

TELEGRAPH POWER PRESS--HOUSTON.

JOURNALS.

*The first Session of the fifth Congress commenced at the
City of Austin.*

Senate assembled Monday, November 2d, 1840.

Present—the hon. David G. Burnet, Vice President of the
Republic of Texas, and President of the Senate.

From the Counties of

Austin, Colorado and Fort Bend,—Hon. James B. Miller.

Red River and Fannin,—Hon. Robert Potter.

San Patricio, Refugio and Goliad,—Hon. James W. Byrne.

Washington and Montgomery,—Hon. George W. Barnett,
presented their credentials, took the oath prescribed by law and
then took their seats.

From the Counties of

Bastrop, Gonzales and Fayette, hon. L. S. Lester.

Brazoria, " Anson Jones.

Matagorda, Jackson and Victoria, " Harvey Kendrick.

Milam and Robertson, " B. Stroud.

Sabine, Shelby and Harrison, " James Gaines.

Harris, Galveston and Liberty, " F. Moore.

Hon. F. Moore moved, that the Senate go into secret session,
which motion was carried.

Mr. Lester moved an adjournment until Tuesday, 10 o'clock.

TUESDAY, Nov. 3d, 1840.

The Senate met pursuant to adjournment.

The hon. David G. Burnet in the chair.

The minutes of the preceding day were read and adopted.

On motion of Mr. Kendrick, seconded by Mr. Stroud, the Senate proceeded to the election of its officers.

On motion of Mr. Barnett,

The election of Secretary was ordered.

Mr. Barnett proposed Mr. M. Swisher,

Mr. Stroud " " John D. McLeod,

Mr. Kendrick " " W. H. Sandusky.

Upon balloting, John D. McLeod was declared duly elected Secretary of the Senate.

On motion of Mr. Stroud,

The Senate proceeded to the election of an assistant Secretary.

Mr. Lester proposed M. H. Nicholson.

Mr. Byrne " John Greene.

Mr. Stroud " W. H. Johnston.

Upon balloting, there not being a plurality of votes, another balloting was ordered.

On the second balloting there not being a plurality, the Senate proceeded to a third balloting,

On the third balloting, M. H. Nicholson was declared duly elected assistant Secretary.

On motion of Mr. Stroud,

The Senate proceeded to the election of Engrossing Clerk.

Mr. Kendrick proposed Mr. C. W. Peterson.

Mr. Moore " " B. Miller.

On balloting, Mr. C. W. Peterson was declared to be duly elected Engrossing Clerk of the Senate.

On motion of Mr. Moore, the Senate proceeded to the election of Enrolling Clerk.

Mr. Byrne proposed John E. Jones.

Mr. A. Jones " W. H. Johnston.

Mr. Lester " John E. McGill.

On balloting, there not being a plurality of votes, the Senate proceeded to a second balloting.

On the second balloting, John E. Jones was declared duly elected Enrolling Clerk of the Senate.

A message was received from the House, delivered by Mr. Hill of Robertson, that the House had organized and ready to proceed to business.

On motion of Mr. Lester,

The Senate proceeded to the election of Sergeant-at-Arms.

Mr. Kendrick proposed Mr. Woodward.

Mr. Barnett " " Byers.

Upon balloting, there being a tie, the president gave the casting vote in favor of Mr. Byers, who was declared duly elected Sergeant-at-Arms.

On motion of Mr Barnett,

The Senate proceeded to the election of a Door-keeper.

Mr. Barnett proposed Mr. T. W. Smith.

Mr. Stroud " " S. Johnston.

Upon balloting, there being a tie, the president gave the casting vote in favor of Mr. Johnston, who was declared duly elected Door-keeper of the Senate.

On motion of Mr. Barnett, seconded by Mr. Moore,

The Senate proceeded to the election of a Chaplain.

Mr. Kendrick opposed the motion.

Mr. Moore called for the ayes and noes.

Upon balloting, the following voted in the affirmative :

Messrs. Barnett, Byrne, Lester, Jones and Moore,—5.

In the negative.—Messrs. Miller, Gaines, Potter, Kendrick and Stroud,—5.

There being a tie, the president gave the casting vote in the affirmative.

Mr. Barnett proposed the Rev. Mr. C. Richardson, as Chaplain.

There being no opponent, Rev. Mr. C. Richardson, was declared duly elected Chaplain for the Senate.

Mr. Moore offered the following resolution, seconded by Mr. Barnett :

Resolved, That a committee be appointed to prepare and report a system of rules and regulations for the government of the Senate, and until such report is made and approved, that the rules of the last House be adopted.

Officers of the Senate came forward and were sworn in as prescribed by law.

A message from the House by P. W. Humphreys, who reported the Hon. D. S. Kaufman, elected Speaker of the House; P. W. Humphreys, first Clerk; James H. Raymond, assistant Clerk; Benjamin Hill, Enrolling Clerk; Thomas Green, Engrossing Clerk; J. Ben Taylor, Reading Clerk; D. W. C. Vary, Sergeant-at-Arms; R. H. Holliday, Door-keeper; Rev John Hainey, Chaplain.

Mr. Lester moved an adjournment until 10 o'clock, to-morrow morning.

WEDNESDAY, Nov. 4th, 1840.

The Senate met pursuant to adjournment.

The hon. David G. Burnet in the chair.

Prayer by the Chaplain.

The roll being called, a quorum not present, the Sergeant Arms despatched for absentees.

The journals of the preceding day were read, corrected and approved.

On motion of Mr. Barnett, seconded by Mr. Moore, that a committee of three be appointed by the chair, to wait upon the House and inform them that the Senate were organized and ready to proceed to business.

Chair appointed Messrs. Lester, Gaines and Barnett.

A message from the House by P. W. Humphreys, that the House had appointed a committee to act in conjunction with the committee from the Senate, to wait on the President and inform him, that both Houses were organized and ready to receive any communication from him.

On motion of Mr. Kendrick, seconded by Mr. Miller, a committee of two be appointed by the chair to act in conjunction with a committee from the House to wait on the President and inform him that both Houses were organized and ready to receive any communication from him.

Chair appointed Messrs. Potter and Byrne.

Mr. Kendrick moved a recess of thirty minutes, seconded by Mr. Barnett.

Senate met pursuant to adjournment

The roll being called the Senate proceeded to business.

Mr. Potter, chairman of the committee to act in conjunction with a committee from the House, reported that the President would send in his message at 3 o'clock, P. M.

The chair appointed a committee of three to compile and report a system of rules for the government of the Senate.

Committee,—Messrs. Moore, Miller and Jones.

Standing Committees:—

Foreign Relations,—Messrs. Jones, Everitt, Moore.

Finance,—Everitt, Byrne, Lester.

Judiciary,—Moore, Everitt, Miller.

Military Affairs,—Lester, Jones, Potter.

Indian Affairs,—Muse, Stroud, Barnett.

Naval Affairs,—Miller, Byrne, Potter.

Contingent Expenses,—Kendrick, Gaines, Stroud.

Public Lands,—Potter, Gaines, Moore.

Post Offices and Post Roads,—Barnett, Kendrick, Everitt.

Roads, Bridges and Ferries,—Byrne, Barnett, Greer.

Enrolling and Engrossing,—Stroud, Greer, Muse.

On motion of Mr. Kendrick, seconded by Mr. Moore, the Senate proceeded to appoint a committee of three upon laws and accounts.

Mr. Kendrick proposed Mr. Barnett, as chairman of the committee, who was declared elected.

Messrs. Kendrick and Gaines assistants.

On motion of Mr. Lester, seconded by Mr. Barnett,

That the chair appoint a committee of three on privileges and elections.

Chair appointed Messrs. Lester, Stroud and Moore.

Mr. Kendrick moved an adjournment, until half-past two o'clock, P. M.

The Senate met pursuant to adjournment.

The roll being called, a quorum not present—the Sergeant-at-Arms was despatched for absentees.

A message from the House delivered by Mr. Cauldwell of Bastrop, stating the President's message was received, and invited the Senate to a seat in the House.

A quorum present—the Senate proceeded to business.

A message from the House by P. W. Humphreys, stating the House was ready to receive the members of the Senate.

On motion of Mr. Moore, seconded by Mr. Stroud,

The Senate repaired to the House of Representatives, to receive a communication from the President.

The Senate having returned from the House—roll called—a quorum present.

On motion of Mr. Lester,

The Senate adjourned until to-morrow, 10 o'clock, P. M.

THURSDAY, November 5th, 1840.

The Senate met pursuant to adjournment.

The Vice President in the chair.

Prayer by the Chaplain.

Mr. Moore presented the credentials of the Hon. Mr. Muse of Nacogdoches; Mr. Muse came forward and was sworn as prescribed by law.

Report of Mr. Lester, Chairman of the Committee on Privileges and Elections, was received and ordered to lie on the table until to-morrow.

Mr. Potter offered the following resolution:

WHEREAS the condition of the land claims of the good people of this Republic demands the most serious and thorough consideration of Congress, and whereas we have the evidence of the

Constitution itself of the existence of spurious claims to the amount of eleven hundred leagues of land, and there is good reason to believe that a vast amount of fraud over and above that specified in the Constitution, has been perpetrated to the great annoyance of the good people of Texas, and to the serious detriment of the best interests of the Republic: Therefore, that facts may be collected for the information of Congress in regard to the premises, resting not on the doubtful authority of rumor, but on the certainty of proof,

Resolved, That a message be sent to the House of Representatives proposing that the committee on Public Lands of the Senate and of the House co-operate as a joint committee, and that they have authority to send for persons and papers, and to examine said persons on oath touching the premises. Read first time.

Mr. Kendrick moved the suspension of the rule and ordered the resolution to a second reading; adopted unanimously.

The President's annual message of the 5th Congress was read.

Mr. Kendrick moved a special committee of three be appointed to superintend the printing of the President's message and accompanying documents.

Committee—Messrs. Kendrick, Byrne, and Miller.

Mr. Moore introduced an act supplementary to an act incorporating the City of Houston.

Mr. Moore offered the following resolution:

Resolved, That the Naval Committee be instructed to act in conjunction with the Naval Committee of the House of Representatives, in the examination of the condition of the Navy Department, with leave to report by bill or otherwise.—Read first time.

On motion of Mr. Kendrick,

The rules were suspended and ordered to a second reading.—Adopted.

A message from the House, concurring in the resolution offered by Mr. Potter, requiring the committees on Public Lands of the Senate and House to act as a joint committee.

Mr. Moore offered the following resolution:

Resolved, That a committee on the state of the Republic, be appointed to act in conjunction with a similar committee of the House of Representatives, with leave to report by bill or otherwise.—Read first time.

Mr. Kendrick moved a suspension of the rules, and was ordered to a second reading.—Adopted.

Committee—Messrs. Moore, Kendrick, and Muse.
 On motion of Mr. Kendrick,
 The Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, November 6th, 1840.

The Senate met pursuant to adjournment.

The Vice President in the chair.

Prayer by the Chaplain.

The roll called, a quorum present,

The journals read and approved.

Report of Mr Kendrick, chairman of the committee on printing the President's message and accompanying documents was read and ordered to lie on the table.

The distribution of the President's message for the several committees was read.

That portion of the message relating to Foreign Affairs to be committed to the committee on Foreign Affairs.

That portion of the message relating to Military Affairs, to be committed to the committee on Military Affairs.

That part of the message relating to Navy Affairs, to be committed to the committee on Navy Affairs.

That part of the message relating to Finance Affairs, to be committed to the committee on Finance Affairs.

That part of the message relating to Judiciary Affairs, to be committed to the committee on Judiciary Affairs.

That part of the message relating to running and marking the Boundary Line, to be committed to the committee on Foreign Affairs.

The report and accompanying documents of the Acting Secretary of State, were received from his Excellency.

The report and document marked A, referring to the Boundary Line.

The report and document marked B, referring to the Department of State.

The report and document marked C, referring to Foreign Correspondents.

The report and document marked D, referring to the Windward Islands,—were delivered to Mr. Jones, chairman of the committee on Foreign Relations.

Document E, referring to School Lands, delivered to Mr. Potter, chairman of the committee on Public Lands.

Mr. Potter offered the following resolution,—

Resolved, That the committee on Public Lands, be instructed to enquire into the expediency of passing an act to protect and secure in their possessions the settlers in that portion of our territory, which has been sectionized by authority and direction of the government of the United States of the North.—Read first time.

Mr Potter moved the suspension of the rule,—read a second time and adopted.

Mr. Potter moved an adjournment until Monday morning, 10 o'clock, A. M.

MONDAY, November 9th, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the chair.

Prayer by the Chaplain.

The roll called, a quorum present.

The journals of Friday Nov. 6th, were read and approved.

The report and accompanying documents of the Treasurer, addressed to his excellency M. B. Lamar, was received.

On motion of Mr. Barnett,

The report and accompanying documents of the Acting Secretary of the Treasury, were read and referred.

A message from the House respecting the resolution requiring the Naval committee to act in conjunction with such committee from the House; also the appointing of a committee on the State of the Republic, on account of informality in the wording of the resolutions.

A resolution from the House of Representatives, requesting the suspension of the 18th joint rule of the two houses of congress; and that all elections of joint ballot, shall be in the Representative's Hall,—read first time.

Mr. Moore offered a bill to be entitled an act to provide for the erection of a Penitentiary,—read first time.]

On motion of Mr. Moore,

The engrossing and enrolling clerks be instructed to copy each day's journal—adopted.

Mr Kendrick, chairman of the special committee on printing the President's message and accompanying documents, reported that he had ordered five hundred to be printed—report adopted.

Mr. Moore offered the following resolution, as a substitute for two resolutions, one appointing a committee on the State of the Republic, and the other requiring the Naval committee to act in conjunction with such committees from the House.

Resolved, That a committee of six be appointed, to be styled a committee on the state of the Republic, to act in conjunction with a similar committee of the House of Representatives, to examine the condition of the several departments of government, with leave to report upon the same by bill or otherwise, and request the concurrence of the House in the same—read first time.

An act supplementary to an act to incorporate the city of Houston—read second time.

Mr. Kendrick moved the bill to pass the third reading to-morrow—adopted.

On motion of Mr. Moore,

That the Secretary be requested to subscribe for five copies of each of the newspapers published in this city, for each of the members and officers of the Senate during this session—adopted.

Mr. Potter offered the following resolution :

Resolved by the Senate and House of Representatives of the Republic of Texas, in Congress assembled, That they heard with admiration but not with surprise, of the brilliant and decisive victory of Col. John H. Moore and the volunteers under his command, over the Comanches, on the Red Fork of the Colorado on the 24th October, instant.

Resolved, That the thanks of Congress are hereby tendered to Colonel John H. Moore and the gallant men of his command, for this brilliant achievement.—Read first time.

Mr. Kendrick moved the suspension of the rule.—Read second and third time.—Passed unanimously.

Mr. Barnett offered the following act :

An act to repeal an act authorizing the erection of government buildings, approved January 28th, 1840.

Be it enacted by the Senate and House of Representatives of the Republic of Texas, in Congress assembled, That the above recited act be, and the same is hereby repealed.—Read first time.

Mr. Muse offered the following resolution :

Resolved by the Senate, That we dispense with an Engraving and Enrolling Clerk, and that they elect one Clerk to discharge the duties: *and resolved further*, that we dispense with all further services of a Chaplain.

Be it further resolved, That the ministry everywhere, particularly in the Republic of Texas, be solicited to unite in their petitions to the throne of Divine Grace, to enlighten the minds, and purify the hearts of the officers of this government and the members of this Congress, to enable them to conduct themselves in that way best calculated to relieve us from our present embarrass-

ments, that the blessings of Heaven may continue to be bestowed upon us, that we may become a christian and happy people.—Read first time—ordered to lie on the table.

Mr. Kendrick moved an adjournment until 10 o'clock to-morrow morning.

TUESDAY, November 10th, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the chair.

Prayer by the Chaplain.

The roll called,—A quorum not present.—The Sergeant-at-Arms was despatched for the absentees.

Mr. Gaines by leave, reported Mr. Stroud to be unwell.

The journals of the preceding day were read and approved.

Mr. Barnett presented the petition of Thomas W. Smith of the county of Travis, praying to be released from the forfeiture of a certain lot, No. 12 in block 84, in the city of Austin; also a bill entitled an act for the relief of Thomas W. Smith.—Read first time.

Report of Mr. Potter, chairman of the committee on public lands.

“An act to protect the settlers in that portion of the territory of Texas, which has been surveyed by authority and direction of the government of the United States of the North.—Read first time.

Rule suspended.—Read second time.

Rule further suspended—Read third time, and passed.

Resolution from the House of Representatives, on the suspension of the 18th joint rule of the two houses of congress.—Read second time.

Mr. Kendrick moved it to lie on the table,—motion carried.

An act entitled an act to provide for the erection of a Penitentiary.—Read second time.

Mr. Potter moved it to be referred to the committee on the judiciary,—motion carried.

A message from the President, by his private Secretary, H. J. Jewett.

Report of the Secretary of War, read by its caption and laid on the table.

A message from the President.

A resolution appointing a day for the election of a board of Travelling Commissioners east of the Brazos.—Read first time.

A bill to amend the several acts incorporating the city of Houston.—Read third time.—Passed unanimously.

Mr. Kendrick moved the Senate go into secret session,—motion carried.

Secret session being over, the Senate resumed the business of the day.

Resolution appointing a committee of six to examine into the condition of the different departments of government.—Read 2d. time.

Mr. Greer offered the following resolution as an amendment:

Resolved, That a committee of three be appointed, to be styled a committee on the state of the Republic,—the amendment was accepted.

Mr. Potter moved that the resolution as amended, lie on the table,—motion carried.

A message from the House,—joint resolution complimentary to Colonel John H. Moore and his men.

A message from the House concurring in the report of the committee on public lands.

Mr. Potter offered the following resolution:

Resolved, That the committee on Foreign Relations be instructed to enquire into the propriety of an immediate appropriation to enable the government to complete the business of marking the boundary line between the government of the United States of the North and this Republic, and that they have leave to report by bill or otherwise.—Read first time and adopted.

Mr. Potter moved an adjournment until 2 o'clock, P. M.

The Senate met pursuant to adjournment.

The roll called,—a quorum not present, the Sergeant at-Arms despatched for the absentees.

Mr. Kendrick moved an adjournment until 10 o'clock to-morrow, A. M.,—motion rejected.

Sergeant-at-Arms returned and reported.

A quorum not present.

Mr. Lester then moved an adjournment until 10 o'clock to-morrow, A. M.,—motion carried.

WEDNESDAY, November 11th, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the chair.

Prayer by the Chaplain.

The roll called,—a quorum not present.—The Sergeant-at-Arms despatched for the absentees.

The Sergeant-at-Arms returned and reported.

A quorum present.

Ordered, That the doors be closed, and the Senate go into secret session.

Secret session being over the Senate resumed the business of the day.

ORDERS OF THE DAY.

A resolution from the House appointing a day for the election of a board of Travelling Commissioners east of the Brazos.—Read second time.

Mr. Greer moved to strike out the words "Wednesday the 11th," and insert "Saturday the 14th."

Resolution read as amended.

Question on the amendment.—adopted.

A joint resolution of the two Houses of Congress, complimentary to Colonel John H. Moore and his men.—Read first time.

Mr. Moore moved to strike out all the words from and after the word "resolution."

Question on the amendment.—Adopted.

Resolution read as amended by the House and Senate.—Adopted.

A resolution appointing a committee of three on the state of the Republic.—Read second time and rejected.

An act repealing an act passed January 20th, 1840, authorizing the building of public buildings.—Read second time.

On motion of Mr. Potter,

The act was referred to the committee on Finance.

A bill for the relief of Thomas W. Smith.—Read second time.

Mr. Kendrick moved that the bill be referred to the committee on Public Lands,—motion rejected.

Mr. Barnett moved that a special committee of three be appointed, to which committee the above bill shall be referred, and that said committee report a general bill.—Adopted.

Committee—Messrs. Barnett, Greer and Kendrick.

Resolution dispensing with the services of Engrossing and Enrolling Clerk, also Chaplain.—Read second time.

Mr. Barnett moved the indefinite postponement of the resolution,—motion carried.

Mr. Greer moved an adjournment until three o'clock.—Carried.

THREE O'CLOCK.

The Senate met pursuant to adjournment

Mr. Potter moved the Senate go into secret session.

Secret session being over, the doors were opened and the Senate proceeded to the business of the day.

Mr. Moore offered the following joint resolution making an appropriation to defray the expenses of congress:

Be it resolved by the Senate and House of Representatives of the Republic of Texas, in Congress assembled, That five thousand dollars be, and the same are hereby appropriated to be paid out of any money in the Treasury not otherwise appropriated, to defray the current expenses of the fifth congress.—Read first time.

Rule suspended.—Read second time.

Further suspension of the rule.—Read third time and adopted.

Mr. Greer offered the following resolution:

Resolved by the Senate, That with the concurrence of the House of Representatives, they adopt the Joint Rules of 1838, for their future government.—Read first time.

Rule suspended.—Read second time.

Report of the chairman of the committee to compile a set of Rules for the government of the Senate for the fifth congress.

Verbal report,—That the committee had examined the Rules of the last session of congress governing the Senate, and would most respectfully submit the same for their adoption.

Question on the adoption.—Adopted.

Mr. Greer moved an adjournment until to-morrow, 10 o'clock, A. M.

THURSDAY, November 12th, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the Chair.

Prayer by the Chaplain.

The roll called—a quorum not present—the Sergeant-at-Arms despatched for absentees.

The Sergeant-at-Arms reported,—a quorum present.

The Journals of the preceding day were read and approved.

A message from the House by Mr. Humphries, their Chief Clerk, reporting the following bills and resolutions as having passed the House of Representatives:

A joint resolution complimentary to Col. John H. Moore and his men.

A resolution appointing a day for the election of a board of Travelling Commissioners east of the Brazos.—Amendments of the Senate concurred in.

A bill to be entitled an act to prohibit members of Congress from holding certain offices during the term for which they were elected.

A bill to be entitled an act prescribing the mode of organizing the House of Representatives.

A bill to be entitled an act to protect assemblies for religious worship.

A joint resolution appropriating twenty thousand dollars to defray the expenses of marking and running the boundary line between the Republic of Texas and the United States of America.

An act for the relief of certain persons of color, therein named.

A verbal report of Mr. Moore, chairman of the committee on foreign relations, was received and ordered to lie on the table until to-morrow.

ORDERS OF THE DAY.

A resolution on the adoption of joint rules for the government of the fifth Congress.—Resolution ordered to lie on the table until called up.

A message from the House concurring in the joint appropriation to defray the expenses of Congress.

Ordered, that the report and accompanying documents of the Secretary of War be read.

On motion of Mr. Moore,

The report and accompanying documents of the Secretary of War, were referred to the committee on military affairs.

A bill to be entitled an act to prohibit members of Congress from holding certain offices during the term for which they were elected.—Read 1st. time.

A bill to be entitled an act prescribing the mode of organizing the House of Representatives.—Read 1st. time.

A bill to be entitled an act to protect assemblies for religious worship.—Read 1st. time.

A joint resolution appropriating twenty thousand dollars to defray the expenses of marking and running the boundary line between the Republic of Texas and the United States of America. Read 1st. time.

An act for the relief of certain free persons of color therein named.—Read 1st. time.

Mr. Jones moved an adjournment until to-morrow, at ten o'clock, A. M.

FRIDAY, November 13th, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the Chair.

Prayer by the Chaplain.

The roll called, a quorum present.

The journals of the preceding day were read and adopted.

Mr. Moore offered a petition from Messrs. G. K. Teulon, R. F. Brubham, and J. Miner, praying the use of the Senate chamber the evenings of Thursdays, for the Austin Lyceum.—Read 1st. time.

Mr. Barnett, chairman of the special committee on City Lots, report a bill to be entitled an act for the relief of purchasers of Austin City out lots.—Read 1st. time.

On motion of Mr. Moore,

The second and third sections of the bill were stricken out—bill read as amended second time—rule further suspended,—read third time and passed.

Mr. Moore offered a bill for the relief of persons that have settled on the adjoining lands of the City of Austin,—Read first time.

Mr. Moore offered a bill to be styled an act to abolish certain offices therein named, and to fix the Military and Naval establishments of the Republic,—read first time.

Mr. Greer offered the following resolution :

Resolved by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That the further sale of the public lots in and adjoining the City of Austin, be suspended until otherwise ordered by Congress,—read first time—rule suspended, read second time—rule further suspended, read third time and passed.

Mr. Muse moved the reconsideration of the vote on the bill to be entitled an act for the relief of the purchasers of Austin City, and out lots.

Mr. Muse moved then that the bill lie on the table until called up.

Mr. Greer offered an act to amend an act which provides the mode of taking testimony by interrogatories, and to provide a mode for taking depositions,—read first time.

Mr. Muse moved that the vacancy in the Financial Committee be filled up.

Mr. Kendrick moved that Mr. Muse be appointed to fill said vacancy,—carried.

ORDERS OF THE DAY.

An act for the relief of certain free persons of color therein named,—read second time.

On motion of Mr. Moore,

The bill was ordered to lie on the table,—motion rejected.

Mr. Muse moved the bill be referred to the committee on the Judiciary,—carried.

A bill prohibiting members of Congress from holding certain offices during the term for which they were elected,—read second time.

On motion of Mr. Muse,

The bill was referred to the committee on the Judiciary.

A joint resolution, appropriating twenty thousand dollars to defray the expenses of marking and running the boundary line between the Republic of Texas and the United States of America,—read second time.

Mr. Potter moved an amendment by striking out the word twenty thousand, and inserting thirty thousand,—carried.

A bill prescribing the mode of organizing the House of Representatives,—read second time.

On motion,

It was referred to the committee on the Judiciary.

A bill to be entitled, an act to protect assemblies for religious worship,—read second time.

Mr. Muse offered an amendment. Question on the amendment.—Adopted.

Mr. Greer moved that the bill be read by sections.

Mr. Kendrick moved an adjournment until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. Dangerfield presented his credentials, took the oath as prescribed by law, and his seat as senator from Bexar.

On motion,

The Senate resumed the reading of the bill protecting assemblies of religious worship.

Mr. Greer moved to strike out the words, "one half to the informant and the other half," so as to read "pay to the treasurer of the County;"—question on the amendment,—carried.

Mr. Kendrick moved the engrossment of the bill,—carried.

Mr. Muse moved the reconsideration of the vote,—carried.

Mr. Muse then moved that the bill be referred to a committee

of three,—motion adopted.
Committee—Messrs. Muse, Barnett, and Moore.

Mr. Potter moved that the Senate dispense with the reading of the report of the Secretary of the Navy, and that they be referred to the committee on Naval Affairs.

Mr. Byrne moved an adjournment until 10 o'clock to-morrow, A. M.

SATURDAY, November 14th, 1840.

The Senate met pursuant to adjournment.

The Vice President in the chair.

Prayer by the Chaplain.

The roll called,—a quorum present,

The journals of the preceding day were read and adopted.

Report of the chairman of the committee on the Judiciary, was read first time.

Report of Mr. Muse chairman of a special committee to whom was referred the bill for the protection of religious assemblies,—was read first time with a substitute to an amendment of the original bill.

Mr. Byrne offered the following joint resolution :

Resolved by the Senate and House of Representatives, of the Republic of Texas, in Congress assembled, That the period prescribed by law for the collection of the Taxes of the present and preceding years, be, and the same is hereby extended to — day of — month, and that the Secretary of the Treasury be required to notify the Sheriffs and tax collectors of this Republic, of the same.

Be it further resolved, That all persons, who from want of information or other causes, have not been able to comply with the provisions of said law, be, and the same are hereby exempted from the penalties prescribed therein; *provided,* they pay into the hands of the officers designated by the law, the full amount of their assessed taxes, within the time prescribed by this resolution.

Be it further resolved, That the Secretary of the Treasury be authorized and required to receive from any person or persons the amount of their taxes, who shall tender to him the same within the time above designated.

Be it further resolved, That the foregoing resolution go into effect from and after the final passage of the same.—Read first time.

Rule suspended.—Read second time.

Mr. Lester then moved it be referred to a select committee of three.—Carried.

Committee.--Messrs. Lester, Gaines and Byrne.

A joint resolution appropriating thirty thousand dollars to defray the marking and running the boundary line between the Republic of Texas and the United States of America.--Read third time.

Mr. Potter moved that the resolution be reconsidered.--Carried. And referred to the committee on Foreign Relations.

Mr. Moore offered the following resolution :

Resolved, That the election of a board of Travelling Commissioners in the counties east of the Brazos river, be, and the same is hereby deferred until Saturday the 21st inst., and that the concurrence of the House of Representatives is requested on the same.--Read first time.

Motion to suspend the rule.--Lost.

ORDERS OF THE DAY.

A petition from Messrs. George K. Teulon, R. H. Brenham and John Minor, praying the use of the Senate Chamber of the evenings of Thursdays for the Austin Lyceum.--Read second time.--Lost.

An act to amend an act to provide the taking of testimony by interrogatories, and to provide a mode for taking depositions.--Read second time.

On motion it was referred to the committee on the Judiciary.

A message from the House by their Chief Clerk P. W. Humphries, reporting a number of bills and resolutions as having passed the House of Representatives.

A bill for the relief of persons settled on the adjoining land of the city of Austin.--Read second time.

Mr. Moore moved it lie on the table until called up.--Carried.

A bill to be styled "An act to abolish certain offices therein named, and to fix the Military and Naval establishment of the Republic.--Read second time.

Mr. Everitt moved it be referred to a special committee of three.--Carried.

Committee.--Messrs. Miller, Muse and Lester.

A Joint resolution for the relief of John G. Todd, late naval agent in the United States.--Read first time.

Rule suspended, read second time.

On motion it was referred to the committee on Naval Affairs.

A resolution from the House was read and ordered to be returned for informality.

An act concerning change of venue in civil suits.--Read first time.

A bill to be entitled "An act to repeal certain laws establishing certain mail routes and to establish certain others therein named.--Read first time.

A bill to be entitled "An act securing the rights of appeal from the justices' to the district courts.--Read first time.

Mr. Everitt offered the following resolution :

Resolved, That his excellency the President be requested to communicate to the Senate such correspondence in relation to running and marking the boundary line between this country and the United States of America as in his opinion does not require secrecy.--Read first time.

Mr. Potter moved an adjournment until half-past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK.

The Senate met pursuant to adjournment.

Mr. Miller, chairman of the committee on Naval Affairs, asked leave to report; leave being given, reported the resolution for the relief of Jno. G. Todd, late Naval agent in the United States as correct.--Read first time.

Rule suspended, read second time.

Mr. Kendrick moved the words, "promissory notes of the government," be inserted after the words "four cents."--motion carried.

Mr. Dangerfield moved the further suspension of the rule, to place it on its third and final reading.--yeas and nays being called for, stood thus--

YEAS :--Messrs. Byrne, Dangerfield, Green, Lester, Miller, Moore, Muse, Potter and Stroud.--9.

NAYS :--Barnett, Everitt, Gaines and Kendrick,--motion carried.

Question on the adoption of the resolution.--Adopted.

A message from the House by Mr. Blow, stating the House was waiting for the Senators to proceed to the election of a board of travelling commissioners east of the Brazos.

The Senate proceeded to the House of Representatives to ballot for commissioners east of the Brazos.

Nominations being in order,

Mr. Potter proposed Mr. Hamlin Williams.

Mr. Stroud proposed Mr. N. Holbert.

Mr. Lester proposed S. Sherman.

Mr. Muse proposed R. W. Smith.

The House of Representatives proposed J. Wortham.

On balloting, the Speaker of the House announced Mr. Hamlin Williams, J. Wortham and N. Holbert, as being duly and constitutionally elected commissioners east of the Brazos.

The Senators returned to their chamber.

Mr. Lester moved to adjourn until Monday 10 o'clock, A. M.

MONDAY, November 16, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the chair.

Prayer by the Chaplain.

The roll called,—a quorum present.

The journals of Saturday were read and adopted.

Mr. Moore offered a petition from Mr. James P. Wilson, praying the name of Miss Lydia Ann Chapin be changed to Mary Ann Chapman Wilson.—Read first time and referred to the committee on the Judiciary.

Report of the chairman of the committee on privileges and elections, was read and adopted.

Report of the special committee to whom was referred the joint resolution for extending the term of payment of Taxes.—Read second time.

Mr. Everitt gave notice that he should, during the week, introduce the following bills:

1st. To entirely disband the Army, and to lay up the Navy in ordinary, and to abolish every officer except one Lieutenant of the Army, and one Lieutenant of the Navy in those departments.

2d. To suspend the issue of promissory notes, and to grant permission to the holders of promissory notes to fund the same at 6 per cent. payable at the pleasure of the government after ten years.

3d. To declare that the entire revenue of the government shall be paid in gold or silver, or its equivalent, and that no drafts or notes of the government shall be received under any circumstances in payment of government dues.

4th. To fix the salaries of all officers of the government to par fund prices, and regulate the fees of all officers to the same standard.

5th. To reduce the number of Post offices.

6th. To issue drafts to all who are in the employ of the government after the first of January, on the Treasurer, to be paid in gold or silver or its equivalent, and to permit those drafts to be paid into the revenue department, the same as gold or silver.

7th. To reduce the direct Taxes to one-fourth of one per cent.

ORDERS OF THE DAY.

Report of the committee on the Judiciary to whom was referred the bill to be entitled an act to prohibit members of congress from holding certain offices during the term for which they were elected.—Read second time.

Question on the adoption of the report.

The yeas and nays being called for, stood thus:

YEAS.--Messrs. Barnett, Byrne, Dangerfield, Kendrick, Lester, Miller, Moore, Potter and Stroud.--9.

NAYS.--Messrs. Everitt, Gaines, Greer, Jones and Muse.--5.
On motion, the bill was indefinitely postponed.

A message from the house by their chief clerk, respecting several bills and resolutions as having passed the House.

A bill providing for the election of Chief Justices and Sheriffs.--Read first time.

A resolution from the House, requesting the concurrence of the Senate.--Read first time.

A message from the chief clerk of the department of State, reporting the office of Chief Justice of the Republic vacated by the resignation of the honorable T. J. Rusk.

On motion, the Senate went into secret session.

Secret session being over, the Senate adjourned until three o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Moore,

Mr. Dangerfield was added to the committees on Judiciary and Military Affairs.

On motion of Mr. Byrne,

Mr. Everitt was added to the committee on Finance.

By leave, the report of the committee on the Judiciary with an additional section.--Read second time.

Mr. Potter moved an adjournment until 10 o'clock to-morrow, A. M.--motion lost.

A bill to protect assemblies of religious worship.

On motion, it was ordered to lie on the table until to-morrow.

An act concerning change of venue in civil suits.

On motion it was ordered to lie on the table until to-morrow.

A bill to be entitled "an act to repeal certain laws establishing certain mail routes.--Read second time,--

Referred to the committee on Post Offices and Post Roads.

A resolution requesting the President to transmit certain documents.--Read second time.--Adopted.

A bill to be entitled "An act securing the right of appeal from the justices' to the district courts.--Read second time.

On motion, it was referred to the committee on the Judiciary.

A resolution defining the day for electing a board of travelling commissioners east of the Brazos.--Read a second time, and ordered to lie on the table.

A message with accompanying documents addressed to the President of the Senate, was received and read.

A bill to be entitled "An act to amend the 43d. section of the act establishing the jurisdiction and powers of the district courts."--Read first time.

An act for the benefit of Settlers residing near the boundary line of the United States in the counties of Red River and Harrison.--Read first time.

An act to repeal so much of an act approved February 5th, 1840, to enable the surveyors of the several counties to make out and return correct maps of the same.--Read first time.

A bill to be entitled an act to repeal certain parts of an act requiring the Supreme Court to appoint a reporter and to amend the same.--Read first time.

A bill to define in part the duties of District Judges.--Read first time.

An act for the relief of Edward Hugart.--Read first time.

Joint resolution for the relief of Mr. Aiken.--Read first time.

Joint resolution granting further time for the payment of Government dues on lands.--Read first time.

An act concerning divorce and alimony.--Read first time.

Mr. Everitt offered the following resolution :

Resolved by the Senate, That the President be requested to lay before the Senate, a copy of the commissions and instructions given to general James Hamilton in his various capacities of loan commissioner and agent to the Courts of Belgium and Holland; also any other commission that he may have received.--Resolution adopted.

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

TUESDAY, NOV. 17th, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the chair.

Prayer by the Chaplain.

The roll called,--a quorum present.

The Journals were read and adopted.

Mr. Everitt offered a petition from J. H. Walton of the city of Galveston, praying a divorce.--Read first time.

Mr. Everitt moved that a committee of three be appointed, to whom the petition should be referred,--motion carried.

Committee,--Messrs. Everitt, Barnet and Gaines.

The chairman of the committee on the Judiciary reported by bill.--Read second time.

Mr. Moore offered the following resolution :

Resolved, That with the concurrence of the House of Representatives, the Senate on Thursday the 17th day of December next, will adjourn *sine die*.—Read first time.

Mr. Dangerfield moved it lie on the table.

Mr. Moore, by leave, withdrew the motion.

Mr. Stroud offered the following resolution :

Resolved by the Senate and House of Representatives in Congress assembled, That it is the object of this government to remunerate the services of all faithful soldiers :—Therefore,

Be it resolved, That all those soldiers who rendezvoused at Nashville under the call of the Secretary of War, under date July 1840, and who rendered service in pursuit of those Indians carrying off Mrs. Tidwell into captivity, and were honorably discharged, shall be paid for the time they served, and all those persons furnishing provisions for their subsistence, shall be paid as per drafts, assigned by the quarter-master, and there are hereby appropriated ----- thousand dollars for that purpose.---Read first time.

Report of Mr. Everitt, chairman of the special committee to whom was referred a joint resolution appropriating \$30 000, to defray the expenses of marking and running the boundary line between the Republic of Texas and the United States of America. ---Read first time.

On motion, the rule for reports to lie on the table one day was suspended.---Read second time.

On motion of Mr. Everitt, the words "\$20 000 promissory notes" be stricken out, and "\$10 000, par funds," be inserted ; also an additional section.

And be it further resolved, That the commissioner is hereby authorized to draw upon any department of the government for the same.

Fund's amendment adopted.

Mr. Moore offered the following amendment.

That no portion of the said appropriation shall be paid in the promissory notes of the government.

Yeas and Nays called for on the amendment :

YEAS.---Messrs. Miller, Moore.---2.

NAYS.---Messrs. Barnett, Byrne, Dangerfield, Everitt, Gaines, Greer, Kendrick, Lester, Muse and Potter.---10.

Motion lost.

Mr. Everitt offered an amendment.

That the heads of the different departments, are hereby required to hold all par funds now in their possession subject to the order of said commission.---Adopted.

A message from the House requesting the Senate to a seat in the Hall, at 12 o'clock, to proceed to the election of a board of Travelling Commissioners east of the Brazos.

Report of the special committee to whom was referred a joint resolution extending the time for collection of Taxes, &c.--Read first time.--Adopted.

Mr. Moore moved the bill be recommitted,--motion carried.

On motion, Mr. Barnett was added to the committee to whom the bill was referred.

Mr. Greer moved that a committee of three be appointed to wait upon the House and inform them that there had been a joint resolution of the two Houses to hold an election for such a board of commissioners,--Committee,--Messrs. Greer, Gaines and Everitt.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

An act concerning change of venue in civil suits.--Read second time.--Referred to the committee on the judiciary.

A bill to amend the 43d. section of the act establishing the jurisdiction and powers of the District Courts.--Read first time and referred to the committee on the judiciary.

An act for the benefit of settlers residing near the boundary line of the United States in the counties of Red River and Harrison.--Read second time and referred to the committee on Public Lands.

An act to repeal so much of an act, approved February 5th 1840, to enable the Surveyors of the several counties to make out and return correct maps of the same.--Read second time and referred to the committee on Public Lands.

A bill to be entitled an act to repeal certain parts of an act requiring the Supreme Court to appoint a reporter, and to amend the same.--Read second time and referred to the committee on Finance.

A bill to define in part the duties of District Judges.--Read second time and referred to the committee on the Judiciary.

A bill for the relief of Edward Hugart.--Read second time and referred to the committee on claims and accounts.

A message from the House reporting a joint resolution for the election of a board of travelling commissioners east of the Brazos, as having passed the House.

A resolution for the relief of Wm. Aiken.--Read second time and referred to the committee on Public Lands.

A joint resolution granting further time for the payment of government dues on Lands.--Read second time.

Mr. Potter moved an amendment, to strike out the word "six," and insert "twelve."--Adopted.

Mr. Greer offered an amendment to the resolution as amended, that the above law shall be published in all the weekly papers throughout this Republic.--motion lost.

Mr. Greer then moved its reference to the committee on Public Lands.--Carried.

A joint resolution for the election of a board of Travelling Commissioners east of the Brazos.--Read first time.

Rule suspended.--Read second time and referred to the committee on Public Lands.

Mr. Greer moved an adjournment until to-morrow, 10 o'clock, A. M.

WEDNESDAY, November 18th, 1840.

Senate met.

Vice-President in the chair.

Prayer by the chaplain.

The roll being called, a quorum present.

Messrs. Dangerfield, Jones and Moore absent.

The journals of the preceding day were read and adopted.

Mr. Lester offered a petition from Jesse Burnham, praying the passage of a resolution authorizing the acknowledgment of his claim.--Read first time.

Mr. Everitt moved the suspension of the rule.--Read second time.

Mr. Potter moved that a committee of three be appointed to whom the petition should be referred.--Carried.

Committee.--Messrs. Lester, Everitt and Potter.

Report of the chairman of the committee on the Judiciary to whom was referred, An act to define in part the duties of the District Judges.

