating Galveston, taken up, read second time and passed to third reading.

Rule further suspended, bill read third time and passed.

Senate's general deficiency bill, with amendments by House which Senate refused to concur in, and amendments adhered in, and Messrs. Foscue, Davis of H., and Warfield, appointed a committee on Conference thereon.

On motion of Mr. Townes, rule suspended and bill giving certain real estate to the city of Austin, taken up, read second time and ordered to be engrossed.

Rule suspended, bill read third time.

Message from Senate informed the House, that Senate had appointed Messrs. Throckmorton, Potter and Townes, a committee of Conference on general deficiency bill.

The question recurring on the final passage of the bill, no quorum voting, and

On motion, the House adjourned till 7 o'clock, P. M.

7 O'CLOCK, P. M.

House met—roll called—no quorum present.

On motion of Mr. Foscue, a call of the House was ordered.

Absentees.—Messrs. Barnard, Baxter, Billingsley, Bryan, Craig, Cumby, Daniels, Dennis, Flewollen, Hall, Harrison of C. Hartley, Kinney, Lewis of R., Manly, Navarro, and Taylor.

Quorum being present, House's bill, to provide for the investment of the sinking fund, with amendments by the Senate, taken up, and amendments concurred in.

Mr. Foscue, on part of committee of Conference, reported as follows :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The committee of Conference, appointed upon a bill to be entitled an act making appropriations to supply the deficiency in former appropriations and for other purposes, have had the same under consideration, and recommend that the House of Representatives secede from the first second and fifth amendment made by the House, and that the Senate agree to the third, fourth, sixth, seventh and eighth amendments made in the House of Representatives.

F. F. FOSCUE.

Chairman on part of House.

J. W. THROCKMORTON.

Chairman on part of Senate.

Adopted.

The bill pending when the House adjourned, to-wit :

Bill to amend first section of the act granting real estate to city of Austin, read third time and rejected by the following vote :

YEAS—Messrs. Branch Davis of H. Dennis Dickson Dougherty Duncan Flewollen Hartley Haynes Houghton Lewis of M. Manly Middleton Mundine Norton Owens Parker Perry Redgate Shannon Shelton Smith Townes Walworth Warfield and Wrede—26.

NAYS—Messrs. Speaker Anderson Armstrong Baxter Bryan

Caddell Crooks Crawford Clark Cunby Dale Davis of B. Ellett Franklin Foscue Hall Hartley Harrison of V. Z. Hubert Lynch Mabry Maverick McKnight Munson Nelson Pirkey Short Stewart Wælder Waterhouse Whitfield Whitmore and Wortham—34.

On motion of Mr. Baxter, the rule was suspended, and the act to authorize the appointment of Commissioner to take the acknowledgements of deeds, depositions, &c., executed out of the State, taken up.

On motion of Mr. Harrison of V. Z., a call of the House was ordered.

☞ Absentees.—Messrs. Speaker, Barnard, Billingsly, Davis of B. Epperson, Francis, Kinney, Navarro and Taylor.

Mr. Baxter moved to suspend call. Lost.

On motion of Mr. Townes, the bill to amend the act to incorporate city of Austin, was taken up.

Mr. Cunby moved to lay bill on the table. Lost and bill read second time.

On motion of Mr. Mabry, a call of the House was ordered.

On motion of Mr. Nelson, rule suspended, and bill to repeal the 2nd section of act to authorize the Commissioner of General Land Office, to patent surveys not in square form, taken up, read first time.

On motion, rule suspended, bill read second time and passed to third reading.

Rule further suspended, bill read third time and passed.

On motion of Mr. Manly, the rule suspended, and bill to incorporate Texas, New Orleans and Northern Express Company, taken up read first time.

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

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

YEAS.—Messrs. Speaker Anderson Armstrong Baxter Branch Bryan Caddell Camp Crawford Crooks Clark Cunby Dale Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Ellett Flewellen Franklin Hall Harrison of V. Z. Hartley Haynes Houghton Henry Hubert Kinney Lewis of M. Lynch Mabry Manly Martin Maverick McClarty McKnight Mundine Munson Nelson Norton Owens Parker Pirkey Redgate Shannon Shelton Short Smith Stewart Townes Wælder Walworth Warfield Waterhouse Wortham and Wrede—59.

