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THE SENATE

OF THE

SEVENTH CONGRESS

OF THE REPUBLIC OF TEXAS,

Convened at Washington on the 14th Nov., 1842.

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JOURNALS

OF

THE SENATE.

SENATE CHAMBER, }  
Washington, Nov. 14th, 1842. }

The Senate met pursuant to the Proclamation of the President. Mr. Barnett, Senator from Washington, Montgomery and Brazos, appeared and took his seat. Mr. Randall, Senator elect from Shelby, Sabine and Harrison, presented his credentials and took his seat.

On motion of Mr. Barnett, Mr. S. Z. Hoyle was appointed Secretary *pro tem*. There being no quorum present, on motion of Mr. Randall, the Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, Nov. 15th, 1842, 10 A. M.

Senate met pursuant to adjournment. The roll of Districts being called; the Hon. J. A. Greer, Senator from San Augustine, presented his credentials and took his seat. A quorum not being present, on motion of Mr. Greer, the Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, Nov. 16th, 10, A. M.

Senate met pursuant to adjournment. Roll called, no quorum present, on motion of Mr. Greer, the Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY, Nov. 17th, 10, A. M.

Senate met, Vice President in the Chair, the roll being called, and no quorum present, on motion of Mr. Barnett the Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, Nov. 18th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair. Roll called, no quorum present. On motion of Mr. Barnett, the Senate adjourned until to-morrow morning at 10 o'clock.

SATURDAY, Nov. 19th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair. Roll called, no quorum present. On motion of Mr. Greer, the Senate adjourned until Monday evening at 3 o'clock.

MONDAY, Nov. 21st, 3, P. M.

Senate met pursuant to adjournment. Vice President in the Chair. Roll called, no quorum present. Mr. Shaw, Senator for the District of Milam and Robertson, took his seat. On motion of Mr. Barnett the Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, Nov. 22d, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair. Roll called, no quorum present. Mr. Titus, Senator from the Counties of Red River, Fannin, Bowie and Lamar, took his seat. On motion of Mr. Randall, the Senate adjourned until to-morrow morning at 11 o'clock.

WEDNESDAY, Nov. 23d, 11, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair. Roll called, no quorum present. On motion of Mr. Barnett, the Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY, Nov. 24th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair. The roll being called, Mr. Pattillo, Senator from the District of Jasper and Jefferson, presented his credentials



and took his seat. There being no quorum present, on motion of Mr. Greer, the Senate adjourned until to-morrow morning at 10 o'clock.

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FRIDAY, Nov. 25th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair. Mr. Muse, Senator from Nacogdoches and Houston, took his seat. Mr. Smith presented his credentials as Senator from Bexar, and took his seat. The roll being called and no quorum present, on motion of Mr. Muse the Senate adjourned until to-morrow morning at 10 o'clock.

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SATURDAY, Nov. 26th, 10, A. M.

Senate met pursuant to adjournment. Mr. Greer in the Chair. Roll called, and no quorum being present, on motion of Mr. Titus, the Senate adjourned until Monday morning at 10 o'clock.

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MONDAY, Nov. 27th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair. Mr. Webb, Senator from the District of Travis, Fayette, Bastrop and Gonzales, took his seat. Roll called, no quorum present. On motion of Mr. Greer, the Senate adjourned until to-morrow at 12 o'clock.

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TUESDAY, Nov. 29th, 12, M.

Senate met pursuant to adjournment. The Vice President in the Chair. Roll called, no quorum present. On motion of Mr. Titus, the Senate adjourned until to-morrow morning at 10 o'clock.

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WEDNESDAY, Nov. 30th, 10, A. M.

Senate met pursuant to adjournment. The Vice President

in the Chair—roll called—Mr. Lawrence, Senator from the District of Harris, Galveston and Liberty, presented his credentials and took his seat. Quorum present.