That as this bill is intended to diminish the salaries of the District Judges upon a contingency, it conflicts with the first section of the fourth article of the constitution, which declares that these Judges at stated periods, receive for their services a compensation not to be increased or diminished for and during the period for which they are elected. The bill also being intended to prescribe a punishment by fine, conflicts with that section of

the constitution, which declares that no citizen shall be deprived of privileges, outlawed, or in any manner disfranchised, except by due course of the law of the land, and of that section which declares that the right of trial by jury shall forever remain inviolate. The committee are of opinion that the only punishment which congress can inflict upon civil officers, created by the constitution, without allowing the trial by jury, is that by impeachment, which extends only to removal from office and disqualification to hold any office of honor, trust or profit, under this government. In view thereof, of these provisions of the constitution, and fully impressed with the necessity of maintaining the spirit of that sacred instrument inviolate, and that in order to do this effectually, the judicial tribunals should remain forever independent of legislative influence and legislative control, the committee recommend that this bill be indefinitely postponed.

Report of the committee on Finance to whom was referred a bill securing the rights of appeal from the Justices' to the District court, report verbally, the bill as referred.

Report of the committee on the Judiciary to whom was referred An act to repeal certain parts of an act requiring the Supreme Court to appoint a reporter, and to amend the same.--Report the bill as referred, verbally.

Also, an act concerning change of venue in civil suits--Report unfavorably.

Report of the special committee to whom was referred a joint resolution extending time for collecting Taxes, &c.,--report the bill with the following amendment: the words "and preceding," be stricken out, and the blank relative to the date be filled, by inserting the "first day of March, 1841," and the word "month" be stricken out.

Report of the special committee to whom was referred the petition of J. H. Walton, praying a divorce.--Report an act for granting a divorce.

Be it enacted by the Senate and House of Representatives of the Republic of Texas, in congress assembled, That the bonds of matrimony consummated on the 4th day of November, 1833, between John H. Walton and Anne Selina Walton, are hereby dissolved and declared void, and to take effect from and after the passage of this act.

Report of the committee on claims and accounts to whom as referred an act for the relief of Edward Hugart,--Report the same to the House for want of vouchers.

ORDERS OF THE DAY.

An act concerning divorce and alimony.--Read second time, --referred to committee on the Judiciary.

An act for the relief of certain free persons of color therein named.—Read second time.

Mr. Everitt moved it be referred to a committee of three,—motion carried.

Committee.—Messrs. Everitt, Kendrick and Moore.

An act to be entitled an act to provide for the election of Chief Justices and Sheriffs.—Read second time.—Referred to the committee on the Judiciary.

A joint resolution providing for the election of a board of Travelling Commissioners east of the Brazos.—Read third time and adopted.

A joint resolution appropriating \$5,000, for the payment of those persons who rendezvoused, rendered services and provisions for subsistence at Nashville, in June 1840.—Read second time and referred to the committee on Military Affairs.

A joint resolution from the House of Representatives requesting the concurrence in the same.—Read third time and passed.

Mr. Greer moved a committee of six be appointed, to act under said joint resolution,—motion adopted.

Committee.—Messrs. Greer, Moore, Lester, Muse, Byrne and Everitt.

A joint resolution appropriating \$10,000, par funds, to defray the expenses of marking and running the boundary line between the Republic of Texas and the United States of America.—Read third time as amended and passed.

Yeas and nays being called for stood thus :

YEAS.—Messrs. Barnett, Byrne, Dangerfield, Everitt, Gaines, Greer, Kendrick, Lester, Muse, Potter.—10.

NAYS.—Messrs. Miller, Moore and Stroud.—3.

An act to protect assemblies for religious worship.—Read second time.

Mr. Greer offered an act to repeal a portion of an act for creating funds for the support of government for the year 1840.—Read first time.

Mr. Greer offered an act to repeal an act to provide for the redemption of the promissory notes, &c., approved.—Read first time.

A bill to be entitled an act for the relief of the purchasers of Austin City and out lots.—Read third time.

On motion was laid on the table until evening.

Mr. Stroud offered the following resolution :

That the Secretary furnish the Senate with the expenses of the same during the recess of congress.—Read first time.

Rule suspended.—Read second time.—Adopted.

Mr. Kendrick moved an adjournment until to-morrow, ten o'clock, A. M.

THURSDAY, November 19th, 1840.

The Senate met pursuant to adjournment.

The Vice-President in the Chair.

The roll called—a quorum present.

Messrs. Byrne and Muse absent.

The Journals of the preceding day were read and adopted.

A message from the House requesting the Senate to reconsider the vote upon the bill providing for the election of a board of travelling commissioners, east of the Brazos.

On motion of Mr. Kendrick,

The Senate reconsidered the bill providing for the election of a board of travelling commissioners east of the Brazos.—Read second time.

Mr. Greer moved an amendment.—Question on the amendment adopted.—Rule suspended—read third time as amended, and passed.

The committee on Public Lands to whom was referred a joint resolution granting further time for the payment of government dues on lands, report the same with amendments.—Also,

A joint resolution for the relief of William Aikin—Reported as referred, and recommended the passage of the same.

The special committee to whom was referred an act for the relief of certain free persons of color therein named, report a substitute, to be entitled an act for the relief of certain free persons of color, and recommend the adoption of the same.

ORDERS OF THE DAY.

An act to be entitled an act changing the name of Lydia Ann Chapman to Mary Ann Chapman Wilson.—Read second time and ordered to be engrossed.

An act to repeal a portion of an act for creating funds for the support of the government for the year 1840.—Read second time and amended.

On motion, the bill was ordered to lie on the table until to-morrow.

A bill to be entitled an act changing venue in civil suits.

The bill was ordered to lie on the table until to-morrow.

A joint resolution extending the payment of Taxes.—Read second time as amended and ordered to be engrossed.

A bill to be entitled an act to repeal certain parts of an act requiring the Supreme Court to appoint a reporter, and to amend the same.—Read second time.

A bill to be entitled an act securing the right of appeal from the justices' to the district courts.—Read second time.

On motion, it was recommitted to a special committee.—Committee, Messrs. Potter, Greer, and Muse.

On motion, the Senate went into secret session.

Secret session being over, Mr. Jones moved an adjournment until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met—roll called—a quorum present—Messrs. Kendrick, and Everitt absent.

An act to repeal an act to provide for the redemption of the promissory notes, &c.—Read second time as amended.

On motion, it was referred to the committee on Finance.

Mr. Muse moved that Mr. Potter be placed on the committee on Finance.

Mr. Potter moved to be excused.—Carried.

On motion, Mr. Barnett was placed on the committee on Public Lands.

A bill for the relief of Edward Hugart.

Report of the committee to whom it was referred was read second time, and on motion was recommitted.

A bill to be entitled an act to define in part the duties of district Judges.—Report of the committee to whom it was referred was read second time.

Question on the adoption of the report. Yeas and nays being called for, stood thus:

Yeas—Messrs. Byrne, Dangerfield, Everitt, Kendrick, Miller, and Moore, 6.

Nays—Messrs. Barnett, Gaines, Greer, Jones, Lester, Muse, Potter, and Stroud, 8. Report rejected.

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

FRIDAY, November 20th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,—A quorum present.—Messrs. Jones and Potter absent.

The journals were read and adopted.

A message from the House by their clerk, informing the Senate of the passage of a number of bills, and request the concurrence of the Senate in the same.

The committee on Public Lands, to whom was referred a bill to be entitled an act for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison, report verbally the bill, without amendment.—Bill read first time.

The committee on the Judiciary to whom was referred an act to amend an act which provides the mode of taking testimony by interrogatories, and provide a mode for taking depositions, report a substitute.—Read first time.

The committee on Military Affairs to whom was referred a joint resolution for the payment of a volunteer company, who rendered services under Capt. Pearson, last summer, report by substitute.—Read first time.

A message from the president was received and handed to the president of the Senate.

On motion of Mr. Barnett,

The Senate took up the bill to be entitled an act for the relief of the purchasers of Austin City and out lots.—Read third time and passed.

Mr. Greer offered the following resolution:

That the committee on Public Lands take into consideration the propriety of issuing patents to the assignees, upon certificates which have been passed and recommended as legal by the board of general commissioners, and report by bill.—Read first time and adopted.

Mr. Barnett offered the following joint resolution:

Be it resolved by the Senate and House of Representatives of the Republic of Texas, in Congress assembled, That the Post-master General be requested not to close any contracts for the carrying of the mail for the year 1841, save the route from the city of Austin to the city of Houston, and one from the city of Austin to the Sabine, until the further action of Congress.—Read first time.

The committee on engrossing and enrolling, report by bill.—Read first time and adopted.

ORDERS OF THE DAY.

A bill to define in part the duties of district Judges.—Report read second time.

On motion, the bill was recommitted to a special committee of three.—Committee, Messrs. Dangerfield, Greer and Potter.

A bill to be entitled an act to protect assemblies for religious worship, read third time by its caption and passed.

An act granting a divorce.—Read second time.

Question on the engrossment of the bill. Yeas and nays called for:

Yeas—Messrs. Everitt, Gaines, Greer, Lester, Miller, Muse, and Potter. 7.

Nays—Messrs. Barnett, Byrne, Dangerfield, Kendrick, and Stroud, 5.

The bill was ordered to be engrossed.

A joint resolution extending the time for the payment of taxes. Read third time and passed.

A substitute report for the relief of certain free persons of color therein named.—Read second time—question on the adoption of the substitute,—substitute adopted.

On motion, the bill was ordered to be engrossed.

Report of the committee on Public Lands, to whom was referred a joint resolution granting further time for the payment of government dues, and return of field notes, was read second time as amended.

Report of the committee to whom was referred a joint resolution for the relief of Wm. Aikin.—Read second time.

An act to repeal a portion of an act for creating funds for the support of the government for the year 1841.—Read third time and passed.

Report of the committee on the Judiciary, to whom was referred an act concerning change of venue in civil suits.—Question on the adoption of the report. Yeas and nays called for.

Yeas—Messrs. Barnett, Byrne, Dangerfield, Everitt, Kendrick, Lester, Miller, and Moore, 8.

Nays—Gaines, Greer, Jones, Muse, Potter, and Stroud, 6.—Lost.

A bill to be entitled an act to repeal certain parts of an act requiring the Supreme Court to appoint a reporter and to amend the same.—Read third time as amended and passed.

An act to repeal an act to provide for the redemption of the promissory notes, &c.—Read second time.

Motion to refer it to the committee on Finance.—Lost.

Mr. Jones offered an amendment.

Be it further resolved, That all laws and parts of laws authorizing the issue of promissory notes of the government, be, and the same are hereby repealed.

Yeas and nays being called for, those who voted in the affirmative, were

Messrs. Jones and Kendrick.—2.

NAYS.—Messrs. Barnett, Byrne, Dangerfield, Everitt, Gaines, Greer, Lester, Moore, Muse and Stroud.—10.

Amendment lost.

On motion, it was then ordered to be engrossed.

Mr. Liveritt introduced an act to provide for the appointment of auctioneers and for the regulation of sales at public auction.—
Read first time.

On motion, the bill was rejected.

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

SATURDAY, November 21st., 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,—a quorum present.

Messrs. Dangerfield, Muse and Stroud, absent.

The journals were read and approved.

REPORTS.

The committee on Public Lands to whom was referred an act to repeal so much of an act approved February 5th, 1840, to enable the surveyors of the several counties to make out and return correct maps of the same; report the bill with amendments and recommend the passage of the same.

Report of the committee to whom was referred a joint resolution for the payment of a volunteer company who rendered services under captain Pearson last summer, was read second time.

On motion, the report of the committee was ordered to lie on the table.

Mr. Kendrick, by leave offered the following resolution:

Resolved, That General Memucan Hunt, be, and is hereby required to settle his accounts as commissioner to run the boundary line between the Republic of Texas and the United States, with the Secretary of the Treasury, and that the Attorney General attend to the same.—Read first time.

Mr. Jones moved to strike out that part of the resolution referring to the Attorney General,—motion carried.

Mr. Kendrick offered an amendment, that the Secretary of the Treasury report as early as practicable to the Senate, the result of the discharge of his duties under this resolution.

Rule having been suspended, the resolution was read a second time as amended and adopted.

Report of the committee to whom was referred a joint resolution suspending the closing of contracts for carrying the mails for the year 1841.—Read second time.

On motion, the rule was suspended for a third and final reading.

Mr. Potter moved a reconsideration of the vote to suspend,—
motion carried.

On motion, the resolution was then recommitted to the committee on Post Roads and Post Offices.

A message from the House reporting a joint resolution and a bill to be entitled an act, as having passed the House, and requesting the concurrence of the Senate in the same.

A joint resolution for the relief of Mr. Aikin.

Mr. Moore offered an amendment.

That the date of approval be inserted.--Amendment adopted.

Resolution read a third time as amended.--Passed.

Mr. Barnett moved the reconsideration of a vote on an act concerning change of venue in civil suits.

Yeas and nays called for.--10 in the affirmative and 3 in the negative.

Those that voted in the affirmative, are

Messrs. Barnett, Byrne, Dangerfield, Everitt, Gaines, Greer, Potter, Muse and Stroud.

In the negative ;--

Messrs. Kendrick, Miller and Moore.

On motion, the bill was ordered to lie on the table until Monday.

The committee on engrossing and enrolling, by leave report by bill.--Report read and adopted.

An act for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison.--Read second time.

Motion for the bill to lie on the table until Monday,--motion lost.

It was then referred to a special committee of three.

Committee.--Messrs. Everitt, Greer and Potter.

By leave, Mr. Stroud offered an act authorizing the Major General to raise volunteers for sixty days, &c.--Read first time.

On motion, the rule was suspended.--Read second time, and referred to the committee on Military Affairs.

A message from the President by Wm. H. Sandusky, Esq., private secretary.

Mr. Everitt offered the following resolution :

Resolved, That the two Houses of congress will meet in the Representative Hall on Monday the 30th inst., to elect a Chief Justice of the Supreme Court of this Republic, for the next four years.--Read first time.

Substitute report of the committee on the Judiciary to whom was referred an act to amend an act which provides the mode of taking testimony by interrogatories, and provides a mode for taking depositions.

Question on the adoption of the report.--Adopted.

Mr. Barnett moved the reconsideration of the vote,--motion carried.

It was then referred to a committee on the Judiciary, to which Mr. Greer was added.

Mr. Everitt offered the following resolution :

Resolved, That it shall always be the duty of every committee to report in writing.---Read and adopted.

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

MONDAY, November 23d, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present,

Messrs. Everitt, Jones and Muse absent.

The journals were read and adopted.

REPORTS.

The special committee to whom was referred an act to amend an act which provides the mode of taking testimony by interrogatories and to provide a mode for taking depositions, report the same with an additional section and recommend the passage of the same.

The chairman of the committee on Military Affairs, to whom was referred an act authorizing the Major General to raise troops for sixty days, &c., report a substitute and recommend the passage of the same.

A message from the House per P. W. Humphries, Chief Clerk, reporting a resolution inviting the Senate to a seat in the Representative Hall at 3 o'clock, for the purpose of electing a board of travelling commissioners east of the Brazos.

Mr. Greer moved that the Senate take up the joint resolution dispensing with the 18th joint rule of the two Houses,--motion carried.

Question occurred on the adoption of the same.--Resolution lost.

On motion, the Senate took up the resolution from the House, inviting the Senate to a seat in the Representative Hall, &c., to which

Mr. Potter offered the following resolution as a substitute :

Resolved, That the Senate at the request of the House of Representatives, will, at three o'clock this afternoon, proceed to the election of three Land Commissioners, to examine the claims east of the Brazos, in accordance with the 18th joint rule of the two Houses.---Read and adopted.

ORDERS OF THE DAY.

A joint resolution for the election of a Chief Justice for the next four years.--Read second time.

Mr. Everitt moved to strike out the words, "meet in the House of Representatives," and insert therein "go into an election."--Read as amended, and adopted.

A joint resolution granting further time for the payment of government dues on lands.--Read third time as amended, and passed.

An act granting divorce.--Read third time.

On motion, it was referred to a special committee.--Messrs. Everitt, Gaines and Kendrick.

A message from the House reporting the passage of two bills with amendments.

The select committee to whom was referred an act securing the right of appeal from the Justices' to the District Courts, report the bill with amendments and recommend the passage of the same.

Mr. Everitt offered the following resolution :

Resolved by the Senate, That a committee be appointed to visit the House of Representatives and respectfully inform the honorable the House of Representatives, that they most solemnly protest against the House of Representatives removing the *injunction of secrecy*, on any subject in which the Senate have had joint action, without the leave of the Senate first obtained.--Read first time.

The report of the committee on public lands to repeal so much of an act, approved February 5th, to enable the surveyors of the several counties to make out and return correct maps of the same.--Read second time as amended.

On motion, it was ordered to lie on the table until called up.

On motion of Mr. Stroud.

The Senate took up the report of the committee on Military Affairs, by suspending the rule that reports lie on the table one day.

Mr. Barnett moved that the report with the bill be recommitted,--motion carried.

An act for the relief of certain free persons of color therein named.--Read 3d time and passed.

An act to repeal an act to provide for the redemption of the promissory notes, &c.--Read third time and passed.

On motion, the Senate went into secret session.

Secret session being over, the Senate adjourned until half-past two o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

Messrs. Dangerfield, Everitt, Jones and Kendrick, absent.

A resolution for the relief of H. K. Muse.—Read first time.

An act concerning change of venue in civil suits.—Read first time and ordered to lie on the table.

An act relative to the duties of the collector of the District of Brazos.—Read first time.

An act to annex the port of San Luis to the District of Brazos.—Read first time.

A bill to be entitled an act concerning free persons of color.—Read first time.

A bill to regulate the granting and trial of injunctions and to empower the judges of the District Courts to submit issues of fact to a jury in chancery cases.—Read first time.

A bill to be entitled an act for the relief of certain heirs.—Read first time.

A bill concerning forcible entries and detainer.—Read first time.

A joint resolution requiring the President to receive into the service of the Republic one company of volunteers; citizens of the county of San Patricio.—Read first time.

An act to be entitled an act supplementary to an act prohibiting the location of fraudulent land certificates, &c., approved February 5th, 1840.—Read first time.

A bill to be entitled an act concerning the powers of the Chief Justices of the county courts.—Read first time.

A message from the President per H. W. Sandusky, Esq., was received and read.

On motion, the messages were referred to the committee on Military Affairs.

On motion, the Senate proceeded to the election of a board of Travelling Commissioners east of the Brazos.

Nominations being in order,

Mr. Potter proposed Mr. Hamlin Williams.

Mr. Kendrick proposed Sidney Sherman.

Mr. Barnett proposed Nathaniel Holbert.

Mr. Stroud proposed Charles S. Raymond.

The House of Representatives proposed in addition to the above, Mr. Benjamin Robinson.

Upon balloting by the Senate the vote stood as follows:

Mr. Hamlin Williams received 12 votes, Mr. Sherman 6, Mr. Holbert 10, Mr. Raymond 3 and Mr. Robinson 5.

A message from the House stating, that upon balloting Mr. Williams received 28 votes, Mr. Sherman 8, Holbert 17, Raymond 27 and Mr. Robinson 13.

On casting up the joint vote of the two Houses it was announced by the President of the Senate, that Mr. H. Williams, Charles S. Raymond and Nathaniel Holbert, were duly elected commissioners to examine the land claims east of the Brazos.

A joint resolution for the relief of Cullen Spivey, deceased.--Read first time.

A bill to be entitled an act to protect assemblies for religious worship.--Read third time as amended and re-amended by the House of Representatives.

Question whether the Senate adhere to its own amendments.

--Question decided in the affirmative.

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

TUESDAY, November 24th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,--a quorum present.

Messrs. Everitt, Jones, and Muse, absent.

The Journals were read and adopted.

REPORTS.

The committee on Military Affairs, to whom was referred the communication from his excellency the President, in relation to the exhausted state of necessary funds in the Quartermaster general's department, report by bill. Report read first time--rule suspended--read second time--rule further suspended--read third time and passed.

The committee on Post Offices and Post Roads, to whom was referred a joint resolution suspending the closing of contracts for carrying the mail for the year 1841, report by bill.--Read first time.

The chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act to provide for the election of chief justices and sheriffs, report the bill with amendments.--Read first time--rule suspended--read second time.

On motion, it was ordered to lie on the table until Monday next.

The committee on the Judiciary to whom was referred an act concerning divorce and alimony, report the bill without amendments.--Read first time.

A message from the House reporting a bill to be entitled an act supplementary to an act, as having passed, and request a concurrence in the same.

The committee on Military Affairs, to whom was referred a joint resolution authorising the major general to raise troops for sixty days, &c., report by a substitute bill.—Read first time—rule suspended for report to lie on the table for one day,—question on the adoption of the report.—Report adopted.

Mr. Potter moved an amendment to strike out the word before beeves, "one hundred," and insert "fifty."—Motion carried.

Mr. Stroud moved that the fifth section be stricken out.—Motion carried.

Motion to suspend the rule and place the bill on the third reading. Yeas and nays called for—five affirmative and eight in the negative. Those that voted in the affirmative are Messrs. Barnett, Greer, Miller, Moore, and Muse.—Those in the negative, Messrs. Byrne, Dangerfield, Everitt, Gaines, Kendrick, Lester, Potter, and Muse.—Motion lost.

Mr. Muse then moved an amendment, to strike out the words "three hundred," before volunteers and insert "one hundred and fifty."—Amendment adopted. Mr. Muse also moved to strike out the words "fifty" before beeves, and insert "twenty-five."—Motion carried. Mr. Greer moved to strike out the words "three hundred," before bushels, and insert "one hundred and fifty;" also, the words "fifty or sixty men," and insert "two companies of seventy-five each." Mr. Kendrick then moved the indefinite postponement of the bill. Yeas and nays called for—those who voted in the affirmative are Messrs. Barnett, Byrne, Dangerfield, Greer, Kendrick, Miller, Moore, Muse, and Stroud,—9. Those that voted in the negative, Messrs. Everitt, Gaines, Lester, and Potter,—4. Bill indefinitely postponed.

On motion of Mr. Potter,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

WEDNESDAY, November 25th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,—a quorum present.

Messrs. Games, Greer, Jones, and Muse, absent.

The journals were read and adopted.

A message from the House, reporting a number of bills as having passed, and request a concurrence of the same.

REPORTS.

The special committee to whom was referred a bill to define in part the duties of the district judges, report the bill with amendments.—Read the first time.

By leave, Mr. Potter introduced a joint resolution authorizing the Secretary of State to draw for the appropriation to run the boundary line.--Read first time--rule suspended--read second time--rule further suspended--read third time and passed.

ORDERS OF THE DAY.

An act concerning divorce and alimony.--Read second time as referred to the committee on the Judiciary, and reported without amendments.

On motion, the bill was recommitted to a special committee.--Committee, Messrs. Kendrick, Everitt, and Dangerfield.

Report of the committee on Public Lands, to whom was referred an act to repeal the first section of an act approved February 5th, 1840, to enable the surveyors of the several counties to make out and return correct maps of the same.--Read second time--question on the adoption of the report.--Report adopted and passed to a third reading.

A message from the House reporting the concurrence of the same in the passage of a joint resolution authorizing the Secretary of State to draw for the appropriation to run the boundary line.

Report of the special committee to whom was referred an act to amend an act which provides the mode of taking testimony by interrogatories, &c.--Read second time. Question on the adoption of the report--report adopted and ordered to be engrossed.

Report of the select committee, to whom was referred a bill to be entitled an act securing the right of appeal from the justices' to the district courts.--Read second time. Question on the adoption of the report.--Report adopted.

Mr. Moore offered the following amendments :

1st. *Be it further enacted*, That no person shall be sued before a justice of the peace, for any debt contracted without the limits of this Republic.--Amendment adopted.

2d. *Be it further enacted*, That no justice of the peace shall issue execution against real estate on lands of any description, but only against the personal property of the defendant in any suit instituted in the court of said justices of the peace.--Amendment lost.

On motion, the bill was recommitted to a special committee. Committee--Messrs. Everitt, Kendrick, and Moore.

Resolution appointing a committee to wait upon the House and represent to them their solemn protest against the House of Representatives removing the injunctions of secrecy, &c.--Read second time.

On motion, the resolution to lie on the table--motion lost.

Question on the adoption of the resolution. Yeas and nays called for. Those that voted in the affirmative are Messrs. Barnett,

Byrne, Dangerfield, Everitt, Kendrick, Lester, Miller, Muse, and Stroud--9. Those that voted in the negative are, Messrs. Greer, and Potter--2.

Resolution adopted. Committee--Messrs. Muse, Everitt, and Dangerfield.

Mr. Moore moved that the Senate take up the joint resolution from the House, requesting the concurrence of the Senate in removing the injunction of secrecy, imposed by the fourth Congress. Yeas and nays called for. Those that voted in the affirmative are, Messrs. Byrne, Everitt, Kendrick, Moore, and Stroud--5. Those in the negative are, Messrs. Barnett, Dangerfield, Greer, Lester, Miller, Muse, and Potter--7. Motion lost.

Mr. Stroud moved the Senate reconsider the vote given yesterday on the joint resolution authorizing the raising of troops for sixty days, &c.--Motion lost.

An act to protect certain free persons of color therein named.--Read second time.

Mr. Everitt moved that the bill lie on the table--motion carried.

An act relative to the duties of of the collector of the district of Brazos.--Read second time.

On motion, it was referred to the committee on Finance.

Mr. Stroud offered a joint resolution that the sheriffs of Milam, and Robinson counties, be authorized to return to the citizens of said counties the taxes collected for the year 1840.--Read first time.

Mr. Everitt moved that the Senate adjourn until Monday, 10 o'clock, A. M. Yeas and nays called for. Those that voted in the affirmative are, Messrs. Barnett, Byrne, Dangerfield, Everitt, Greer, Kendrick, Lester, Miller, Potter, and Stroud--10. Mr. Moore voted in the negative--1.

The Senate adjourned.

MONDAY, November 30th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,--a quorum present.

Messrs. Jones and Muse absent.

The journals of Wednesday, November 25th, were read and adopted.

Mr. Dangerfield offered a petition from Jesus Garcia, praying for a pension.

Mr. Dangerfield moved that the petition be referred to the committee on military affairs without reading,—motion carried, with power to send for persons and papers.

A message from the executive, the president, per W. H. Sandusky, Esq., was received.

The special committee to whom was referred the petition of Jesse Burnham, report by bill.—Read first time. Report adopted.

Mr. Moore moved it be made the special order of the day, to-morrow.

Mr. Potter offered the following resolution :

Resolved, That the Attorney General be requested to lay before the Senate as early as practicable, an explanation of the proceedings before the district court of Bastrop, at its late session, which resulted in issuing a *mandamus* to the Commissioner of the General Land Office, requiring him to issue a patent for certain portions of Galveston Island, and that the said Attorney General is hereby requested to take the proper legal steps to protect the interests of the Republic in this behalf.—Read first time—rule suspended—read second time.

Mr. Moore then moved an amendment by striking out all of the resolution after Galveston Island.—motion lost,—Rule suspended and passed.

A message from the House by their chief clerk, reporting a number of bills as having passed, and request the concurrence of the same.

By leave, Mr. Jones offered a bill to be entitled an act of limitations.—Read first time.

On motion of Mr. Everitt, the Senate went into secret session. Secret session being over, the Senate adjourned until 3 o'clock.

MONDAY, THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

Messrs. Jones and Miller absent.

On motion of Mr. Kendrick,

The Senate went into secret session.

Secret session being over, the Senate adjourned until 10 o'clock to-morrow, A. M.

TUESDAY, December 1st., 1840.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Haynie.

The roll called--a quorum present.

Messrs. Barnett and Muse absent.

The journals were read and adopted.

Mr. Dangerfield offered a petition from a number of the citizens of Austin, praying the incorporation and chartering of fifty men, to be known and styled as the Santa Fé and Chihuahua Trading Company.

On motion, it was referred to the committee on Military Affairs.

Mr. Greer offered a petition from W. T. Jackson, praying for relief.

On motion, it was referred to the committee on Public Lands.

REPORTS.

The chairman of the committee on the Judiciary, to whom was referred an act to amend the 43d section of an act establishing the jurisdiction and powers of the district courts, report the bill without amendments, and recommend the passage of the same.

Mr. Miller, by leave, offered a bill to be entitled an act for the relief of those having surplus lands within the limits of their surveys.—Read first time.

Mr. Muse offered an act to abolish the salaries of district attorneys.—Read first time.

Mr. Muse offered the following resolution :

Resolved by the Senate, That from and after the passage of this resolution, it shall not be lawful to appropriate the Senate chamber to the use of a feasting or ball-room, and particularly during the session of Congress.—Read and adopted.

Mr. Lester offered an act providing for the permanent location and settlement of the Lipan and Tonkewa tribes of Indians.—Read first time.

Mr. Everitt offered the following joint resolution :

Resolved, That the Senate and House of Representatives will go into an election for medical censors on Friday next, at 11 o'clock, to fill such vacancies as may now exist in the different districts of this Republic.—Read first time.

Mr. Barnett moved that the Senate take up the message received on yesterday, from the executive, the President.—Motion lost.

Mr. Kendrick moved that the Senate take up the orders of the day.—Motion carried.

The report of the committee to whom was referred the joint resolution for the relief of Jesse Burnham, was read.

On motion of Mr. Everitt,

The Senate took up the bill without the report.

On motion of Mr. Muse,

The Senate adjourned until 3 o'clock, P. M.

TUESDAY, THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

Messrs. Everitt, Jones, Muse, and Miller absent.

The Senate resumed the consideration of the bill under discussion, prior to adjournment.

Mr. Greer moved the indefinite postponement of the bill.

Yeas and nays called for.—Those that voted in the affirmative are Messrs. Barnett, Gaines, Greer, Moore, Stroud—5. Those that voted in the negative are Messrs. Byrne, Dangerfield, Everitt, Kendrick, Lester, Miller, Muse, and Potter—8.—Motion lost.

Mr. Dangerfield offered an amendment, providing that nothing herein contained, shall bind the Republic to pay the same until such time after the expiration of ten years from this date as shall suit the public convenience.—Amendment adopted.

Mr. Muse then offered an amendment by striking out the words \$3,375, and insert \$1,875.

Mr. Kendrick moved the bill lie on the table.—Motion carried.

Mr. Barnett moved an adjournment until 10 o'clock to-morrow, A. M.

WEDNESDAY, December 2d, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,—a quorum present.

Mr. Muse absent.

The journals of the preceding day were read and adopted.

REPORTS.

The chairman of the committee on claims and accounts, to whom was referred a bill for the relief of Edward Hugart, report unfavorable.

The chairman of the committee on Public Lands, report in part a bill to be entitled an act to quiet the land titles within the twenty frontier leagues bordering on the United States of the North.—Read first time.

A message from the house, by their chief clerk, reporting a joint resolution, repealing an act compensating officers of the civil list, passed and approved on the 9th day of December, 1836, as relates to chief justices of the Republic, as having passed by the suspension of the rules, and request a concurrence of the Senate in the same.

Mr. Everitt introduced the following acts :

- 1st. An act for disbanding the regular army.—Read first time.
- 2d. An act for reducing the number of post offices.—Read first time.
- 3d. An act for laying up the navy in ordinary.—Read first time.
- 4th. An act to suspend the issue of promissory notes of the government.—Read first time.

Mr. Moore moved the rejection of the bill.—Motion carried.

Mr. Jones introduced the following joint resolution :

Resolved, That with the concurrence of the House of Representatives, both houses of Congress will adjourn on Saturday next, the 5th inst. *sine die*.—Read first time.

The chairman of the special committee to whom was referred an act concerning divorce and alimony, beg leave to return the same without amendment, and recommend its indefinite postponement.

A message from the House by their chief clerk, reporting the joint resolution for the election of chief justice, as having passed with an amendment, by the suspension of the rules, and request a concurrence in the same.—Also a number of other bills in like manner.

Mr. Kendrick offered the following resolution :

Resolved, That the commissioner of the General Land Office be requested to lay before the Senate all information in his possession, in relation to the recent granting a patent of upwards of eighteen thousand acres of land, on Galveston Island, heretofore reserved, surveyed and ordered to be sold, by Congress.—Read first time.

Mr. Dangerfield offered the following resolutions :

1st. *Resolved by the Senate*, That the committee on Public Lands be instructed to report to the Senate a bill providing for the limitation of time within which the present floating claims for land shall be located, so that the unclaimed portion of this national domain may be fixed and ascertained at the earliest probable period.—Read first time.

2d. *Resolved*, That the committee on Finance, be instructed to enquire, ascertain, and report to this House, as far as may be

practicable, the quantity of national domain which will belong to this Republic, after the satisfaction of all the claims against it.—Read first time.

ORDERS OF THE DAY.

On motion, the Senate took up the joint resolution to repeal so much of an act compensating officers of the civil list, passed and approved on the 9th day of December, 1836, as relates to chief justice of the Republic.—Read first time. Rule suspended—read second time.

Mr. Jones offered an amendment by striking out the second section.—Adopted.

Mr. Greer offered an amendment to the first section, by adding "any law to the contrary notwithstanding."—Adopted.

Mr. Muse moved the indefinite postponement of the bill.—Motion lost.

Mr. Kendrick moved that "par funds" be inserted after the words "dollars."—Motion lost.

Mr. Everitt moved the farther suspension of the rule to the bill on its third and final reading.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Barnett, Dangerfield, Everitt, Gaines, Greer, Jones, Lester, Moore, and Stroud—9. Those in the negative are Messrs. Kendrick, Muse, and Potter—3. Motion carried.

Question on the passage of the same.

Yeas and nays called for. Those that voted in the affirmative, are Messrs. Barnett, Gaines, Greer, Moore, and Stroud—6. Those who voted in the negative are Messrs. Dangerfield, Kendrick, Lester, Jones, Muse, and Potter—6. The President decided in the negative.

Mr. Jones moved that the Senate adjourn until 3 o'clock.—Motion lost.

On motion of Mr. Potter,

The Senate went into secret session.

Secret session being over, the Senate adjourned to 3 o'clock, P. M.

WEDNESDAY, THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

Messrs. Byrne and Jones absent.

A joint resolution for electing a chief justice, was read as amended by the House.

On motion, the Senate concurred in the amendments by the House.

Report of the chairman of the committee on Engrossing and Enrolling, was read and adopted.

A bill to be entitled an act to authorize the 2d Auditor and Comptroller to pass the accounts of the Postmaster General.—Read first time. Rule suspended—read second time.

On motion, the bill was then referred to the committee on Post Offices and Post Roads, with instructions to report as soon as practicable.

A joint resolution for the relief of the clerks employed in the several departments and bureaus of the government.—Read first time. Rule suspended—read second time. Rule further suspended—read third time and passed.

An act to amend an act which provides the mode of taking testimony by interrogatories, and provide a mode for taking depositions.—Read third time and passed.

An act to repeal the first section of an act approved February 5th, 1840, to enable the surveyors of the several counties to make out and return correct maps of the same.—Read third time and passed.

On motion of Mr. Kendrick,

The Senate took up the bill to be entitled an act for the relief of certain free persons of color therein named.—Read second time.

Mr. Kendrick moved an amendment to the bill by inserting after the word "residence," "now residing in Jackson County."—Adopted.

Mr. Kendrick moved the bill be passed to a third reading.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Byrne, Everitt, Kendrick, Lester, Miller, Moore, and Potter—7. Those in the negative are Messrs. Barnett, Dangerfield, Gaines, Greer, Muse, and Stroud—6.—The motion carried.

Mr. Potter then moved the Senate go into secret session.

Secret session being over, the Senate adjourned until 10 o'clock to-morrow, A. M.

THURSDAY, December 3d, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

Messrs. Byrne and Jones absent.

The journals of the preceding day were read and adopted.

Mr. Miller introduced a petition signed by a number of the citizens of the counties of Harris, Galveston and Fort Bend, with

an accompanying bill to be entitled An act to Incorporate the Harrisburg Rail Road and Trading Company.—Read first time.

A message from the House reporting a number of bills and resolutions as having passed, and request a concurrence in the same.

The chairman of the committee on Post Offices and Post Roads to whom was referred a bill to be entitled an act to authorize the Second Auditor and Comptroller to pass the accounts of the Postmaster-General, report the bill without amendments and recommend the passage of the same.

On motion, the bill was ordered to lie on the table.

On motion, the Senate took up the message from his excellency, the President, and accompanying documents from the Secretary of War. The same were read and referred to the committee on Military Affairs.

Mr. Potter offered the following resolution :

Resolved, That the Postmaster-General be requested to transmit to the Senate a statement of the accounts of his department, which remain unaudited for want of authority, under the laws already enacted in relation to the Post Office department.—Read first time.

The communication from his excellency the President, and accompanying documents from the land commissioners, were read and referred to the committee on Finance.

The communication from the Secretary of the Treasury, and accompanying documents of General Memucan Hunt, were read and referred to a special committee.

Committee.—Messrs. Kendrick, Everitt and Barnett.

ORDERS OF THE DAY.

A joint resolution extending the time for collecting Taxes.—Read third time as amended by the House.

Question on concurring in the amendment. Amendment concurred in.

An act for the relief of those who have surplus lands in their surveys of land.—Read second time.

On motion, it was referred to the committee on Public Lands.

An act providing for the permanent location of the Lipan and Tonkewa Indians.—Read third time and referred to the committee on Indian Affairs.

A joint resolution fixing the day for the election of Medical Censors.—Read second time and referred to the committee on Post Offices and Roads.

Petition of Wm. T Jackson, read second time and referred to the committee on Public Lands.

A bill to amend the 43d section of the act establishing the jurisdiction and powers of the District Courts.--Read second time. On motion, the Senate adjourned until 3 o'clock, P. M.

THURSDAY, THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,--a quorum present.

Messrs. Muse and Greer, absent.

The Senate, on motion, waived the further consideration of the bill under discussion prior to adjournment.

Mr. Dangerfield introduced an act as to the payment of taxes in the frontier counties.--Read first time.

An act to abolish the salaries of district attorneys.--Read first time and referred to the committee on the Judiciary.

A bill to be entitled an act to provide for the election of chief justices and sheriffs.--Read as amended and ordered to lie on the table.

An act of limitations.--Read second time and referred to the committee on the Judiciary.

A joint resolution for the relief of K. H. Muse.--Read second time and ordered to lie on the table.

A joint resolution for the relief of the legal heirs of Cullen Spivy, deceased.--Read second time and referred to the committee on claims and accounts.

A bill to be entitled an act supplementary to an act prohibiting the location of fraudulent land certificates, &c., approved February 5th, 1840.--Read second time and referred to the committee on Public Lands.

A resolution authorizing the sheriffs of Robertson and Milam counties to return the taxes for the year 1840.--Read second time.

Mr. Stroud then offered a substitute, that the sheriffs of Bexar, Travis, Milam, Robertson, and Houston counties, be required to return the taxes for the year 1840.--Substitute adopted, and referred to the committee on Military Affairs.

A bill to be entitled an act concerning the powers of chief justices of the county courts.--Read second time and referred to the committee on the Judiciary.

An act to annex that part of San Luis to the district of Brazos. Read second time and passed to a third reading.

A bill to be entitled an act for the relief of certain heirs.-- Read second time and passed to a third reading.

A joint resolution requiring the President to receive in the service of the Republic, one company of volunteers, citizens of the county of San Patricio.—Read second time and referred to the committee on Military Affairs.

A substitute report of the committee on Post Offices and Roads, on a joint resolution suspending the closing of contracts for carrying the mails for 1841.—Read second time and referred to the committee on Post Offices and Roads.

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

FRIDAY, December 4th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,—a quorum present.

Messrs. Everitt, Kendrick and Muse, absent.

The journals of the preceding day were read and adopted.

The committee on the Judiciary, to whom was referred a bill to be entitled an act concerning the powers of chief justices of the county courts, report the same with amendments, and recommend the passage of the same.

The committee on Post Offices and Roads, to whom was referred a joint resolution suspending the closing of contracts for carrying the mails, report a substitute. Also,

A joint resolution fixing the day for the election of medical censors, recommend the indefinite postponement of the joint resolution, and furthermore recommend the repealing of the act.

The committee on Public Lands, to whom was referred the petition of Wm. T. Jackson, report by bill unfavorably.

The committee on claims and accounts, to whom was referred an act for the relief of Cullen W. Spivey, report by bill unfavorably.

The committee on Foreign Relations, to whom was referred the communication from his Excellency the President, with accompanying documents, report, that in their opinion they can take no further action in the premises, except respectfully to recommend a convention.

Mr. Stroud introduced a resolution requiring certain information with regard to the Coshatte and Alabama Indians.—Read first time—rule suspended and passed.

ORDERS OF THE DAY.

A resolution granting further time for the payment of government dues and field notes.—Read as amended by the House. Question on the concurrence—adopted.

The communication from the Attorney General was read and referred to a special committee.

Committee—Messrs. Dangerfield, Potter, and Jones.

A bill to be entitled an act to protect assemblies for religious worship.—Read as amended by the Senate and re-amended by the House, with request to appoint a committee of conference.

On motion, Messrs. Barnett, Dangerfield and Stroud were appointed said committee.

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

SATURDAY, December 5th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,—a quorum present.

Messrs. Byrne, Everitt, Miller, and Muse, absent.

The journals of the previous day were read and adopted.

Mr. Potter moved that a committee be appointed to wait upon the House and request the return of a bill relating to the salary of chief justice.—Motion carried.

Committee—Messrs. Potter, Greer, and Kendrick, who repaired to the House—returned and reported the unanimous concurrence of the House in the same.

Mr. Lester introduced an act establishing a standard of weights and measures for the Republic of Texas.—Read first time.

The committee to whom was referred a bill to be styled an act to abolish certain offices therein named, and to fix the military and naval establishments of the Republic, report in part, that the office of Adjutant and Inspector General, and Surgeon General be abolished.

On motion, the Senate reconsidered the vote upon the joint resolution to repeal so much of an act compensating officers of the civil list, passed and approved the 9th day of December, 1836, as relates to chief justices of the Republic.—Read third time and passed.