NAYS—Messrs. Foscue Middleton and Whitmore—3.

Message from the Senate informed the House that Senate had concurred in House amendment to Senate's bill for relief of

Andres Manchaca, and bill for relief of Jose Leonardo de la Garza Trudo.

Also had adopted report of committee of Conference, on bill making appropriation to supply deficiencies in former appropriations, and for other purposes.

On motion of Mr. Armstrong, a bill to provide for the purpose of providing for the publication of the general laws of the State in newspapers, was taken up with report from committee recommending substitute, which was adopted.

Mr. Davis of H. proposed to amend by printing in some one of the papers in each judicial district, and each of the papers in the city of Austin.

Mr. Anderson moved to lay the bill on the table. Carried by the following vote, yeas and nays being ordered on motion of Mr. Norton:

YEAS—Messrs. Speaker Anderson Bryan Caddell Camp Clark Cunby Dennis Flewellen Franklin Foscue Hartley Houghton Hubert Kinney Lynch Maverick McKnight Middleton Parker Perry Pirkey Shelton Short Smith Stewart Walworth Warfield Whitfield and Whitmore—30.

NAYS—Messrs. Armstrong Baxter Branch Crawford Crooks Davis of B. Davis of H. Dickson Dougherty Duncan Ellett Hall Harrison of V. Z. Haynes Lewis of M. Mabry Manly Martin McClarty Munson Nelson Norton Owens Redgate Shannon Townes Waelder Waterhouse and Wrede—30.

On motion of Mr. Lynch, the call of the House on the bill to amend the act to incorporate the city of Austin, was suspended, bill taken up, read second time and ordered to be engrossed.

On motion the rule was suspended, bill read third time and passed.

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives:

The joint committee on Enrolled Bills have examined the following bills, viz:

A bill to be entitled an act for the relief of Bennet H. Zachary.

A bill for the relief of A. F. Smith.

Joint resolutions respecting the public property purchased for the use of the boundary survey.

And find the same correctly enrolled, properly signed, and have this day been presented to the Governor for his approval and signature.

A. M. BRANCH,
One of the committee.

Also an act regulating the fees of the General Land Office.

A. M. BRANCH.

Mr. Baxter moved to suspend a call on bill to amend the act to provide for taking deposition of witnesses in foreign countries. Lost.

Mr. Harrison of V. Z., moved to suspend rule and take up bill defining the boundary line of Hopkins county. Lost.

Mr. Taylor of Cass (Mr. Dickson in the Chair) offered a bill to authorize unpaid warrants to draw interest. Read first time and rule suspended, read second time.

Mr. Stewart offered the following amendment :

Add to section 1st, "but said warrants shall not circulate as money."

Mr. Wælder proposed to amend the amendment as follows :

Add to end of the amendment "but parties holding the same may assign them. Amendment accepted.

Mr. Hartley proposed to amend as follows :

Provided, That the Comptroller shall not issue warrants on the Treasurer under this bill, amounting in the aggregate to more than one hundred thousand dollars.

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

Mr. Owens moved to lay the motion on the table. Lost, and amendment adopted, bill ordered to be engrossed.

On motion rule was suspended, bill read third time and passed by the following vote :

YEAS—Messrs. Speaker Anderson Armstrong Baxter Branch Camp Crawford Crooks Clark Cumby Dale Davis of B. Davis of H. Dennis Dickson Dougherty Duncan Epperson Flewelling Foscue Hall Haynes Henry Houghton Hubert Kinney Lewis of M. Lynch Mabry Manly Martin McClarty McKnight Middleton Mundine Munson Nelson Norton Owens Parker Perry Pirkey Redgate Shannon Shelton Smith Stewart Townes Wælder Warfield Wortham and Wrede—53.

NAYS—Messrs. Bryan Caddell Ellett Franklin Hartley Maverick Short and Whitmore—8.

Mr. Baxter moved to suspend call of House on the bill to provide for taking depositions in foreign countries. Lost.

Mr. Maverick moved to suspend rule and take up bill for relief of Edward Hall.

Mr. Baxter moved a call of the House. Carried, and Mr. Maverick's motion lost.