The Senate then proceeded to its organization by the election of a Secretary. Mr. Barnett nominated Mr. Stephen Z. Hoyle; there being no other nomination, Mr. Hoyle was declared duly and constitutionally elected Secretary of the Senate for the seventh Congress. On motion of Mr. Greer the Senate then proceeded to the election of an assistant Secretary. Mr. Barnett nominated Mr. Chappell. Mr. Webb nominated Mr. Tullon. Mr. Muse nominated Mr. Bryson; and Mr. Paullo nominated Mr. Collier. The vote being taken stood as follows: Mr. Chappell received 4 votes; Mr. Tullon received two votes; Mr. Bryson received 1 vote; and Mr. Collier received 3 votes. There being no one that received a majority of all the votes, a second ballot was taken, on which, Mr. Chappell received 6 votes; Mr. Bryson received one vote; and Mr. Collier received 3 votes. Mr. Chappell having received a majority of all the votes, was declared duly and constitutionally elected assistant Secretary of the Senate for the seventh Congress. On motion of Mr. Greer, the Senate then proceeded to the election of an Engraving and Enrolling Clerk. Mr. Greer nominated Mr. Nicholson; Mr. Webb nominated Mr. Beatty. The vote being taken, Mr. Nicholson received 7 votes, and Mr. Beatty received 3 votes. Mr. Nicholson having received a majority of all the vote, was declared duly and constitutionally elected Engraving and Enrolling Clerk for the seventh Congress. The Senate then proceeded to the election of a Sergeant at-Arms. Mr. Paullo nominated Mr. Sloan. Mr. Barnett nominated Mr. Wilkinson. Mr. Titus nominated Mr. Goodman; and Mr. Webb nominated Mr. Ward. The vote being taken, Mr. Sloan received 2 votes; Mr. Wilkinson received one vote; Mr. Goodman received 3 votes, and Mr. Ward received 4 votes. There being no one that received a majority of all the votes, a second ballot was taken, on which, Mr. Ward received 6 votes, and Mr. Goodman received 4 votes. Mr. Ward having received a majority of all the votes, was declared duly and constitutionally elected Sergeant at-Arms for the seventh Congress. The Senate then proceeded to the election of a Door-keeper. Mr. Titus nominated Mr. Miller. Mr. Barnett nominated Mr. White. The vote being taken, Mr. Miller received 8 votes, and Mr. White received 2 votes; whereupon, Mr. Miller was declared duly and constitutionally elected Door-keeper for the seventh Congress. On motion of Mr. Barnett the officers elect



came forward and were sworn to the faithful performance of their duties.

On motion of Mr. Barnett, a Committee was appointed to wait upon the House of Representatives, and inform them that the Senate was organized and ready to proceed to business. Messrs. Barnett and Randall were appointed said Committee.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

A Committee from the House of Representatives, reported that the House was now organized, and ready to proceed to business. On motion of Mr. Barnett, a Committee was appointed to wait upon the House of Representatives, and inform them that the Senate was now organized, and ready to proceed to business. Messrs. Barnett and Randall were appointed said Committee. The Committee returned and reported duty performed.

A Committee appeared from the House of Representatives, and informed the Senate that the House was ready to receive any communication from the Executive. On motion of Mr. Webb, a Committee was appointed to inform the House that the Senate was ready to receive any communication from the Executive. Messrs. Webb and Patullo were appointed said Committee. The Committee returned and reported duty performed.

A message was received from the House through their Chief Clerk, Mr. James H. Raymond, furnishing the Senate with the following list of the officers elect of the House of Representatives: N. H. Darnell for Speaker; J. H. Raymond Chief Clerk; T. Henderson assistant Clerk; B. F. Hill Engrossing Clerk; James M. Long Enrolling Clerk; R. B. Wallace Sergeant-at-Arms; Wm. Cockburn Door keeper. On motion of Mr. Greer, the Secretary was instructed to furnish the House with a list of the officers elect of the Senate.

On motion of Mr. Barnett, a Committee on contingent expenses was appointed. Messrs. Barnett, Shaw and Smith were appointed said Committee.

On motion of Mr. Muse, a Committee was appointed to act in conjunction with a like Committee on the part of the House, to inform His Excellency the President, that the two Houses were now organized and ready to receive any communication from him. Messrs. Muse and Shaw were appointed said Com-

mittee. Committee returned and reported that the President would meet the two Houses of Congress in the Representative Hall, and deliver his communication on to-morrow at half past 10, A. M.