A message from the House reporting a number of bills and resolutions as having passed. Also,

A resolution requesting the Senate to suspend the 18th joint rule of the two houses for the purpose of electing a chief justice.

A message from the House by the Hon. Mr. Harrison, inviting the Senators to a seat in the Representative Hall, for the purpose of going into an election for chief justice.

On motion, the Senate suspended the 18th joint rule of the two houses, accepted the invitation, and appointed Messrs. Ever-

itt, Gaines, and Byrne as a committee to wait upon the House and inform them of the same.

ORDERS OF THE DAY.

An act for the relief of certain heirs.--Read third time and passed.

A bill to be entitled an act to incorporate the Harrisburg Rail Road and Trading Company.--Read and referred to the committee on Public Lands.

An act to annex the port of San Luis to the district of Brazos. Read third time and passed.

A resolution from the House requesting the appointment of a committee to act in conjunction with such a committee from the House, for the purpose of taking into consideration the propriety of a war with Mexico.

Mr. Moore moved the bill lie on the table for ten days.--Motion lost.

Mr. Gaines moved the indefinite postponement.--Motion lost.

Mr. Jones then moved the adoption of the resolution.--Resolution adopted.

Mr. Moore moved the committee consist of five.--Motion lost.

Mr. Muse moved that the committee consist of three.--Motion carried.

Committee.--Messrs. Muse, Lester, and Byrne.

On motion, Mr. Muse was excused and Mr. Dangerfield was added to said committee.

By leave, Mr. Dangerfield introduced a resolution requesting the Secretary of State to lay before the Senate the correspondence between his department and Gen'l James Hamilton, in relation to his negotiation with the European powers.

A joint resolution removing the injunction of secrecy from the acts of the last Congress, passed in secret session.

Mr. Barnett moved the indefinite postponement of the bill.--Motion carried.

A bill to be entitled an act supplementary to an act to detect fraudulent land certificates, &c.--Read first time.

A bill to be entitled an act supplementary to an act to provide for the punishment of crimes and misdemeanors committed by slaves and free persons of color.--Read first time.

A joint resolution for the relief of Freeman George, late assessor for the county of Colorado.--Read first time.

A bill to be entitled an act to discontinue and abolish certain ports of entry, and establish in lieu thereof, a port to be called Port Calhoun.--Read first time.

An act to provide for the holding of an adjourned session of the Supreme Court in the eastern section of this Republic.--Read first time.

Joint resolution for the relief of Thomas Woods.--Read first time.

A bill to be entitled an act granting a donation of land to actual settlers on or near the military road on the northern frontier. Read first time.

A bill to be entitled an act to repeal the two joint resolutions of Congress, in secret session, on the subject of establishing amicable terms with Mexico, and for other purposes.

Mr. Greer moved the dispensing with the reading of the bill, and defer it until secret session.--Motion carried.

A bill to be entitled a joint resolution granting a league of land to Jesse Thompson.--Read first time.

A bill to be entitled an act to provide for the navigation of the Guadalupe River.--Read first time.

Mr. Moore moved a call for the House.

Roll called.--Messrs. Everitt and Jones absent.

The Senators repaired to the House of Representatives.

The roll called--a quorum present.

The president of the Senate announced nominations for chief justice to be in order, for which Mr. Jones nominated John Hemphill.

Mr. Everitt, James Webb.

On balloting by the Senate, the vote was seven each.

The House then voted, which gave Mr. Hemphill 21--Mr. Webb, 19.

On casting the votes of the two houses, Mr. Hemphill received 28--Mr. Webb, 26.

The speaker then announced Mr. Hemphill duly and constitutionally elected chief justice of the Republic of Texas, for the next four years.

Those who voted for Mr. Hemphill are Messrs. Byrne, Dangerfield, Gaines, Greer, Muse, and Stroud.

Those for Mr. Webb--Barnett, Everitt, Kendrick, Lester, Miller, Moore, and Potter.

The Senators then returned to the chamber.

The roll called--a quorum present.

Mr. Jones moved the Senate adjourn until Monday, 10 o'clock, A. M.

Yeas and nays called for. Those who voted in the affirmative are Messrs. Byrne, Dangerfield, Everitt, Jones, Kendrick, Lester, and Miller--7.

Those in the negative are Messrs. Barnett, Greer, Gaines, Moore, Muse, Potter, and Stroud--7.

The Senate then adjourned.

MONDAY, December 7th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,—a quorum present.

Messrs. Muse and Potter absent.

The journals read and adopted.

Mr. Moore introduced a petition signed by a number of persons of Harris county, praying the repealing an act approved January 25th, 1840.—Read first time and referred to committee on Public Lands.

A message from the House reporting a joint resolution for the relief of David Rusk, Sheriff of Nacogdoches county, as having passed, the rules being suspended.

Mr. Jones offered a joint resolution supplementary to a joint resolution, for the relief of the purchasers of Austin City and out lots.—Read first time.

Rule suspended, read second time.

Mr. Stroud moved an amendment, "provided the purchasers of said forfeitures pay ten per cent.—Motion lost.

Mr. Kendrick moved an amendment by striking out the word "March," and inserting "10th February.—Adopted.

On motion, the rule was further suspended.—Read third time as amended and passed.

On motion, the Senate took up a joint resolution for the relief of David Rusk, Sheriff of Nacogdoches county.—Read first time and referred to the committee on Finance.

Mr. Jones introduced an act regulating a bill of exemptions.—Read first time.

Mr. Everitt, chairman of the committee to whom was referred the documents from the Secretary of the Treasury and General Memucan Hunt, filed his report and the accompanying documents with the Secretary of the Senate.

The chairman of the committee on Military Affairs to whom was referred the communication of the Secretary of War and accompanying documents report a joint resolution transferring funds that were appropriated for the subsistence of cavalry to the Quartermaster General's department for the use of the infantry.—Read first time.

ORDERS OF THE DAY.

Joint resolution appropriating five thousand dollars for the contingent expenses of both Houses of Congress.—Read first time.

Mr. Everitt moved the Suspension of the Rule.—Motion lost.

The bill passed to second reading.

A bill to be entitled an act to quiet the titles within the twenty frontier Leagues, bordering on the United States of the North.—Read first time.

On motion, the bill was ordered to lie on the table for to-morrow.
A bill to be entitled an act to provide for the election of Chief Justices and Sheriffs.--Read first time.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,--a quorum present.

Messrs. Everitt, Gaines, Kendrick and Lester absent.

On motion, the Senate resumed the consideration of the bill under discussion prior to adjournment.

On motion of Mr. Moore, the bill was ordered to lie on the table.

Mr. Potter moved an adjournment until 10 o'clock to-morrow, A. M.--Motion lost.

Mr. Everitt offered the following resolution :

Resolved, That the Senate, with the consent of the House of Representatives, will go into an election on Wednesday next at 11 o'clock, for a public printer for the year 1840 and 1841.--Read first time.

On motion, the Senate went into secret session.

Secret session being over,

The Senate adjourned until 10 o'clock to-morrow, A. M.

TUESDAY, December 8th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,--a quorum present.

The Journals were read and adopted.

Mr. Barnett offered a petition from John M. Bailey, praying the privilege of working a silver mine.

On motion, it was referred to a special committee of Messrs. Barnett, Lester, and Gaines.

The chairman of the committee on Public Lands, to whom was referred a petition of a number of persons of Harris county, report the bill without amendment.

Mr. Jones introduced an act prescribing the mode in which married persons may dispose of their separate property.--Read first time.

Mr. Muse, chairman of the committee to whom was referred a joint resolution for the relief of David Rusk, sheriff of Nacogdo-

ches county, report the bill without amendment.--Rule suspended--read second time. Rule further suspended--read third time and passed.

On motion of Mr. Barnett,

The Senate took up the bill to be entitled an act to provide for the election of chief justices and sheriffs.

Mr. Moore moved an amendment as a substitute to second and third sections, that should the office of chief justice at any time become vacated, by death, resignation or other causes, the President be and is hereby authorized to fill all such vacancies by and with the advice and consent of the Senate, hereafter to appoint all chief justices to office.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Miller, and Moore--5.

Those in the negative are Messrs. Barnett, Gaines, Greer, Jones, Lester, Muse, Potter, and Stroud--8.--Motion lost.

Mr. Muse moved the rejection of the bill.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Moore and Muse--5.

Those in the negative are Messrs. Barnett, Gaines, Greer, Jones, Lester, Miller, and Stroud.--Motion lost.

Mr. Moore moved an amendment that the chief justices of the county courts shall not hereafter perform the duties of judges of probate, but from and after the passage of this act, the judges of probate shall be appointed by the President by and with the advice and consent of the Senate: and all parts of laws contrary to the provisions of this act, be and the same are hereby repealed. Amendment lost.

Mr. Potter offered an amendment that the chief justices henceforth be styled the chairman of the county court, and all the powers and duties heretofore devolving by law on the chief justices of the county courts, shall be hereafter exercised and performed by the chairman of the county courts.

Mr. Moore moved an additional amendment, that the chairman of the county court shall be selected by a majority of the justices of the peace of each county.

Mr. Dangerfield moved that the bill be committed to a special committee.--Motion carried.

Committee.--Messrs. Dangerfield, Potter, and Barnett.

A message from the House reporting a number of bills and resolutions as having passed, the rules having been suspended.

On motion of Mr. Stroud,

The Senate took up the bill to be entitled an act to authorize Gen'l E. Morehouse to accept the services of three hundred volunteers, to dislodge the Indians embodied on the upper waters of the Brazos.--Read first time.

Mr. Stroud moved the suspension of the rule.—Motion lost and ordered to a second reading.

ORDERS OF THE DAY.

A bill to be entitled an act to quiet the land titles within the twenty frontier leagues bordering on the United States of the North.

On motion, the bill was made the special order of the day to-morrow.

Joint resolution transferring funds that were appropriated for the subsistence of cavalry, to the Quartermaster General's department, for the use of the infantry.—Read first time.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

Messrs. Everitt, Greer, Jones, and Muse absent.

Mr. Stroud moved that the bill under discussion prior to adjournment lie on the table for the present.—Motion carried.

A bill to be styled an act to abolish certain officers therein named and fix the military and naval establishment of this Republic.—Read by sections.

Mr. Moore moved an amendment to strike out all of the first section after Navy department.—Adopted. Also in second section after Land Office.—Adopted. In third section all after belonging to that office.—Adopted. In the fourth section, after, belonging to that office.—Adopted.

Sixth section, Mr. Stroud moved to strike out "three hundred" and insert "four hundred."

Yeas and nays called for. Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Potter, and Stroud—5.

Those in the negative Messrs. Barnett, Everitt, Gaines, Greer, Lester, Miller, Moore, and Muse—5.—Motion lost.

Mr. Greer moved to strike out "three hundred" and insert "two hundred."

Yeas and nays called for. Those in the affirmative are Messrs. Barnett, Gaines, Everitt, Greer, Lester, Miller, Moore, and Stroud—8.

Those in the negative are Messrs. Byrne, Dangerfield, Kendrick, Muse, and Potter—5.—Motion carried.

Mr. Everitt then offered a substitute for the section, that the army is hereby disbanded. This section to take effect from and after the passage of this act.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Barnett, Byrne, Dangerfield, Everitt, Gaines, Miller, and Muse—7.

Those in the negative are Messrs. Greer, Kendrick, Lester, Moore, Potter, and Stroud—6.—Substitute adopted.

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

WEDNESDAY, December 9th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

Messrs. Everitt, Jones, and Muse, absent.

The Journals were read and adopted.

The chairman of the special committee to whom was referred the petition of John M. Bailey, report by bill.—Read first time.

A message from the House reporting a bill for the relief of Wm. Donaho.—Read first time.

On motion, the Senate took up the bill for the relief of Wm. Donaho.—Read first time.

ORDERS OF THE DAY.

The Senate resumed the consideration of the bill to abolish certain offices therein named, which was under discussion prior to adjournment.

Mr. Moore moved an amendment to the seventh section, to strike out the words "threaten and attack" and insert "or armed vessel of Mexico shall be found cruizing."—Also, the words "one hundred and thirty subordinate officers and seamen," and insert "and to number of seamen and subordinate officers, not exceeding one hundred and thirty."—Adopted.

Mr. Moore offered an additional section, that the Adjutant and Inspector General, and Surveyor General, be and the same are hereby abolished.

Mr. Dangerfield moved the reconsideration of the vote abolishing the regular army.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Lester, Miller, Moore, Potter, and Stroud—8.

Those in the negative are Messrs. Barnett, Everitt, Gaines, Greer, and Muse—5. Motion carried.

Mr. Greer moved that the sixth section be stricken out.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Barnett, Gaines, Greer, Kendrick, Miller, and Muse—6.

Those in the negative are Messrs. Byrne, Dangerfield, Lester, Moore, Potter, and Stroud—6. Motion lost.

Mr. Potter offered an amendment by inserting "and the Secretary of War is hereby authorized and required to discharge from the service such portion of the regular troops over the number of three hundred men herein provided for, as in his discretion may be best dispensed with, *provided moreover*, that nothing in this act contained, shall be construed so as to authorize any other discharge of the troops than that herein provided for.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Potter, and Stroud—7.

Those in the negative are Messrs. Barnett, Greer, Gaines, Miller, and Muse—5. Adopted.

Mr. Muse moved that the words "Postmaster General" be stricken out.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Gaines, Greer, Kendrick, Miller, and Muse—5.

Those in the negative—Byrne, Dangerfield, Lester, Moore, Potter, and Stroud—6. Motion lost.

Mr. Greer moved the bill lie on the table until Monday next.—Motion carried.

By leave, Mr. Everitt tendered his resignation as Senator from Jasper and Jefferson counties, which was read and received.

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

THURSDAY, December 10th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

Mr. Muse absent.

The Journals read and approved.

The special committee to whom was referred the claims and accounts of of Gen'l. Memucan Hunt, report a counter report to the chairman of said committee.—Read first time.

The committee to whom was referred a bill to be entitled an act to provide for the election of chief justices and sheriffs, report the bill without amendments.

On motion, the rule for reports to lay one day upon the table was suspended and ordered to a second reading.

Mr. Kendrick moved the indefinite postponement of the bill.

Yeas and nays called for. Those that voted in the affirmative were Messrs. Byrne, Dangerfield, Kendrick, Lester, Miller, Moore, and Muse—7.

Those in the negative were Messrs. Barnett, Gaines, Greer, Potter, and Stroud—5. Carried.

A message from the House reporting an act for the relief of Wm. T. Wilson, sheriff of Galveston, as having passed, the rules being suspended.

A communication from the Chaplain, asking leave of absence for a few days, was read and request granted.

ORDERS OF THE DAY.

A resolution requesting the Secretary of State to lay before the Senate certain information therein named.—Read second time and passed.

A bill to be entitled an act to quiet land titles within the twenty frontier leagues bordering on the United States of the North.—Read second time as amended and ordered to a third reading.

A message from the House reporting an act for the relief of R. J. Calder, sheriff of Brazoria county, as having passed, the rules being suspended.

An act for the relief of Wm. T. Wilson, sheriff of Galveston county.—Read first time. Rule suspended—read second time and referred to the committee on claims and accounts.

An act for the relief of R. J. Calder, sheriff of Brazoria county.—Read first time. Rule suspended—read second time and referred to the committee on claims and accounts.

An act for the relief of Wm. Donoho.—Read second time and referred to the committee on claims and accounts.

A bill to be entitled an act to authorize Gen'l. E. Morehouse to accept the services of three hundred volunteers, to dislodge the Indians embodied upon the upper waters of the Brazos river.—Read second time as amended and referred to the committee on military affairs.

A joint resolution appropriating five thousand dollars for defraying the contingent expenses of both houses of Congress.—Read second time. Rule suspended—read third time and passed.

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

FRIDAY, December 11th, 1840.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Ives.

The roll called--a quorum present.

Mr. Potter absent.

The Journals were read and approved.

The committee on Military Affairs to whom was referred a bill for raising three hundred volunteers, report a substitute for the bill.

On motion, the rule that reports lie upon the table one day was read second time.—Rule further suspended—read third time as amended and passed.

By leave, Mr. Moore introduced a joint resolution authorizing the Postmaster General to suspend certain contracts for carrying the mail for the year 1841.—Read first time.

Mr. Greer moved the suspension of the rule.

Yeas and nays called for.

Yeas—Messrs. Barnett, Dangerfield, Gaines, Greer, Lester, Miller, Moore, Potter, and Stroud—9.

Nays—Messrs. Byrne and Kendrick—2. Motion carried. Read second time.

On motion, all certain named contracts were stricken out.—Rule further suspended—read third time and passed.

Yeas and nays being called for:

Yeas—Messrs. Barnett, Byrne, Gaines, Greer, Kendrick, Lester, Miller, Moore, Potter and Stroud—10.

Mr. Dangerfield voted in the negative.

A message from the House requesting the appointment of a joint select committee to act in conjunction with a committee from the House in relation to incorporate the Houston and Austin Turnpike Company.

The chairman of the committee on the Judiciary, to whom was referred an act of limitations, report the bill with amendments.

ORDERS OF THE DAY.

Resolution requesting an appointment of a joint select committee to act in conjunction with a like committee on the part of the House, in relation to a bill to incorporate the Houston and Austin Turnpike Company.—Read first time.

Yeas and nays called for.

Yeas—Messrs. Barnett, Byrne, Dangerfield, Kendrick, Lester, Moore, Miller, Potter—8.

Nays—Messrs. Gaines, Greer, and Stroud—3.

Committee—Messrs. Moore, Miller, and Lester.

A bill to be entitled an act to quiet the lands of the twenty border leagues on the United States of the North.—Read third time and passed.

A bill to be entitled an act to extend to those persons who served in the campaign against San Antonio in the fall of 1835, a donation of lands.—Read first time.

A joint resolution for the relief of Wm. Scurlock.—Read first time.

A communication from the acting Secretary of the Treasury, was read and referred with the reports of the commissioner of the revenue, to the committee on Finance.

A bill to be entitled an act to legalize the official acts of Samuel Todd, and those who acted as his deputies, and for other purposes, &c.—Read first time.

A bill to be entitled an act for the relief of John F. Delome.—Read first time.

An act for the regulation of the coasting trade, and the protection of Texian shipping.—Read first time.

A bill to be entitled an act to exempt the citizens of West Columbia from the provisions of an act incorporating the town of Columbia, framed 29th December, 1837.—Read first time.

An act to repeal certain acts therein named.—Read first time.

An act to create and establish a mail route from La Grange to Gonzales.—Read first time.

An act as to the payment of Taxes in the frontier counties.—Read second time—referred to the committee on the Judiciary.

A bill to be entitled an act to discontinue and abolish certain ports of entry and establish instead thereof, a port of entry to be called Port Calhoun.—Read second time and referred to the committee on Naval Affairs.

A bill to be entitled an act to disband the regular army.—Read first time, and referred to the committee on Military Affairs.

An act for the relief of John M. Bailey.—Read second time and referred to the committee on the Judiciary.

Mr. Dangerfield introduced an act entitled an act as to pleading and evidence.—Read first time.

Mr. Stroud offered a joint resolution appointing the time for both houses to adjourn *sine die*.—Read first time.

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

The Senate met pursuant to adjournment.

Quorum present.

Mr. Potter absent.

By leave, the chairman of the committee on Claims and Accounts, to whom was referred a bill for the relief of R. J. Calder,

sheriff of Brazoria County, report the bill and recommend its passage.

On motion, the rules were suspended throughout, and the bill was passed.

Also, a bill for the relief of Wm. T. Wilson, sheriff of Galveston County, to which the rules were suspended throughout and passed.

Also, a bill for the relief of Wm. Donoho.--Rule suspended and passed to a third reading.

By leave, Mr. Dangerfield introduced a resolution of instructions to the committee on the Judiciary to repeal a bill to define the recompense of sheriffs in keeping, &c., of prisoners, read and passed.

Joint resolution authorizing the Postmaster General to suspend all contracts for carrying the mail until the 20th day of December, as amended by the House.--Amendment concurred in.

Joint resolution for the relief of the Postmaster General, First and Second Auditors, and Treasurer.--Read second time and referred to the committee on Finance.

A bill to be entitled an act to incorporate the Rail Road and Trading Company.--Read second time.

Mr. Greer moved to strike out all of the ninth section after the word "rail road."

Yeas and nays called for. Those that voted in the affirmative were Messrs. Barnett, Gaines, Greer, Kendrick, and Stroud--5.

Those in the negative are Messrs. Byrne, Dangerfield, Lester, Miller, Moore, and Potter--6. Motion lost.

On motion, the bill was ordered to lay on the table.

Mr. Potter moved that the Senate adjourn until 10 o'clock tomorrow, A. M.

Yeas and nays called for. Those that voted in the affirmative are Messrs. Barnett, Byrne, Gaines, Greer, Kendrick, Lester, and Potter--7.

Those who voted in the negative are Messrs. Dangerfield, Moore, Miller, and Stroud--4. Motion carried.

SATURDAY, December 12th 1840.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,--a quorum present.

The journals read and adopted.

The special committee to whom was referred a bill to define in part the duties of district judges reported the bill with amendments.

Mr. Potter moved that Mr. Dangerfield be added to the special committee to whom was referred an act for the benefit of settlers residing near the boundary line of the United States of the North. Motion carried.

Mr. Miller introduced an act to change the time of holding the Supreme Court.—Read first time.

On motion, the Senate took up the joint resolution transferring funds that were appropriated for the subsistence of cavalry, to the Quartermaster General's department, for the use of the infantry.—Read second time as amended.

Mr. Greer offered a substitute to the bill, "that \$60,000 of the unexpended amount of the appropriation of the year 1840, of cavalry pay, be, and the same is hereby transferred to the Quartermaster General's department, for the subsistence of the regular infantry.—Adopted.

The rules suspended and passed.

By leave the committee on Finance, to whom was referred a bill for the relief of the Postmaster General, First and Second Auditors and Treasurer, reported the bill and recommended the passage of the same.

A bill for the relief of Wm. Donoho, read 3d time and passed.

A bill to be entitled an act to authorize the Second Auditor and Comptroller to pass the accounts of the Postmaster General.—Read third time and passed.

Mr. Kendrick moved the Senate adjourn until 3 o'clock, P. M.

Yeas and nays called for.

Yeas.—Messrs. Greer, Kendrick, Lester, Miller, Potter and Stroud.—6.

Nays.—Messrs. Byrne, Dangerfield, Gains, Moore.—4. Carried.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called, a quorum present.

The special committee to whom was referred an act for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison, reported the bill and recommend the passage of the same.

Joint resolution granting the President leave of absence, to which all rules of the House were suspended.—Read first time.

Rule suspended—read second time.

Mr. Potter offered an additional section, "that the Vice President of the Republic shall receive a compensation equal to that

of the President for the time during which he shall perform the duties of President of the Republic.--Amendment adopted.

Rule further suspended—read third time and passed.

Mr. Muse offered a joint resolution;

That the Treasurer be required to pay \$5,000, out of the appropriations for the Quartermaster and Postmaster's departments for the contingent expenses of the two houses of congress.--Read first time.

Rule suspended—read second time and passed.

On motion, the Senate went into secret session.

Secret session being over the doors were opened and the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Joint resolution from the House requiring the Treasurer to pay \$5,000 out of the appropriation for the Quartermaster and Postmaster General's departments, for the contingent expenses of the two houses of congress, with amendments.--Amendments concurred in.

Joint resolution granting the President leave of absence.

Mr. Moore offered an amendment, that the Vice President during the absence of the President shall be entitled and receive the same salary as the President of the Republic.--Amendment adopted and resolution passed.

A bill to be entitled an act to provide for the Navigation of the Guadalupe river.--Read second time.

On motion, it was referred to a special committee of Messrs. Dangerfield, Lester and Gaines.

An act entitled an act as to pleading and evidence.--Read second time and referred to the Judiciary committee.

A bill to be entitled an act for the relief of John Y. Delome.--Read second time, and referred to the committee on contingent expenses.

A substitute to a bill requiring tax collectors to return monies to the county Treasurers therein named.--Read second time and laid on the table.

Resolution requesting certain information from the General Land Office.--Read second time and ordered to lie on the table.

A message from the House refusing to concur in the amendment to a joint resolution granting the President leave of absence.

Mr. Potter moved that the Senate adhere to its own amendment, and appoint a committee of conference, and request the House to appoint one, to act in conjunction.--Adopted.

Committee of conference--Messrs. Potter, Moore and Muse.

A message from the House reporting they had appointed a committee to act in conjunction with the committee of the Senate.

Committee--Messrs. Smith, Menard, Arnett, Riley and Mayfield.

Mr. Potter, chairman of the committee of conference, by leave reported that they had had the joint resolution granting the President leave of absence, under consideration, and concluded to recede from the amendment of the Senate.--Report adopted.

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

MONDAY, December 14th, 4840.

The Senate met pursuant to adjournment.

The roll called,--a quorum present.

The journals read and adopted.

A message from the President to the Hon. David G. Burnet, advising him of the presidential seat being vacated, by leave of absence as having been granted him.

On motion of Mr. Greer,

The Senate went into an election of a president pro tem. for the Senate.

Nominations being in order,

Mr. Greer nominated Mr. Jones.

Mr. Moore nominated Mr. Kendrick.

On balloting, Mr. Jones received six votes--Mr. Kendrick five.

Mr. Kendrick being in the chair, announced that Mr. Jones was duly elected president pro tem. of the Senate.

Mr. Jones took the Chair.

A message from the Senate reporting a resolution requesting the Senate to go into an election for chief justices in the several counties in the Republic, vacant.

Mr. Lester offered a petition from Sarah Alway, praying for relief as administratrix of Robert Alway, deceased--Read and referred to a special committee--Messrs. Lester, Barnett, and Stroud.

The chairman of the committee on Post Offices and Roads, report a bill concerning mail routes, &c.--Read first time.

Mr. Greer moved the rules be suspended and placed on the second reading.--Motion lost.

The chairman of the committee on Naval Affairs, to whom was referred a bill to be entitled an act to abolish certain ports of entry, &c., report the bill with amendments.

On motion, the Senate took up the resolution for the election of chief justices, &c.

Mr. Greer moved an amendment, that the Senate go into the election of chief justices on Thursday, 3 o'clock, P. M.--Amendment adopted.

ORDERS OF THE DAY.

A bill to be styled an act to abolish certain offices therein named, and to fix the military and naval offices of the Republic.

On motion, the bill was read by sections.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,--a quorum present.

Messrs. Greer, Lester, and Muse absent.

The Senate resumed the consideration of the bill under discussion prior to adjournment.--First, second, third, and fourth sections adopted.

Mr. Barnett introduced a section to be adopted as section fifth, abolishing the office of Commissioner of Revenue.--Adopted.

Mr. Kendrick moved to strike out the sixth section.

Yeas and nays called for.

Yeas--Messrs. Byrne, Dangerfield, Kendrick, Muse, Potter, and Stroud--6.

Nays--Messrs. Jones, Barnett, Gaines, Greer, Lester, Miller, and Moore--7. Motion lost.

Mr. Muse moved to strike out "Paymaster General."

Yeas and nays called for.

Yeas--Messrs. Byrne, Dangerfield, Greer, Kendrick, Lester, Muse, Potter, and Stroud--8.

Nays--Barnett, Gaines, Miller, Moore--4. Motion carried.

Mr. Moore appealed from the decision of the Chair.

Question on the appeal. Decision of the Chair sustained.

Mr. Dangerfield moved to strike out the words "Colonel of Ordnance."

Yeas and nays called for.

Yeas--Messrs. Jones, Byrne, Dangerfield, Kendrick, Muse, and Potter--6.

Nays--Messrs. Barnett, Gaines, Greer, Lester, Miller, Moore, and Stroud--7. Motion lost.

Mr. Greer offered a substitute to the eighth section, that the Secretary of War be required to disband the regular army at such places as he may deem proper, between this time and the first day of March next.

Yeas and nays called for.

Yeas--Messrs. Barnett, Gaines, Greer, Kendrick, Miller--5.

Nays--Messrs. Jones, Byrne, Dangerfield, Lester, Moore, Muse, Potter, and Stroud--8. Motion lost.

Mr. Potter moved to strike out the eighth section.

Yeas and nays called for.

Yeas--Messrs. Byrne, Dangerfield, Kendrick, Muse, Potter, and Stroud--6.

Nays--Messrs. Jones, Barnett, Gaines, Greer, Lester, Miller, and Moore--7. Motion lost.

Mr. Moore moved to strike out "three hundred" and insert "two hundred."--Motion lost.

Mr. Kendrick moved that the Senate adjourn until to-morrow, 10 o'clock, A. M.--Motion lost.

Mr. Moore moved the Senate reconsider the vote given upon the disbanding the army.

Yeas and nays called for.

Yeas--Messrs. Jones, Barnett, Gaines, Greer, Miller, and Moore--6.

Nays--Messrs. Byrne, Dangerfield, Kendrick, Lester, Muse, Potter, and Stroud--7. Motion lost.

Mr. Greer offered an additional section: that any officer or soldier now in the regular army of this Republic who may wish to be discharged, may, by applying to the Secretary of War, receive a discharge by relinquishing his future pay and bounty land.

Yeas and nays called for.

Yeas--Messrs. Jones, Barnett, Gaines, Greer, Miller, and Moore--6.

Nays--Messrs. Byrne, Dangerfield, Kendrick, Lester, Muse, Potter, and Stroud--7. Motion lost.

Mr. Barnett moved the Senate adjourn until to-morrow, 10 o'clock.--Motion lost.

Mr. Moore moved the bill lie on the table.

Yeas and nays called for.

Yeas--Messrs. Jones, Barnett, Gaines, Greer, Miller, and Moore--6.

Nays--Byrne, Dangerfield, Kendrick, Lester, Muse, Potter, and Stroud--7. Motion lost.

Mr. Moore moved the Senate adjourn until 10 o'clock to-morrow, A. M.

Yeas and nays called for.

Yeas--Messrs. Barnett, Gaines, Greer, Miller, and Moore--5.

Nays--Messrs. Jones, Byrne, Dangerfield, Kendrick, Lester, Muse, Potter, and Stroud--8. Motion lost.

Mr. Greer then moved that the bill lie on the table until morning.—Motion lost.

Mr. Potter moved the bill be engrossed and passed to a third reading.

Yeas and nays called for.

Yeas—Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Muse, Potter, and Stroud—8.

Nays—Messrs. Jones, Barnett, Gaines, Greer, and Miller—5.
Motion carried.

Mr. Dangerfield moved the Senate adjourn until to-morrow 10 o'clock, A. M.

Yeas and nays called for.

Yeas—Messrs. Dangerfield, Lester, Miller, and Moore—4.

Nays—Messrs. Jones, Barnett, Byrne, Gaines, Greer, Kendrick, Muse, Potter, and Stroud—9. Motion lost.

A message from the House reporting an act to be entitled an act to divide the county of Red River, and to create and establish the counties of Bowie and Calhoun, as having passed—rules suspended.

A bill to be entitled an act supplementary to an act to detect fraudulent land certificates, &c.—Read second time and passed to a third reading.

A message from the House reporting a joint resolution transferring funds that were appropriated for the subsistence of Cavalry, to the Quartermaster General's Department.

Joint resolution for the relief of Norman Woods.—Read second time and referred to the committee on the Judiciary.

Joint resolution granting a league of land to the heirs of Jesse Thompson, deceased.—Read second time and referred to the committee on public lands.

An act to lay up the Navy in ordinary—Read second time and referred to the [committee on] Naval Affairs.

Resolution in relation to the public domain—read second time and passed.

Joint resolution for the relief of the Postmaster General, First and Second Auditors and Treasurer—read second time and passed to a third reading.

Mr. Barnett moved the Senate adjourn until to-morrow, 10 o'clock, A. M.

Yeas and nays called for.

Yeas—Messrs. Jones, Barnett, Gaines, Greer, Miller, and Moore—6.

Nays—Messrs. Byrne, Dangerfield, Kendrick, Lester, Muse, Potter, and Stroud—7. Lost.

Resolution authorizing the sheriffs of Robertson and Milam to return the taxes for the year 1840.--Read second time and referred to the committee on Military Affairs.

An act concerning divorce and alimony.--Read second time.

Mr. Muse moved to strike out the words "three years" and insert "six months." Motion lost.

Mr. Potter moved to strike out the words "three years," and insert "twelve months."--Motion lost.

Mr. Kendrick moved the indefinite postponement of the bill.

Mr. Moore asked to be excused from voting.

Yeas and nays called for.

Yeas--Messrs. Byrne, Dangerfield, Kendrick, Lester--4.

Nays---Messrs. Jones, Barnett, Gaines, Greer, Muse, and Stroud--6. Motion lost.

Question then occurred on the indefinite postponement of the bill.

Yeas and nays called for.

Yeas--Messrs. Byrne, Kendrick, Lester, Muse, and Potter--5.

Nays--Messrs. Jones, Barnett, Dangerfield, Gaines, Greer, Miller, Moore, and Stroud--8. Motion Lost.

On motion, the bill was then referred to a special committee of Messrs. Greer, Moore, and Muse.

Mr. Barnett offered a joint resolution requiring all votes given in joint ballott of the two houses by *viva voce pro persona*.--Read first time.

Joint resolution transferring funds that were appropriated for the subsistence of cavalry, &c., reported from the House with amendments in which the Senate refused to concur.

Mr. Dangerfield moved the Senate adjourn until to-morrow, 10 o'clock, A. M.

Yeas and Nays called for.

Yeas--Messrs. Byrne, Dangerfield, Gaines, Lester, Miller, and Potter--6.

Nays--Messrs. Jones, Greer, Kendrick, and Muse--4. Motion carried.

TUESDAY, December 15th, 1840.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

Mr. Moore absent.

The Journals read and adopted.

The chairman of the Military committee, to whom was referred the petition of Sarah Alway, &c., report a joint resolution for her relief.

The chairman of the special committee to whom was referred an act to provide for the navigation of the Guadalupe river, report the same and recommend the passage of the same.

ORDERS OF THE DAY.

A bill to be entitled an act supplementary to an act to detect fraudulent land certificates, &c., passed January 1840.—Read third time and passed.

An act to divide the county of Red River and to create and establish the counties of Bowie and Calhoun.—Read first time.

A communication from the department of State with accompanying documents.—Read second time and referred to the committee on Finance.

Joint resolution for the relief of the Postmaster General, First and Second Auditors and Treasurer.—Read third time and passed.

Mr. Moore moved that the senate reconsider the vote to engross a bill abolishing certain offices.—Motion carried.

Mr. Moore offered an additional section :

That the President be and he is hereby required to reduce the number of officers in the regular army to a number proportioned to the number of privates, and that all further recruiting be discontinued until a further act of congress.—Bill adopted.

A message from the House reporting that they adhered to the amendments of the joint resolution transferring funds, &c., and had appointed a committee of conference, and requested a similar committee from the Senate.

The chair appointed Messrs. Dangerfield, Lester and Kendrick.

The committee on conference reported that they had acceded to the amendments proposed by the House.—Report adopted.

A bill concerning mail routes, &c.—Read second time.

Mr. Kendrick offered an amendment, to insert after Matagorda, "Weekly."

Yeas and nays called for.

Yeas.—Messrs. Dangerfield, Kendrick, Moore and Potter.—4.

Nays.—Messrs. Jones, Barnett, Byrne, Gaines, Greer, Lester, Miller, Muse and Stroud.—9. Motion lost.

Mr. Potter moved an amendment, that the words "transported weekly" after Austin be stricken out and insert "transported once in two weeks."

Yeas and nays called for.

Yeas.—Messrs. Kendrick, Miller, Muse, Potter and Stroud.—5.

Nays.—Jones, Barnett, Byrne, Dangerfield, Gaines, Greer, Lester and Moore.—Motion lost.—Read third time as amended and passed.

A bill to be entitled an act to exempt the citizens of West Columbia from the provisions of an act incorporating the town of

Columbia, framed 29th December, 1837.—Read second time and referred to the special committee of Messrs. Miller, Lester and Stroud.

An act to change the time of holding the Supreme Court.—Read second time and referred to the committee on judiciary.

A bill to be entitled an act granting a donation of land to actual settlers on or near the military road on the northern frontier.—Read second time and referred to the committee on public lands.

By leave Mr. Barnett offered a joint resolution repealing an act incorporating the towns of Comanche and Waterloo.—Read first time.

Joint resolution for the relief of Freeman George, late assessor of the county of Colorado.—Read second time and referred to the committee on claims and accounts.

A bill to be entitled an act to provide for the punishment of [crimes] and misdemeanors committed by slaves and free persons of color.—Read second time and referred to the committee on the judiciary.

Resolution requiring the two Houses to go into an election next Wednesday at 10 o'clock for public printer for the year 1840 and 1841.

Mr. Greer offered a substitute, which was read and adopted.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

An act to provide for the holding of an adjourned session of the supreme court, in the eastern section of the Republic.—Read second time, and referred to the committee on the Judiciary.

An act to create and establish a mail route from La Grange to Gonzales.—Read second time, and ordered to lie on the table.

A resolution appointing a day for both houses of Congress to adjourn *sine die*.—Read second time, and ordered to lie on the table.

A bill to be entitled an act legalizing the official acts of Samuel Todd, and those who acted as his deputies, and for other purposes, &c.—Read second time, and referred to the committee on Naval Affairs.

An act to repeal certain acts therein named.—Read second time, and referred to the committee on the Judiciary.

Joint resolution for the relief of Wm. Scurlock.—Read second time, and referred to the committee on Public Lands.

A bill to be entitled an act to extend to those persons who rendered services in the campaign against San Antonio, in the fall of 1835, a donation of land.—Read second time, and referred to the committee on Military Affairs.

An act to divide the county of Red River, and create and establish the counties of Bowie and Calhoun.

Mr. Potter moved an amendment, to strike out the word "Calhoun," and insert "Lamar."—Adopted. Also, in the sixth section, to strike out the words "Red River."—Read as amended. Rules suspended—read third time and passed.

By leave, the committee to whom was referred a bill concerning divorce and alimony, report the bill with amendments.

Petition of Wm. T. Jackson was read a second time, and indefinitely postponed.

Resolution requiring the committee on Public Lands to report a bill of limitations on locating lands, &c.—Read third time and passed.

A bill to be entitled an act concerning the powers of chief justices of the county courts.—Read second time and passed to a third reading.

An act for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison.—Read and ordered to lie on the table until 11 o'clock to-morrow, A. M.

A bill to define in part the duties of district judges.

Mr. Barnett moved the Senate adjourn until to-morrow, 10 o'clock A. M.—Motion carried.

WEDNESDAY, December 16th, 1840.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The Journals were read and adopted.

On motion, the Senate took up the substitute resolution for the election of a public printer.

Mr. Moore moved that it lie on the table, and take up the resolution from the House, appointing a day for the election of public printer.—Read, amended, and passed.

Mr. Dangerfield introduced a bill to be entitled an act creating a system of bankruptcy, and regulating the collection of foreign debts.—Read first time.

Mr. Gaines offered a resolution requesting the Secretary of State to furnish the Senate with the number of, and cost of all public buildings in the City of Austin.—Read first time.

Mr. Moore offered a bill to be entitled an act to amend an act for establishing rules and articles on the government of the armies of the Republic of Texas, approved November 21st., 1838. Read first time.

ORDERS OF THE DAY.

A bill to be entitled an act to define in part the duties of district judges.

Mr. Kendrick moved the indefinite postponement of the bill.

Yeas and nays called for :

Yeas—Messrs. Byrne, Kendrick, Lester, and Moore—4.

Nays—Barnett, Dangerfield, Gaines, Greer, Jones, Miller, Potter, and Stroud—8. Motion lost.

Question on the engrossment of the bill.

Yeas and nays called for :

Yeas—Messrs. Barnett, Dangerfield, Gaines, Greer, Jones, Miller, Potter, and Stroud—8.

Nays—Byrne, Kendrick, Lester, and Moore—4. Carried.

An act for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison.—Read and ordered to lie on the table.

A bill to be entitled an act concerning the powers of chief justices of the county courts.—Read third time and passed.

A bill to be entitled an act to provide for the navigation of the Guadalupe River.—Read and passed to a third reading.

A message from the House reporting a number of bills as having passed.

Mr. Potter moved that the Secretary procure from the House a bill dividing the county of Red River, and creating and establishing the counties of Bowie and Lamar.—Motion carried.

On motion, the vote was re-considered, placing the bill on its third reading.

Mr. Potter then offered an additional section, which was adopted.—The bill was read with amendments and passed.

A message from the House reporting a joint resolution for the relief of Sylvanus Hatch, as having passed, the rules being suspended.

On motion, the Senate took up the joint resolution.—Read first time. Rule suspended—read second time and referred to the committee on claims and accounts.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

Messrs. Gaines and Lester absent.

A bill to be entitled an act to incorporate the Harrisburg Rail Road and Trading Company.

Mr. Greer moved to strike out all of the first section after "select."—Adopted.

Mr. Dangerfield offered an additional section, as did Mr. Byrne, which were adopted.—Two, three, four, five, six, seven, and eighth sections adopted.—In the ninth section strike out all after "locomotive engine."—Adopted.

The bill was then ordered to be engrossed.

An act concerning divorce and alimony, read as amended and passed to a third reading.

A bill to be styled an act to abolish certain offices therein named, and to fix the naval establishments of the Republic.—Read third time and passed.

An act regulating bills of exceptions.—Read second time and referred to the Judiciary Committee.

A bill concerning mail routes and postages.—Read third time and passed.

A joint resolution supplementary to a joint resolution for the relief of certain persons therein named.—Approved 22d January, 1840.

A bill declaring Sam Houston Duckworth, legitimate.—Read first time.

A bill to be entitled an act to repeal and amend certain parts or portions of an act concerning executions.—Read first time.

A bill to be entitled an act to amend an act entitled an act to regulate proceedings in civil suits, and to define more specifically the nature of petition and answer.—Read second time and referred to the committee on Judiciary.