Mr. Bryan offered the following resolution :

Be it resolved by the House that the sum of twenty-six dollars be paid to the publishers of the Intelligencer, and sixty-

three dollars be paid to the publishers of the Gazette, for newspapers furnished the members of this House, and that said sums be paid out of the contingent fund of the House of Representatives. Adopted.

Mr. Davis of Bastrop, of the House committee on Enrolled Bills, submitted the following report :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills have examined the sub-joined bills, and find them correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval, to wit :

An act to incorporate the Kaufman University.

An act regulating the paymaster for the State troops on the Rio Grande to receive pay for arms and other necessary articles furnished by individuals to said troops.

An act to grant land to N. G. Shelly, W. H. Carrington and William Alexander.

An act to create the county of Wilson.

An act making an appropriation for contingent expenses of the 8th Legislature.

An act for the relief of Jose Ygnacio Cordova.

An act to repeal the second section of an act approved January 17th, 1860, to authorise the Commissioner of the General Land Office to issue patents on surveys heretofore made not in regular form according to law.

An act to consolidate in one act and to amend the several acts incorporating the town of Galveston.

An act to define more certain the boundaries between Erath and Comanche counties.

An act amendatory of an act entitled an act to incorporate the town of Waco, in McClellan county, approved August 29th, 1856.

An act for the relief of P. W. Tuller.

An act for the relief of Thos. S. McFarland.

An act for the relief of Buffalo Bayou, Brazos and Colorado Railroad Company and their assignees.

Respectfully submitted.

B. H. DAVIS.

Mr. Franklin introduced a joint resolution on Federal Relations, in response to South Carolina resolutions. Read first time.

Mr. Baxter moved to suspend call of the House. Lost.

Mr. Harrison of V. Z., moved to suspend bill and place joint

resolution on second reading. Lost, four-fifths not voting for suspension.

Mr. Owens offered the following resolution :

Resolved, That there is among human inventions no "higher law" than the Constitution of the United States, and no bigger State than Texas.

Ruled out of order.

On motion of Mr. Foscoe the rule was suspended, and the bill to provide for safe keeping of State Library was taken up, read first time.

Senate's bill to provide for payment of the compiling and printing of land titles, taken up, read first time.

Mr. Norton offered the following resolution :

Resolved, That the chief clerk be required to forward immediate upon publication, to each member by mail, a copy of the Laws and Journals of the 8th Legislature, the postage to be paid out of the contingent fund.

Mr. Davis of Bastrop made the following report from the committee on Enrolled Bills, to-wit :

HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee on Enrolled Bills have examined the following bills, and find them correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval, to-wit :

An act to authorize unpaid warrants to draw interest.

An act to incorporate the Dialectic Society of McKenzie Institute.

An act to incorporate the Bright Star Educational Company.

An act to provide for the sale of the reservations of land ceded to the U. States for Indian purposes, by an act of the Legislature, approved February 6th, 1854.

An act to incorporate the Greenville Institute.

An act providing for the investment of the Sinking Fund.

An act for the relief of J. B. and D. K. Wortham, assignees of F. W. Woodard.

An act to incorporate the San Antonio Literary Association.

An act to amend an act incorporating the city of Austin.

An act to provide for the organization of the militia of the State of Texas.

An act to restore George Baits to his civil rights.

An act to attach certain unorganized counties to organized counties for Judicial and other purposes.

An act to incorporate the Texas, New Orleans and Northern Express Company.

An act for the relief of J. H. Brown.

An act for the relief of the heirs of E. Humphreys.

Joint resolution and act for the relief of Buford Garrett.

Joint resolution instructing our delegates in Congress in relation to frontier protection.

TO THE HON. M. D. K. TAYLOR,

Speaker of the House of Representatives :

The joint committee have examined an act for the relief of certain persons therein named, and find the same correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval.

A bill for the relief of John Ricord.

B. H. DAVIS.

On motion the House adjourned till 8 o'clock, A. M., Monday.

HOUSE OF REPRESENTATIVES, }
Monday, Feb. 13th, 1860. }

House met pursuant to adjournment—roll called and the following members answered to their names :

Messrs. Speaker, Baxter, Barnard, Billingsley, Branch, Bryan, Crooks, Clark, Cumby, Dale, Davis of B., Dickson, Dougherty, Duncan, Ellett, Franklin, Hall, Hartley, Haynes, Henry, Lynch, McClarty, McKnight, Mundine, Norton, Owens, Perry, Pirkey, Redgate, Shannon, Short, Smith, Stewart, Townes, Wælder, Walworth, Warfield, Waterhouse, Whitfield, Whitmore, Worham and Wrede.