A Resolution was introduced by Mr. Greer, to adopt the rules of the session of 1837; and Jefferson's manual where *they* are silent, as the rules to govern the Senate for the seventh Congress—adopted.

Mr. Greer moved that the President of the Senate, now appoint all standing Committees—carried.

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

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THURSDAY, Dec. 1st, 10, A. M.

Senate met pursuant to adjournment—roll called—a quorum not being present, on motion of Mr. Greer the Senate adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

Senate met. The Vice President in the Chair—roll called—quorum present.

On motion of Mr. Titus, a Committee was appointed on the part of the Senate, to act in conjunction with a like Committee on the part of the House, to inform His Excellency the President, that they were ready to receive any communication from him. Messrs. Titus and Pattillo were appointed said Committee. Committee returned and reported that His Excellency would meet the two Houses of Congress in the House of Representatives in 25 minutes. Mr. Greer offered a resolution, that the Senate repair to the House of Representatives to hear the message of the President.

Mr. Muse moved that the Senate adjourn until 5 o'clock—lost.

Mr. Muse offered an amendment to the resolution introduced by Mr. Greer: "That the Senate repair to the door of the House of Representatives to hear the message of the President;" lost, and resolution adopted.

The Senate returned from the Representative Hall—roll called—quorum present. On motion of Mr. Greer, the Journals of the preceding days were read and adopted.

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



FRIDAY, Dec. 2d, 9, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

The President of the Senate announced the following as the standing Committees of the Senate:

Committee on Foreign Relations:—Messrs. Webb, Lawrence and Pattillo.

Committee on Finance:—Messrs. Jones, Jack and Randall.

Committee on Military Affairs:—Messrs. Lawrence, Muse and Smith.

Committee on Naval Affairs:—Messrs. Greer, Barnett and Byrne.

Committee on Public Lands:—Messrs. Smith, Greer and Muse.

Committee on Indian Affairs:—Messrs. Shaw, Webb and Titus.

Committee on Judiciary:—Messrs. Jack, Webb and Pattillo.

Committee on Post-Offices and Post-Roads:—Messrs. Titus, Barnett and Randall.

Committee on Public Printing:—Messrs. Pattillo, Shaw and Smith.

Committee on Engrossed Bills:—Messrs. Randall, Shaw and Barnett.

Committee on Claims and Accounts:—Messrs. Barnett, Greer and Byrne.

Committee on Privileges and Elections:—Messrs. Barnett, Webb and Shaw.

Mr. Muse moved that a Committee be appointed on the part of the Senate, to act with a like Committee on the part of the House, to contract for the printing of a sufficient number of the President's message, for both Houses of Congress. Messrs. Muse and Barnett were appointed said Committee.

Mr. Muse offered the following Resolution: "Resolved, by the Senate, that a Committee of two be appointed to wait upon the Rev. Mr. Tryon, and request him to meet the Senate in the Hall whenever convenient; and open the proceedings of the Senate with prayer;" adopted.

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

SATURDAY, Dec. 3d, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

Mr. Webb moved that a Committee be appointed to wait on the House of Representatives, and inform them that the Senate was ready to adjourn *sine die*. Mr. Titus offered an amendment to the motion of Mr. Webb: "that the Senate adjourn until 3 o'clock, P. M.—withdrawn. Mr. Webb moved a reconsideration of his motion; carried.

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

3 o'clock, P. M.

Senate met. Vice President in the Chair—roll called—quorum present.

Mr. Lawrence offered the following Resolution: "Resolved, That the Senate, with the concurrence of the House of Representatives, will adjourn at 5 o'clock, P. M., instant, to meet again at this place on Monday morning, the fifth day of the present month, at 10 o'clock." Mr. Webb offered an amendment to said resolution: "strike out the last clause," (i. e.) from instant, and insert "*sine die*." The Ayes and Noes being called for on said amendment, stood thus:

Ayes—Messrs. Muse, Shaw, Smith and Webb; 4.

Noes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall and Titus; 6—lost.

The question then recurred upon the adoption of the resolution offered by Mr. Lawrence. Whereupon, Mr. Webb made the following question of order: Whether or not said resolution be a joint or simple one? The Chair decided it was a joint one; from which decision Mr. Greer appealed. The Ayes and Noes were called for.