An act for the regulation of the coasting trade, and the protection of Texian shipping.—Read second time and referred to the committee on Naval Affairs.

A bill concerning forcible entry and detainer.—Read second time and referred to the committee on Judiciary.

An act establishing a standard of weights and measures for the Republic of Texas.—Read second time and referred to the special committee of Messrs. Miller, Lester, and Byrne.

Joint resolution for the relief of Sarah Alway.—Read second time and passed to a third reading.

A bill to amend an act to suppress gaming.—Read first time.

Joint resolution for the relief of the legal heirs of Cullen Spivy, deceased.—Read second time and ordered to lie on the table.

A bill to regulate the granting and trial of injunction, and to empower the judges of the district courts to submit issues of fact to a jury in chancery cases.—Read second time and referred to the committee on Judiciary.

An act prescribing the mode in which married persons may dispose of their separate property.—Read second time and referred to the committee on Judiciary.

Joint resolution repealing an act incorporating the towns of Comanche and Waterloo.—Read second time and referred to the committee on Judiciary.

Joint resolution defining the recompense of sheriffs.—Read second time and adopted.

An act for the relief of Edward Hugart.—Read second time and ordered to lie on the table.

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

THURSDAY, December 17th, 1840.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The journals read and adopted.

The committee on Public Lands, to whom was referred the joint resolution for the relief of Wm. Scurlock, report the same and recommend its passage.

The committee on the judiciary to whom was referred an act for the relief of John M. Baily, report the bill back and recommend the bill to be laid upon the table.

The committee on claims and accounts to whom was referred a joint resolution for the relief of Freeman George, late assessor for the county of Colorado, report unfavorably.

The special committee to whom was referred a bill to be entitled an act to exempt the citizens of West Columbia from the provisions of an act incorporating the Town of Columbia, framed 29th December 1837, reported the bill and recommend its passage.

The committee on Public Lands to whom was referred a bill to be entitled a joint resolution granting a league of land to Jesse Thompson, report the bill and recommend its passage.

Joint resolution regulating the Post Office department.—Read first time.

ORDERS OF THE DAY.

An act concerning divorce and alimony.--Read third time and passed.

Joint resolution for the relief of Sarah Alway.--Read third time and passed.

A message from the House reporting an act to authorize B. Manlove to emancipate certain slaves as having passed.

A bill to be entitled an act to repeal and amend certain parts or portions of an act concerning executions.--Read second time as amended and passed to a third reading.

A bill to be entitled an act to provide for the navigation of the Guadalupe River.--Read third time and passed.

Report of the special committee in the case of general M. Hunt, was read and ordered to lie on the table.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called--a quorum present.

Mr. Miller absent.

Mr. Kendrick moved that the secretary inform the House that the Senate was ready to go into the election of Chief Justices for the counties vacant.--Motion carried.

A message from the President, read and referred to a joint select committee on Military Affairs.

Annual report of the First and Second Auditors, read first time and referred to the committee on Finance.

A message from the House announcing the nominations for Chief Justices.

Mr. Kendrick moved that a committee be appointed to wait upon the House, and request the further suspension of the election for Chief Justices, until to-morrow 11 o'clock.--Motion carried.

Committee.--Messrs. Kendrick, Greer and Moore.

The committee proceeded to the House, returned and reported that they had discharged their duty.

An act to authorize B. Manlove to emancipate certain slaves, read first time.

A bill to be entitled an act to amend an act for establishing rules and articles on the government of the armies of the Republic of Texas, approved November 21st, 1838.--Read second time and referred to the committee on Military Affairs.

A message from the House stating that they had concurred in deferring the election of Chief Justices as requested by the Senate. On motion, the Senate adjourned until to-morrow 10 o'clock. A. M.

FRIDAY, December 18th, 1840.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

The journals read and adopted.

Mr. Miller offered a petition from Nicholas Whitehead, praying the privilege of raising a ranging company, &c.—Read first time.

The committee to whom was referred a bill entitled an act for the regulation of the coasting trade, beg leave to report the bill and recommend its passage.

Also, a bill to be entitled an act to legalize the official acts of Samuel Todd, &c.

The committee on Judiciary to whom was referred a joint resolution repealing an act incorporating the towns of Comanche and Waterloo, report the bill and recommend its passage :

Also, a bill to be entitled an act to amend an act entitled an act to regulate proceedings in civil suits and to define more specifically the nature of petition and answer, report the bill with amendments and recommend its passage.

Mr. Gaines introduced a joint resolution requiring the joint committee on printing to ascertain and report certain information, &c.—Read first time.

Rules suspended.—Read second time as amended and adopted.

Mr. Miller introduced an act supplementary to an act to repeal a portion of an act creating funds for the support of the government for the year 1840, approved December 10th, 1840.

ORDERS OF THE DAY.

Resolution requesting the Secretary of State to furnish the Senate with the number and cost of all public buildings in the city of Austin.—Read second time and adopted.

A bill declaring Sam Houston Duckworth legitimate.—Read second time and referred to a special committee of Messrs. Moore, Barnett and Potter.

A message from the House reporting a number of bills as having passed.

A bill to amend an act to suppress gaming.—Read second time and passed to a third reading.

A bill to be entitled an act creating a system of bankruptcy, and regulating the collection of foreign debts.—Read second time and referred to the Judiciary Committee.

A bill to be entitled an act to exempt the citizens of West Columbia from the provisions of an act incorporating the town of Columbia, passed 29th December, 1837.—Read second time and passed to a third reading.

A joint resolution granting a league of land to Jesse Thompson.—Read second time and passed.

An act to authorize B. Manlove to emancipate certain slaves.—Read second time and indefinitely postponed.

A message from the House by Major Reily, reporting the House to be ready to go into the election of chief justices.

On motion of Mr. Moore,

A committee was appointed to wait upon the House and inform them that the Senate would proceed to the election of chief justices, to fill the vacancies reported by the Secretary of State.

Committee—Messrs. Moore and Byrne. Having waited on the House of Representatives, report that they had discharged their duty.

A message from the House by Mr. Mayfield, reporting that the House would go into the election to fill the vacancies as reported by the Secretary of State, with the exception of the counties of Fannin, Bowie, and Lamar.

A message from the House by Mr. Harrison, reporting the House to have suspended the 18th joint rule, and request the Senators to a seat in the House.

Question on suspending the above mentioned joint rule.—Motion lost.

On motion, a committee was appointed to wait upon the House and inform them that the Senate had refused to suspend the 18th joint rule, and of their intention to proceed to the election of chief justices for the counties of Fannin, Bowie, and Lamar.

Committee—Messrs. Greer and Gaines. Who proceeded to the House—returned and reported that they had performed their duty.

A communication from the Secretary of State, reporting the chief justices' seat vacated in the counties of Matagorda, Shelby, and San Patricio.

Nominations being in order, the following were put in nomination.

COUNTIES.	NOMINEE.	VOTE.		ELECTED.	
		Senate.	House.	Total.	Reject.
Goliad,	Wm. L. Hunter,	11	35	46	
Victoria,	Thomas H. Pogue,	11	34	45	
Jefferson, }	J. C. Lawhorn,	1	19	20	20
	D. J. Otho Millard,	10	14	24	
Bastrop,	Greenlief Fiske,	11	35	46	
Refugio,	Benjamin F. Neif,	11	35	46	
Montgomery,	Hugh McGuffin,	11	35	46	
Northern Division of Liberty,	J. P. Patric,	11	35	46	
Sabine,	— Joel,	11	36	47	
Fannin,	Bailey English,	11	33	44	
Lamar, }	John A. Rutherford,	7	24	31	
	Wm. A. Crisp,	4	9	11	13
Bowie, }	John S. Peters,	3	14	17	17
	James Smith,	9	22	31	
Shelby, }	James Mason,	8	22	30	
	Anson Lewellen,	2	13	15	15
Matagorda, }	Matthew Talburt,	11	35	46	
	John Delap,	0	00	00	00
San Patricio, }	H. L. Kinney,	11	20	31	
	H. M. Thompson,	0	15	15	15

The president of the Senate announced the result of the election.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

A communication from the President and accompanying documents, were read and referred to the committee on Military Affairs.

An act to define in part the duties of district judges.—Read third time and passed.

A bill to be entitled an act to incorporate the Harrisburg Rail Road and Trading Company.—Read a third time and passed.

Joint resolution regulating the post office department.—Read second time and referred to a special committee of Messrs. Dangerfield, Moore, and Gaines.

A joint resolution supplementray to a joint resolution, for the relief of certain persons therein named, approved 22d January, 1840.—Read second time and passed to a third reading.

Joint resolution for the relief of Freeman George, late assessor for the County of Colorado.—Read second time and passed to a third reading.

Joint resolution for the relief of William Scurlock.—Read second time and passed to a third reading.

A bill to be entitled an act to repeal and amend certain parts or portions of an act concerning executions.—Read third time and passed.

Mr. Dangerfield introduced an act to complete the organization of the militia.—Read first time.

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

SATURDAY, December 19th, 1840.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The Journals read and adopted.

The committee on the Judiciary, to whom was referred an act to repeal certain acts therein named. Also, an act concerning forcible entry and detainer.—Report the bills, and recommended the passage of the same.

The committee on Military Affairs, to whom was referred a bill to be entitled an act to extend to those persons who rendered services in the campaign against San Antonio, in the fall of 1835, a donation of land, report the bill, and recommend its passage.

The joint committee on Military Affairs, to whom was referred a communication from the President, and accompanying documents, report by resolution.—Read first time.

Mr. Potter moved that there be fifty copies of the message, documents and resolutions, printed.—Motion carried.

A message from the House, reporting that the House had concurred in the amendments from the Senate, with the exception of that in the 3d and 4th sections of a bill concerning divorce and alimony.

The chairman of the special committee to whom was referred a joint resolution regulating the Post Office Department, report the bill without amendment.

ORDERS OF THE DAY.

A bill to be entitled an act to exempt the citizens of West Columbia from the provisions of an act incorporating the town of Columbia, framed December 29th, 1837.—Read second time and passed to a third reading.

A bill to amend an act to suppress gaming.—Read second time and passed to a third reading.

A joint resolution supplementary to a joint resolution for the relief of certain persons therein named, approved 22d January, 1840.—Read second time and passed to a third reading.

Joint resolution for the relief of Freeman George, late assessor for the county of Colorado.—Read second time and passed to a third reading.

Joint resolution for the relief of Wm. Scurlock.—Read second time and passed to a third reading.

By leave, Mr. Stroud offered a resolution requesting the committee on Finance to enquire into the state of the Treasury, and report. &c.—Read first time. Rule suspended—read second time and adopted.

A message from the President and accompanying documents, was read and referred to the committee on Foreign Relations.

A communication from the Secretary of State.—Read first time.

An act of limitations.—Read second time and referred to a special committee of Messrs. Dangerfield, Potter, and Greer.

A bill to be entitled an act for the election and appointment of sheriffs.—Read first time and referred to a special committee of Stroud, Greer, and Kendrick.

Mr. Byrne offered a joint resolution requiring the Postmaster General to suspend the closing of mail contracts until the 26th December, 1840.—Read first time. Rules suspended—read second time. Rules further suspended—read third time and passed.

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

MONDAY, December 21st, 4840.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

The journals were read and adopted.

The special committee to whom was referred a bill declaring Sam Houston Duckworth, legitimate, report the same, and recommend the passage of the same.

Mr. Miller offered a resolution appointing a committee of three to wait upon the Rev. Mr. Odine, and request him to act as Chaplain until the return of the Rev. Mr. Richardson.—Read and adopted.

Committee—Messrs. Miller, Byrne and Greer.

ORDERS OF THE DAY.

A bill of divorce and alimony, reported by the House, as concurring in only a part of the amendments by the Senate.

Question, whether the Senate adhere to its amendments.—Motion carried.

Mr. Greer moved that a committee of conference be appointed. Motion carried.

Committee—Messrs. Greer, Moore and Gaines.

Mr. Potter offered a resolution that 150 copies of the evidence on public lands be taken, as printed by the House.—Motion carried.

Joint resolution for the relief of Joseph Cecil.—Read 1st time.

Joint resolution for the relief of William Scurlock—Read third time and passed.

Joint resolution for the relief of Freeman George, late assessor for the county of Colorado.—Read third time and passed.

Joint resolution supplementary to a joint resolution for the relief of certain persons therein named, approved 22d of January, 1840.—Read third time and passed.

A bill to amend an act to suppress gaming.—Read third time and passed.

A bill to be entitled an act to exempt the citizens of West Columbia from the provisions of an act incorporating the town of Columbia, passed 29th December, 1837.—Read third time and passed.

A bill to be entitled an act to increase the bond of the sheriff of Harris county.—Read first time.

A bill for the relief of N. Townsend.—Read first time.

Joint resolution for the relief of Wm. K. Simpson.—Read first time.

Mr. Moore moved that the committee on Foreign Relations be filled by adding thereto Messrs. Potter and Dangerfield.

A bill to provide the way of filling the office of City Recorder. Read first time.

A bill to be entitled an act to organize a part of the counties of Matagorda and Colorado, for judicial and other purposes.—Read first time.

A bill to be entitled an act incorporating the town of Franklin. Read first time.

A bill to be entitled an act defining the way by which the holders of certificates shall establish the same.—Read first time.

A message from the House reporting a number of bills as having passed. Also, that the House had appointed a committee of conference on a bill concerning divorce and alimony.

A bill to be entitled an act appropriating \$75,000 in the promissory notes of the government, to carry into effect the provisions of an act to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians.—Read first time.

Joint resolution authorizing and requiring the Secretary of the Navy to issue certificates of bounty land to officers, seamen, and mariners of the navy.—Read first time.

Joint resolution for the relief of Rowland P. Briarly.—Read first time.

A bill for the relief of E. R. Kелlette.—Read first time.

A bill to be entitled an act for the relief of B. M. Carr and Hail Barton.—Read first time.

Joint resolution for the relief of M. B. Shackelford and Wm. Isaacs.—Read first time.

Joint resolution for the relief of Thomas D. Allen.—Read first time. Rules suspended—read a second time and referred to the committee on the Judiciary.

An act providing the mode of appointing wreck-masters, and prescribing their duty.—Read first time.

Joint resolution for the relief of Ed. West.—Read first time.

A bill to be entitled an act to legalize the official acts of Samuel Todd, &c.—Read a second time and passed to a third reading.

An act regulating bills of exception.—Read a second time and passed to a third reading.

Joint resolution regulating the post office department.—Read second time and passed to a third reading.

An act to complete the organization of the militia.—Read second time and referred to the committee on Military Affairs.

A bill to be entitled an act to extend to those persons who moved in the campaign against San Antonio in the fall of 1835, a donation of land.—Read a second time and referred to the committee on Military Affairs.

The committee on Judiciary, to whom was referred a joint resolution for the relief of Thos. D. Allen, report the same.—Read second time. Rules suspended—read a third time and passed.

A communication from the President, and accompanying documents, were read, and referred to the joint committee on Military Affairs.

A bill concerning forcible entry and detainer.—Read second time and passed to a third reading.

A bill to repeal certain acts therein named.—Read second time.

An act for the regulation of the coasting trade, and the protection of Texas shipping.—Read a second time.

Resolution of the committee on Military Affairs to whom was referred the special message of the President.—Read second time and referred to the committee on Military Affairs.

A bill to be entitled an act to amend an act to regulate proceedings in civil suits, and to define more specifically the nature of petition and answer.—Read second time and ordered to lie on the table.

On motion,

The Senate adjourned until to-morrow, 10 o'clock A. M.

TUESDAY, December 22d, 1840.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

The journals were read and adopted.

The committee on Military Affairs, to whom was referred a bill to be entitled an act to extend to those persons who moved against San Antonio in the campaign of the fall of 1835, a donation of land, report the bill with amendments.

The committee on Judiciary, to whom was referred a bill to be entitled an act supplementary to an act to provide for the punishment of crimes and misdemeanors, committed by slaves and free persons of color, recommend the indefinite postponement of the bill. Also, a joint resolution for the relief of Norman Woods—Report the bill, and recommend its passage.

The committee on Claims and Accounts, to whom was referred a joint resolution for the relief of Sylvanus Hatch, report the bill back to the Senate, that they may consider it in committee of the whole, and beg to be discharged from further action on it.

The special committee to whom was referred an act supplementary to an act to repeal a portion of an act creating funds for the support of the government for the year 1840, approved December 10th, 1840, report the bill with an amendment.

The joint Military committee, to whom was referred the message of the President, and accompanying documents, report by bill, and recommend its passage.—Read first time and ordered to lie on the table

On motion, the Senate took up the bill to repeal a portion of an act creating funds for the support of the government, &c.—Read as amended.

On motion, the rule was suspended, put on its third reading, and lost.

On motion, the report of the joint committee on Military Affairs, was taken up—bill read. Rules suspended—read second time. Rules further suspended—read third time and passed.

A message from the House by Mr. Porter, reporting the House to be ready to go into the election of a Public Printer.

On motion of Mr. Greer,

A committee was appointed to wait upon the House, and inform them that the Senate was ready to go into the election for a Public Printer, and would receive their nominations. Committee--Messrs. Greer and Dangerfield, who proceeded to the House--returned, and reported they had discharged their duty.

By leave, the committee on Public Printing presented the sealed proposals of Mr. Whiting and Mr. Cruger, which were read.

Nominations being in order,

Mr. Kendrick proposed Mr. Whiting and Mr. Cruger.

On balloting, Mr. Cruger received 9 votes; Mr Whiting 1.

A message from the House, reporting that Mr. Cruger received 19 votes, Mr. Whitting 16.

On casting the joint vote of the two houses, Mr. Whiting received 17 votes, Mr. Cruger 28.

The President pro tem. of the Senate announced the latter to be duly elected Public Printer for the fifth Congress.

ORDERS OF THE DAY.

A bill to legalize the official acts of Samuel Todd, and others.

Read third time and passed.

An act to regulate bills of exceptions.--Read third time and ordered to lie on the table.

Joint resolution regulating the post office department.--Read second time and recommitted.

On motion,

The Senate adjourned until three o'clock P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called.--a quorum present.

A bill concerning forcible entry and detainer.--Read third time and ordered to lie on the table.

By leave, Mr. Dangerfield offered a bill for an adjourned session of the supreme court.--Read first time. Rule suspended--

Read second time and referred to the committee on Judiciary.

An act to repeal certain acts therein named.--Read third time and passed.

An act for the regulation of the coasting trade and the protection of Texian shipping.--Read third time and ordered to lie on the table.

A bill to be entitled an act to discontinue and abolish certain ports of entry, and to establish in stead thereof, a port of entry to be called port Calhoun. Read second time and recommitted to the committee on Naval Affairs.

A bill declaring Sam Houston Duckworth legitimate.--Read second time and passed to a third reading.

A bill for the relief of E. R. Kellett.--Read second time and referred to the committee on claims and accounts.

An act providing the mode of appointing wreck-masters, and prescribing their duties.--Read second time and referred to the committee on Naval Affairs.

Joint resolution for the relief of Joseph Cecil.--Read second time and passed to a third reading.

On motion, an act was taken up to repeal a portion of an act creating funds for the support of the government, &c.--Read second time.--Rules suspended; read third time and passed.

Mr. Greer offered a resolution:

That the committee on the Judiciary take into consideration the propriety of passing a law to compel defaulters to settle, and also a mode to bring suit against defaulters.--Read first time.

Rules suspended; read second time and adopted.

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

WEDNESDAY, December 23d, 1840.

The Senate met.

The roll called--a quorum present.

The journals read and adopted.

A communication from Sam. Whiting was received, read and ordered to lie on the table.

A message from the House reporting a resolution to go into the election of District Judges on the 5th of January, 1841, at 12 o'clock, as having passed, and request a concurrence in the same.

The special committee to whom was referred a joint resolution regulating the Post Office department, report the bill with amendments.

The committee on Naval Affairs to whom was referred an act providing the mode of appointing wreck-masters and prescribing their duties, report the bill and recommend the passage of the same.

The special committee to whom was referred a bill to be entitled an act for the election and appointment of Sheriffs, report the bill and recommend the passage of the same.

ORDERS OF THE DAY.

On motion, the Senate took up an act for the benefit of settlers residing near the boundary line of the United States in the counties of Red River and Harrison.--Read second time and ordered to lie on the table.

A bill declaring Sam Houston Duckworth legitimate.--Read third time and passed.

A message from the House reporting a joint resolution authorizing the President to employ two Spy Companies for the western frontier, as having passed, the rules being suspended.

On motion, the Senate took up the resolution.--Read first time.

Mr. Potter moved to suspend the rules.

Yeas and Nays called for:

Yeas.--Messrs. Barnett, Byrne, Dangerfield, Greer, Jones, Lester, Miller, Moore, Potter and Stroud.--11.

Mr. Gaines voted in the negative.--Motion carried.--Read second time and referred to the committee on Military Affairs.

A joint resolution for the relief of Joseph Cecil.--Read third time and passed.

A joint resolution for the relief of Wm. K. Simpson.--Read second time and referred to the committee on claims and accounts.

A bill to be entitled an act to incorporate the Town of Franklin.--Read second time and referred to the committee on Judiciary.

A bill to be entitled an act to organize a part of the counties of Matagorda and Colorado for Judicial and other purposes.--Read second time and referred to the committee on the Judiciary.

A bill to be entitled an act to appropriate \$75,000, in the promissory notes of this government, to carry into effect the provisions of an act to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians.--Read second time and made the special order of Monday next.

A bill to provide the way of filling the office of city Recorder.

--Read second time and referred to the committee on Judiciary.

Joint resolution for the relief of M. B. Shackelford and Wm. Isaac.--Read second time and referred to the committee on Military Affairs.

Joint resolution for the relief of Edward West.--read second time and referred to the committee on Military Affairs.

A bill to be entitled an act to increase the bond of the Sheriff of Harris county.--Read second time and passed to a third reading.

An act for the relief of Nathaniel Townsend.--Read second time and referred to the committee on Public Lands.

Joint resolution authorizing and requiring the Secretary of the Navy to issue certificates of bounty land to officers and seamen

and marines of the Navy.—Read second time and referred to the committee on Naval Affairs.

Joint resolution for the relief of Rowland P. Briarly.—Read second time and referred to the committee on Military Affairs.

A bill to be entitled an act for the relief of B. M. Carr and Hail Barton.—Read second time and referred to the committee on claims and accounts.

A bill to be entitled an act defining the way by which the holders of conditional certificates shall establish the same.—Read second time and referred to the committee on Judiciary.

A bill to be entitled an act supplementary to an act to provide for the punishment of crimes and misdemeanors committed by slaves and free persons of color.—Read second time and indefinitely postponed.

Joint resolution for the relief of Norman Woods.—Read second time and passed to a third reading.

A bill to be entitled an act to extend to those persons who moved in the campaign against San Antonio in the fall of 1835, a donation of Land.—Read second time as amended and passed to a third reading.

On motion, the Senate went into secret session.

Secret session being over,—doors were opened and the Senate adjourned until to-morrow, 10 o'clock A. M.

THURSDAY, December 24th, 1840.

Senate met.

The roll called,—a quorum present.

Journals read and adopted.

The Military committee to whom was referred an act to complete the organization of the militia, report the bill with amendments.

Joint resolution authorizing the President to employ two spy companies, and report the bill without amendments.

Also, the communication and accompanying documents from the President on the transportation of ordnance, report a joint resolution and recommend the passage of the same.

The committee on the Judiciary to whom was referred an act as to pleading and evidence, report the bill without amendment.

An act as to the payment of taxes in frontier counties.
Also, a joint resolution repealing an act incorporating the town of Waterloo and Comanche, report the same and recommend its passage.

Mr. Miller introduced a joint resolution to provide for the better collection of monies due from delinquent agents and officers of the government and to furnish the same.—Read first time.

ORDERS OF THE DAY.

Resolution to go into the election of district judges.

Mr. Greer moved to strike out "5th January," and insert "29th December." Also, the word "reported."—Amendments adopted. Resolution read second time and adopted.

By leave, the committee on Judiciary, to whom was referred a bill as to adjourned session of the supreme court, report the bill with amendments.

On motion, the Senate took up the bill and ordered it lie on the table.

A communication from Sam. Whiting was received and read.

A bill to be entitled an act to extend to those persons who moved in the campaign against San Antonio in the fall of 1835, a donation of land.—Read third time and passed.

A bill to be entitled an act to increase the bonds of the sheriff of Harris county.—Read second time and ordered to lie on the table.

Joint resolution for the relief of Norman Woods.—Read third time and passed.

A message from the President with accompanying documents, were read and referred to the committee on Military Affairs.

A bill to be entitled an act for the election and appointment of sheriffs.—Read second time and passed to a third reading.

Joint resolution regulating the post office department.—Read second time and ordered to be engrossed.

An act providing the mode of appointing wreck-masters and prescribing their duties.—Read second time as amended and passed to a third reading.

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

THREE O'CLOCK, P. M.

The Senate met.

The roll called,—a quorum present.

On motion, the Senate took up a joint resolution authorizing the President to raise two spy companies, &c.—Rules suspended.—Read second and third time as amended and passed.

A bill to be entitled an act supplementary to an act to repeal a portion of an act creating funds for the support of the government, amended by the House.—Amendment concurred in by the Senate.

By leave, Mr. Kendrick offered a bill for the benefit of settlers residing near the boundary line of the United States of the North. Read first time.

By leave, the committee on claims and accounts to whom was referred a bill for the relief of E. R. Kелlette, also, one for the relief of B. M. Carr, and Hail Barton, report favorable.

By leave, the committee on Military Affairs to whom was referred the joint resolution for the relief of M. B. Shackelford and Wm. Isaacs, report the bill without amendment and recommend its passage.

Joint resolution authorizing the Secretary of the Treasury to allow James Reiley further time to settle his accounts.—Read first time. Rule suspended—read second time and passed to a third reading.

An act for the relief of Richard J. Woodward.—Read first time and passed to a second reading.

Mr. Kendrick moved that the Senate adjourn until Monday, 10 o'clock, A. M.

Yeas and nays called for:

Yeas—Byrne, Dangerfield, Greer, Jones, Kendrick, Lester, Muse, Potter—S.

Nays—Barnett, Gaines, Moore, Miller, and Stroud. Motion carried.

Senate adjourned.

MONDAY, December 28th, 1840.

The Senate met.

The roll called—a quorum present.

The journals read and adopted.

The committee on Judiciary to whom was referred a bill to be entitled an act creating a system of bankruptcy, and regulating the collection of foreign debts, report the bill without amendment.

A bill to regulate the granting and trial of injunction, to empower the judges of the district courts to submit issues of fact to a jury in chancery cases, report the same with amendments.—Also, a bill to be entitled an act defining the way in which the holders of conditional certificates, shall establish the same, report the bill without amendments and recommend the passage of the same.

ORDERS OF THE DAY.

Joint resolution authorizing the Secretary of the Treasury to allow James Reily further time to settle his accounts.—Read third time and passed.

An act providing the mode of appointing wreck-masters, and prescribing their duties.—Read third time as amended and passed.

An act regulating bills of exemption.—Read third time and passed.

A bill to be entitled an act for the election and appointment of sheriffs.—Read third time and passed.

A bill for the relief of Richard J. Woodward.—Read second time and passed to a third reading.

A bill to be entitled an act for the benefit of settlers residing near the boundary line of the United States of the North.—Read second time.

Yeas and nays called for on the engrossment of the bill.

Yeas—Messrs. Byrne, Dangerfield, Kendrick, Lester, Miller, Moore, and Potter—7.

Nays—Messrs. Barnett, Gaines, Greer, Jones, Stroud—5. Ordered to be engrossed.

A joint resolution to provide for the better collection of monies due from delinquents, agents and officers of the government, and to punish the same.—Read second time and referred to the committee on Judiciary.

Joint resolution regulating the Post Office Department.—Read third time and passed.

An act to complete the organization of the militia.—Read second time and ordered to be engrossed.

A bill to be entitled an act appropriating \$75,000 in the promissory notes of this government, to carry into effect the provisions of an act to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians.—Read and made the order of the day on Thursday next.

On motion, the Senate took up the resolution for the relief of Sylvanus Hatch as reported.

Question on the adoption of the report, which resolved the Senate into a committee of the whole.—Adopted.

The committee arose—the chairman reported progress and asked to be excused from further duty.—Motion carried.

The bill was then referred to a special committee of Kendrick, Muse, and Dangerfield.

A bill to be entitled an act for the relief of B. M. Carr, and Hail Barton.—Read second time and passed to a third reading.

An act as to the payment of taxes in the frontier counties.—Read second time and ordered to be engrossed.

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

THREE O'CLOCK, P. M.

Senate met.

By leave, Mr. Potter introduced an act to provide for taking the census or enumeration of the inhabitants of the Republic of Texas.—Read first time.

Joint resolution repealing an act incorporating the towns of Comanche and Waterloo.—Read a second time and ordered to be engrossed.

By leave, Mr. Muse offered a joint resolution appropriating \$15,000 to defray the contingent expenses of congress and departments of the government.—Read first time. Rules suspended—read second and third time and passed.

An act as to pleading and evidence.—Read second time and ordered to lie on the table.

A bill for the relief of E. R. Kellette.—Read second time and passed to a third reading.

Joint resolution for the relief of M. B. Shackelford, and Wm. Isaacs.—Read second time and passed to a third reading.

An act for the benefit of settlers residing near the boundary line of the United States in the counties of Red River and Harrison.—Read second time and ordered to lie on the table.

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

TUESDAY, December 29th, 1840.

Senate met.

The roll called,—a quorum present.

The Journals read and adopted.

On motion, the rule debarring bills of appropriation to be introduced in the Senate was suspended.

Mr. Moore then introduced a bill to be entitled an act making appropriations for the support of government for the year 1841.—Read first time.

ORDERS OF THE DAY.

An act for the relief of Richard J. Woodward.—Read third time and passed.

Joint resolution for the relief of M. B. Shackelford and Wm. Isaacs.—Read third time and passed.

A bill to be entitled an act for the relief of B. M. Carr, and Hail Barton.—Read third time and passed.

A bill for the relief of E. R. Kellette.—Read third time and passed.

An act to provide for the taking of the census.—Read second time and referred to the committee on Public Lands.

By leave, the special committee to whom was referred a bill for the relief of Sylvanus Hatch, report with amendments.

A bill to be entitled an act for the relief of settlers residing near the boundary line of the United States of the North.—Read third time and passed.

A bill to be entitled an act defining the way by which the holders of conditional certificates shall establish the same.—Read third time and made the order of the day for to-morrow.

By leave, Mr. Muse introduced a bill regulating attorneys and counsellors at law.—Read first time.

A bill to be entitled an act creating a system of bankruptcy, and regulating the collection of foreign debts.—Read second time as amended and passed to a third reading.

By leave, the committee on the Judiciary to whom was referred a bill to provide the way of filling the office of city recorder, also, an act to abolish the salaries of district judges, report the same and recommend its passage.

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

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion, the Senate took up the joint resolution appointing a day to go into the election for district judges as amended by the Senate, and reported from the House as not concurring in the amendments.

On motion, the Senate receded from the amendment as to the time, but adhered to the amendment as to the word "reported."

On motion, a committee of conference was appointed of Messrs. Potter, Dangerfield, and Moore, and request the concurrence of the House.

A bill to regulate the granting and trial of injunctions, and to empower the judges of the district courts to submit issues of fact to a jury in chancery cases.—Read second time as amended and ordered to lie on the table.

A message from the House reported a joint resolution to continue the transportation of the mail for a limited time, as having passed—all the rules suspended.

A communication from the Secretary of State was read.

On motion, the Senate took up the joint resolution to continue the transportation of the mail for a limited time.—Read first time. Rules suspended—read second and third time and passed.

Joint resolution for the relief of Jacob Snively, Paymaster General.—Read first time.

Joint resolution for the relief of M. B. Lewis.—Read first time.

Joint resolution repealing an act to incorporate the towns of Comanche and Waterloo.—Read third time and passed.

An act as to the payment of taxes in the frontier counties.—Read third time and passed.

On motion, the Senate went into secret session.

Doors being opened, the Senate adjourned until 10 o'clock tomorrow, A. M.

WEDNESDAY, December 30th, 1840.

The Senate met.

The roll called—a quorum present.

The journals were read and adopted.

ORDERS OF THE DAY.

An act to complete the organization of the Militia.—Read a third time and passed.

Joint resolution for the relief of Jacob Snively, Paymaster General.—Read second time and referred to the committee on claims and accounts.

By leave, the committee to whom was referred a bill to abolish certain ports of entry and to establish a port called Port Calhoun, report the bill without amendments.

A bill to regulate the granting and trial of Injunctions and to empower the Judges of the District courts to submit issues of fact to a jury in chancery cases.—Read second time.

Mr. Potter offered an amendment;

That the rule adopted by the Supreme Court, authorizing the granting of a peremptory mandamus on an ex parte hearing, is contrary to law; and the several Judges of this Republic in issuing writs of mandamus, are hereby directed to observe the rules which govern writs of mandamus at Common Law, as modified by the statutes of this Republic.

Yeas and nays called for:

Yeas.—Messrs Barnett, Byrne, Gaines, Kendrick, Jones, Lester, Muse, Potter and Stroud.—9.

Nays.—Messrs. Dangerfield and Moore.—2. Motion carried.

Mr. Dangerfield moved to strike out the 7th section.

Yeas and nays called for:

Yeas.—Messrs. Dangerfield, Kendrick, Muse and Stroud.—4.

Nays.—Messrs. Barnett, Gaines, Jones, Lester, Moore and Potter.—6. Motion lost.

Question on passing the bill to a third reading.

Yeas and nays called for :

Yeas.--Messrs. Barnett, Gaines, Jones, Lester, Moore, Potter, Stroud.--7.

Nays.--Messrs. Dangerfield, Kendrick, Muse.--3.

Bill passed to a third reading.

A bill to be entitled an act defining the way by which the holders of conditional certificates shall establish the same, was laid on the table for the present.

An act to abolish the salaries of District Attorneys.--Read second time and passed to a third reading.

A bill regulating counsellors and attornies at law.--Read second time and indefinitely postponed.

A bill to provide the method of filling the office of city Recorder.--Read second time and passed to a third reading.

A bill to be entitled an act for the relief of M. B. Lewis.--Read second time and referred to the committee on claims and accotnts.

A bill to be entitled an act making appropriations for the support of the government for the year 1841.--Read second time and referred to committee on claims and accounts.

A bill for the relief of Sylvanus Hatch.--Read second time.

Mr. Kendrick moved to stike out \$5,339 37, and insert \$3,746 13.--Motion to strike out carried.

Yeas and nays called for on inserting.

Those that voted in the affirmative are Messrs. Kendrick, Jones, Muse and Potter.--4.

Nays.--Messrs. Barnett, Byrne, Dangerfield, Gaines, Lester, Moore and Stroud.--7. Motion lost.

Mr. Byrne moved a reconsideration of the vote.--Motion carried.

Mr. Byrne moved the blank be filled with \$3 000.--Motion lost.

Mr. Moore moved to fill it up with \$1, 746 13.

Yeas and nays called for :

Yeas.--Messrs. Byrne, Dangerfield, Kendrick, Jones, Moore, Muse and Potter.--7.

Nays.--Barnett, Gaines, Lester, Stroud.--4. Motion carried.

Mr. Potter moved to insert by striking out "four years," and insert "made payable immediately."--Motion lost.

Mr. Kendrick moved to strike out "corn and beeves.--Motion lost.

Mr. Barnett moved to insert "in full of all demands."

Mr. Dangerfield moved an amendment to the amendment by inserting "in full payment of the bills appended."

Yeas and nays called for on the amendments to the amendment :

Those that voted in the affirmative are Messrs. Dangerfield, Kendrick, Muse, and Potter—4.

Those in the negative are Messrs. Barnett, Byrne, Gaines, Jones, Lester, Moore, and Stroud—7. Amendment to the amendment lost.

Yeas and nays called for on the amendment by Mr. Barnett: Yeas—Messrs. Barnett, Gaines, Lester, Moore, and Stroud—5. Nays—Messrs. Byrne, Dangerfield, Kendrick, Jones, Muse, and Potter—6. Amendment lost.

Yeas and nays called for on passing the bill to a third reading: Yeas—Messrs. Byrne, Dangerfield, Kendrick, Jones, Muse, and Potter—6.

Nays—Barnett, Gaines, Lester, Moore, and Stroud—5.

The bill passed to a third reading.

A communication from the Hon. Geo. H. Flood.—Read and accepted.

Mr. Potter offered a resolution that the thanks of the Senate be and they are hereby tendered to the Hon. G. H. Flood, Charge de Affaires of the United States of America, for his courteous offer of the use of his library to the members of the Senate.—Resolution adopted.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

THURSDAY, December 31st., 1840.

The Senate met.

The roll called,—a quorum present.

The journals read and adopted.

A message from the House reporting a number of bills as having passed.

REPORTS.

The Military Committee to whom was referred a bill for the relief of Edward West and Richard P. Briarly, report the same and recommend its passage.

The committee on claims and accounts to whom was referred a bill for the relief of Wm. R. Simpson, and M. B. Lewis, report the same and recommend its passage.

Mr. Greer introduced a bill to quiet the land claimants of the Republic of Texas.—Read first time and fifty copies ordered to be printed.

A bill to provide the method of filling the office of city recorder.—Read third time and passed.

A bill for the relief of Sylvanus Hatch.—Read a third time, and on motion, was referred to a special committee of Messrs. Greer, Potter, and Byrne.

An act to abolish the salaries of district attorneys.—Read third time and recommitted to the committee on the Judiciary.

A bill to be entitled an act to discontinue and abolish certain ports of entry and to establish a port called Port Calhoun.—Read second time and laid on the table.

A communication from the President and accompanying documents, were read and referred to the select committee on Military Affairs.

By leave, the special committee to whom was referred a bill for the relief of Sylvanus Hatch, report the bill with amendments.

On motion, the bill was taken up—read—the rules suspended, and read second and third time.

Yeas and nays called for on the passage:

Yeas—Messrs. Byrne, Dangerfield, Greer, Kendrick, Jones, Lester, Moore, Muse, Potter, and Stroud—10.

Nays—Messrs. Barnett and Gaines—2. Motion carried.

On motion,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met.

A quorum present.

A bill to be entitled an act appropriating \$75,000 in the promissory notes of the government to carry into effect the provisions of an act to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians.—Read third time.

Mr. Moore offered an amendment, that all legal titles located within the territory proposed to be sectionized and sold prior to the act of the Consultation closing the Land Office on the 15th day of November, 1835, be exempted from the provisions of the law approved February 1st., 1840, and to which this is a supplement.

Yeas and nays called for:

Those that voted in the affirmative are Messrs. Byrne, Lester, and Moore—3.

Those that voted in the negative are Messrs. Barnett, Dangerfield, Gaines, Greer, Jones, Kendrick, Muse, Potter, and Stroud—9. Motion lost.

Mr. Kendrick offered a bill to be entitled an act to repeal an act to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians, approved on the first of February, 1840, as a substitute.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

FRIDAY, January 1st., 1841.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The journals were read and adopted.

REPORTS.

The naval committee to whom was referred a joint resolution authorizing the Secretary of the Navy to issue certificates of bounty land to officers, seamen, and mariners of the Navy, report the bill without amendments.

On motion, the Senate took up all the bills laid upon the table.

Joint resolution for the relief of Edward West, also, for Rowland T. Bryarly, laid upon the table until to-morrow.

A bill to be entitled an act creating a system of bankruptcy and regulating the collection of foreign debts.—Read third time and passed.

A bill to be entitled an act for the relief of M. B. Lewis.—Read second time and passed to a third reading.

A bill to regulate the granting and trial of injunction, and to empower the judges of the district courts to submit issues of fact to a jury in chancery cases.—Read third time and passed.

Joint resolution for the relief of Wm. K. Simpson.—Read second time and passed to a third reading.

A bill to be entitled an act appropriating \$75,000 in the promissory notes of the government, to carry into effect the provisions of an act to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians.

Yeas and nays called for on the substitute offered by Mr. Kendrick:

Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Lester, Muse, and Potter—6.

Those in the negative are Messrs. Barnett, Gaines, Greer, Jones, Moore, and Stroud—6. Motion or substitute lost.

Mr. Moore offered an additional section, that all legal claimants to land situated in the territory proposed to be sectionized and sold agreeably to the provisions of the act to which this is a supplement, shall be exempted from the provisions of the said act.

Yeas and nays called for on the adoption of the section:
Those in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Muse, and Potter—7.

Those in the negative are Messrs. Barnett, Gaines, Greer, Jones, and Stroud—5. Section adopted.

Mr. Moore then moved an amendment, that \$75,000 of the promissory notes of the government be appropriated out of the first sales of said lands, after the word "sum of" in the fourth line.

Yeas and nays called for:

Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Muse, and Potter—7.

Those in the negative are Messrs. Barnett, Gaines, Greer, Jones, and Stroud—5. Amendment adopted.

Yeas and nays called for on passing the bill to a third reading:

Those in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Jones, Lester, Muse, Moore, Potter, and Stroud—9.

Those in the negative are Messrs. Barnett, Gaines, and Greer—3. The bill passed to a third reading as amended.

Mr. Muse moved an adjournment until to-morrow, 10 o'clock, A. M.

Yeas and nays called for:

Those in the affirmative are Messrs. Byrne, Kendrick, Lester, Muse, and Potter—5.

Those in the negative are Messrs. Barnett, Dangerfield, Gaines, Greer, Jones, Moore, and Stroud—7. Motion lost.

A bill to be entitled an act authorizing the chief justice of Milam to have land appraised and condemned for public use, and to remunerate the owner or owners for the same.—Read first time.

A bill to be entitled an act legalizing the acts of the board of land commissioners of Harris county.—Read first time.

Joint resolution authorizing and requiring the Commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKean.—Read first time.

An act to rent the public buildings in the city of Austin.—Read first time.

An act to regulate public sales.—Read first time.