The Secretary of the Senate announced the passage of a bill for relief of John Ricord, and the Omnibus bill, by the Senate.

The Journal of Saturday was read.

Messrs. Duncan, Barnard, Lynch and Franklin, rose to personal explanations.

The hour having arrived for the adjournment *sine die*, the Speaker rose and said :

Gentlemen of the House of Representatives :

The time for our dissolution, in accordance with the resolution we have adopted for adjournment, has arrived. If left to my feelings, I should silently adjourn this body. But the very flattering resolutions you have lately passed in relation to my conduct as your presiding officer, demand it of me, I think, as a duty that I should unhesitatingly respond to them. For the last eighteen years I have been attending Legislatures, and I have

never yet, on these occasions, failed to experience a feeling of regret, on parting with those with whom I have acted in efforts for the common good of a common constituency, during the session. To have to part with them, perhaps never again to meet, ever awakens, in my bosom, emotions akin to pain.

In the performance of my duties, fellow members, if I know myself, I have not known one of you in preference to another, but have dealt out to you the rules we have adopted for our government, equally and alike to all. And, but for a call which draws me to a home that I love, I would be loth to leave these halls and their associations. I leave you, each of you, with the kindest feelings. And I was glad, this morning, to hear certain explanations by members of this House. For, as we have been here together for a hundred days, acting, with but one or two rare exceptions, as a band of brothers, I hoped, and I believe now, we part as brothers and as friends. My reflections and reminiscences, in connection with the past session, are such as I shall cherish and treasure up in my heart during the whole series of my declining years. I shall ever look back upon each one of you as a member with whom I have acted for the common good of a common constituency. And I cannot close these remarks without admonishing you of the importance of action on the part of every person now in political power in this government of ours. When a man is elected, under our form of government, to a position even as low and humble as ours, it gives to that individual a certain influence with those who elect him. There is—and it cannot be denied that there is—a crisis in the history of the American Union. Therefore it behooves every man, be he an officer or a private citizen of this Union, to weigh well the affairs of State at this juncture. Our federal government has been trying, for over three fourths of a century, to work out the great problem of self government. The American people contend that they are competent for self government; while no other nation, perhaps, under the sun, has ever yet claimed that the people are capable of self government. Then when a dark cloud is hovering over this happy Union—this Union of States, held together and cemented by the Constitution—the greatest and best government ever framed by man; I say, when clouds are rising that threaten to crush to atoms that Constitution, in behooves every man, and especially those who are placed on the watch-tower, at this particular juncture, to look well to the interests of our common country. I would not have you tamely submit to misrule or wrong, far be it from me. I would have every American citizen contend for his rights under the Constitution. But what

I would say here to you, to-day, and what I would say to the country, to the States, to the Union, had I a voice to extend to them, is that you should have discretion: that you should ponder well the effects to which one wrong step, either in this Legislature, or in your capacity as a private citizen, at home, might lead you. I would have you ponder well these things. I hold that the great thing to be done now, is to strive to perpetuate the greatest instrument ever penned by man—the bond which binds together the Union—the Constitution of the United States. Let us protect, unharmed and untorn, this sacred instrument; for by this, and nothing else, can we perpetuate this Union.

When we return to our constituents and friends, let us reason calmly with them; let us not be impracticable. Let us contend for our rights, for every inch of our rights, under the Constitution. And let us not, in a moment of excitement, perform an act which might tend to overwhelm with ruin, the greatest government a people ever knew.

I wish you, fellow members, a safe return to your homes, your families and your constituents. And as I remarked before, although I may never see any of you again, you will live in my remembrance all the days of my life. And to the officers of this Legislature, who have so ably discharged their duties, and aided me so efficiently in the discharge of mine, I return you, fellow officers, my sincere thanks.

I now pronounce the House of Representatives of the Eighth Legislature of the State of Texas, adjourned without day.

Read and approved February 13th, 1860.

M. D. K. TAYLOR,
Speaker House of Representatives.

Attest,
W. L. CHALMERS,
Chief Clerk House of Representatives.