An act to be entitled an act for the relief of Margaret Wright.—Read first time.

An act to better define the boundary line between the counties of Matagorda and Victoria.—Read first time.

An act to amend an act organizing justices' courts and defining the powers and jurisdiction of the same.—Read first time.

An act confirming the use, occupation, and enjoyment of the churches, church lots, and mission churches, to the Roman Catholic congregations living near or in the vicinity of the same.—Read first time.

An act supplementary to an act to establish and incorporate Rutgersville college.—Read first time.

An act for the regulation of the coasting trade and the protection of the Texian shipping.—Read third time and passed.

The select committee, by leave, reported an act of limitation without amendments; also, a joint resolution to provide for the better collection of monies due from delinquent agents and officers of the government, and to punish the same.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

SATURDAY, January 2d, 1841.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The journals of the preceding day were read and adopted.

Mr. Kendrick presented a communication from the assistant secretary, Mr. Nicholson, asking leave of absence, which was granted, and Mr. A. B. McGill appointed to act during his absence.

Mr. Moore, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act to organize part of the counties of Matagorda and Colorado for judicial and other purposes, recommend an amendment to the bill by a substitute for the second section, which report, together with the bill, was laid on the table to come up among the orders of the day.

Mr. Potter, chairman of the committee on Public Lands, to whom was referred a bill to be entitled an act supplementary to an act prohibiting the location of fraudulent land certificates, &c., approved February 5th, 1840, returned the same and without amendments, and recommend its passage; which report was received and the bill laid on the table to come up among the orders of the day.

Mr. Potter, chairman of the committee on Public Lands, reported a bill to be entitled an act supplementary to an act to detect fraudulent land certificates, and to provide for issuing patents to legal claimants.—Read first time.

A message was received from the House by their chief clerk, P. W. Humphries, informing the Senate of the passage of sundry acts and joint resolutions.

Mr. Moore introduced a bill to be entitled an act supplementary to an act to define the boundaries of the county of Montgomery, approved January 25th, 1840.—Read first time.

Mr. Moore introduced a bill to be entitled an act supplementary to an act regulating elections.—Read first time.

Mr. Gaines introduced the following resolution:

Resolved by the Senate, That a committee of two be appointed to examine the books and vouchers of the Stock Commissioner

to ascertain the situation of that department, and report to the Senate as soon as practicable.--Read first time.

Mr. Potter introduced a bill to repeal an act to prohibit the driving of hogs and cattle from the Cherokee country, or killing the same, approved February 4th, 1840.--Read first time.

ORDERS OF THE DAY.

A bill appropriating \$75,000 to carry into effect the provisions of an act entitled an act to sectionize and sell the lands formerly reserved and occupied by the Cherokee Indians.--Read third time and passed.

Joint resolution for the relief of William K. Simpson.--Read third time and passed.

Mr. Lester introduced a bill supplementary to an act to repeal certain parts of an act concerning executions.--Read first time. Rule suspended--read second time and referred to the committee on the Judiciary.

A message was received from his Excellency the President, communicating the resignation of Charles Raymond, one of the travelling commissioners east of the Brazos.--Laid on the table.

A bill for the relief of M. B. Lewis.--Read third time and passed.

A bill to provide for the better collection of monies due from delinquent agents and officers of the government, and to punish the same.--Read second time and ordered to be engrossed.

Mr. Stroud introduced the following resolution:

Resolved, That the Senate with the consent of the House of Representatives, will, on the 5th of January, 1841, go into an election to fill the vacancy occurred by the resignation of Charles Raymond, as a member of the board of travelling commissioners east of the Brazos.--Read first time. Rule suspended--read second time. Rule further suspended--read third time and passed.

A bill supplementary to an act to incorporate and establish Rutgersville College.--Read second time.

Mr. Moore moved to refer the bill to the committee on enrolled bills.

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

A bill to be entitled an act to legalize the acts of the board of Land Commissioners of Harrison county.--Read second time and referred to the committee on the Judiciary.

A bill to be entitled an act authorizing the chief justice of Milam county to have land appraised and condemned for public use, and to remunerate the owners for the same.

Mr. Greer moved to amend by striking out "three hundred and twenty acres" where it occurs, and insert "fifty acres," and by

striking out "six hundred and forty" and insert "one hundred." Amendment adopted.

Mr. Stroud moved to amend the bill by giving the chief justice the power of condemning not less than one hundred nor more than two hundred acres.

The yeas and nays being called for on the amendment, stood thus:

Yeas--Messrs. Barnett, Gaines, Lester, and Stroud---4.

Nays--Messrs. Byrne, Dangerfield, Greer, Kendrick, Moore, and Potter---6. So the motion was lost.

Mr. Greer moved to amend by striking out the words in the second section "so declared," and inserting the words "and the balance shall be appropriated to the erection of a court house and jail."--Amendment adopted.

Mr. Dangerfield moved to strike out in section second the words "chief justice," and insert "treasurer of the Republic."--Carried.

On motion of Mr. Stroud,

The bill was referred to a select committee consisting of Messrs. Dangerfield, Stroud, and Gaines.

On motion of Mr. Potter,

The bill for the relief of Edward West, was taken up---Read second time and passed to a third reading.

Joint resolution for the relief of Rowland P. Bryarly---Read second time.

An act to amend an act organizing justices' courts and defining the powers and jurisdiction of the same---Read second time and referred to the committee on the Judiciary.

A bill for the relief of Margaret Wright---Read second time and referred to the committee on Public Lands.

An act better to define the boundary line between the counties of Matagorda and Victoria---Read second time.

An act to regulate public sales---Read second time and referred to the committee on the Judiciary.

An act confirming the use, occupation, and enjoyment of the churches, church lots, and mission churches, to the Roman Catholic congregations living near or in the vicinity of the same---Read second time and referred to the committee on the Judiciary.

Joint resolution authorizing and requiring the commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKean---Read second time and referred to the committee on the Judiciary.

An act to rent the public buildings in the City of Austin---Read second time and referred to a select committee consisting of Messrs. Kendrick, Barnett, and Stroud.

Mr. Kendrick moved to adjourn until Monday morning, 10 o'clock.

The yeas and nays being called for on the adjournment, stood thus:

Yeas--Messrs. Barnett, Byrne, Dangerfield, Greer, Kendrick, Jones, Lester, Potter, and Stroud.

Nays--Messrs. Gaines, and Moore.

So the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, January 4th, 4841.

The Senate met pursuant to adjournment.

The roll called,---a quorum present.

The journals of Saturday 2d, were read and adopted.

Mr. Moore, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act supplementary to an act to repeal and amend certain parts and portions of an act concerning executions, reported the same without amendments and recommended its passage.---Report received and the bill laid on the table to come up among the orders of the day.

Mr. Barnett, chairman of the committee on claims and accounts, to whom was referred a joint resolution for the relief of Jacob C. Snively, reported unfavorable on the same, and recommended its indefinite postponement.---Report received and joint resolution laid on the table to come up among the orders of the day.

Mr. Muse, chairman of the committee on Finance, to whom was referred a bill providing for the permanent location of the Lipan and Tonkaway Indians, also a resolution instructing the committee on Indian Affairs to enquire how far the law passed and approved 14th January, 1840, in relation to the Coshattee and Alabama Indians, had been carried out, reported the bill back to the Senate with additional sections and recommended its passage.---Report received and the bill laid on the table to come up among the orders of the day.

Mr. Muse, chairman of the committee on Finance to whom was referred a bill changing the time of holding the Supreme Court, reported the same back to the Senate without amendments and recommended its passage.---Report received and the bill laid on the table to come up among the orders of the day.

Mr. Potter, chairman of the committee on Public Lands, to whom was referred an act for the relief of Nathaniel Townsend, made a report in favor of the bill and recommended its passage.---Report received and the bill laid on the table to come up among the orders of the day.

ORDERS OF THE DAY.

Resolution for the appointment of a committee to examine the office of Stock Commissioner.--Read second time and adopted.

Committee.--Messrs. Gaines and Byrne.

A bill better to define the boundary line between the counties of Matagorda and Victoria.--Read third time and passed.

Joint resolution for the relief of Rowland P. Bryarly--Read third time and passed.

Joint resolution for the relief of Edward West.--Read third time and passed.

The following bills and joint resolutions from the House of Representatives, were taken up on their first reading:

Joint resolution for the relief of J. C. Neil.

Joint resolution for the relief of Thomas G. Gorden.

A bill to organize the several Judicial Districts and to abolish the 7th District. Read first time,--Rule suspended.--Read second time.

Mr. Kendrick moved to amend the bill by striking out that portion which relates to the county of Caney.--Carried.

Mr. Greer offered the following as a substitute for part of the sixth section, to come in line 11 after the words "in the county of" the county of San Augustine, shall commence its sessions on the 2d Monday in April and October, and may continue three weeks and no longer; the county of Sabine shall commence its sessions on the first Mondays in May and November, and may continue one week and no longer; and the county of Jasper shall commence the second Mondays in May and November and may continue in session until all the business is disposed of.--Adopted.

A message was received from the House of Representatives by their chief clerk, P. W. Humphries, informing the senate of the concurrence of the House in an amendment to a joint resolution for the relief of M. B. Lewis, and that they had passed sundry acts and joint resolutions, in which they asked the concurrence of the Senate.

Mr. Moore moved to amend the bill under consideration by adding the county of Shelby to the fifth Judicial District.

The ayes and nays being called for on the amendment, stood as follows:

Ayes.--Messrs Byrne, Kendrick, Lester, Moore, Potter.--5.

Nays.--Messrs Barnett, Dangerfield, Gaines, Greer, Jones, Muse, Stroud.--7. So the amendment was lost.

Mr. Potter moved to amend the bill by striking out in section 7th the word "sixth," and inserting the word "seventh." Amendment adopted.

Mr. Potter moved to refer the bill to the committee on the Judiciary.--Motion lost.

On motion of Mr. Muse, it was referred to a select committee with instructions to report at 3 o'clock P. M.

Committee.--Messrs. Muse, Barnett and Potter.

A bill to incorporate the Franklin Association of the city of Houston.--Read first time.

A bill to amend an act incorporating the city of Richmond and the towns of San Felipe de Austin and La Grange, approved November 18th, 1837.--Read first time.

Joint resolution for the relief of L. B. Outlaw.--Read first time.

Joint resolution for the relief of David Thomas.--Read first time.

Joint resolution authorizing the sale of lots in the city of Calhoun.--Read first time.

Joint resolution for the relief of G. W. Hockley, attorney in fact for John Lewis McNairy.--Read first time.

Joint resolution for the relief of John W. Finch.--Read first time.

A bill the better to define the boundary between the counties of Austin and Fort Bend.--Read first time.

A bill authorizing the digesting the laws of the Republic.--Read first time.

Joint resolution for the relief of Wm. H. Marber.--Read first time.

Joint resolution for the relief of Seth Sheldon.--Read 1st time.

Joint resolution for the relief of A. J. Davis.--Read first time.

Joint resolution for the relief of Bridget Patten.--Read first time.

Joint resolution for the relief of James R. Martin.--Read first time.

A bill to change the name of certain persons therein named.--Read first time.

A bill to repeal a certain part of an act entitled an act to locate a road from Washington to the Sabine River, and to amend the same.--Read first time.

Joint resolution requiring the Postmaster General to provide for carrying the mail upon the present routes until first of March next.--Read first time.--Rule suspended.--Read second time and referred to the committee on Post Offices and Roads.

Mr. Lester by leave introduced a bill to open a communication with Santa Fé and other towns.--Read first time.

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

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

Quorum present.

Mr. Moore, chairman of the committee on the Judiciary, to whom was referred a bill to provide for the erection of a Penitentiary reported the same with amendments and recommended its passage.—Report received and the bill laid on the table to come up among the orders of the day. 7

Mr. Muse, chairman of the committee to whom was referred a bill to re-organize the several judicial districts and to abolish the 7th district, recommended that the 1st section be a substitute for the amendment to said section, and that the bill pass as amended.

On motion of Mr. Potter, the rule was suspended and the report taken up.

Mr. Muse moved that the bill be read by sections.

Mr. Moore moved the indefinite postponement of the bill.

The ayes and nays being called on the indefinite postponement, stood thus—

Ayes.—Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Potter.—6.

Noes.—Barnett, Gaines, Greer, Jones, Muse, Stroud.—6. So the motion to indefinitely postpone was lost.

The question then being taken on the adoption of the report, it was rejected.

Mr. Barnett moved to reconsider the vote on the indefinite postponement of the bill.—Carried.

Mr. Barnett then moved the indefinite postponement of the bill; and it was indefinitely postponed.

The Senate went into secret session.—Doors opened.

On motion of Mr. Potter, the Senate then adjourned until tomorrow morning, 10 o'clock.

TUESDAY, January 5th, 1841.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

The journals of the preceding day were read and adopted.

Mr. Lester presented the petition of William H. Murray, praying Congress to grant him a certain portion of land, which was referred to the committee on Public Lands.

Mr. Stroud, chairman of the select committee to whom was referred a bill authorizing the chief justice of Milam county to have lands appraised and condemned for public use, and to remunerate the owner or owners of the same, reported the same with

an amendment and recommend its passage.—Report received and the bill laid on the table, to come up among the orders of the day.

Mr. Kendrick, chairman of the select committee to whom was referred a bill to rent the public buildings in the City of Austin, reported a substitute for the bill, which being read, the rule was suspended, and bill and substitute taken up.

Mr. Greer moved to amend the substitute by striking out the words "offer for sale," and insert the words "offer for rent."—Carried.

Mr. Moore offered the following proviso, which was adopted: "or to sell the same provided they can be sold for what they cost."

Mr. Greer moved to amend by striking out the words "or public use" and insert the words "for public store rooms."—Adopted.

Mr. Greer moved to strike out the word "President," in section second, and insert the Secretary of the Treasury."—Lost.

The question being then taken on the adoption of the report, it was adopted.

The rule was then suspended and the bill read third time and passed.

Mr. Stroud introduced a bill to protect the Mexican trade.—Read first time. Rule suspended—read second time and referred to the committee on Finance.

A bill providing the mode of appointing wreck-masters, and prescribing their duties, amended by the Senate and the amendments disagreed to by the House.

On motion, the Senate receded from its amendments.

A resolution requesting certain information from the Commissioner of the General Land Office was taken up on its second reading and laid on the table until called up.

A joint resolution for the relief of J. Snively, together with the report of the committee on claims and accounts was taken up.

A message was received from the House informing the Senate that they were ready to go into the election of district judges to fill the vacancies where vacancies exist.

On motion of Mr. Greer,

The joint resolution under consideration was laid on the table for the present.

A message was received from the House informing the Senate that they had [nominated] for judge of the third judicial district, R. E. B. Baylor; for the fourth, A. Hutchinson and John T. Mills; for the fifth, George Terrel.

This being the day also for the election of a travelling commissioner to fill the vacancy east of the Brazos, the Senate proceeded to make nominations.

Mr. Moore nominated Geo. Fisher.

A message was received from the House informing the Senate that they had nominated for travelling commissioner east of the Brazos, Messrs. Robert W. Smith, and Isaac Parker.

The Senate then proceeded to the election of district judges.

R. E. B. Baylor being in nomination for judge of the third judicial district, received the unanimous vote of the Senate, it being 12 votes.

Messrs. Hutchinson and Mills being in nomination for judge of the 4th judicial district.

Those who voted for Mr. Hutchinson were--Barnett, Byrne, Gaines, Greer, Kendrick, Jones, Lester, Moore, Muse, Potter, Stroud--11.

For Mr. Mills--Mr. Dangerfield--1.

Mr. Terrel being in nomination for the 4th judicial district, and having no opposition, received the unanimous vote of the Senate.

The Senate then proceeded to the election of a travelling commissioner, Messrs. Fisher, Smith, and Parker.

The Senate voted as follows:

For Mr. Fisher--Mr. Moore--1.

For Mr. Smith, Messrs. Barnett, Byrne, Dangerfield, Gaines, Greer, Kendrick, Jones, Lester, Muse, Potter, Stroud--11.

A message was received from the House giving the result of the election by that body, which stood as follows:

For Judge of the 3d Judicial District:

R. E. B. Baylor received - - - 22 votes,

For Judge of the 4th Judicial District:

A. Hutchinson received - - - 22 votes,

John T. Mills " - - - 12 "

For Judge of the 5th Judicial District:

G. W. Terrell " - - - 34 "

For Travelling Commissioner East of the Brazos.

R. W. Smith received - - - 19 votes,

Isaac Parker " - - - 9 "

Geo. Fisher " - - - 1 "

RECAPITULATION:

For Judge of the 3d Judicial District:

R. E. B. Baylor received - - - 44 votes.

For Judge of the 4th Judicial District:

A. Hutchinson received - - - 33 votes.

John T. Mills, " - - - 13 "

For Judge of the 5th Judicial District:

Geo. W. Terrel received - - - 46 votes.

For Travelling Commissioner East of the Brazos :

R. W. Smith received	-	-	-	-	30	votes.
I. Parker	"	-	-	-	9	"
Geo. Fisher	"	-	-	-	2	"

The president pro tem. then declared the following gentlemen duly and constitutionally elected.

For Judge of the 3d Judicial District	R. E. B. Baylor,
" " " " 4th " "	A. Hutchinson,
" " " " 5th " "	G. W. Terrel.

For Travelling Commissioner East of the

Brazos,	-	-	-	P. W. Smith.
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A bill supplementary to an act regulating elections.—Read the second time and passed to a third reading.

A bill granting a donation of land to actual settlers on or near the military road leading from Austin to Red River, was taken up on its second reading.

Mr. Potter offered the following amendment to the second section, to come in after the words "be it further enacted," that some competent person shall be appointed by the President as surveyor of the above-mentioned boundary, who shall be allowed for his services the same fees and compensation as are allowed by law to the surveyors of the several counties of this Republic, and be subject to the same duties and regulations as far as the same may be applicable to his office.

Mr. Greer moved the indefinite postponement of the bill.

The ayes and noes being called for on the motion to postpone, stood thus :

Ayes—Messrs. Barnett, Gaines, Greer, Stroud—4.

Noes—Messrs. Byrne, Dangerfield, Kendrick, Jones, Lester, Moore, Muse, Potter—8. Motion lost.

On motion of Mr. Muse,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met.

Quorum present.

Mr. Kendrick introduced the following resolution :

Resolved by the Senate (with the consent of the House of Representatives) of the Republic of Texas in Congress assembled, That the two houses proceed to the election of district judges for the first and second judicial districts, on Thursday the 7th inst., at 12 o'clock.—Read first time. Rule suspended—read the second time.

A communication was received from his Excellency, the President.

Mr. Moore moved to strike out the word "first judicial district" in the resolution under consideration.—Carried.

Mr. Muse moved to amend by striking out "Thursday," and insert "Saturday."—Carried, and the resolution was adopted.

A bill granting a donation of land to actual settlers on or near the military road on our northern frontier, being in order, was taken up and the amendment offered by Mr. Potter adopted.

Mr. Greer moved to amend the amendment by inserting the words "that he shall be authorized to appoint one or more deputies and land surveyors."—Carried.

Mr. Greer moved to further amend the amendment, by striking out the word "President," and insert that he "shall be elected by congress."—Motion lost.

On motion of Mr. Muse,

The bill was referred to a select committee consisting of Messrs. Muse, Potter, and Greer.

Joint resolution for the relief of J. Snively, on its second reading.

On motion of Mr. Muse,

The resolution was referred to a select committee, consisting of Mr. Muse, Moore, Dangerfield, Byrne, and Lester.

On motion of Mr. Kendrick,

The vote was reconsidered on the indefinite postponement of the bill to re-organize the several judicial districts, and to abolish the seventh district.

The communication from the President was read and referred to the committee on Military Affairs.

Mr. Kendrick moved to adjourn until to-morrow, 10 o'clock, A. M.—Lost.

Mr. Muse moved to adjourn until to-morrow morning, 10 o'clock.

The ayes and noes being called for on the adjournment, stood as follows:

Ayes—Messrs. Dangerfield, Greer, Lester, Muse—4.

Noes—Messrs. Barnett, Byrne, Gaines, Jones, Moore, Stroud, 6.
Motion to adjourn lost.

A bill authorizing the digesting of the laws of the Republic.—Read the second time and referred to the committee on the Judiciary.

A bill to organize part of the county of Liberty for Judicial and other purposes.—Read the second time and referred to the committee on the Judiciary.

A bill the better to define the boundaries between the counties of Austin and Fort Bend.—Read the second time and referred to the committee on Public Lands.

Joint resolution for the relief of J. C. Neill.—Read the second time and referred to the committee on Public Lands.

A bill for the relief of J. B. Outlaw.—Read the second time and referred to the committee on Public Lands.

A bill for the relief of Wm. H. Mosher.—Read the second time and referred to the committee on claims and accounts.

Joint resolution for the relief of Jno. H. Finch.—Read the second time and referred to the committee on claims and accounts.

Joint resolution for the relief of Thomas G. Gordon.—Read the second time and referred to the committee on Public Lands.

A bill for the relief of David Thomas.—Read the second time and referred to the committee on Public Lands.

A bill for the relief of Budget Fadden.—Read the second time and referred to the committee on Finance.

A bill for the relief of James R. Martin.—Read the second time and referred to the committee on Finance.

A bill for the relief of Geo. W. Hockley, attorney in fact for Jno. Lewis McNairy.—Read the second time and referred to the committee on Public Lands.

Joint resolution authorizing the sale of lots in the town of Calhoun.—Read the second time and referred to the committee on Public Lands.

A bill to change the name of certain persons therein named.—Read the second time and referred to the committee on the Judiciary.

A bill for the relief of Seth Sheldon.—Read the second time and referred to the committee on claims and accounts.

A bill to incorporate the Franklin Association in the City of Houston.—Read the second time and referred to the committee on the Judiciary.

A bill to repeal a certain part of an act to locate a road from Washington to the Sabine River, and to amend the same.—Read the second time and indefinitely postponed.

A bill to amend an act entitled an act to incorporate the City of Richmond, and the towns of San Felipe de Austin, and La Grange.—Read the second time and referred to the committee on the Judiciary.

A joint resolution for the relief of Andrew Jackson Davis.—Read the second time and referred to the committee on claims and accounts.

A bill to open a communication with Santa Fé and other towns.—Read second time and referred to the committee on Finance.

A bill to quiet land titles of the Republic of Texas.—Read the second time and made the special order for to-morrow, at 11 o'clock.

On motion,

The Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, January 6th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

Mr. Potter presented a memorial of Capt. A. C. Hinton, which was referred to the committee on Naval Affairs without reading.

Mr. Moore, chairman of the committee on the Judiciary, to whom was referred a bill entitled a bill to incorporate the Franklin Association of the City of Houston. A bill to legalize the acts of the board of land commissioners of Harris county. A bill to change the name of certain persons therein named; reported the same back to the Senate without amendments, and recommended their passage.—Report received and the bills laid on the table to come up among the orders of the day.

Mr. Potter, chairman of the committee on Public Lands, to whom was referred a bill confirming the use, occupation, and enjoyment of the churches, church lots, and mission churches, to the Roman Catholic congregations living near or in the vicinity of the same, reported the same without amendments and recommended its passage.—Report received and the bill laid on the table to come up among the orders of the day.

Mr. Muse, chairman of the committee on Finance, to whom was referred the secret intelligence from our loan commissioners, report that they believe it impracticable for the Senate at this time to take any action on the matter.—Report received and laid on the table to come up among the orders of the day.

Mr. Lester, chairman of the committee on Military Affairs, to whom was referred the petition of Maria Jesus Garcia, reported favorably to the petitioner and recommended the passage of an accompanying joint resolution for her relief.—Report received and the joint resolution to come up among the orders of the day.

Mr. Muse, chairman of the Select Committee, to whom was referred a bill granting a donation to actual settlers on or near the military road on the northern frontier, report the bill back with amendments and recommend its passage.—Report received and the bill laid on the table to come up among the orders of the day.

Mr. Lester introduced a bill for the punishment of public defaulters.—Read first time.

Mr. Dangerfield, chairman of the select committee to whom was referred a joint resolution for the repeal of certain rules of the Supreme Court, made a report recommending the passage of the same, accompanied by a communication from the Attorney General, in answer to a resolution requesting the Attorney General to lay before the Senate as early as practicable, an explanation of the proceedings before the District Court of Bastrop, at its late session, which resulted in issuing a mandamus to the Commissioner of the General Land Office, requiring him to issue a patent for certain portions of Galveston Island, which report, together with the communication was laid on the table to come up among the orders of the day.

ORDERS OF THE DAY.

A joint resolution to provide for the better collection of monies due from delinquent agents and officers of government, and to punish the same.—Read second time and referred to the committee on the Judiciary.

On motion of Mr. Lester,

The bill for the punishment of public defaulters was taken up, the rule suspended, the bill read second time and referred to the committee on the Judiciary.

A bill to discontinue and abolish certain ports of entry and to establish instead thereof, a port of entry to be called "Port Calhoun.—Read second time.

On motion of Mr. Kendrick,

The blank in section was filled with \$1,800.

Mr. Kendrick moved to amend the 8th section, by adding the words "that this act shall take effect from and after its passage." Carried.

Mr. Kendrick offered an additional section by way of amendment, which was adopted.

Mr. Byrne offered the following amendment: insert in section after the words "required," to insert "reside at the Port so established.—Adopted and the bill passed to a third reading.

A message was received from the House informing the Senate that they had passed a joint resolution for the relief of the purchasers of Austin City out lots, that they had suspended all the rules, in which they asked the concurrence of the Senate.

On motion of Mr. Greer,

The Senate took up the special orders of the day.

A bill defining the way the holders of conditional certificates shall establish the same on its second reading.

Mr. Greer moved to strike out the word "way" in the caption and insert the word "mode."

On motion of Mr. Greer,

The word "conditional" was inserted before the word "certificate."

Mr. Greer moved to insert in section 7th, after the word "cases where the plaintiff fails to establish his suit," and after the word "attorney" by said plaintiff.—Adopted.

Mr. Greer moved an amendment by inserting in section seventh after word "or," "when he obtained his conditional certificate."—Adopted.

Mr. Greer moved to amend the 9th section by inserting after the words "district courts," when appeals have not been taken in the time prescribed by law.—Adopted.

Mr. Byrne moved to amend the bill by adding the following to the 14th section, "when the applicant shall have resided in the Republic three years."—Adopted.

Mr. Potter moved that copies of the bill be printed.

The ayes and nays being called for on the order for printing, stood thus:

Ayes—Messrs. Byrne, Dangerfield, Greer, Kendrick, Lester, Potter, Stroud—7.

Nays—Messrs. Barnett, Gaines, Moore, and Muse—4. Motion to print carried.

On motion of Mr. Muse,

Two hundred copies were ordered to be printed.

A bill to quiet the land titles of the Republic, being the special order of the day, was taken up on its second reading.

A message was received from the President.

Mr. Potter moved the bill under consideration lie on the table.

On motion of Mr. Kendrick,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met.

Quorum present.

Mr. Potter, chairman of the select committee, to whom was referred a bill securing the right of appeal from the justices' to sage.—Report received and the bill laid on the table to come up among the orders of the day.

On motion of Mr. Barnett,

The bill for the relief of purchasers of Austin City and out lots was taken up.—Read first time. Rule suspended—read second time and referred to the committee on Finance.

A bill transferring a certain appropriation from one office of the government to another.—Read first time. Rule suspended—read second time. Rule further suspended—read third time and passed.

The communication from the President was read and referred to the committee on Naval Affairs.

The bill to quiet the land titles of the Republic, being in order, was taken up and referred to the committee on Public Lands.

On motion of Mr. Potter,

The bill concerning change of venue in civil suits, was taken up on its second reading.

Mr. Potter offered the following amendment, to come in section second after the words "been commenced," unless the party applying for such change of venue shall produce in open court, three respectable citizens, residents of the county where such change of venue shall be applied for; who, as well as the party applying for the change of venue, shall make and subscribe an affidavit stating their belief and their reasons for the same, that the party cannot obtain justice in the county where the application for the change of venue shall be made, a sufficiency of whose statement shall be determined by the presiding judge, and the right of change of venue is hereby given to the defendant as well as the plaintiff, under the conditions herein prescribed.

The ayes and nays being called for on the adoption of the amendment, stood as follows:

Ayes—Messrs. Byrne, Gaines, Greer, Jones, Lester, Muse, Potter, and Stroud—8.

Nays—Messrs. Dangerfield, Kendrick, Moore—3. Amendment adopted.

Mr. Moore moved the indefinite postponement of the bill.

The ayes and nays being called for on the indefinite postponement, stood as follows:

Messrs. Byrne, Dangerfield, Kendrick, Moore—4.

Nays—Messrs. Barnett, Gaines, Greer, Jones, Lester, Muse, Potter, Stroud—8. So the motion to indefinite postpone was lost.

On motion of Mr. Potter,

The Senate adjourned until 10 o'clock, A. M.

THURSDAY, January 7th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

The journals read and adopted.

A message from the House reporting a number of bills as having passed.

REPORTS.

The committee on the Judiciary, to whom was referred the joint resolution authorizing and requiring the commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKean; a bill supplementary to an act to establish and incorporate Rutgersville college, report the bills without amendments; also a bill prescribing the mode by which married persons may dispose of their separate property, report the bill and recommend that the 2d. section be stricken out.

The committee on public lands, to whom was referred a bill for the relief of L. B. Outlaw, report the bill without amendments; also a bill for the relief of Thomas G. Gordon, report the bill and recommend its rejection.

ORDERS OF THE DAY.

Bills on their first reading.

A bill for the relief of Samuel Culver.—Read the first time.

A bill for the relief of those who have taken the benefit of the insolvent laws of other countries.—Read the first time.

A bill to repeal a portion of the 8th section of an act regulating the license and practice of Attornies.

A bill supplementary to an act authorizing the issuing of duplicate land warrants, discharges, headrights, &c.—Read first time.

A bill the better to define the boundaries of the county of Travis.—Read first time.

Joint Resolution to provide for the better collection of monies due from delinquent agents and officers of the Government.—Read the first time. Rule suspended—read the second time and referred to the committee on the Judiciary.

A bill to charter the Houston and Austin Turnpike Company.—Read the first time.

A bill to amend an act which provides the mode of taking testimony by interrogatories and to provide a mode of taking depositions, which passed in the Senate and reported from the House with an amendment.

Question whether the Senate concur in the amendment.

The Senate concurred in the amendment.

By leave, Mr. Barnett offered a bill relating to Justices of the Peace.—Read first time.

An act of limitations.—Read the second time and ordered to be engrossed as amended.

A bill to be entitled an act for the relief of the purchasers of lots in the city of Austin, and on the tract adjoining.—Report of the committee with amendments, read first time. Report not adopted.—Rule suspended—read second time.

Mr. Barnett offered an amendment to first section, by striking out "12 months" and inserting "6 months"

The yeas and nays called for on the amendment :

Those who voted in the affirmative were—Messrs. Barnett, Gaines, Moore, Potter, and Strond.—5.

Those in the negative were—Messrs. Byrne, Greer, Kendrick, Jones, Lester, Muse.—6.

Amendment lost, and the bill read third time as amended and passed.

A message from the House reporting a resolution to elect a Judge for the second Judicial District, which had passed the Senate and passed the House with an amendment.

Mr. Potter offered a bill to protect the rights of the heirs and next of kin of the members of the Georgia Battalion and other volunteers from Foreign Countries, who have fallen in the battles of the Republic, or otherwise died within the limits of the same.—Read the first time. Rule suspended.—Read the second time. Rule further suspended.—Read the third time and passed.

Resolution to elect a Judge of the second Judicial District, reported from the House with an amendment.

Question whether the Senate concur in the amendment.—The Senate refused to concur.

A communication was received from the President.—Read and referred to the committee on the Judiciary.

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

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

The roll called—a quorum present.

A substitute to a bill concerning change of venue in civil suits. Read second time as amended and passed to a third reading.

A bill defining the mode by which the holders of conditional certificates shall establish the same.—Read the second time and under consideration ; when the Senate,

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

FRIDAY, January 8th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,--a quorum present.

Messrs. Muse and Stroud absent.

Journal of the preceding day was read and adopted.

A message from the House reporting a bill supplementary to an act approved December 22d, 1840, to repeal and amend certain parts of an act concerning executions, as having passed; also an act to quiet the land titles within the boundary of the twenty frontier leagues bordering on the United States of the North, as passed the House.

REPORTS.

The chairman of the committee on claims and accounts, to whom was referred a bill to be entitled an act for the relief of Wm. H. Mosher;

A joint resolution for the relief A. J. Davis; also a

Joint resolution for the relief of John H. Finch, which, the committee report favorably, and recommend the passage of the same.

The committee on Public Lands, to whom was referred a bill to quiet the land titles of the Republic of Texas, report verbally, favorably.

ORDERS OF THE DAY.

A bill to amend an act entitled an act to regulate the proceedings in civil suits, and to define more especially the nature of petition and answer.

Mr. Greer offered a bill to amend an act regulating the proceedings in civil suits, approved February 5th, 1840, as a substitute for the bill.--Substitute adopted.

A message from the House reporting a resolution to go into an election for Judge of the second Judicial District, as receding from the first amendment and adhering to the second amendment, to which the Senate agreed to concur in the action of the House.

A bill to discontinue and abolish certain ports of entry and establish instead thereof a port of entry to be called Port Calhoun, report the bill as having passed with amendments.

A bill defining the mode by which the holders of conditional certificates shall establish the same.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

Messrs. Muse and Stroud absent.

The Senate resumed the consideration of a bill under discussion prior to adjournment; after being read through and amended section by section, the bill was passed to a third reading.

A bill for the relief of Samuel Culver.—Read second time and referred to the committee on claims and accounts.

A bill for the relief of those who have taken the insolvent laws of other countries.—Read the second time and referred to the committee on the Judiciary.

A bill to repeal a portion of the 8th section of an act entitled an act regulating the license and practice of Attornies.—Read the second time and referred to the committee on the Judiciary.

A bill supplementary to an act authorizing the issuing of duplicate land warrants, discharges, headrights, &c.—Read the second time and referred to the committee on Public Lands.

A bill the better to define the boundary of the county of Travis.—Read the second time and referred to the committee on Public Lands.

A bill supplementary to an act to detect fraudulent land certificates and to provide for issuing patents to legal claimants.—Read the second time and referred to the committee on the Judiciary.

A bill supplementary to an act approved December 22d, 1840, to repeal and amend certain parts of an act concerning executions. Read first time.

A bill to charter the Houston and Austin Turnpike Company.—Read the second time and referred to the committee on the Judiciary.

Joint resolution regulating the Post Office department.—Read second time and referred to the committee on Post Offices and Roads.

On motion,

The Senate adjourned until 10 o'clock to-morrow, A. M.

SATURDAY, January 9th, 1841.

The senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

Journals of the preceding day were read and adopted.

REPORTS.

The committee on the Judiciary, to whom was referred a bill to provide for the better collection of monies due from delinquent agents and officers of the government, and to punish the same: also, a bill to provide for the punishment of public defaulters, and a joint resolution to provide for the better collection of monies due from delinquent agents and officers of the government, report the joint resolution for the better collection of monies, &c. to be adopted as a substitute to the bill referred: also, a bill to organize a certain part of the county of Liberty for judicial and other purposes, report the second section to be stricken out, and the adoption of a section in lieu thereof: reported also, an act to charter the Houston and Austin turnpike company, report the bill without amendments: also, a bill supplementary to an act to detect fraudulent land certificates, and to provide for issuing patents to legal claimants, report the bill without amendments.

Mr. Dangerfield introduced a bill to encourage emigration by regulating the mode of collecting foreign debts.—Read the first time.

ORDERS OF THE DAY.

A bill providing for the transportation of ordnance and ordnance stores now at Galveston.—Read second time. Rule suspended—read the third time and passed.

A bill to organize a part of the counties of Matagorda and Colorado for judicial and other purposes.—Read the second time.

Mr. Greer moved the indefinite postponement of the bill. The yeas and nays called for.

Those who voted in the affirmative were Messrs. Barnett, Gaines, Greer, Stroud—4.

Those who voted in the negative were Messrs. Byrne, Dangerfield, Kendrick, Jones, Lester, Moore, and Potter --7. Motion lost.

After, Mr. Kendrick moved it pass to a third reading as amended.

The yeas and nays being called for, stood thus:

Ayes—Byrne, Dangerfield, Kendrick, Lester, Moore, Potter--6.

Nays—Messrs. Barnett, Gaines, Greer, Jones, and Stroud--5.

Motion carried.

A communication was received from the acting Secretary of State and read.

A bill confirming the use, occupation, and enjoyment of the churches, church lots, and mission churches, to the Roman Catholic congregations living near or in the vicinity of the same. Read the second time and passed to a third reading.

A bill authorizing the digesting of the laws of the Republic.--
Read second time and indefinitely postponed.

On motion, a committee was appointed to wait upon the House and inform them that the Senate is ready to go into the election of judge of the second judicial district.

Committee--Messrs. Dangerfield, Greer, and Muse.

The committee repaired--returned---and a discharge of their duties.

A committee from the House reporting the same to be ready to go into the election of Judge of the second judicial district.

A message from the House reporting the nomination of Wm. J. Jones for judge of the second judicial district.

On motion, the Senate went into the election of a judge of the second judicial district: there being no nomination in the Senate, the nomination from the House of Wm. J. Jones was taken up and balloted for, who received twelve votes--the unanimous vote of the Senate.

By leave, the committee to whom was referred a joint resolution for the relief of Jacob Snively, Paymaster General, report the bill without amendments and recommend the passage of the same.

A bill to quiet the land claims of the Republic of Texas.--
Read the second time.

Mr. Greer moved to fill the blank in the tenth line in 7th section with the word "twenty."

The yeas and nays called for.

Those that voted in the affirmative are Messrs. Dangerfield, Gaines, Greer, Kendrick, Jones, Potter, Stroud--7.

Those in the negative are Messrs. Barnett, Byrne, Lester, Muse.--Motion carried.

A message from the House announcing the result of the election for judge of the second judicial district.

On casting the vote of the joint election which resulted in a unanimous vote of both houses; say Senate 12, House 33; total, 45, which the president announced the hon. William J. Jones to be elected judge of the second judicial district.

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

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

The roll called--a quorum present.

Messrs. Potter and Stroud absent.

The Senate resumed the consideration of the bill under discussion prior to adjournment. Read section by section and amended.

Mr. Dangerfield offered an additional section as follows: "that nothing in this act shall be so construed as being applicable to infants, persons *non compos mentis*, or persons beyond the seas, until one year after the removal of the disability, nor shall its provisions extend to administrators or executors of deceased estates, be considered as the representatives of the landed interest of the deceased, which amendment was rejected.

Mr. Dangerfield then offered an amendment as follows: "that the provisions of this act shall not extend to executors or administrators of deceased estates, who shall in no case as administrators or executors, be considered as the representative of the landed interest of the deceased."

To which Mr. Potter offered an amendment, "that in all such cases the court shall in their discretion appoint a special guardian to represent the minors, and defend the title of the land belonging to the estate in the hands of executors or administrators. Adopted.

Yeas and nays called for on the amendment, as amended:

Those that voted in the affirmative are Messrs. Barnett, Gaines, and Lester—3.

Those in the negative are Messrs. Byrne, Dangerfield, Greer, Kendrick, Jones, Moore, Potter, and Stroud—8. Amendment lost.

Question on the passage of the bill as amended to a third reading.

Yeas and nays called for:

Those who voted in the affirmative are Messrs. Byrne, Gaines, Greer, Muse, Potter, and Stroud—6.

Nays—Messrs. Byrne, Kendrick, Jones, Lester, and Moore—5. Motion carried.

On motion of Mr. Muse,

A committee of conference was appointed to act in conjunction with a like committee from the House, on a bill appropriating \$75,000 in the promissory notes of this government, to carry into effect the provisions of an act to sectionize and sell the land formerly reserved for and occupied by the Cherokee Indians.

Committee—Messrs. Muse, Moore, and Kendrick.

On motion of Mr. Kendrick,

A committee of conference was appointed to act in conjunction with a like committee from the House, on a bill to discontinue and abolish certain ports of entry, and to substitute instead thereof a port of entry to be called Port Calhoun.

Committee—Messrs. Kendrick, Byrne, and Lester.

On motion,

The Senate adjourned until Monday, 10 o'clock, A. M.

MONDAY, January 11th, 4841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present.

The committee on Naval Affairs, to whom was referred the message of the President on the subject of the establishment of a light house at Galveston, report by bill.

A message from the House reporting a number of bills as having passed.

The committee on the Judiciary, to whom was referred a bill to incorporate the town of Franklin, and an act to regulate public sales, and a bill to amend an act to incorporate the city of Richmond and the towns of San Felipe de Austin and La Grange, report the same.

A bill to repeal a portion of the 8th section of an act entitled an act regulating the license and practice of Attornies, report amendments.

A bill supplementary to an act authorizing the issuing of duplicate land warrants, discharges, headrights, &c., report the same.

On motion, Mr. Lester was added to the committee on Post Offices and Roads.

Joint resolution for the relief of Geo. W. Barnett, attorney in fact for the widow and heirs of Thomas F. Edwards.--Read the first time.

A message was received from the President with accompanying documents, which were received, read and referred to the committee on Military Affairs.

A bill to adjourn the session of the Supreme Court, laid on the table.

A bill concerning a change of venue in civil suits.--Read the third time and passed.

A bill to organize part of the counties of Matagorda and Colorado for Judicial and other purposes.--Read the third time and passed.

Mr. Barnett offered a bill to change the time of the meetings of congress.--Read the first time. Rule suspended--read second time. Rule further suspended--read third time and passed.

Substitute for a bill to amend an act, regulating the proceedings in civil suits, approved February 5th, 1840.--Read the third time and passed.

A bill defining the mode by which the holders of conditional certificates shall establish the same.--Read the third time.

Mr. Moore moved that the bill be recommitted.

The ayes and nays called for :

Those who voted in the affirmative were--Messrs. Byrne, Kendrick, Moore,--3.

Those who voted in the negative—Messrs. Barnett, Gaines, Greer, Lester, Muse, Potter, Stroud,—7. Motion lost.

Question on the passage of the bill.

Yeas and nays called for :

Those who voted in the affirmative were—Messrs. Barnett, Byrne, Gaines, Greer, Lester, Moore, Muse, Potter, Stroud—9.

Mr. Kendrick voted in the negative. The bill passed.

The committee of conference on a bill appropriating \$75,000, in the promissory notes of the government, to carry into effect, the provisions of an act to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians, report that the committee has agreed to disagree, and ask to be discharged.

A bill to quiet the land claims of the Republic of Texas.—Read third time and recommitted to the committee on Public Lands.

Joint resolution for the relief of Jacob Snively, Paymaster General.—Read second time.

Ayes and nays on the passage of the bill to a third reading.

Those that voted in the affirmative are—Messrs. Barnett, Byrne, Jones, Kendrick, Lester, Moore and Muse,—7.

Those in the negative are—Messrs. Gaines, Greer, Potter and Stroud—4. Motion carried.

By leave, the committee on Public Lands, to whom was re-committed the bill to quiet the land claims of the Republic of Texas, report the bill with amendments. Rule suspended.—Read the second time and passed.

On motion,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Roll called.—a quorum present.

Mr. Kendrick offered a bill to revive an act to define the time of holding Justice's Courts, approved January 23d, 1839.—Read the first time.

The Senate resumed the consideration of the bill under discussion prior to adjournment.

After being amended :

Question on the passage of the bill to a third reading.

Yeas and nays called for on the question.

Those that voted in the affirmative are—Messrs. Barnett, Gaines, Greer, Muse, Jones, Potter and Stroud—7.

Those that voted in the negative are—Messrs. Byrne, Kendrick, Lester and Moore—4. Motion carried.

A bill confirming the use, occupation and enjoyment of the churches, church lots and Mission churches, to the Roman Catholic congregations, living near or in the vicinity of the same. Ordered to lie on the table.

A bill supplementary to an act to establish and incorporate Rutgersville College.—Read the second time and referred to the committee of Messrs. Muse, Barnett and Lester.

A bill supplementary to an act to detect fraudulent certificates, and to provide for issuing patents to legal claimants.—Read the second time and made the special order of the day for Thursday next.

The report of the committee on the Judiciary on a bill to provide for the better collection of monies due from delinquent agents and officers of the government, was adopted, which was the joint resolution from the House.—Bill read the second time and passed to a third reading.

A bill to legalize the acts of the board of land commissioners of Harrison county.—Read the second time and passed to a third reading.

A bill to change the name of certain persons therein named.—Read the second time and passed to a third reading.

A bill to incorporate the Franklin Association of the city of Houston,—Read second time and referred to a select committee, consisting of Messrs. Muse, Moore and Barnett.

On motion,

The Senate adjourned until 10 o'clock to-morrow, A. M.

TUESDAY, January 12th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

Mr. Muse absent.

The journals read and adopted.

REPORTS.

The committee on the Judiciary, to whom was referred a bill amending an act organizing Justices' Courts and defining the powers and jurisdiction of the same, report the bill with amendments.

The committee on Claims and Accounts, to whom was referred a bill for the relief of Seth Sheldon, report the same and recommend the passage.

Mr. Stroud introduced a bill to encourage agriculture and the introduction of female emigration from Foreign Countries.—Read first time.

ORDERS OF THE DAY.

Joint resolution for the relief of G. W. Barnett, attorney in fact for the widow and heirs of Thomas F. Edwards.—Read the second time and passed to a third reading.

An act of limitations.—Read the third time and passed.

A bill to change the name of certain persons therein named.—Read third time and passed.

A bill to quiet the land claims of the Republic of Texas—Read the third time.

The yeas and nays called for, on the passage of the bill.

Those that voted in the affirmative are—Messrs. Barnett, Dangerfield, Gaines, Greer, Jones, Potter, and Stroud—7.

Those in the negative are—Messrs. Byrne, Kendrick, Lester and Moore. Bill passed.

Mr. Kendrick moved an amendment to the caption, by striking out the word "quiet," and insert the word "disturb."

Yeas and nays called for :

Those that voted in the affirmative are—Messrs. Kendrick and Moore—2.

Those in the negative are—Messrs. Barnett, Byrne, Dangerfield, Gaines, Greer, Jones, Lester, Potter and Stroud—9. Motion lost.

A bill confirming the use, occupation, and enjoyment of the churches, church lots, and mission churches, to the Roman Catholic congregations living near and in the vicinity of the same.—Read the third time and passed.

Joint Resolution to provide for the better collection of monies due from delinquent agents and officers of the Government.—Read third time and passed.

A bill to legalize the acts of the board of land commissioners of Harrison county.—Read the third time and passed.

Joint resolution for the relief of Jacob Snively, Paymaster General.—Read the third time.

Yeas and nays being called for, those who voted in the affirmative are Messrs. Barnett, Byrne, Dangerfield, Jones, Kendrick, Lester, Moore, and Muse—8.

Those who voted in the negative are Messrs. Gaines, Greer, Potter, and Stroud—4. So the bill passed.

On motion, the Senate adhered to their amendment to the bill appropriating \$75,000 to sectionize and sell the lands formerly reserved for and occupied by the Cherokee Indians, to which the yeas and nays were called for.

Those who voted in the affirmative are Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Muse, and Potter—7.

Those who voted in the negative are Messrs. Barnett, Gaines, Greer, Jones, and Stroud—5.

On motion, the Senate went into secret session.

Secret session being over, the Senate resumed the orders of the day.

A bill supplementary to an act authorizing the issuing of duplicate land warrants, discharges, headrights, &c.—Read the second time—amended and passed to a third reading.

Report of the select committee on the case of General M. Hunt, ordered to lie on the table to come up among the orders of the day.

A bill to repeal part of the 8th section of an act regulating the license and practice of Attornies—Read the second time and indefinitely postponed.

A bill to incorporate the German Union for Texas—Read first time.

A bill to regulate weights and measures throughout the Republic—Read first time.

A bill for the relief of Thomas G. Western.—Read first time.

A bill to establish the county of Spring Creek for Judicial and other purposes.

A bill supplementary to an act for the punishment of crimes and misdemeanors.—Read the first time.

A bill to authorize and require the commissioner of the General Land Office to commence the issuing of patents and for other purposes.—Read first time.

A bill to provide for the Vice-President, while performing the duties of President.—Read the first time.

A bill to revive an act to define the time of holding Justices' Courts, approved January 23d, 1839.

A bill for the relief of Maria Jesus de Garcia.—Read the second time and passed to a third reading.

A bill securing the right of appeal from the Justices' to the District Court.—Read the second time and passed to a third reading.

A bill authorizing the Chief Justice of Milam county to have land appraised and condemned for public use and remunerate the owner or owners thereof for the same.—Read the second time as amended.

Yeas and nays being called for on the passage to a third reading:

Those who voted in the affirmative are—Messrs. Barnett, Byrne, Dangerfield, Gaines, Greer, Jones, Kendrick, Lester, Muse, Potter, and Stroud.—11.

Mr. Moore voted in the negative.

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

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

The roll called—a quorum present.

A bill to provide for the erection of a Penitentiary.—Read the second time as amended.

The yeas and nays called for on the engrossment of the bill:

Those that voted in the affirmative are—Messrs. Byrne, Dangerfield, Jones, Kendrick, Lester, Moore and Potter--7.

Those in the negative--Messrs. Barnett, Gaines, Greer, Muse and Stroud--5. Ordered to be engrossed. 7

Mr. Potter offered a joint resolution that congress adjourn *sine die*, on the 20th inst.—Read and ordered to lie on the table.

A bill prescribing the mode in which married persons may dispose of their separate property.—Read the second time, amended and passed to a third reading.

A bill as to the payment of Taxes in the frontier counties.—Read second time and passed to a third reading.

A bill for the relief of Edward Hugart.—Read the second time and recommitted to the committee on claims and accounts.

A bill to create and establish a mail route from La Grange to Gonzales.—Read the second time and laid on the table.

Joint resolution authorizing and requiring the commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKain.—Read the second time and ordered to lie on the table.

A bill prescribing the mode of organizing the House of Representatives.—Read the second time and passed to a third reading.

By leave the committee on Finance, to whom was referred a bill to open a communication with Santa Fe and other towns, report the bill and recommend its passage.

A bill to amend the 43d section of the act establishing the jurisdiction and powers of the District Courts.—Read the second time and indefinitely postponed.

Joint resolution for the relief of the legal heirs of Cullen Spivey, deceased.—Read the second time and passed to a third reading.

A bill supplementary to an act, approved December 22d, 1840, to repeal and amend certain parts of an act concerning executions --Read the second time. Rule suspended,—read third time and passed.

A bill for the relief of Thomas G. Gordon.—Read the second time and referred to a select committee, consisting of Messrs. Dangerfield, Kendrick and Barnett.

A bill for the benefit of settlers residing near the boundary line of the United States in the counties of Red River and Harrison.

--Read the second time, when

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

WEDNESDAY, January 13th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called,--a quorum present.

The journal read and adopted.

REPORTS.

The committee on Finance, to whom was referred an act relative to the duties of the collector of the District of Brazos, report the same.

A bill to protect the Mexican Trade, report its indefinite postponement.

A bill for the relief of James R. Martin, report its reference to the committee on the Judiciary; also--

A bill for the relief of Bridget Fadden, report its reference to the committee on Public Lands.

On motion, the Senate took up a joint resolution to adjourn *sine die* on the 26th inst.--Read and adopted.

A bill for the relief of Maria Jesus de Garcia.--Read the third time and passed.

A bill for the relief of G. W. Barnett, attorney in fact for the widow and heirs of Thomas F. Edwards.--Read the third time and passed.

A bill supplementary to an act authorizing the issuing of duplicate land warrants, discharges, headrights, &c.--Read the third time and passed.

A bill supplementary to an act, approved December 22d, 1840, to repeal and amend certain parts of an act concerning executions.--Read the third time and passed.

A bill prescribing the mode of organizing the House of Representatives.--Read the third time and passed.

A bill as to the payment of Taxes in the frontier counties.--Read the third time and passed.

A bill authorizing the Chief Justice of Milam county to have land appraised and condemned for public use, and remunerate the owner or owners thereof for the same.--Read the third time and passed.

A bill to provide for the erection of a Penitentiary.—Read the third time.

Yeas and nays called for on the passage of the bill :

Those that voted in the affirmative are Messrs. Byrne, Dangerfield, Jones, Kendrick, Lester, Moore, and Potter—7.

Those in the negative are Messrs. Barnett, Gaines, Greer and Stroud—4. The bill passed. ☐

A message from the House reporting a number of bills as having passed.

A bill for the relief of L. B. Outlaw.—Read the second time and passed to a third reading.

A bill to encourage emigration, agriculture, &c.—Read the second time and laid on the table until the first of July next.

A bill for the benefit of settlers residing near the boundary line between Texas and the United States of America, in the counties of Red River and Harrison.

Mr. Greer offered a substitute to part of the bill.

Yeas and nays called for :

Those who voted in the affirmative are—Messrs. Barnett, Gaines, Greer, and Jones—4.

Those that voted in the negative are—Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Potter and Stroud—7. Substitute lost.

The yeas and nays called for on the passage to a third reading :

Those that voted in the affirmative are—Messrs. Byrne, Dangerfield, Kendrick, Lester, Moore, Potter and Stroud—7.

Those in the negative are—Messrs. Barnett, Gaines, Greer, Jones and Muse—5. Passed to a third reading.

A message was received from the President, read and referred to the joint committee on Military Affairs.

By leave, Mr. Stroud introduced a joint resolution, validating the deeds issued by Wm. H. Steel.—Read the first time.

Report on General Hunt's case, ordered to lie on the table until to-morrow.

A bill to charter the Houston and Austin Turnpike Company.—Read the second time and passed to a third reading.

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

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

The roll called—a quorum present.

A bill for the relief of Nathaniel Townsend.—Read and ordered to lie on the table.

Joint resolution authorizing the Secretary of the Navy to issue certificates of bounty land to officers, seamen and mariners of the Navy.—Read and ordered to lie on the table.

A bill to amend an act organizing Justices' Courts and defining the powers and jurisdiction of the same.—Read the second time and passed to a third reading.

By leave, the special committee to whom was referred a bill supplementary to an act to establish and incorporate Rutgersville College, report the bill with amendments.

On motion of Mr. Potter, the Senate reconsidered the vote on a bill for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison.—Read the second time, amended and passed to a third reading.

A bill creating a system of bankruptcy, &c., reported from the House with amendments.

Question whether the Senate concur in the first, second, fourth and fifth amendments.

Yeas and nays called for on the third reading :

Those that voted in the affirmative are—Messrs. Byrne, Dangerfield, Kendrick, Lester, Muse and Potter.—6.

Those in the negative are—Messrs. Barnett, Gaines, Greer, Jones, Moore and Stroud.—6. The senate refused to concur.

A bill to regulate the granting and trial of injunction and to empower the Judges of the District Courts, to submit issues of fact to a jury in chancery cases, reported from the House of Representatives with amendments.

Question whether the Senate concur in the amendment ; first amendment refused to concur ; second concurred in.

A bill to organize part of the counties of Matagorda and Colorado for judicial and other purposes, reported from the House as not concurring in the amendments of the Senate.

Question whether the Senate adhere or recede ; first amendment adhered to, second receded from.

A bill to change the names of certain persons therein named, reported from the House as not concurring in the amendments of the Senate.

Question whether the Senate adhere or recede :

The Senate adhered to the amendments.

A bill supplementary to an act prohibiting the location of fraudulent certificates, &c., approved February 5th, 1840.—Read the second time and passed to a third reading.

A bill to regulate the proceedings in civil suits, and to define more specifically the nature of petition and answer, reported from the House as not concurring in the amendments of the Senate.

Question whether the Senate recede or adhere : Senate adheres.

A message from the President was received, read, and a part referred to the Joint Military committee, and the other part laid on the table.

A bill to open a communication with Santa Fé and other towns.--Read second time and passed to a third reading.

A bill concerning forcible entry and detainer.--Read the third time and indefinitely postponed.

A bill to incorporate the German Union for Texas.--Read the second time and referred to the committee on the Judiciary.

A bill to make provisions for the Vice President while performing the duties of President.--Read second time and passed to a third reading.

A bill to incorporate the Galveston University.--Read the second time and referred to the committee on the Judiciary.

A bill to regulate weights and measures throughout this Republic.--Read and referred to a special committee, consisting of Messrs. Lester, Byrne and Miller.

A bill to encourage emigration by regulating the mode of collecting foreign debts.--Read second time and referred to the committee on the Judiciary.

A bill regulating the Justices of the peace.--Read second time and ordered to be engrossed.

A bill supplementary to an act to define the boundary of the county of Montgomery.--Read the second time, when

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

THURSDAY, January 14th, 1941.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present.

Mr. Greer and Barnett absent.

The Journals were read and adopted.

A message from the House reporting a number of bills as having passed.

The committee on Finance, to whom was referred an act to incorporate the Franklin Association of the City of Houston, report the bill verbally and recommend its passage.

The committee on the Judiciary, to whom was referred an act reviving an act entitled an act to define the time of holding justices' courts, approved January 23d, 1839, report the bill without amendments.

ORDERS OF THE DAY.

A bill to be entitled an act for the relief of L. B. Outlaw.—
Read third time and passed.

A bill to be entitled an act securing the right of appeal from
the justices' to the district courts.—Read third time and passed.

A bill to be entitled an act supplementary to an act prohibiting
the location of fraudulent land certificates, &c., approved February
5th, 1840.—Read third time and passed.

A bill to be entitled an act to make provisions for the Vice
President, while performing the duties of President.—Read third
time and passed.

A bill to open communication with Santa Fé, and other towns.
Read third time and passed.

BILLS UPON FIRST READING.

Joint resolution for the relief of Martha Stanback.—Read first
time.

An act for the relief of Samuel Hews, late collector for the dis-
trict of Aransas.—Read first time.

Joint resolution for the relief of Thomas B. Huling & Co.—
Read first time.

An act for the relief of Wm. S. Wallace.—Read first time. L

An act the better to define the boundaries of the county of Gal-
veston.—Read first time.

A bill to be entitled an act for the relief of James W. Smith.—
Read first time.

A bill to regulate proceedings in admiralty.—Read first time.

A bill to be entitled an act supplementary to an act incorpora-
ting the town of Shelbyville.—Read first time.

Joint resolution to validate the land certificates of Thomas J.
Smith.—Read first time.

On motion, a committee of conference was appointed on a bill
to be entitled an act to organize a part of the counties of Mata-
gorda and Colorado for judicial and other purposes.

Committee—Messrs. Kendrick, Lester, and Moore.

On motion, a committee of conference was appointed on a bill
to regulate the granting and trial of injunctions, and to empower
the judges of the district courts to submit issue of fact to a jury
in chancery cases.

Committee—Messrs. Potter, Dangerfield, and Barnett.

A bill to authorize and require the commissioner of the Gene-
ral Land Office to commence the issuing of patents and other
purposes.—Read the second time, amended and passed to a third
reading.

A bill supplementary to an act to define the boundaries of the county of Montgomery.—Read the second time and referred to the committee on Public Lands.

By leave, the committee on Claims and Accounts, to whom was referred a bill for the relief of Samuel Culver, report a substitute.

A bill regulating the time of holding the district courts of the 7th judicial district.—Read the first time. Rule suspended—read the second and third times and passed.

A bill supplementary to an act to detect fraudulent certificates, and to provide for issuing patents to legal claimants.—Read the second time and made the special order for to-morrow.

The report of the committee on General Hunt's case, was read, and the report of the majority of the committee adopted.

The committee on the Judiciary, to whom was referred a bill to encourage emigration by regulating the collection of foreign debts, report amendments.

A bill granting the Alamo church to the use and benefit of the Roman Catholic church.—Read the first time. Rule suspended—Read the second time and passed to a third reading.

A bill for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison. Read the third time and passed.

A bill to amend an act organizing justices' courts, and defining the powers and jurisdiction of the same.—Read the third time and passed.

A bill prescribing the mode in which married persons may dispose of their separate property.—Read the third time and passed.

A bill to charter the Houston and Austin Turnpike Company. Read third time and passed.

By leave, the special committee to whom was referred a bill for the relief of T. G. Gordon, report the bill and recommend its passage.

On motion,

The Senate adjourned until to-morrow, 10 o'clock A. M.

FRIDAY, January 15th, 1841.

The senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

Mr. Muse absent.

The Journals were read and adopted.

REPORTS.

The committee on Public Lands, to whom was referred a bill for the relief of David Thomas, report the same. A bill to be entitled an act for the relief of Margaret Wright, report the same. An act for the relief of William H. Murray, report a joint resolution. Also, a bill to be entitled an act supplementary to an act to define the boundaries of Montgomery county, report a substitute.

The committee on the Judiciary, to whom was referred a bill to be entitled an act for the relief of those who have taken the benefit of the insolvent laws of other countries, report the bill without amendments. A bill to be entitled an act to incorporate the Galveston University, report the bill with amendments. Petition of the Lone Star Lodge of Houston, &c., report a bill. Also, an act to incorporate the "German Union for Texas," report the bill without amendments.

The special committee to whom was referred a bill to regulate weights and measures throughout this Republic, report the bill with amendments.

The committee of conference on a bill to be entitled an act to organize a part of the counties of Matagorda and Colorado for judicial and other purposes, report verbally.

Mr. Potter offered a resolution that the Senate take 200 copies of the printed message and accompanying documents from the President, on the subject of a war with Mexico.—Read first time and adopted.

Mr. Moore offered a joint resolution authorizing the Postmaster General to contract for carrying the mails for the year 1841. Read first time.

A message from the President was received, read, and referred to the committee on Military Affairs.

A bill to be entitled an act to authorize and require the Commissioner of the General Land Office to commence the issuing of patents and for other purposes.—Read third time as amended and passed.

An act relating to justices of the peace.—Read third time and indefinitely postponed.

An act granting the Alamo church to the use and benefits of the Catholic Church.—Read third time and passed.

A bill to be entitled an act to increase the bond of the sheriff of Harris county.—Read third time and passed.

A bill to be styled an act to abolish certain offices therein named and to fix the naval establishment of the Republic.—Laid upon the table for the special order of the day to-morrow.

A bill to be styled an act to repeal in part the 37th section of an act to regulate the proceedings in civil suits, approved February 5th, 1840.—Read first time. Rule suspended—read second time. Amended. Rule further suspended—read third time and passed.

An act supplementary to an act to detect fraudulent land certificates, and to provide for issuing patents to legal claimants.—Read second time section by section, amended and ordered to be engrossed.

A bill to be entitled an act for the relief of James W. Smith.—Read second time and referred to the committee on claims and accounts.

Joint resolution for the relief of Martha Stanback.—Read second time and referred to the committee on Public Lands.

A bill for the relief of Thomas B. Hewling, &c.—Read second time and referred to the committee on claims and accounts.—

Also, an act for the relief of William Wallace.—Read second time and referred to the committee on claims and accounts.—

Also, a bill for the relief of Thomas G. Western.—Read second time and referred to the committee on claims and accounts.

An act the better to define the boundaries of the county of Galveston.—Read second time and passed to a third reading.

Joint resolution validating the deeds issued by William Steel.—Read second time and referred to the committee on Public Lands.

An act for the relief of Samuel Hews, late collector for the district of Aransas.—Read second time and referred to the committee on Finance.

A bill to be entitled an act supplementary to an act for the punishment of crimes and misdemeanors.—Read second time and referred to the committee on the Judiciary.

A bill to establish the county of Spring Creek for judicial and other purposes.—Read second time. Amended.

Yeas and nays called for on passing the bill to a third reading.

Those in the affirmative are Messrs. Byrne, Dangerfield, Kenrick, Lester, Moore, and Potter—5.

Those in the negative are Messrs. Barnett, Games, Groer, and Stroud—4. The bill passed to a third reading.

An act relative to the duties of the collector of the district of Brazos.—Read second time and passed to a third reading.

A joint resolution for the relief of Bridget Fadden.—Read second time and referred to the committee on Public Lands.

An act for the relief of James R. Martin.—Read second time and referred to the Judiciary.

A bill as to the different tribes of Indians.--Read second time and ordered to be engrossed.

On motion, a committee of conference was appointed on an act for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River and Harrison.

Committee--Messrs. Potter, Moore, and Barnett.

On motion, a committee of conference was appointed on a bill to be entitled an act authorizing the chief justice of Milam county to have land appraised and condemned for public uses, and to remunerate the owner or owners for the same.

Committee--Messrs. Stroud and Greer.

On motion,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called--a quorum present.

Mr. Muse moved a reconsideration of a bill to repeal in part the 37th section of the act to regulate the proceedings in civil suits.--Read second time. Amended. Rule suspended--read third time and passed.

Joint resolution authorizing and requiring the Commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKean--Read second time. Amended.

Yeas and nays called for on passing the bill to a third reading, stood thus:

In the affirmative Messrs. Barnett, Byrne, Dangerfield, Gaines, Lester, Moore, Potter, and Stroud--8.

In the negative, Messrs. Greer, Kendrick, Jones, and Muse--4.
Motion carried.

Mr. Potter moved a reconsideration of the vote, and the bill be referred to the committee on claims and accounts.--Motion carried.

A bill to be entitled [an act] for the relief of Seth Shelden.--Read second time and recommitted to the committee on claims and accounts.

A bill to be entitled an act for the relief of William H. Mosher. Read second time and passed to a third reading.

An act to amend an act entitled an act to amend an act to incorporate the City of Richmond, and the towns of San Felipe de Austin, and La Grange.--Read second time and passed to a third reading.

Joint resolution for the relief of John H. Finch.--Read second time and passed to a third reading.

A bill to be entitled an act to establish and incorporate Trinity College.--Read third time and referred to the committee on the Judiciary.

A bill to be entitled an act for the relief of Thomas G. Gordon. Read second time and passed to a third reading.

Joint resolution to validate the land certificates of Thomas J. Smith.--Read second time and referred to the committee on Public Lands.

A bill to be entitled an act supplementary to an act incorporating the town of Shelbyville.--Read second time and indefinitely postponed.

An act incorporating the Franklin Association in the City of Houston.--Read second time and passed to a third reading.

A bill to regulate proceedings in admiralty.--Read second time and referred to the committee on Military Affairs.

Report of the select committee as to the mandamus in the case of Galveston Island.

Resolution offered by Mr. Potter, adopted.

An act entitled an act as to pleading and evidence.--Read second time and referred to the Judiciary.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

SATURDAY, January 16th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present.

Messrs. Muse and Potter absent.

The journals were read and adopted.

The committee on Judiciary, to whom was referred a bill to be entitled an act supplementary to an act for the punishment of crimes and misdemeanors, report the bill and recommend its passage.

ORDERS OF THE DAY.

An act relative to the duties of the collector of the district of Brazos.--Read third time and passed.

A bill to be entitled an act for the relief of Wm. H. Mosher.--Read a third time and passed.

A message from the House reporting a number of bills as having passed.

A bill to establish the county of Spring Creek, for judicial and other purposes.--Read third time and passed as amended.

An act better to define the boundaries of the county of Galveston.--Read third time and passed.

An act to incorporate the Franklin Association in the City of Houston.—Read third time and passed.

An act to amend an act entitled an act to incorporate the city of Richmond, and the towns of San Felipe de Austin, and La Grange.—Read third time and passed.

Joint resolution for the relief of John H. Finch.—Read third time and passed.

A bill to be entitled an act for the relief of Thomas G. Gordon. Read third time and passed as amended.

A bill supplementary to an act to detect fraudulent land certificates, and to provide for issuing patents to legal claimants.—Read third time and passed.

Mr. Dangerfield introduced the following resolution :

Resolved, That when a bill sent from the Senate to the House of Representatives, the House sends back a substitute for the bill incorporating some of the provisions of the bill of the Senate, and rejecting others, the substitute shall be considered in all matters as an original bill, and as such, subject to amendment.—Adopted.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Roll called—a quorum present.

Messrs. Lester and Muse absent.

An act to abolish certain offices therein named, &c., reported from the House with amendments, read section by section; 1st, 2d, 4th, 5th, 6th, and 7th concurred in: 3d section refused to concur: 8th section, yeas and nays being called for on disagreeing to the amendments, stood thus:

Those in the affirmative are Messrs. Byrne, Dangerfield, Greer, Kendrick, Muse, and Potter.

Those in the negative are Messrs. Barnett, Gaines, Jones, Lester, Moore, and Stroud—6. 8th section agreed to.

On motion, the vote was reconsidered.

Mr. Greer moved to strike out the "Paymaster General."—

Motion carried.

Question as to disagreeing to the 8th section as amended.

Yeas and nays called for stood thus:

Yeas—Messrs. Barnett, Gaines, Greer, Jones, Moore, Lester and Stroud—7.

Nays—Byrne, Dangerfield, Kendrick, Muse, and Potter—5. Agreed to.

9th and 10th sections concurred to: 11th yeas and nays called for on concurring:

Yeas—Messrs. Barnett, Byrne, Gaines, Greer, Jones, Lester, Moore, and Stroud—8.

Nays—Dangerfield, Kendrick, and Potter—3. Concurred in 12th section. Yeas and nays called for on concurring.

Yeas—Messrs. Barnett, Byrne, Gaines, Greer, Jones, Moore, Lester, and Stroud—8.

Nays—Messrs. Dangerfield, Kendrick, and Potter—3. Concurred in.

13th section. Mr. Potter introduced an amendment to it; that nothing herein shall operate upon the Navy until after the 13th day of May next, to which Mr. Dangerfield introduced an amendment to insert the word "Army;" after the word "Navy."

Yeas and nays called for on the amendment to the amendment:

Yeas—Messrs. Byrne, Dangerfield, Kendrick, Muse, and Potter—5.

Nays—Messrs. Barnett, Gaines, Greer, Jones, Lester, Moore, and Stroud—7. Amendment to amendment lost.

Question on the amendment of Mr. Potter:

Yeas and nays called for:

Yeas—Messrs. Byrne, Dangerfield, Greer, Kendrick, Muse, and Potter—6.

Nays—Messrs. Barnett, Gaines, Jones, Lester, Moore, and Stroud—6. Amendment lost.

Question on agreeing to the 13th section.

Yeas and nays called for:

Yeas—Messrs. Barnett, Gaines, Greer, Jones, Lester, Moore, Muse, and Stroud—8.

Nays—Byrne, Dangerfield, Kendrick, and Potter—4. Amendment on the 13th section agreed to.

An act as to the organization of the militia, reported from the House with amendments to the 3d and 4th sections, concurred in by the Senate. Additional section 10th, disagreed to by the Senate. Additional section to the close of the bill agreed to.

Joint resolution authorizing Benj. F. Smith to adopt Josiah Smith, son of Josiah E. Smith.—Read first time. Rule suspended—read second time. Amended and passed to a third reading.

A bill for the relief of Thomas Wood Ward.—Read first time.

Joint resolution for the relief of Cyrus Campbell.—Read first time.

Joint resolution for the relief of George Oatmeal.—Read first time.

An act incorporating the Travis Guards.—Read first time.
 Joint resolution for the relief of the heirs of G. W. Spier,
 deceased.—Read first time.

Joint resolution for the relief of Thomas B. Huling.—Read first
 time.

A bill for the relief of Mary Moffett.—Read first time.

Joint resolution for the relief of W. G. Evans.—Read first time.

A bill for the relief of Arthur Sherrill.—Read first time.

A bill to be entitled an act granting a donation of land to
 actual settlers on or near the military road on the frontier.—Read
 second time. Substitute for all after first of the bill adopted and
 passed to a third reading.

An act for the relief of John M. Bailey.—Read second time and
 indefinitely postponed.

Joint resolution for the relief of Wm. H. Murray.—Read first
 and second times and passed to a third reading.

A bill to be entitled an act for the relief of Margaret Wright.
 Read second time and passed to a third reading.

Joint resolution appropriating dollars for the payment of
 persons who rendered services under Capt. Pierson, at or near
 Nashville.—Ordered to lie on the table.

An act for the relief of David Thomas.—Read second time and
 passed to a third reading.

An act supplementary to an act to establish and incorporate
 Rutgersville College.—Read second time. Amended and passed
 to a third reading.

Joint resolution authorizing the Postmaster General to con-
 tract for carrying the mail for the year 1841.—Read second time
 and referred to the committee on Post Offices and Roads.

On motion,

The Senate adjourned until Monday, 10 o'clock, A. M.

MONDAY, January 18th, 4841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

The Journals were read and adopted.

REPORTS.

The committee on Naval Affairs, to whom was referred a bill
 regulating proceedings in admiralty, report the same without
 amendments and recommend its passage.

The committee on Finance, to whom was referred an act for
 the relief of of Samuel Hews, late collector of the district of

Aransas, report the bill with amendments and recommend its passage.

The committee of conference on a bill to be entitled an act authorizing the chief justice of Milam county to have land appraised and condemned for public use, and to remunerate the owner or owners thereof for the same, report that they had agreed to certain amendments, and asked the passage of the bill.

The committee on Claims and Accounts, to whom was referred a joint resolution authorizing and requiring the Commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKean, report favorable and ask the passage of the bill.

ORDERS OF THE DAY.

An act for the relief of David Thomas.--Read third time and passed.

A joint resolution authorizing Benjamin F. Smith to adopt Benjamin Josiah Smith, son of Josiah E. Smith.--Read third time and passed as amended.

The committee of conference on an act for the benefit of settlers residing near the boundary line of the United States, in the counties of Red River.--Report that the House concur in the amendments to the bill.

A bill to be entitled an act for the relief of Margaret Wright. Read third time and passed.

A bill for the relief of Thomas W. Ward.--Read second time and referred to the committee on Public Lands.

An act incorporating the Travis Guards.--Read second time and referred to the committee on Military Affairs.

Joint resolution for the relief of the heirs of G. W. Spier, deceased.--Read second time and referred to the committee on the Judiciary.

A bill for the relief of Arthur Sherrill.--Read second time and referred to the committee on Public Lands.

Joint resolution for the relief of Thomas B. Huling.--Read second time and referred to the committee on Claims and Accounts.

A bill for the relief of Mary Moffett.--Read second time and referred to the committee on Claims and Accounts.

Joint resolution for the relief of G. W. Evans.--Read second time and referred to the committee on Military Affairs.

Joint resolution for the relief of G. Oatmeal.--Read second time and indefinitely postponed.

Joint resolution for the relief of Cyrus Campbell.--Read second time and referred to the committee on Naval Affairs.

On motion, the Senate went into secret session.

Secret session being over, the doors opened, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The senate met pursuant to adjournment.

The roll called—a quorum present.

A bill to be entitled an act for the relief of those who have taken the benefit of the insolvent laws of other countries.—Read second time and passed to a third reading.

A bill to be entitled an act to incorporate the Lone Star Lodge No. 1, I. O. O. F.—Read first time and indefinitely postponed.

An act to incorporate the German Union for Texas.

Mr. Kendrick moved its indefinite postponement.

Yeas and nays called for.

Yeas—Messrs. Barnett, Gaines, Kendrick, and Stroud—4.

Nays—Messrs. Byrne, Dangerfield, Greer, Jones, Lester, Muse, and Moore—7. Motion lost. Read as amended and passed to a third reading.

A bill to be entitled an act to incorporate the town of Franklin.—Read second time and passed to a third reading.

An act to regulate public sales.—Read second time and passed to a third reading.

An act to protect the Mexican trade.—Read second time.—Amended and ordered to lie on the table.

A bill for the relief of Samuel Colver.—Read second time and recommitted.

Joint resolution for the relief of Andrew Jackson Davis.—Read second time and passed to a third reading.

A bill supplementary to an act repealing an act concerning executions.—Ordered to lie on the table.

A bill to regulate weights and measures throughout this Republic.—Read second time. Amended and ordered to lie on the table.

On motion,

The Senate adjourned until to-morrow, 10 o'clock A. M.

TUESDAY, January 19th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

The Journals were read and adopted.

REPORTS.

The committee on Claims and Accounts, to whom was referred a bill for the relief of Samuel Colver, and substitute bill, report verbally the same back to the Senate and ask their passage.

ORDERS OF THE DAY.

A bill to be entitled an act to incorporate the Town of Franklin.—Read third time and ordered to lie on the table.

A bill to regulate public sales.—Read third time, amended and passed.

A bill to be entitled an act for the relief of those who took the benefit of insolvent laws of other countries.—Read third time and passed.

On motion, the Senate went into secret session.

Secret session being over, the doors opened.

The Senate resumed the orders of the day.

An act to incorporate the German Union for Texas.—Read third time and passed.

Joint resolution for the relief of A. J. Davis.—Read third time and passed.

An act reviving an act to define the time of holding justices' courts, approved January 23d, 1839.—Read second time and passed to a third reading.

An act to encourage emigration by regulating foreign debts.—Read second time and ordered to be engrossed.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

On motion, the Senate reconsidered the vote indefinitely postponing the bill incorporating the Lone Star Lodge, I. O. O. F. By leave, Mr. Moore withdrew the bill and accompanying documents.

A bill to be entitled an act supplementary to an act for the punishment of crimes and misdemeanors.—Read second time and passed to a third reading.

An act supplementary to an act to establish and incorporate Rutgersville College.—Read third time and ordered to lie on the table.

An act for the relief of Samuel Hews, late collector of the district of Aransas.—Read second time and passed to a third reading.

A bill to regulate proceedings in admiralty.—Read second time and passed to a third reading.

The report of the committee of Conference, on a bill to be entitled an act authorizing the chief justice of Milam county, to have land appraised and condemned for public use, and to remunerate the owner or owners thereof for the same, was adopted.

Joint resolution authorizing the establishment of a light boat at Galveston Island, was read a second time and ordered to be engrossed.

Joint resolution authorizing and requiring the Commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKean.—Read second time and passed to a third reading.

Joint resolution for the relief of Wm. H. Murray.—Read second time and passed to a third reading.

The committee on Claims and Accounts, to whom was referred a bill to be entitled an act for the relief of Seth Sheldon, report the bill and ask its passage.

Mr. Barnett moved a reconsideration of the vote indefinitely postponing a bill for the relief of George Oatmeal.—Motion carried.

An act to incorporate the Galveston University.—Ordered to lie on the table until to-morrow.

An act to organize a part of the county of Liberty for judicial and other purposes.—Read second time. Report of the committee laid on the table, and the original bill passed to a third reading.

A bill for the relief of Sarah Ann Walker.—Read first time.—Rule suspended—read third time and passed.

An act supplementary and amendatory of an act organizing a part of the counties of Matagorda and Colorado for judicial and other purposes.—Read first time and rejected.

BILLS ON THE FIRST READING.

A bill to be entitled an act for the benefit of purchasers of real estate, and to secure a compensation for improvements made thereon.—Read first time.

An act granting the district attorneys power to challenge jurors.—Read first time.

A bill to be entitled an act to repeal an act requiring the sheriffs and other county officers to take the promissory notes of the government and for other purposes.—Read first time.

Yeas and nays called for on rejecting the bill, stood thus:

Yeas—Messrs. Barnett, Gaines, Kendrick, Muse, and Potter—5.

Nays—Messrs. Greer, Jones, Lester, Moore, and Stroud—5.
Motion to reject lost. The bill passed to a second reading.

A bill to be entitled an act organizing a part of Montgomery county for judicial and other purposes.—Read first time.

An act incorporating the Galveston Artillery Company.—Read first time.

A joint resolution for the relief of Capt. Lewis Sanches.—Read first time.

A joint resolution for the relief of Louisa Gerding and F. Hibben.—Read first time.

A joint resolution for the relief of Wm. Gamble.—Read first time.

A joint resolution for the relief of Washington Schon.—Read first time.

A joint resolution for the relief of M. Hunt and J. P. Henderson.

A bill for the relief of Thomas Ross.—Read first time.

A joint resolution for the relief of the heirs of James Wily.—Read first time.

A joint resolution for the relief of John Thomas.—Read first time.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

WEDNESDAY, January 20th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—a quorum present.

The journals were read and adopted.

REPORTS.

The committee on Military Affairs, to whom was referred an act to incorporate the Travis Guards, report the bill and recommend its passage.

The committee on Naval Affairs, to whom was referred a joint resolution for the relief of Cyrus Campbell, report the bill and recommend its passage.

The committee on Claims and Accounts, to whom was referred a joint resolution on regulating the Post office department, report a substitute, which was adopted,—amended and ordered to be engrossed; also a bill to be entitled an act for the relief of James W. Smith, report the bill back to the Senate in committee of the whole,—a bill for the relief of Thomas G. Western, report the indefinite postponement of the bill.

A bill for the relief of Mary Moffit, report the bill and recommend its passage.

Joint resolution for the relief of Thomas B. Huling, report the bill and recommend its passage.

Joint resolution for the relief of W. G. Evans, report the bill back with amendments and recommend its passage.

Mr. Lester introduced an act regulating the third and fourth Judicial Districts, and the term of District Courts therein named.
--Read first time.

Mr. Barnett introduced a Joint resolution requiring the Chief Justices of counties to issue writs of election.--Read first time.

ORDERS OF THE DAY.

An act reviving an act entitled an act to define the time of holding Justices' Courts, approved January 23d, 1839.--Read third time and passed.

Joint resolution for the relief of Wm. H. Murray.--Read third time and passed.

An act to organize a part of the county of Liberty for Judicial and other purposes.--Read third time and passed.

Joint resolution authorizing and requiring the Commissioner of the General Land Office to issue patents to Samuel Jones and Hugh McKean.--Read third time and passed.

A bill to be entitled an act supplementary to an act for the punishment of crimes and misdemeanors.--Read third time and passed.

A bill to regulate proceedings in admiralty.--Read third time and passed.

A bill for the relief of S. Hughes, late collector at the Port of Aransas.--Read third time and passed.

A bill to be entitled an act to encourage emigration by regulating the collection of Foreign Debts.--Read third time and passed.

A joint resolution authorizing the establishment of a light boat at Galveston Inlet.--Read third time and passed.

A bill for the relief of George Oatmeal.--Read second time and recommitted to the committee on Claims and Accounts.

Joint resolution for the relief of the heirs of James Wily.--Read second time and referred to the committee on the Judiciary.

A bill for the relief of Thomas Ross.--Read second and referred to the committee on Public Lands.

A joint resolution for the relief of Wm. Schon.--Read second time and referred to the committee on Public Lands.

Joint resolution for the relief of Wm. T. Gamble, referred to the committee on the Judiciary.

A joint resolution for the relief of Captain Sanches, referred to the committee on Claims and Accounts.

A joint resolution for the relief of John Thomas, referred to the committee on the Judiciary.

Joint resolution for the relief of Louisa Gerding and Fredonia Hibbin.--Read second time and referred to the committee on the Judiciary.

A joint resolution for the relief of M. Hunt and J. Pinckney Henderson.--Read second time and referred to the committee on the Judiciary.

An act granting district attorneys power to challenge persons.--Read second time and referred to the committee on the Judiciary.

A bill to be entitled an act to repeal an act requiring the Sheriffs and other county officers to take the promissory notes of the government and for other purposes.--Read second time and referred to the committee on the Judiciary.

An act incorporating the Galveston Artillery company.--Read second time and referred to the committee on Military Affairs.

A bill to be entitled an act to organize a part of Montgomery county for judicial and other purposes.--Read second time and referred to the committee on the Judiciary.

A bill to be entitled an act for the benefit of purchasers of real estate, and to secure a compensation for improvements made thereon.--Read second time and referred to the committee on the Judiciary.

A bill to be entitled an act for the relief of Seth Sheldon.--Read second time and passed to a third reading. A substitute reported for a bill for the relief of J. Colver.--Adopted and passed third reading.

A bill to be entitled an act to incorporate to Galveston University.--Read section by section, undergoing amendments; when

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,--a quorum present.

The Senate resumed the consideration of the bill under discussion prior to adjournment. After being read section by section and amended, the bill passed to a third reading.

On motion, the vote was reconsidered upon a bill to be entitled an act for the relief of those who had taken the benefit of the insolvent laws of other countries.

On motion the bill was recommitted to the committee on the Judiciary.

A joint resolution as to adjourning *sine die*, reported from the House with amendments, to adjourn on the first February, to which the Senate had concurred.

Joint resolution for the relief of Lorenzo de Zavala.--Read first time. Rule suspended.--Read second time and referred to the committee on Claims and Accounts.

Joint resolution requiring the Secretary of the Treasury to enter a credit on the books of his office for the purposes therein named.--Read first time. Rule suspended.--Read second time and referred to the committee on Finance.

A bill to be entitled an act supplementary and amendatory of certain acts therein named.--Read first time. Rule suspended.--Read second time. Rule further suspended.--Read third time and passed.

A bill to be entitled an act to authorize the colonization and settlement of the vacant lands of the Republic of Texas.--Read first time.

A bill reported from the House with amendments, to be entitled an act appropriating \$75 000, of the promissory notes of the government, to carry into effect the provisions of an act to sectionize and sell the Cherokee Lands; to which a question of order arose, and on motion was laid upon the table until to-morrow 11 o'clock, P. M.

Mr. Barnett offered a joint resolution for the relief of persons who have failed to give in a list of their taxable property to the county assessor.--Read first time. Rule suspended.--Read second time and referred to the committee on the Judiciary.

Mr. Barnett offered an act to validate the colonizing acts of Wm. H. Steel.--Read first time. Rule suspended.--Read second time and referred to the committee on Claims and Accounts.

On motion,

The Senate adjourned until to-morrow 10 o'clock, A. M.

THURSDAY, January 21st, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present.

The journals were read and adopted.

A message from the House reporting a number of bills as having passed.

REPORTS.

The committee on Judiciary, to whom was referred a joint resolution for the relief of M. Hunt and J. Pinckney Henderson, report the same and recommend its passage.

A joint resolution for the relief of persons who failed to give in a list of their taxable property to the county assessors, report the same.

An act as to pleading and evidence.

An act for the relief of James R. Martin.

A bill to be entitled an act for the relief of those who have taken the benefit of the insolvent laws of other countries.

A bill to be entitled an act to establish and incorporate Trinity College, all of which are reported without amendments, and recommended to be passed.

Joint resolution for the relief of the heirs of G. W. Spier, deceased, reported verbally back for the want of vouchers.

Joint resolution for the relief of the heirs of James Wiley, Wm. Gamble, and John Thomas, report verbally and ask the reference to the committee on Public Lands.

The committee on Claims and Accounts, to whom was referred joint resolutions for the relief of Thomas B. Huling & Co., George Oatmeal, and William S. Wallace, report the same and recommend the passage of the same, also, substitute to an act legalizing the official acts of William H. Hunt, commissioner. Report adopted. Rule suspended—read second time and passed to a third reading.

The committee on conference on a bill to regulate the granting and trial of injunction, and to empower the judges of the district courts to submit issues of fact to a jury in chancery cases, recommend the Senate to concur in the amendments from the House.

Mr. Lester offered a bill to be entitled an act to prohibit persons from holding office under certain conditions.—Read first time. Rule suspended second time and referred to the committee on Judiciary.

ORDERS OF THE DAY.

A bill for the relief of Thomas Ross.—Read third time and passed.

A bill for the relief of Samuel Colver and M. Merrill.—Read third time and passed.

A bill to amend the several laws establishing a General Post Office.—Read third time and passed.

A bill to be entitled an act for the relief of Seth Sheldon.—Read third time and passed.

A bill to be entitled an act to authorize the colonizing and settlement of the vacant lands of the Republic of Texas.—Read second time and referred to the committee on the Judiciary.

Joint resolution requiring the chief justices of counties to issue writs for elections.—Read second time and passed to a third reading.

By leave, Mr. Potter introduced a joint resolution for the relief of M. H. Nicholson.--Read first time. Rule suspended--read second and third times and passed.

An act to regulate the third and fourth judicial districts, and the terms of the district courts thereof.--Read second time and referred to the committee on the Judiciary.

The substitute reported by the committee to a bill to be entitled an act supplementary to an act to define the boundaries of the county of Montgomery.--Read the second time.

Mr. Barnett offered an amendment to the last section as follows: *Provided always*, the oldest application for surveys where such application can be ascertained, if not, then and in that case the oldest survey shall have preference.

The yeas and nays being called for on the amendment, stood as follows:

Ayes--Messrs. Barnett, Greer, Jones, Lester, and Muse--5.

Nays--Messrs. Byrne, Kendrick, Moore, Potter, and Stroud--5.
Amendment lost. The bill passed to a third reading.

Mr. Dangerfield offered an act for the relief of James Goodman. Read the first time. Rule suspended--read second time. Rule further suspended--read third time and passed.

A bill appropriating \$75 000, to carry into effect, and an act to sell the Cherokee Lands; question of order occurred under debate; when,

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called--a quorum present.

The Senate resumed the discussion of the bill under consideration prior to adjournment.

Mr. Potter moved that the bill lie on the table for the present.--Motion carried.

Joint resolution for the relief of J. B. Ransom.--Read first time. Rule suspended.--Read second time and referred to the committee on Claims and Accounts.

By leave, Mr. Moore introduced an act defining the time of holding the courts in the first Judicial District.--Read first, second and third times and passed.

A bill prohibiting forced sale of slaves under execution.--Read first time.

A bill to be entitled an act to incorporate the Galveston University.--Read third time, amended and passed.

On motion, the Senate took up an act supplementary to an act to establish and incorporate Rutgersville College.

On motion, it was referred to a special committee of Messrs. Muse, Lester and Barnett.

Joint resolution for the relief of Cyrus Campbell.--Read second time and passed to a third reading.

An act incorporating the Travis Guards.--Read second time and passed to a third reading.

Report of the committee on a bill to be entitled an act for the relief of James W. Smith, resolving the Senate into a committee of the whole, was adopted.

The committee of the whole arose, reported progress, recommended the passage of the bill and asked to be discharged from further duty.--Report adopted.

Question on passing the bill as amended to a third reading.

Ayes and nays called for:

Ayes.--Messrs. Dangerfield, Jones, Moore and Potter.--4.

Nays.--Messrs. Barnett, Gaines, Greer, Kendrick, Lester and Stroud.--6. The bill was indefinitely postponed.

Joint resolution for the relief of Thomas B. Huling, Mary Moffit and Wm. G. Evans.--Read a second time, amended and passed to a third reading.

Joint resolution for the relief of T. G. Western.--Read second time and indefinitely postponed.

An act requiring the Chief Justice of Bastrop county to perform certain duties therein mentioned.--Read first time.

A bill to define in part the boundaries of the county of Washington, &c.--Read first time. Rule suspended.--Read second time and referred to a special committee of Messrs. Kendrick, Barnett and Greer.

On motion,

The Senate adjourned until to-morrow, ten o'clock, A. M.

FRIDAY, January 22d, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present.

The journal of the preceding day read and adopted.

Mr. Dangerfield presented the petition of David T. Disney, Joseph Graham and Israel Ludlow, praying for relief, which was read and referred to the committee on Claims and Accounts.

The committee on Public Lands, to whom was referred the joint resolution for the relief of Thomas W. Ward, J. C. Neill and Arthur Sherill, report the same and recommend the passage of the same.

Woods

A joint resolution to validate the land certificates of Thomas J. Smith.

Joint resolution authorizing the sale of lots in the city of Calhoun; also,

An act the better to define the boundary between the county of Austin and Fort Bend, report the same and recommend their passage.

The committee on the Judiciary, to whom was referred an act granting the district attorneys the power to challenge jurors; also a joint resolution for the relief of Louisa Gerding and Fredonia Herbarin, report the same and recommend their passage.

ORDERS OF THE DAY.

Joint resolution for the relief of Cyrus Campbell.—Read the third time and passed.

Joint resolution for the relief of W. G. Evans.—Read third time and passed.

Joint resolution for the relief of Mary Moffit.—Read the third time and passed.

Joint resolution for the relief of Thomas B. Huling.—Read the third time and passed.

A bill incorporating the Travis Guards.—Read the third time and passed.

Substitute for a bill supplementary to an act to define the boundaries of Montgomery county.—Read the third time and passed.

A bill legalizing the acts of William H. Steele, commissioner. Read the third time and passed.

Report of the committee of conference on a bill to regulate the granting and trial of injunctions and to empower the Judges of the District Courts to submit issues of fact to a jury, in Chancery cases, was adopted; concurring in the amendments of the House.

Joint resolution for the relief of the Heirs of James Wiley.—Read the second time and referred to the committee on Public Lands.

Joint resolution for the relief of the heirs of G. W. Spier. Read the second time and referred to the committee on Public Lands.

Joint resolution for the relief of John Thomas.—Read the second time and referred to the committee on Public Lands.

Joint resolution for the relief of William Gamble.—Read the second time and referred to the committee on Public Lands.

A bill requiring the Chief Justice of Bastrop county to perform certain duties therein named.—Read the second time and passed to a third reading.

An act prohibiting forced sales of slaves under execution.—Read the second time and amended.

The yeas and nays being called for on passing the bill to a third reading, stood :

Yeas--Messrs. Byrne, Dangerfield, Gaines, Greer, Kendrick, Lester, Moore, Potter and Stroud--9.

Nays--Messrs. Barnett and Jones,--2. Motion carried.

Joint resolution for the relief of George Oatmeal.--Read the second time and passed to a third reading.

Joint resolution for the relief of persons who failed to give in a list of their taxable property to the county assessors.--Read the second time. Rule suspended.--Read the third time and passed.

An act for the relief of William S. Wallace.--Read a second time and passed to a third reading.

Joint resolution for the relief of Thomas B. Huling & Co.--Read the second time and passed to a third reading.

Joint resolution for the relief of James R. Martin.--Read the second time and passed to a third reading.

An act as to pleading and evidence.--Read the second time and indefinitely postponed.

A bill to establish and incorporate Trinity College.--Read the second time, amended and passed to a third reading.

A bill for the relief of those who have taken the benefit of insolvent laws of other countries.--Read the second time, amended, and passed to a third reading.

Joint resolution for the relief of M. Hunt and J. Pinckney Henderson.--Read second time and passed to a third reading.

Substitute for a bill for the relief of S. Culyer.--Read the third time and passed.

On motion, the Senate went into secret session.

Secret session being over, the Senate adjourned until to-morrow, ten o'clock, A. M.

SATURDAY, January 23d, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present.

The journals were read and adopted.

REPORTS.

The committee on the Judiciary, to whom was referred a bill to be entitled an act to organize a part of Montgomery county for judicial and other purposes, also, an act to authorize the colonizing and settlement of the vacant lands of the Republic of Texas, report the same and recommend their passage.

The committee on Claims and Accounts, to whom was referred a bill to be entitled an act to define in part the boundaries of the county of Washington, and to create the city of Buckner, report a substitute.

The committee on Finance, to whom was referred a bill making appropriations for the year 1841, report a substitute.

ORDERS OF THE DAY.

An act for the relief of James R. Martin.—Read third time.

Yeas and nays on the passage of the bill :

Yeas—Messrs. Byrne, Dangerfield, Gaines, Lester, Moore, and Potter—6.

Nays—Messrs. Barnett, Greer, Jones, Kendrick, Muse, and Stroud—6. The bill was lost.

A joint resolution for the relief of Thomas B. Huling.—Read third time and passed.

Joint resolution for the relief of William S. Wallace.—Read third time and passed.

Joint resolution for the relief of George Oatmeal.—Read third time and passed.

An act prohibiting sales of slaves under executions.—Read third time and passed.

An act requiring the chief justice of Bastrop county to perform certain duties therein named.—Read third time and passed.

A bill to be entitled an act for the relief of those who have taken the benefit of the insolvent laws of other countries.—Read third time and passed.

Joint resolution for the relief of M. Hunt and J. Pinckney Henderson.—Read third time and passed.

A bill to be entitled an act to establish and incorporate Trinity College.—Read third time and passed.

Joint resolution for the relief of persons who failed to give in a list of their taxable property to the county assessors.—Read third time and passed.

On motion, the vote was reconsidered upon a bill for the relief of James W. Smith.

A bill for the relief of Thomas Woods Ward.—Read second time and passed to a third reading.

A joint resolution for the relief of J. C. Neil.—Read second time and passed to a third reading.

A bill to be entitled an act for the relief of Arthur Sherrill.—Read second time and passed to a third reading.

An act better to define the boundaries between the counties of Austin and Fort Bend.—Read second time and passed to a third reading.

Joint resolution to validate the land certificates of Thomas S. Smith.—Read second time and passed to a third reading.

Joint resolution authorizing the sale of lots in the town of Calhoun.—Read 2d January, 23d, and passed to a third reading.

An act granting the district attorneys power to challenge jurors.—Read second time and passed to a third reading.

A joint resolution for the relief of Louisa Gerding and Frederick Hobbin.—Read 2d January, 23d, and passed to a third reading.

On motion, the vote was reconsidered on a resolution for the relief of James R. Martin.

On motion, the Senate suspended the rules and took up a bill making appropriation for the year 1841.

On motion, the Senate resolved itself into a committee of the whole.

The committee arose. The chairman reported progress and asked to be discharged from further duty.—Report adopted.—request granted—the bill was ordered to lie on the table.

Joint resolution concerning buildings in the City of Austin.—Read first time. Rule suspended—read second time and referred to the committee on Finance.

A bill for the relief of Jeremiah Strode.—Read first time. Rule suspended—read second time and referred to the committee on Claims and Accounts.

Joint resolution concerning post offices.—Read first time.—Rule suspended—read second time and referred to the committee on Post Offices and Roads.

A bill for the relief of the heirs of John Wall, deceased.—Read first time.

An act to incorporate the Texas Trading, Mining, and Emigrating Company.—Read first time.

A bill to establish and incorporate the Gaudalupe College. Read first time. Rule suspended—read second time and referred to the committee on the Judiciary.

Joint resolution for the relief of William Thomas Brannum.—Read first time. Rule suspended—read second time and referred to the committee on Naval Affairs.

A bill to organize a part of Houston county for judicial and other purposes.—Read first time.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

An act of limitations reported from the House with additional amendments to that of the Senate.—Read and referred to the committee on the Judiciary.

An act incorporating the Galveston University, reported from the House as not concurring to a part of the amendments by the Senate.

Question whether the Senate recede or insist :

The Senate insist upon their amendments.

A message from the President was received, read, and referred to the committee on Military Affairs.

On motion of Mr. Lester,

The vote upon a bill requiring the chief justice of Bastrop county to perform certain duties, was reconsidered, the bill taken up, amended and passed.

Mr. Moore moved to take up the bill making appropriations for 1841.—Motion lost.

A message from the acting Secretary of State was received, read, and ordered to lie on the table.

Mr. Barnett moved the suspension of the rules, and that the Senate take up a bill to define in part the county of Washington, and creating the county of Navasoto.—Motion carried.

Mr. Moore moved it lie on the table for the present.—Motion carried.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

MONDAY, January 25th, 4841.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The Journals were read and adopted.

REPORTS.

The committee on Public Lands, to whom was referred a joint resolution for the relief of the heirs of G. W. Spier, deceased, report the same and recommend its passage; also, an act the better to define the boundaries of the county of Travis, report the same and asked to be discharged from the same.

The committee on Military Affairs, to whom was referred an act to incorporate the Galveston Artillery Company, report the same and ask the passage of the same.

The Select Committee to whom was referred an act supplementary to an act to incorporate Rutgersville College, report that the third section of the additional section be stricken out.

Mr. Greer moved to strike out in third section all after in the first line, the word "enacted" to the words in the fourth line, "any violation."

The yeas and nays called for stood thus :

Yeas—Messrs. Byrne, Barnett, Greer, Jones, Kendrick, Lester, and Moore—7.

Nays—Messrs. Gaines, Muse, Potter, and Stroud—4. Motion carried.

Mr. Barnett moved to strike out the words "President and" in the first section of the additional sections.

The yeas and nays called for :

Yeas—Messrs. Barnett, Byrne, Greer, Jones, Kendrick, and Moore—6.

Nays—Messrs. Gaines, Lester, Muse, Potter, and Stroud—5. Motion carried.

Ayes and nays on passing the bill to a third reading :

Yeas—Messrs. Barnett, Byrne, Greer, Jones, Kendrick, Lester, Muse, Potter, and Stroud—9.

Mr. Gaines voted in the negative. Bill passed to a third reading.

The committee on Finance, to whom was referred a joint resolution requiring the Secretary of the Treasury to enter a credit on the books of his office for the purpose therein named, report its passage.

Mr. Lester offered the petition of Wayne Barton, praying for relief, read and referred to the committee on Claims and Accounts.

On motion, the Senate went into secret session.

Secret session being over, the Senate resumed the orders of the day.

ORDERS OF THE DAY.

A bill for the relief of James R. Martin, Thomas Woods Ward, and J. C. Neill.—Read the third time and passed.

A bill for the relief of Arthur Sherrill.—Read the third time.

The yeas and nays called for on the passage of the bill :

Yeas—Messrs. Dangerfield, Gaines, Greer, Jones, Muse, Potter, Stroud—7.

Nays—Messrs. Barnett, Kendrick, Lester, and Moore—4. The bill passed.

Joint resolution authorizing the sale of lots in the town of Calhorn.—Read the third time and passed.

By leave, Mr. Gaines offered a bill to take the census.—Read the first time.

Joint resolution for the relief of Louisa Gerding and Fredonia Herlim.—Read the third time and passed.

An act granting district attorneys power to challenge jurors.—Read third time and passed.

A bill the better to define the boundaries between the counties of Austin and Fort Bend.—Read the third time and passed.

Joint resolution to validate the land certificates of Thomas J. Smith.—Read the third time and passed.

An act regulating bills of exception, reported from the House with amendments.

Question whether the Senate concur:

The Senate concurred in the amendments; also, a bill to amend the several laws establishing a General Land Office, to which the Senate concurred.

A bill to incorporate the Texian Trading, Mining, and Emigrating Company.—Read the second time and referred to the committee on Claims and Accounts.

A bill to organize a part of Houston county for judicial and other purposes.—Read the second time and referred to the committee on the Judiciary.

A bill for the relief of John Wall, deceased, read the second time and referred to the committee on Claims and Accounts.

By leave, Mr. Muse offered an act to consolidate the several appropriations for the Quartermaster General's Department, for the year 1840, and for other purposes therein named.—Read the first time. Rule suspended—read second time and referred to a committee of five, consisting of Messrs. Muse, Dangerfield, Greer, Stroud, and Gaines.

A bill to organize part of Montgomery county for judicial and other purposes.—Read second time.

Question on passing bill to third reading. Motion lost and bill rejected.

The committee on Claims and Accounts, to whom was referred an act to incorporate the Texian Trading, Mining, and Emigrating Company, report that the bill be referred to its appropriate committee.

By leave, Mr. Potter offered an act appropriating 20,000 dollars, to meet the civil list expenses of the government and for other purposes.—Read the first time and ordered to lie on the table.

By leave, Mr. Dangerfield offered the following resolution:

Resolved, That the Attorney General be requested to inform the Senate how far the detachment of the coupons from the eight

per cent. bonds would affect their currency and value.—Read and referred to the committee on the Judiciary.

A bill for the relief of James W. Smith.—Read the second time, amended and passed to a third reading.

An act making appropriations for the year 1841.—Read the second time and ordered to be engrossed.

A bill to authorize the colonization and settlement of the vacant lands of the Republic of Texas.—Report and bill ordered to lie on the table.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

TUESDAY, January 26th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called—a quorum present.

The Journals were read and adopted.

REPORTS.

The committee on the Judiciary, to whom was referred a bill to be entitled an act to organize a part of Houston county for judicial and other purposes; also, a bill to be entitled an act to establish and incorporate the Gaudalupe College, report the bill without amendments and recommend their passage.

The committee on Finance, to whom was referred a joint resolution concerning buildings in the City of Austin, report the bill and recommend the passage of the same.

The committee on Claims and Accounts, to whom was referred a joint resolution for the relief of J. B. Ransom, report amendments and recommend the passage of the same. Joint resolution for the relief of Nathaniel Townsend, report the same. Also, the petition of David T. Disney, &c., report by bill. Also, an act for the relief of James Goodman, report a joint resolution. A bill to be entitled an act to organize a part of the counties of Red River, Bowie, and Lamar, for judicial and other purposes.—Read first time. Rule suspended—read second and third times and passed.

A message from the House, reporting a number of bills as having passed.

Mr. Greer offered a bill to amend an act entitled an act securing patent rights to inventors.—Read first time. Rule suspended—read second and third times and passed.

On motion, a committee of conference was appointed on a bill to be entitled an act to incorporate the Galveston University,

reported from the House as not agreeing to the amendments of the Senate.

Committee---Messrs. Greer, Dangerfield, and Barnett.

Joint resolution for the relief of James W. Smith, read and recommitted to the committee on Claims and Accounts.

Resolution to elect chief justices of the county where vacant. Read and ordered to lie on the table.

On motion, the Senate went into secret session.

Secret session being over,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,---a quorum present.

The committee on Claims and Accounts, to whom was referred a bill for the relief of James W. Smith, report amendments. Rule suspended---Read second and third times and passed.

The committee on Finance, to whom was referred an act to consolidate the several appropriations for the Quartermaster's Department, for the year 1840, and for other purposes, report amendments.

On motion, the Senate took up a bill making appropriations for the year 1841.

Mr. Barnett moved it be referred to the committee on the Judiciary.---Motion carried.

On motion, the Senate took up a bill to be entitled an act to define in part the boundaries of the county of Washington.---Read second time and amended.

Yeas and nays on passing the bill to a third reading:

Yeas---Messrs. Barnett, Byrne, Jones, Kendrick, Lester, and Potter---6.

Nays---Messrs. Gaines, Greer, Moore, and Stroud---4. The bill passed to a third reading.

The committee on the Judiciary, to whom was referred a bill making appropriation for the year 1841, report (verbally) amendments.---Rules suspended, read second time and ordered to be engrossed.

On motion, the Senate took up the bill to be entitled an act to define the boundary of Washington.---Read third time and passed, the rules having been suspended.

A bill to be entitled an act to change the time of holding probate courts.---Read first time.

A bill to be entitled an act to provide for the investigation of escheated and forfeited lands, and direct the disposition of the same.--Read first time.

An act to incorporate the Galveston City Company.--Read first time.

Joint resolution for the relief of John S. Martin.--Read first time.

An act to authorize B. F. Smith and Dr. Samuel Thompson to emancipate negroes therein named.--Read first time.

A bill to be entitled an act requiring sales by judgment or decree of a probate court of chancery.--Read first time.

An act to incorporate the Galveston Artillery Company.--Read second time and passed to a third reading.

A bill to be entitled an act to reorganize the several judicial districts, and to abolish the seventh district.--Read and made the special order of the day to-morrow.

Substitute to a joint resolution for the relief of M. H. Nicholson, reported from the House.

Question whether the Senate concur: Substitute concurred in.

Joint resolution requiring the Secretary of the Treasury to enter a credit in the books of his office for purposes therein named.--Read second time and passed to a third reading.

Joint resolution for the relief of the heirs of G. W. Spier, deceased.--Read second time and passed to a third reading.

An act appropriating \$20,000 to meet the civil list expenses of government and for other purposes.--Read second time--amended. Rules suspended--read third time and passed.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

WEDNESDAY, January 27th, 1841.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The roll called--a quorum present.

The journals were read and adopted.

Mr. Gaines offered a joint resolution repealing an act approved January 24th, 1839, authorizing the President to appoint a private secretary.--Read first time.

Mr. Dangerfield offered a bill authorizing any holder of promissory notes, bonds, funded debt or any other liquidated claim against the government, to surrender the same and receive in

lieu thereof, Land Scrip.—Read first time. Rule suspended.—
Read second time, amended and passed to a third reading.

An act incorporating the Galveston Artillery Company.—Read
third time and passed.

A bill to be entitled an act to re-organize the several judicial
districts and to abolish the seventh district.—Read and ordered
to lie on the table.

A message from the House reporting a number of bills as hav-
ing passed.

An act the better to define the county of Travis.—Read second
time.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Roll called—a quorum present.

The Senate resumed the consideration of the bill under discus-
sion prior to adjournment.

On motion, the bill was laid upon the table for the special or-
der of the day to-morrow.

The Senate went into secret session.

Secret session being over, the Senate resumed the business of
the day.

By leave, Mr. Potter offered a resolution requesting the Presi-
dent to send in the nomination for the Secretary of State and oth-
er officers.—Read first time. Rule suspended.—Read second time
and adopted.

By leave, Mr. Greer offered an act to repeal the seventh section
of an act supplementary to an act entitled an act to raise a revenue
by direct taxation and for other purposes.—Read first time.
Rule suspended—read second and third times and passed.

By leave, Mr. Muse offered a bill for the relief of S. Box.—Read
first time. Rule suspended.—Read second time and referred to
a special committee. Committee.—Messrs. Muse, Potter and
Lester.

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

SEVEN O'CLOCK, P. M.

The senate met pursuant to adjournment.

Roll called—a quorum present.

An act to incorporate the Galveston and Virginia Point Bridge
Company.—Read first time.

An act to organize a part of the county of Harrison for judicial and other purposes.—Read first time. Rule suspended.—Read second time, amended.

Yeas and nays on the passage of the bill.

Ayes—Messrs. Barnett, Byrne, Dangerfield, Gaines, Lester, Miller, Moore, and Potter—8.

Nays—Messrs. Greer, Jones, Kendrick, and Stroud—4. The bill passed.

A message from the House reporting a number of bills as having passed.

Joint resolution for the relief of Henry Honnen.—Read first time. Rule suspended.—Read second time and referred to the committee on Claims and Accounts.

A bill to be entitled an act legalizing and confirming certain marriages therein named.—Read first time.

A bill making appropriations for the year 1841.—Read third time and passed.

A bill to be entitled an act for the relief of the Heirs of John Hibbins, deceased.—Read first time. Rule suspended.—Read 2d. time and referred to the committee on Claims and Accounts.

Joint resolution for the relief of A. M. Clair.—Read first time. Rule suspended.—Read second time and referred to the committee on the Judiciary.

Joint resolution for the relief of George W. Davis.—Read first time. Rule suspended.—Read second time and referred to the committee on Military Affairs.

An act supplementary to an act for the Relief of Francis C. Gorden.—Read first time.

A bill to be entitled an act to regulate public printing.—Read first time.

An act to authorize the commissioner of the General Land Office to employ a draftsman, and providing for the compensation of county surveyors.—Read first time.

An act to amend an act regulating attachments.—Read first time.

An act to repeal the 6th section of an act to detect fraudulent Land Certificates, approved 29th January, 1840.—Read first time.

A bill to be entitled an act to regulate the sale of runaway slaves.—Read first time. Rule suspended.—Read second time and referred to the committee on Judiciary.

Joint resolution for the relief of Joseph Goodman.—Read second time. Rule suspended.—Read third time and passed.

An act to incorporate the Galveston City company.—Read first time. Rule suspended.—Read second time and referred to the committee on Privileges and Elections.

An act to authorize B. F. Smith and Samuel Thompson to emancipate certain negroes therein named.--Read second time and referred to the committee on Privileges and Elections.

A bill to be entitled an act requiring sales by judgment or decree of a Probate Court of Chancery.--Read second time and referred to the committee on the Judiciary.

A bill to be entitled an act to change the time of holding Probate courts.--Read second time and referred to the committee on the Judiciary.

Joint resolution for the relief of J. Martin--Read first time and referred to the committee on Claims and Accounts.

A bill to provide for the taking of the Census.--Read second time and referred to the committee on Privileges and Elections.

A bill to be entitled an act to provide for the investigation of escheated or forfeited lands, and to direct the disposition of the same, made the special order of the day to-morrow.

An act to incorporate the Texas Trading, Mining and Emigrating Company.--Read second time, amended and passed to a third reading.

Joint resolution concerning buildings in the city of Austin.--Read second time.

Yeas and Nays on passing the bill to a third reading.

Yeas--Messrs. Gaines, Greer, Jones, Lester, Miller and Muse, --6.

Nays--Messrs. Byrne, Dangerfield, Kendrick, Moore, Potter and Stroud--6. The bill was rejected.

A communication from the Secretary of State, announcing the office of Chief Justice of Travis county vacant.

Joint resolution for the relief of J. B. Ransom.--Read second time, amended and passed to a third reading.

On motion, the Senate took up a resolution to elect Chief Justices of the counties where vacant.--Read second time, amended and adopted.

Joint resolution requiring the Secretary of the Treasury to enter a credit on the books of his office for the purposes therein named.--Read second time and passed to a third reading.

An act for the relief of Nathaniel Townsend.--Read a second time and rejected.

A bill to be entitled an act to organize a part of the county of Houston for judicial and other purposes.--Read second time, and passed to a third reading.

A bill to be entitled an act to establish and incorporate the Gaudalupe College.--Read second time and passed to a third reading.

An act for the relief of persons therein named.--Read second time and passed to a third reading.

On motion,

The Senate adjourned until ten o'clock, to-morrow, A. M.

THURSDAY, January 28th, 1841.

The Senate met pursuant to adjournment.

The roll called--a quorum present.

The journals were read and adopted.

REPORTS.

The committee on Public Lands, to whom was referred a bill for the relief of John Thomas, Martha Stanback, Wm. Gamble, Washington Schon, Bridget Fadden and James Wiley; report the same and recommend their passage.

The committee on the Judiciary to whom was referred a bill to be entitled an act requiring sales by judgment or decree of a Probate or Courts of Chancery.

A bill to be entitled an act to regulate the sale of runaway slaves, report the same without amendments; also,

A bill to be entitled an act to change the time of holding Probate Courts, report the bill with amendments and ask its passage.

The committee on Military Affairs, to whom was referred an act for the relief of G. W. Davis, report the same.

The committee on Claims and Accounts, to whom was referred a joint resolution for the relief of Henry Honin, report a substitute.

The committee on Naval Affairs, to whom was referred a joint resolution for the relief of Wm. Thomas Brenham, report unfavorably.

The committee on Claims and Accounts, to whom was referred a joint resolution for the relief of Lorenzo de Zavala; also,

A bill to be entitled an act for the relief of the heirs of John Wall, deceased, report the same and ask its passage.

The committee on Privileges, to whom was referred an act to authorize B. F. Smith and Dr. Samuel Thompson to emancipate certain negroes therein named, report the bill with amendments.

Mr. Kendrick offered a joint resolution for the relief of the clerks, door keepers and sergeant-at-arms of the Senate and House of Representatives.--Read first time. Rule suspended.--Read second time and ordered to lie on the table.

Mr. Potter offered an act declaring the compensation of consuls, agents, &c.--Read first time. Rule suspended.--Read second time and ordered to lie on the table.

Mr. Potter offered a bill to be entitled an act for the relief of John R. Welch.—Read first time. Rule suspended.—Read second time. Rule further suspended.—Read third time and passed.

ORDERS OF THE DAY.

A bill to be entitled an act to provide for the investigation of escheated or forfeited lands, and to direct the disposition of the same.—Read second time.

On motion, the Senate went into secret session.

Secret session being over;

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

A message from the House reporting a number of bills as having passed.

An act for the relief of persons therein named.—Read third time and passed. The rule having been suspended.

By leave, the special committee to whom was referred a bill for the relief of S. Box, report the same and ask its passage. On motion, the rule was suspended.—Read second time. Rule further suspended.—Read third time and passed.

On motion, the Senate took up a bill, substitute to a bill creating the county of Navasoto, reported from the House with amendments.

Question whether the Senate concur. The Senate concurred to said amendments.

On motion, the Senate took up an act to repeal the fourth section of an act to detect fraudulent Land Certificates.—Read second time, amended and passed to a third reading;

A message from the President and accompanying documents, were received and read.

By leave, Mr. Potter introduced a bill for the relief of Jonathan Ikin & Co.—Read first time. Rule suspended.—Read second time.

Mr. Greer moved an amendment, "that every head of a family who has emigrated to this Republic since the first January, 1840, or who may emigrate before the first January, 1842, with his family, and who is a free white person, shall be entitled to 320 acres of land; *provided*, he settle and actually reside on the same for the term of three years and cultivate an amount of the same not less than ten acres; *and further provided*, he shall

have his land surveyed and fairly marked, so as to include his improvements.

Be it further enacted, That each single man over the age of seventeen, who has or may emigrate as provided in the first section of this act, shall be entitled to 160 acres of land, upon the same conditions and restrictions as the head of families.

Be it further enacted, &c., That in no instance shall a patent be issued under the provisions of this act unless the party produce the certificate of the Chief Justice of the county where he may reside, that the said applicant has proved by two respectable and creditable witnesses, that he has resided on the land, for which he wishes to receive a patent, and that he has cultivated the quantum of land required by this act, for the term of three years, and that he has done and performed all the duties required of other citizens, and that he has taken the oath of allegiance to this Republic; *provided always,* the applicant shall be required to make oath or affirmation that he has complied with the requirements of this act, which oath or affirmation shall be properly authenticated.

Yeas and nays being called for stood thus :

Yeas.—Messrs. Barnett, Greer, Kendrick and Stroud,—4.

Nays.—Messrs. Byrne, Dangerfield, Gaines, Jones, Lester, Miller, Moore and Potter,—8. Motion lost.

Mr. Potter moved the suspension of the rule.

Yeas and Nays called for :

Yeas.—Messrs. Barnett, Byrne, Dangerfield, Jones, Lester, Miller, Moore and Potter,—8.

Nays.—Messrs. Gaines, Greer, Kendrick and Stroud,—4.

The rule was suspended.—Read a third time and passed.

By leave, Mr. Byrne introduced a bill to be entitled an act for the protection of the Mexican [trade] and the suppression of marauding parties and cattle stealers, on the south western frontier.—Read first time. Rule suspended.—Read second time and referred to the committee on Military Affairs.

A message from the President and accompanying documents were read and referred to the committee on Military Affairs.

A message from the President addressed to the House of Representatives reported from the same as having appointed a committee of conference and request a similar committee appointed by the Senate.

On motion, a committee was appointed of Messrs. Greer, Moore and Gaines; also,

A message from the President addressed [to the House,] reported, and requesting a similar committee, to which a committee of Messrs. Potter, Dangerfield and Miller, were appointed.

A communication from the Secretary of State, announcing the office of Chief Justice of Red River vacated.

The Senate resumed the consideration of a bill to be entitled an act to provide for the investigation of escheated or forfeited lands, and to direct the disposition of the same, which was under discussion prior to adjournment.--Read section by section. Ordered to lie on the table for the special order of the day to-morrow.

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

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

An act to authorize McKinney, Williams & Co., to issue their notes for circulation as money.--Read first time.

Joint resolution for the relief of J. B. Ransom.--Read third time and passed.

An act to incorporate Ruttersville College.--Read third time and passed.

A bill to be entitled an act to incorporate and establish the Guadalupe College.--Read third time and passed.

An act to incorporate the Texas Trading, Mining and Emigrating Company.--Read third time and passed.

An act to consolidate certain appropriations therein named.--Read third time and passed.

Joint resolution requiring the Secretary of the Treasury to enter a credit on the books of his office for the purposes therein named.--Read third time and passed.

On motion, the vote was reconsidered, placing the bill on a third reading, to organize a part of the county of Houston for judicial and other purposes.--Read second time, amended. Rule suspended.--Read a third time and passed.

On motion, the Senate took up a bill the better to define the boundaries of the county of Travis.--Read second time and made the order of the day to-morrow 3 o'clock.

A bill to be entitled an act to authorize the Colonization and settlement of the vacant lands of the Republic of Texas.--Read second time.

Mr. Greer moved its indefinite postponement.

Yeas and nays called for:

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Mr. Greer withdrew his motion and offered a substitute to the bill as an amendment, which was adopted and passed to a third reading.

On motion,

The Senate adjourned until to-morrow, ten o'clock, A. M.

FRIDAY, January 29th, 1841.

The Senate met pursuant to adjournment.

Roll called--a quorum present.

The journals were read and adopted.

REPORTS.

The committee on the Judiciary, to whom was referred a joint resolution for the [relief of] A. M. Clare; an act regulating the third and fourth Judicial Districts, and the term of [holding the courts therein,] report the same; also, an act of limitations, report the adoption and passage of the bill, originating in the Senate.

The committee on Claims and Accounts, to whom was referred a joint resolution for the relief of Jeremiah Stroud, report the same; also,

A bill for the relief of the heirs of John Hibbins, deceased, report a substitute and ask its passage.

Mr. Byrne offered a bill to be entitled an act to repeal so much of an act as provides for consular certificates.—Read first time. Rule suspended.—Read second time. Rule further suspended.—Read a third time and passed.

An act to repeal the sixth section of an act to detect fraudulent Land Certificates, passed January 29th, 1840.—Read third time and passed.

ORDERS OF THE DAY.

An [act] supplementary to an act for the relief of Francis C. Gordon.—Read second time and laid upon the table until first of June.

The committee of conference on a bill incorporating the Galveston University, report [that] the House agree to the amendments of the Senate, excepting the striking out 250, and insert 100; report of the committee concurred in.

A bill to be entitled an act to authorize the firm of McKinney, Williams & Co., to issue their notes for circulation as money.—Read second time.

Yeas and nays on passing the bill to a third reading.

Yeas--Messrs. Jones, Kendrick, Miller, Muse, Potter and Stroud--6.

Nays--Messrs. Barnett Byrne, Gaines, Greer, Lester, and Moore--6. Bill rejected.

By leave, Mr. Kendrick offered a joint resolution to suspend the adjournment of both Houses of congress.—Read first time.—Rule suspended.—Read second time and adopted.

On motion, the Senate reconsidered the vote on a substitute bill to be entitled an act authorizing the colonization and settlement of the vacant lands of the Republic of Texas.—Read second time and passed to a third reading.

A joint resolution for the relief of the officers of both Houses of congress.—Read second time, amended. Rule suspended.—Read third time and passed.

A joint resolution for the purposes therein named.—Read first time. Rule suspended.—Read second time and referred to a special committee of Messrs. Byrne, Dangerfield and Muse.

On motion, the Senate went into secret session.

Secret session being over,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called--a quorum present.

A message from the House reporting a number of bills as having passed.

On motion, the Senate took up the bills reported from the House.

A bill to be entitled an act to incorporate the Franco Texian, Commercial and Colonization Company.—Read first time.

Joint resolution for the relief of Charles de Morse.—Read first time. Rule suspended.—Read second time and referred to the committee on Claims and Accounts.

An act supplementary and amendatory of an act entitled an act to dispense with the necessity of protesting negotiable instruments for dishonor and other purposes, &c., passed 25th January, 1840.—Read first time.

An act to go into the election of Judge of the first Judicial District.—Read, amended and adopted.

A bill supplementary to an act to detect fraudulent Land Certificates and to provide for issuing patents to legal claimants, reported from the House with amendments.

Question whether the Senate concur in the amendments.

The Senate concur with the exception of the third amendment, which was disagreed to.

Mr. Moore moved a reconsideration of the vote, to go into the election of Judge of the first Judicial District, on Saturday, 12 o'clock, 30th inst. Motion lost.

Joint resolution for the relief of J. B. Ransom, reported from the House as not concurring in the amendments of the Senate.

Question whether the Senate adhere or recede.

The Senate receded.

Joint resolution for the relief of the clerks of the Naval and other Bureaus.—Read first time. Rule suspended.—Read second time, amended. Rule further suspended.—Read third time and passed.

An act entitled an act [making an] addition to the fifth section and adding two additional sections, to an act incorporating the city of Galveston.—Read first time and rejected.

An act to authorize the formation and establishment of limited partnership within the Republic of Texas.—Read first time.

On motion, the Senate reconsidered the vote upon a joint resolution for the relief of the clerks of the Navy and other Bureaus.—Read second time, amended and passed.

An act to provide for the appointment of Auctioneers in the city of Galveston.—Read first time.

By leave, Mr. Miller introduced a joint resolution authorizing the committee on Printing to contract for the printing of two hundred copies of the captions of the laws of this session.—Read and adopted.

A bill to authorize the raising of volunteers to make an expedition to Santa Fé.—Read first time and rejected.

On motion, the Senate reconsidered their vote upon an act to authorize the firm of McKinney, Williams & Co., to issue their notes for circulation as money.

An act concerning lands which have been appropriated for the establishment of a general System of Education.—Read first time.

Joint resolution for the relief of G. W. Logan.—Read first time.

An act to provide for the relief of Elijah Bennett.—Read first time.

A bill to be entitled an act to encourage frontier protection.—Read first time.

A bill to be entitled an act to disband the Regular Army of Texas.—Read first time.

An act to locate a government Stock Fund for the promotion and protection of individual enterprise.—Read first time.

On motion, a committee of conference was appointed on a bill supplementary to an act to detect fraudulent Land Certificates, and to provide for the issuing of patents to legal claimants.

Committee.—Messrs. Greer, Gaines and Potter.

On motion,

The Senate adjourned until 10 o'clock to-morrow, A. M.

SATURDAY, January 30th, 1841.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The journals were read and adopted.

ORDERS OF THE DAY.

An act supplementary and amending an act to dispense with the necessity of protesting negotiable instruments for dishonor and other purposes, &c.—Read the second time and referred to the committee on the Judiciary.

An act concerning lands which have been appropriated for the establishment of a general system of education.—Read the second time and referred to the committee on Public Lands.

Joint resolution authorizing and requiring the Auditor to audit drafts for ammunition, provisions, horses, &c., &c., furnished troops, and expenses incurred in behalf of the Ordnance Department.—Read the first time.

An act to incorporate the Franco Texian, Commercial, and Colonizing Company.—Read the second time.

Mr. Moore moved that it be referred to the committee on Military Affairs.

Yeas and nays being called for, stood thus:

Yeas—Messrs. Gaines, Greer, Kendrick, Lester, Miller, Moore, and Muse—7.

Noes—Messrs. Barnett, Byrne, Dangerfield, Jones, Potter, and Stroud—6. Motion carried.

A bill to disband the regular army.—Read the second time and referred to the committee on Military Affairs.

A bill to encourage frontier protection.—Read the second time and referred to the committee on Military Affairs.

By leave, the Special Committee to whom was referred a joint resolution for the purposes therein named, report the bill with amendments.

An act to define contempts—Read the first time.

An act regulating the third and fourth Judicial districts, and the terms of the district courts therein.—Read the second time and laid on the table.

Joint resolution for the relief of Charles De Morse, reported by the committee on Claims and Accounts, without amendments, and ask its passage.

The committee on Military Affairs, to whom was referred a bill to be entitled an act for the protection of the Mexican trade, and the suppression of marauding parties and cattle stealing, on the south-western frontier, report the bill and ask its passage.

An act to create a government stock fund, for the promotion

and protection of individual enterprise.—Read the second time and referred to the committee on Finance.

The committee on the Judiciary, to whom was referred an act of limitations, report by recommending that the Senate reject the amendments from the House.—Report adopted, and on motion, a committee of conference was appointed, consisting of Messrs. Potter, Dangerfield, and Moore.

An act to authorize the Commissioner of the General Land Office to employ a draftsman, and providing for the compensation of county surveyors.—Read the second time and referred to a special committee consisting of Messrs. Gaines, Muse, and Miller.

A bill legalizing and confirming certain marriages therein named.—Read the second time and referred to the committee on Privileges and Elections.

A joint resolution to perform certain duties therein named.—Read the first time. Rule suspended—read the second time.

An act the better to define the county of Travis.—Read the second time, amended, and ordered to lie on the table.

The Special Committee, to whom was referred a substitute to a bill authorizing the colonization and settlement of the vacant lands of the Republic of Texas, report the bill with amendments, rule suspended ;

On motion, the report was laid on the table, and the bill taken up. The bill was then laid on the table until 3 o'clock, P. M.

A message from the House reporting the same ready to go into the election of a judge for the first judicial district, and chief justices of counties where vacancies exist.

On motion, the Senate went into the election of a judge of the first judicial district and chief justices of counties.

Nominations being in order,

Mr. Potter nominated Todd Robinson for judge of the first judicial district.

Mr. Kendrick nominated Thomas Johnson.

Mr. Kendrick nominated John Delap for chief justice of Ward county.

A message was received from the House, announcing the following additional nominations :

Anthony Shelby, for judge of the first judicial district.

For chief justice of Travis County, M. Evans and H. Millard.

For chief justice of Menard County, John W. Baldridge.

For chief justice of Ward County, Virgil A. Stewart.

For chief justice of Panola County, William Elliot.

For chief justice of Pascal County, Richard Tankersley and C. H. King.

For chief justice of Navasoto County, Geo. Walker.

For chief justice of Red River County, Gilbert Clark.

For chief justice of Jasper County, M. B. Lewis.

On motion, the Senate proceeded to ballot for judge of the first judicial district, the following being in nomination :

Mr. Todd Robinson received	-	-	-	4	votes.
Thomas Johnson	"	-	-	8	"
Anthony Shelby	"	-	-	0	"

The following being in nomination for chief justices of counties, were ballotted for :

Travis County, M. Evans received	7,	H. Millard,	5.
Menard " J. W. Baldrige	" 8,	Dread Dawson,	3.
Ward, " V. A. Stewart,	" 6,	John Delap,	5.
Panola, " W. Elliot,	" 9,	Dread Dawson,	3.
Pascal, " Tankersley,	" 1,	King 9, D. Dawson	1.
Navasoto " Geo. Walker	" 9,	Dread Dawson	2
Red River " G. Clarke	" 13,		
Jasper " M. B. Lewis	" 13.		

On motion, the Senate went into secret session.

Secret session being over,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

On motion, the Senate took up an act to provide for the first class of claimants, who have not obtained certificates for their head rights to land.—Read the first time and laid on the table.

The Senate resumed the consideration of the bill under discussion prior to going into the election.

Mr. Muse moved a suspension of the rule, in order to place the bill on a third reading.

Yeas and nays being called for, stood as follows :

Yeas—Messrs. Byrne, Barnett, Dangerfield, Greer, Miller, Muse, and Potter—7.

Nays—Messrs. Gaines, Jones, Kendrick, and Lester. Motion lost.

Joint resolution authorizing and requiring the Secretary of the Navy to issue certificates of bounty land to officers, seamen, and marines of the Navy.—Read the second time and passed to a third reading.

A message was received from the House, reporting the result of the election for judge of the first judicial district and chief justices of counties.

An act to amend an act regulating attachments.—Read the second time and referred to the committee on the Judiciary.

On motion, the Senate took up the bill authorizing McKinney, Williams & Co., to issue their notes for circulation as money.—Read the second time, amended, and the yeas and nays called for on the passing of the bill.

Mr. Greer moved a call of the House.

Yeas and nays called for on the motion :

Yeas—Messrs. Dangerfield, Greer, Jones, Lester, Miller, Moore, Muse, and Stroud—8.

Nays—Messrs. Byrne, Kendrick, and Potter—3. Motion carried and the roll called, Messrs. Barnett and Gaines absent.

The Sergeant-at-Arms was despatched in quest of absentees.

The Sergeant-at-Arms returned and reported the absentees present.

Question on passing the bill to a third reading.

The yeas and nays being called for, Mr. Barnett asked to be excused, as he knew not the question. Request granted.

Mr. Stroud asked to be excused : also, Mr. Greer, but the Senate refused to grant their request.

The yeas and nays being called for on the passage of the bill to a third reading, stood thus :

Yeas—Messrs. Byrne, Kendrick, Jones, Lester, Miller, Muse, Potter—7.

Nays—Messrs. Dangerfield, Gaines, Greer, Moore, and Stroud—5. Bill passed to a third reading.

A bill for the relief of the officers of both houses of Congress, reported from the House with amendments.

Question whether the Senate concur in the amendments. The Senate refused to concur.

An act to authorize the formation and establishment of limited partnership within the Republic of Texas.—Read the second time and referred to the committee on the Judiciary.

A bill authorizing the holders of promissory notes, bonds, funded debt, &c., to surrender the same, and receive in lieu thereof land scrip.—Read the third time and passed.

A bill to regulate the public printing.—Read the second time and referred to the committee on the Judiciary.

Joint resolution authorizing the Secretary of War to have sold certain government property.—Read the first time.

A bill to provide for the appointment of auctioneers for the City of Galveston.—Read the second time and rejected.

Mr. Muse introduced a bill supplementary to an act entitled an act to abolish certain offices therein named and fix the military and naval establishments of this Republic.

The president of the Senate announced the result of the election for judge of the first judicial district, and chief justices of counties as reported from the House.

<i>For Judge of the First Judicial District.</i>			
	Votes in the Senate.	Votes in H. of Rep's.	Total.
Thomas Johnson,	8,	19,	27
T. Robinson,	4,	13,	17
A. Shelby,	-	1	1

<i>For Chief Justices of Counties.</i>				
	Votes of the Senate.	Votes of H. of Rep's.	Total.	
Travis Co.,	M. Evans,	7	21	28
" "	H. Millard,	5	13	18
Pascal Co.	R. Tankersly,	1	19	20
" "	C. H. King,	9	15	24
Menard Co.,	J. Baldrige,	8	34	42
" "	D. Dawson,	3		3
Panola Co.,	W. Elliot,	9	34	43
" "	D. Dawson,	3		3
Navasoto Co.,	G. Walker,	9	34	43
" "	D. Dawson,	3		3
Red River Co.,	G. Clark,	13	34	47
Jasper Co.,	M. B. Lewis,	13	34	47

On motion, the Senate went into secret session.

Secret session being over,

The Senate adjourned until [Monday,] 10 o'clock, A. M.

MONDAY, February 1st, 4841.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The Journals were read and adopted.

Mr. Kendrick introduced a petition of Mrs. Ellen Cash, which was read; also, a joint resolution for the relief of Mrs. Ellen Cash.—Read first time. Rule suspended.—Read second time. Rule further suspended.—Read third time and passed.

REPORTS.

The committee on the Judiciary, to whom was referred a bill to be entitled an act to repeal, [an act] requiring Sheriffs and other officers, to take the promissory notes of the government, and for other purposes, report the same without amendments, and ask its passage. Rule suspended, report laid upon the table.

The bill taken up.—Read second time, amended.

Question on passing the bill to a third reading.

Yeas and nays called for :

Yeas.--Messrs. Barnett, Byrne, Dangerfield, Gaines, Greer, Kendrick, Lester, Miller, Moore and Stroud.--10.

Nays.--Messrs. Muse and Potter.--2.

Motion carried and passed to a third reading.

A message from the House, reporting a number of bills as having passed.

The committee on Naval Affairs, to whom was referred the memorial of A. C. Hinton and accompanying documents, report by resolution. Rule suspended, resolution read second time and passed to a third reading.

The committee on Claims and Accounts, to whom was referred a joint resolution for the relief of John S. Martin, reported the same.

On motion, the rule was suspended.--Read second time. Rule further suspended.--Read third time and passed.

The committee on Privileges and Elections, to whom was referred a bill to be entitled an act legalizing and confirming certain marriages therein named, report by recommending its passage.

The committee on Military Affairs, to whom was referred the Franco Texian, Emigrating and Colonizing Company, report unfavorably.

Mr. Muse moved that 200 copies of the report and bill be printed.

Mr. Potter moved to strike out the word "report." Motion carried.

Question on printing 200 copies of the bill. Motion carried.

Mr. Dangerfield moved the reconsideration of a vote rejecting an act to provide for the appointment of Auctioneers for the city of Galveston. Motion lost.

Mr. Kendrick introduced a resolution requiring certain information of the Secretary of War and Navy, on the act passed and approved, authorizing and appropriating \$20,000, for Surveying the Harbors of the Republic.--Read and adopted.

ORDERS OF THE DAY.

An act appropriating \$20 000, to meet the civil list expenses of the government, &c., reported from the House with amendments.

Question whether the Senate concur. The Senate concurred.

On motion, a committee of conference was appointed upon a joint resolution for the relief of the officers of both Houses of congress. Committee.--Messrs. Lester, Moore and Greer.

An act to authorize the firm of McKinney, Williams & Co., to issue their notes for circulation as money.—Read third time and passed.

A joint resolution to perform certain duties therein named.—Read third time and laid upon the table.

A bill to be entitled an act, supplementary to an act entitled an act, to abolish certain offices therein named, and to fix the Military and Naval establishments of this Republic.—Read second time.

Mr. Muse moved that the bill pass to a third reading.

Yeas and nays called for:

Yeas.—Messrs. Byrne, Dangerfield, Kendrick and Muse.—4.

Nays.—Messrs. Barnett, Gaines, Greer, Jones, Lester, Miller, Moore, and Stroud—S. Bill rejected.

Joint resolution authorizing and requiring the Secretary of the Navy to issue certificates of bounty land, to officers, seamen and marines of the Navy.—Read and rejected.

The committee of conference on an act of Limitations, report a substitute.

On motion, the Senate took up a joint resolution to perform certain duties therein named.—Read second time, amended. Rule suspended.—Read third time and passed.

On motion,

The Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

A bill to be entitled an act to authorize the Colonization and settlement of the vacant land of the Republic of Texas.—Read third time and passed.

A bill to be entitled an act to provide for the investigation of escheated and forfeited lands, and direct the manner of the disposition of the same.—Read second time.

Mr. Moore moved that the bill be indefinitely postponed.

Yeas and nays called for:

Yeas. Messrs. Byrne, Dangerfield, Kendrick, Lester, Miller and Moore.—6.

Nays.—Messrs. Barnett, Gaines, Greer, Jones, Muse, Potter and Stroud.—7. Motion lost.

The bill was read section by section.

Mr. Muse moved to fill the blank in section 12th with one hundred.

Yeas and nays called for :

Yeas.—Messrs. Barnett, Gaines, Greer, Jones, Muse, Potter and Stroud.—7.

Nays.—Messrs. Byrne, Dangerfield, Kendrick, Lester, Miller and Moore.—6. Motion carried.

Mr. Moore moved to strike out the 17th section.

Yeas and Nays called for on retaining the section:

Yeas.—Messrs. Byrne, Dangerfield, Kendrick, Lester, Miller and Moore.—6.

Nays.—Messrs. Barnett, Gaines, Greer, Jones, Muse, Potter and Stroud.—7. Motion lost.

Mr. Moore offered an amendment to the bill, "that this act shall not affect the titles of any [claimant] or claimants whose titles are located within the colony of Stephen F. Austin, as sole Empresario, or in the colony of DeWitt.

To which Mr. Byrne offered an amendment, "nor to De Leon's, Power, and Hewitson's colonies.

Yeas and nays called for on the amendment to the amendment.

Yeas.—Messrs. Byrne, Dangerfield, Kendrick, Miller, Moore and Stroud.—6.

Nays.—Messrs. Barnett, Gaines, Greer, Jones, Lester, Potter and Muse.—7. Motion lost.

Mr. Muse moved to strike out DeWitt's colony.

Yeas and nays called on striking [out] the same.

Yeas.—Messrs. Gaines, Greer, Jones, Muse and Stroud.—5.

Nays.—Messrs. Barnett, Byrne, Dangerfield, Kendrick, Lester, Miller and Moore.—7. Motion lost.

Question on the amendment by Mr. Moore.

Yeas and nays called for :

Yeas.—Messrs. Barnett, Byrne, Dangerfield, Jones, Kendrick, Lester, Miller, Moore and Potter.—9.

Nays.—Messrs. Gaines, Greer, Muse and Stroud.—4. Amendment adopted. The bill passed to a third reading.

A joint resolution as to adjourn *sine die*, reported from the House with amendments.

Question whether the Senate concur. The Senate concurred.

A substitute to a bill to be entitled an act requiring the Chief Justices of counties to issue writs of elections in certain cases; substitute adopted.—Read second time. Rule suspended.—Read third time and passed.

An act to establish and incorporate the Austin Lyceum.—Read first time.

An act supplementary to an act to provide for the return of Surveys, &c.—Read first time. Rules suspended.—Read second time. Rule further suspended.—Read third time and passed.

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A bill to be entitled an act, to provide for the support and education of indigent orphans.--Read first time. Rules suspended. Read second time. Rule further suspended.--Read third time and passed.

Joint resolution that an act authorizing the President to appoint a private secretary be repealed.--Read second time and rejected.

Joint resolution requiring the Secretary of the Treasury to relinquish certain lands.--Read first time. Rule suspended.--Read second time and referred to the committee on Public Lands.

An act fixing the time of holding the District Court in the county of Ward.--Read first time. Rule suspended.--Read second time.

Mr. Kendrick offered a substitute as an amendment, which was adopted. Rules further suspended.--Read third time and passed.

On motion,

The Senate adjourned until to-morrow, 10 o'clock, A. M.

TUESDAY, February 2d, 1841.

The Senate met pursuant to adjournment.

The roll called--a quorum present.

The journals were read and adopted.

REPORTS.

The committee on Judiciary, to whom was referred an act relative to attachments; an act to authorize the formation and establishment of limited partnerships within the Republic of Texas; an act supplementary and amendatory of an act entitled an act to dispense with the necessity of protesting negotiable instruments for dishonor and other purposes, report the bills without amendment.

Mr. Gaines introduced a joint resolution, repealing a portion of the militia law.--Read first time; also, an act requiring the sheriff's of certain counties to perform certain duties.--Read first time.

A bill to be entitled an act to repeal an act requiring the sheriffs and other county officers to take the promissory notes of the government and for other purposes.--Read third time and passed.

Joint resolution making an appropriation to pay for muskets.--Read first time.

An act to consolidate the several appropriations for the Navy Department for the year 1840.--Read first time.

A bill to be entitled an act supplementary to the act regulating the duties of probate courts, and the settlement of succession, approved February 5th, 1840.

A bill to be entitled an act to reorganize the several judicial districts, and to create the sixth and seventh districts.—Read first time. Rule suspended—read second time. Rule further suspended—read third time and passed.

Joint resolution for purposes therein named.—Read and ordered to lie on the table.

A message from the President was received; also, from the Secretary of War and Navy, was received and read; also, a message from the House, reporting a number of bills as having passed.

A bill to be entitled an act to incorporate the Franco Texian, Commercial, and Colonization Company.—Read second time section by section.

Mr. Moore moved an amendment to the first section, 3d line after "associates," to insert "provided they and their associates shall take the oath of allegiance to this Republic," to which

Mr. Greer offered an amendment, "which oath shall be filed in the Department of State," which Mr. Moore accepted.

Yeas and nays called for on the adoption:

Yeas—Messrs. Barnett, Gaines, Greer, Jones, Kendrick, Lester, Moore, and Muse—8.

Nays—Messrs. Byrne, Dangerfield, Miller, Potter, and Stroud—5. Amendment adopted.

Mr. Moore offered an amendment to the 5th line, same section, after the word "company or companies" "composed of citizens of Texas."

Yeas and nays on the amendment:

Yeas—Messrs. Gaines, Greer, Kendrick, Lester, Moore, and Muse—6.

Nays—Messrs. Barnett, Byrne, Dangerfield, Jones, Miller, Potter, and Stroud—7. Motion lost.

Mr. Greer offered an amendment to the third section, 4th line, after the words "commencing," provided that the said posts on Red River, near the Trinidad and Brazos, shall be erected and occupied in two years from and after the passage of this act."

Yeas and nays called for:

Yeas—Messrs. Gaines, Greer, Kendrick, Lester, Moore, and Muse—6.

Nays—Messrs. Barnett, Byrne, Dangerfield, Jones, Miller, Potter, and Stroud—7. Motion lost.

Mr. Greer moved an amendment to the seventh section, 3d line, after the word "communication," "upon the payment into the treasury of \$1,500,000, of the liabilities of this government."

Yeas and nays called for :

Yeas—Messrs. Gaines, Greer, Kendrick, and Lester—4.

Nays—Messrs. Barnett, Byrne, Dangerfield, Jones, Miller, Moore, Muse, Potter, and Stroud—9. Motion lost.

Mr. Moore moved to strike out in the seventh section, 5th line, the words "absolute right."

Yeas and nays called for :

Yeas—Messrs. Gaines, Greer, Kendrick, Lester, and Moore—5.

Nays—Messrs. Byrne, Dangerfield, Jones, Miller, Potter, and Stroud—6. Motion lost.

Mr. Greer moved to strike out in the seventh section, 10th line, the word "twenty," and insert "ten."

Yeas and nays called for :

Yeas—Messrs. Gaines, Greer, Kendrick, Lester, Moore, and Muse—6.

Nays—Messrs. Byrne, Dangerfield, Jones, Miller, Potter, and Stroud—6. Motion lost.

Mr. Greer moved to strike out in the seventh section, 5th line, the word "absolute," of this government.

Yeas and nays called for :

Yeas—Messrs. Barnett, Gaines, Greer, Kendrick, Lester, Moore, and Muse—7.

Nays—Messrs. Byrne, Dangerfield, Jones, Miller, Potter, and Stroud—6. Motion carried.

Mr. Greer offered an amendment to the end of the seventh section—add "and three-fourths of the balance within ten years thereafter, to actual citizen settlers.—Amendment adopted.

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

SEVEN O'CLOCK, P. M.

The senate met pursuant to adjournment.

Roll called—a quorum not present.

Messrs. Gaines, Greer, Muse, and Kendrick, absent.

The Sergeant-at-Arms was despatched for absentees.

The Sergeant-at-Arms returned, and reported that he could not find the absentees.

On motion,

The Senate adjourned until ten o'clock, to-morrow, A. M.

WEDNESDAY, February 3d, 1841.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

The journals were read and adopted.

REPORTS.

The committee on Finance, to whom was referred an act to create a government stock fund for the promotion and protection of individual enterprise, report favorable consideration of the Senate.

The committee on Public Lands, to whom was referred a joint resolution requiring the Secretary of the Treasury to relinquish certain lands, report favorable.

On motion, the report was laid upon the table.—Rules suspended, read second time and laid upon the table.

The [report of the] committee of Conference, on a bill for the relief of the officers of both houses of Congress, was read.

Mr. Kendrick moved that the Senate concur in the report.

Yeas and nays called for on the report :

Yeas—Messrs. Byrne, Dangerfield, Kendrick, Miller, Moore, and Potter—6.

Nays—Messrs. Gaines, Greer, Jones, Lester, Muse, and Stroud—6. The Senate refused to concur.

The committee on Military Affairs, to whom was referred a bill to be entitled an act to encourage frontier protection, recommend its passage. A bill to be entitled an act to disband the regular army of Texas, report its indefinite postponement.

Mr. Moore moved the rules be suspended, report laid upon the table, and the bill taken up. Motion carried.

Mr. Muse moved a reconsideration of the vote.

Yeas and nays called for :

Yeas—Messrs. Byrne, Dangerfield, Kendrick, Muse, Potter, and Stroud—6.

Nays—Messrs. Barnett, Gaines, Greer, Jones, Lester, Miller and Moore—7. Motion lost.

Mr. Moore offered an amendment as a substitute.

Yeas and nays called for :

Yeas—Messrs. Byrne, Greer, Kendrick, Lester, Moore, Muse, and Potter—7.

Nays—Messrs. Barnett, Dangerfield, Gaines, Jones, Miller and Stroud—6. Amendment adopted.

Mr. Potter moved to lay the bill upon the table, and take up the special order of the day.

Yeas and nays called for :

Yeas—Messrs. Byrne, Dangerfield, Jones and Potter—4.

Nays—Messrs. Barnett, Gaines, Greer, Kendrick, Lester, Miller, Moore, Muse, and Stroud—9. Motion lost.

Mr. Kendrick moved the bill lie on the table.—Motion lost.

Mr. Muse moved a reconsideration of the vote, suspending the rules. Motion carried.

The bill amended by substitute passed to a third reading.

The special committee to whom was referred an act to authorize the Commissioner of the General Land Office to employ a draftsman, and providing for the compensation of county surveyors, report by recommending the passage of the bill with amendment.

On motion, the rule was suspended. Report laid on the table. Bill read second time. Rule further suspended—read third time and passed.

Mr. Kendrick offered a joint resolution, postponing the day to adjourn *sine die*.—Read first time.

Mr. Potter moved a call of the house.—Motion carried.

Roll called.—Mr. Byrne absent.

A message from the House, reporting a number of bills, originating in the Senate, as having passed.

ORDERS OF THE DAY.

On motion, the Senate took up a bill for the relief of Jeremiah Strode.—Read second time. Rule further suspended—read third time and passed.

SPECIAL ORDERS OF THE DAY.

A bill to be entitled an act to incorporate the Franco Texian, Emigrating, and Colonization [Company.]

Mr. Greer moved the bill lie on the table.

An act to authorize Benjamin F. Smith & Co., to emancipate certain negroes.—Read second time and laid upon the table until 10th May.

An act for the relief of Bridget Fadden.—Read second time. Rule suspended—read third time and passed.

An act for the relief of William Gamble.—Read second time. Rule suspended—read third time and passed.

An act for the relief of James Wiley.—Read second time. Rule suspended—read third time and passed.

An act for the relief of Washington Sehon.—Read second time. Rule suspended—read third time and passed.

An act for the relief of Martha Stanback.—Read second time. Rule suspended—read third time and passed.

An act for the relief of John Thomas.—Read second time. Rule suspended—read third time and passed.

An act for the relief of Capt. A. C. Hinton.—Read third time and passed.

An act for the relief of George W. Davis.—Read third time and passed.

An act for the relief of Lorenzo De Zavala.—Read third time and passed.

An act for the relief of Henry Hermon.—Amended, read third time and passed.

An act for the relief of Charles De Morse.—Read third time and passed.

An act for the relief of A. M. Clair.—Read third time and passed.

An act for the relief of the heirs of John Wall, deceased.—Read third time and passed.

An act for the relief of John Hibbens, deceased.—Read third time and passed.

An act to define contempts.—Read second time and referred to the Judiciary.

A bill to be entitled an act requiring sales by judgment or decree of a probate court, or court of chancery.—Read second time. Rule suspended—read third time and passed.

A bill to be entitled an act to change the time of holding probate courts.—Read second time. Amended. Rules suspended—read third time and passed.

An act to amend an act entitled an act regulating attachments. Read second time. Amended. Rules suspended—read third time and passed.

An act to incorporate the Austin Lyceum.—Read second time and passed to a third reading.

Joint resolution for the relief of William Thomas Brannum.—Read second time and ordered to lie on the table.

On motion,

The Senate adjourned until half-past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

An act to amend an act entitled an act to raise a public revenue, by direct taxation, approved 16th January, 1840.—Read first time. Rule suspended—read second and third times and passed.

Mr. Muse introduced a joint resolution for the relief of the clerks of the several bureaus of the government.—Read first time.

Mr. Muse moved a suspension of the rule.—Motion lost.

Joint resolution for the relief of George Wheelwright.—Read first time. Rule suspended—read second and third times and passed.

Mr. Stroud moved a reconsideration of the vote disagreeing to the report of the committee of Conference, on a bill for the relief of the officers of the two houses of Congress.

Yeas and nays called :

Yeas--Messrs. Byrne, Dangerfield, Jones, Kendrick, Lester, Miller, Moore, Potter, and Stroud--9.

Nays--Messrs. Gaines, Greer, and Muse--3. Motion carried.

Mr. Potter moved that the Senate concur in the report of the committee of Conference. The Senate concurred.

A bill to be entitled an act to provide for the investigation of escheated or forfeited lands, and to direct the disposition of the same.--Read third time.

Yeas and nays called for on the passage :

Yeas--Messrs. Barnett, Gaines, Greer, Jones, Miller, Muse, Potter, and Stroud--8.

Nays--Messrs. Byrne, Dangerfield, Kendrick, and Lester--4. The bill passed.

Joint resolution for the relief of Leonard Williams.--Read first time. Rule suspended--read second time and referred to the committee on Claims and Accounts.

On motion, the Senate took up a joint resolution for the relief of William Thomas Braunum.--Read and referred to the Military Committee.

An act to consolidate the several appropriations for the Navy Department for the year 1840.--Read and referred to the committee on Military Affairs.

The committee of Conference on a bill supplementary to an act to detect fraudulent land certificates, &c., report that the Senate disagree to the amendments, and request the appointment of another committee.--Report adopted.

Committee--Messrs. Greer, Gaines, and Potter.

An act supplementary and amendatory of an act entitled an act to dispense with the necessity of protesting negotiable instruments, &c.--Read and rejected.

Joint resolution requiring the Auditor to audit drafts for ammunition, &c. &c.--Read second time and referred to the committee on Military Affairs.

An act supplementary to an act for the benefit of settlers, residing near the boundary line of the United States, in the counties of Red River and Harrison.--Read first time. Rules suspended.--Read second and third times and passed as amended.

A message from the House reporting a bill supplementary to an act to detect fraudulent land certificates, and as having concurred in the report of the committee of conference, and the amendments with the bill was reported through mistake. To which the Senate agreed to the report.

Joint resolution for the relief of George W. Logan.--Read second time and referred to the committee on Claims and Accounts.

An act supplementary to an act entitled an act the better to define the boundaries of Fort Bend.—Read first time. Rule suspended.—Read second and third times and passed.

An act to be entitled an act to make certain offences therein named grand larceny and to prescribe their punishment.—Read first time. Rule suspended.—Read second and third times and passed.

The Report of the committee of conference on a bill to be entitled an act authorizing the holders of promissory notes, bonds, funded debt, &c. The Senate disagreed to the report.

A bill for the relief of Elijah Bennett.—Read second time and referred to the committee on Claims and Accounts.

On motion, a committee was appointed to wait upon the President and inform him of the intention of both Houses of congress to adjourn. Committee.—Messrs. Kendrick, Muse and Dangerfield.

Joint resolution for the relief W. W. Allsberry. Read first time. Rules suspended. Read second time and referred to the committee on Claims and Accounts.

Joint resolution suspending the sixteenth joint rule of the two Houses, which the Senate adopted.

On motion, the Senate went into secret session.

Secret session being over, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

An act to authorize the formation and establishment of limited partnership, within the Republic of Texas.—Read second time and laid upon the table.

A bill to be entitled an act to encourage frontier protection.—Read second time, amended and passed to a third reading.

An act supplementary to an act to raise a public revenue by impost duties, approved fifth February, 1840.—Read first time. Rules suspended.—Read second time—amended, re-amended.

Yeas and nays on passing the bill to a third reading.

Yeas.—Messrs. Barnett, Byrne, Dangerfield, Greer, Lester and Stroud—6.

Nays.—Messrs. Gaines, Jones, Kendrick, Moore, Muse and Potter,—6. Bill rejected.

On motion,

The Senate adjourned until 10 o'clock, A. M.

THURSDAY, February 4th, 1841.

The Senate met pursuant to adjournment.

Roll called--a quorum present.

The Journals were read and adopted.

REPORTS.

The committee on Judiciary, to whom was referred a bill to be entitled an act for the benefit of purchasers of real estate, and to compensate for improvement made thereon.

An act to provide for the holding of an adjourned session of the Supreme Court in the eastern section of this Republic, report the indefinite postponement of the bill.

The committee on Navy Affairs, to whom was referred an act to consolidate the several appropriations for the Navy Department for the year 1840.

The committee on Claims and Accounts, to whom was referred a joint resolution for the relief of W. W. Allsberry and George Logan, reported the same.

On motion, the rules were suspended.—Read second and third times and passed.

The report of the committee of conference on a bill of Limitations, was disagreed to by the Senate, and on motion a committee of conference was asked for: request granted. Committee the same, with the addition of Mr. Greer.

A bill to be entitled an act supplementary to an act of Limitations.—Read first time. Rules suspended. Read second time and referred to the committee of conference, on an act of Limitations.

On motion, the Senate reconsidered the vote on a bill to raise the revenue by taxation, amended.

Question on passing to a third reading.

Yeas and nays called for:

Yeas--Messrs. Barnett, Byrne, Dangerfield, Greer, Kendrick, Lester, Miller, Moore and Stroud--9.

Nays--Messrs. Gaines, Jones, Muse, and Potter--4. Motion carried. Rule suspended. Read third time and passed.

A bill to quiet the land claims of the Republic of Texas, reported from the House with amendments.

Question whether the Senate concur; first amendment concurred in; second and third disagreed to.

On motion, a committee of conference was appointed of Messrs. Greer, Potter and Miller.

A bill to be entitled an act to repeal an act, requiring the sheriff and other officers to take the promissory notes of the government, and for other purposes, reported from the House as not

agreeing to the amendments of the Senate. Amended in second section. Senate insist. Amended for recording; the Senate receded.

Joint resolution to define the duties of the chief clerk of the Stock Commissioner's bureau.—Read first time. Rule suspended—read second and third times and passed.

On motion, a committee of Conference was appointed on a bill to provide for the investigation of escheated lands, &c.

Committee—Messrs. Potter, Greer, and Miller.

Also, an act authorizing the holders of promissory notes, bonds, funded debt, &c.

Committee—Messrs. Greer, Muse, and Dangerfield.

A bill making appropriations for the year 1841, reported from the House with amendments, to which the Senate disagreed to; and on motion, a committee of conference was appointed of Messrs. Greer, Potter, and Kendrick.

A bill to be entitled an act to encourage frontier protection.—Read third time and passed.

A joint resolution to adjourn *sine die*.—Read second time. Amended. Rule suspended—read third time and passed.

An act to incorporate the Austin Lyceum.—Read third time and passed.

Joint resolution requiring the sheriffs of certain counties to perform duties therein named.—Read second time. Rules suspended—read third time and passed.

On motion,

The Senate adjourned until half-past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

An act to authorize the Commissioner of the General Land Office to employ a draftsman, and providing for the compensation of county surveyors, reported from the House, as not agreeing to the amendments of the Senate.

On motion, a committee of Conference was appointed of Messrs. Byrne, Gaines, and Miller.

The committee on Military Affairs, to whom was referred a joint resolution authorizing and requiring the auditor to audit drafts for ammunition, guns, &c., &c., report it be passed.—Rules suspended. Read second time and laid upon the table.

The committee of conference on an act of limitations, report amendments. Report concurred in. Also, said committee, to

whom was referred an act supplementary to an act of limitations, report verbally that it be passed.—Rules suspended—read second and third times and passed.

An act to create a government stock fund, for the promotion and protection of individual enterprise.—Read second [time] and passed to a third reading.

A bill to be entitled an act to disband the regular army of Texas.—Read second time.

Mr. Greer moved the bill pass to a third reading.

Yeas and nays called :

Yeas—Messrs. Barnett, Byrne, Gaines, Greer, Jones, Lester, Miller, Moore, and Stroud—9.

Nays—Messrs. Dangerfield, Kendrick, Muse, and Potter—4.
Motion carried.

Mr. Barnett moved to suspend the rule.

Yeas and nays called :

Yeas—Messrs. Barnett, Gaines, Greer, Jones, Lester, Miller, Moore, and Stroud—8.

Nays—Messrs. Byrne, Dangerfield, Kendrick, Muse, and Potter—5. Motion lost.

Joint resolution for the relief of J. D. Swain, and George W. Fuller.—Read first time and laid upon the table.

A bill to be entitled an act supplementary to the act regulating the duties of probate court, and the settlement of succession, approved February 5th, 1840.—Read first time and laid upon the table.

Joint resolution for the relief of Capt. James Pennoyer.—Read first time. Rule suspended—read second and third times and passed.

The committee of Conference on a bill to be entitled an act authorizing the holders of promissory notes, bonds, funded debt, &c., report amendments, and request that the Senate concur.

Question whether the Senate adopt the report :

The Senate adopted the report.

Substitute for the relief of the heirs of John Hibbins, deceased, reported from the House as not agreeing to the substitute.

Question whether the Senate adhere or recede :

The Senate adhered, and appointed a committee of conference.

Committee—Messrs. Dangerfield, Lester, and Barnett.

The committee of conference on a bill making appropriations for the year 1841, report amendments.

The Senate adopted the report.

Mr. Greer moved that the Senate agree to the amendment of the House, to strike out the appropriation for the army.

Yeas and nays called for:

Yeas---Messrs. Barnett, Gaines, Greer, Jones, Lester, Miller, Moore, and Stroud---8.

Nays---Messrs. Byrne, Dangerfield, Kendrick, Muse, and Potter---5. Motion carried.

Joint resolution postponing the adjournment of both houses of Congress, reported from the House with amendments, to which the Senate concurred.

Joint resolution authorizing and requiring the Auditor to audit drafts for ammunition, provisions, &c., &c.—Read second time.

Mr. Moore offered a substitute to the bill, which was adopted.

Mr. Moore moved a suspension of the rule,—Motion lost.

The committee on Judiciary, to whom was referred an act to define contempts, report the bill and ask its passage.

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

SEVEN O'CLOCK, P. M.

The senate met pursuant to adjournment.

Roll called—a quorum present.

On motion, the vote was reconsidered, refusing to suspend the rules on a bill for the relief of J. D. Swain, and George W. Fuller.—Read second time. Rule further suspended—read third time and passed.

Mr. Muse introduced a joint resolution for purposes therein [named.]—Read first time. Rule suspended—read second and third times and passed.

Joint resolution making appropriations to pay for muskets.—Read second time. Rule further suspended—read third time and passed.

An act incorporating the Galveston and Virginia Point Bridge Company.—Read second time. Rule suspended—read third time and passed.

The committee of conference on a bill for the relief of the heirs of John Hibbins, deceased, report by recommending the passage of the bill as it came from the House.

Question whether the Senate adopt the report.

Yeas and nays called for:

Yeas---Messrs. Byrne, Dangerfield, Jones, Lester, Moore, and Potter---6.

Nays---Messrs. Barnett, Gaines, Greer, Kendrick, and Stroud---5. The Senate adopted the report.

On motion, the Senate took up the substitute for a joint resolution, authorizing and requiring the Auditor to audit the drafts for ammunition, horses, &c., &c.—Read third time and passed.

A bill to be entitled an act to regulate the public printing.--
Read second time and laid upon the table.

An act supplementary to an act entitled an act to authorize and require the Commissioner General of the Land Office, to commence the issuing of patents, and for other purposes, approved January 19th, 1841.--Read first time. Rule suspended--read second and third times and passed.

On motion, the Senate took up the report of the committee of Conference, on an act to authorize the Commissioner of the General Land Office to employ a draftsman, and other purposes.---
The Senate concurred in the report.

Joint resolution appropriating one of the unoccupied houses of the government, for the use of the clerk of the Supreme Court. Read first time. Rule suspended--read second and third times and passed.

Joint resolution, fixing the compensation of the clerks in the several departments and bureaus of government.--Read second time.

Mr. Muse moved a suspension of the rules.

Yeas and nays called for:

Yeas--Messrs. Byrne, Dangerfield, Greer, Jones, Muse, and Potter--6.

Nays--Messrs. Barnett, Gaines, Kendrick, Lester, Moore, and Stroud--6. Motion lost.

By leave, Mr. Potter introduced an act to provide for the engraving of promissory notes for the use of the government.--
Read first time. Rule suspended--read second and third times and passed.

On motion, the Senate reconsidered the vote passing to a third reading, a joint resolution fixing the compensation of clerks in the several departments of the government.--Read, amended, rules suspended--read third time and passed.

An act to alter the time of holding the courts in the fifth judicial district.--Read first time. Rule suspended--read second and third times and passed.

Joint resolution making certain audited drafts or treasury warrants receivable for government dues.--Read first time.

Joint resolution authorizing the Secretary of War to have sold certain government property.--Read second time and laid upon the table.

An act supplementary to an act regulating sales by judgment, or decree of a probate court, or court of chancery.--Read first time. Rule suspended--read second time and passed to a third reading.

An act relative to invoices for the entry of merchandize.—Read first time and laid upon the table.

A bill to be entitled an act to regulate the sale of runaway slaves.—Read second time. Rule suspended—read third time and passed.

A bill to be entitled an act legalizing and confirming certain marriages therein named.—Read second time. Rules suspended—read third time and passed.

On motion, the Senate went into secret session.

Secret session being over, the Senate adjourned until half-past 10 o'clock, to-morrow.

FRIDAY, February 5th, 1841.

The Senate met pursuant to adjournment.

The roll called—a quorum present.

On motion, Mr. Kendrick was called to the chair, and the reading of the journals was dispensed with.

REPORTS.

The committee on privileges, to whom was referred a joint resolution to incorporate the Galveston City Company, report that it be passed. Rule suspended.—Read second and third times and passed.

A bill entitled an act to encourage emigration by legalizing the mode of collecting foreign debts, reported from the House with amendments.

Question whether the Senate concur. The Senate concurred.

On motion, the Senate went into secret session.

Secret session being over, the doors were opened.

Mr. Miller moved to take up the bill disbanding the Regular Army. Motion carried.

The bill not being in possession of the secretary, the Senate took up the business of the day, until the bill could be procured.

Joint resolution making appropriation for pay of District Judges in the year 1840, and other purposes.—Read first time. Rule suspended.—Read second and third times and passed.

A message from the House reporting a number of Bills as having passed; the rule suspended.

On motion, the Senate took up a resolution to appoint a committee to wait on the President and receive communications, &c., &c., before the House adjourn. Committee, Potter, Muse, Lester and Kendrick.

The committee repaired, returned and reported, that the Executive had no further communications for the action of congress.

Mr. Kendrick moved to lay the bill disbanding the army, on the table for the present, and take up a bill making appropriations for 1840.

Yeas and nays called :

Yeas—Messrs. Byrne, Dangerfield, Kendrick, Muse and Potter,—5.

Nays—Messrs. Gaines, Greer, Jones, Miller, Moore, and Stroud—6. Motion lost.

The bill was read third time, amended and passed.

Resolution from the House, postponing the adjourning *sine die*, until 9 o'clock, P. M. To which the Senate concurred.

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

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The roll called,—a quorum present.

Joint resolution requiring Sheriffs of certain counties, to perform duties therein named, reported from the House with amendments, to which the Senate concurred.

An act to provide for the safe keeping of public property at Galveston, reported from the House with amendments. The Senate concur.

Joint resolution for purposes therein named, reported from the House with amendments; to which the Senate concur.

An act supplementary to an act regulating sales by judgment or decree of a Probate Court or Court of Chancery. Read third time and passed.

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

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Roll called,—a quorum present.

Joint resolution making certain audited drafts or treasury warrants, receivable for government dues.—Read and ordered to lie on the table.

Mr. Greer introduced a resolution that the thanks of the Senate, be, and they are hereby tendered to the honorable Anson Jones, for the able, impartial and dignified manner in which he has discharged the duties of presiding officer of the Senate.—Read and adopted unanimously.

A message from the House reporting that the House had refused to agree to the amendment on a bill disbanding the Regular Army.

On motion, a committee of conference was appointed of Messrs. Muse, Miller and Kendrick.

The committee of conference on a bill to disband the Regular Army of Texas, report that the committee could not agree.

An act to create a government Stock fund for the promotion and protection of individual enterprise.—Read and ordered to lie on the table.

Mr. Greer introduced a joint resolution fixing the fees of county officers.—Read and ordered to lie on the table.

A committee from the House report that the House is ready to adjourn *sine die*.

On motion, the Senate adjourned *sine die*.

ERRATA.

- Page 5, 8th line from bottom, read "K," instead of "R."
- Page 10, 23rd line from top, read "rejecting," instead of "respecting."
- Page 22, 14th line from top; read "time," instead of "term."
- Page 25, 14th line from bottom, place a period after the word "funds," instead of "same."
- Page 62, 10th line from top, after the word "was," add "suspended."
- Page 110, 17th line from bottom, read "Baylor 32," instead of "Baylor 22."
- Page 124, 18th line from bottom, read "Barnett," instead of "Byrne."