On motion of Mr. Titus, the Senate adjourned until tomorrow morning at 10 o'clock.

SUNDAY, Dec. 4th, 10, A. M.

Senate met pursuant to adjournment. Mr. Greer called to the Chair—roll called—the following Senators answered to their names: Messrs. Greer, Lawrence, Muse, Randall, Shaw, Smith and Titus—no quorum present.



On motion of Mr. Randall, the Senate adjourned until tomorrow morning at 10 o'clock.

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MONDAY, Dec. 5th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, Shaw, Smith and Titus. Mr. Lawrence stated that Mr. Muse was absent on account of ill health. On motion of Mr. Greer, the Sergeant-at-Arms was despatched for Mr. Webb.

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

3 o'clock, P. M.

Senate met. The Vice President in the Chair—roll called—no quorum present. The President of the Senate announced the resignation of the Hon. James Webb, which was read.

On motion of Mr. Greer, the Senate adjourned until tomorrow morning at 10 o'clock.

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TUESDAY, Dec. 6th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, Shaw, Smith and Titus—no quorum present. On motion of Mr. Greer, the Sergeant-at-Arms was despatched for the Hon. Oliver Jones, Senator from Austin, Colorado and Fort Bend.

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

3 o'clock, P. M.

Senate met. Vice President in the Chair—roll called—no quorum present.

On motion of Mr. Barnett, the Senate adjourned until tomorrow morning at 10 o'clock.

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WEDNESDAY, Dec. 7th, 10, A. M.

Senate met pursuant to adjournment. The Vice President being absent, Mr. Greer was called to the Chair—roll called—

the following Senators answered to their names: Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, Shaw and Titus—no quorum present.

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

3 o'clock, P. M.

Senate met. Mr. Greer in the Chair—roll called—no quorum present. On motion, a communication from the Hon. Oliver Jones; explaining the cause of his further absence from the Senate, was read.

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

THURSDAY, Dec. 8th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Lawrence, Pattillo, Randall, Shaw and Titus—no quorum present.

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

FRIDAY, Dec. 9th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus. The Hon. Oliver Jones, Senator from Austin, Colorado and Fort Bend, appeared and took his seat—quorum present—the Journals of the preceding days were read and adopted.

Mr. Greer moved that the Secretary be instructed to inform the House of Representatives, that the Senate had met and organized under the second Proclamation of the President, and were ready to proceed to business. Mr. Lawrence offered an amendment. "That the Secretary inform the House of Representatives that the Senate had a quorum, and were ready to proceed to business"—adopted, and motion of Mr. Greer lost.

On motion of Mr. Barnett, the Senate adjourned to a room at Mr. Norwood's.

Mr. Muse moved that the Committee on Finance be instruct-



ed to report an appropriation bill for the year 1843, on to-morrow morning. On motion of Mr. Barnett, Mr. Greer was added to the Committee on Finance.

Mr. Greer, by leave, introduced "a Bill to provide for the safety of the National Archives"—read 1st time. Mr. Greer moved a suspension of the rule requiring bills to be read on three several days. The ayes and noes being called for on the suspension of the rule, stood thus:

Ayes—Messrs. Barnett, Greer, Pattillo, Randall and Titus; 5.

Noes—Messrs. Jones, Lawrence, Muse, Shaw and Smith; 5—lost.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

Mr. Greer, by leave, introduced "a Bill to raise a revenue by Impost duties"—read 1st time.

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

SATURDAY, Dec. 10th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

Mr. Barnett, by leave, introduced "a Joint Resolution authorizing the President to take command of the army"—read 1st time.

Mr. Barnett, by leave, introduced "a Joint Resolution regulating the seventh Congress"—read 1st time.

Mr. Greer introduced a Bill requiring the President to remove the papers &c., of the Land Office, as follows: "Be it enacted by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That the President be, and he is hereby authorized and required to move the Books, Records, Papers and Documents of the Land Office to the town of \_\_\_\_\_, in the county of \_\_\_\_\_, so soon as practicable.

SEC. 2. Be it further enacted, That so soon as the Land Office is removed, as contemplated in the above section, it shall be the duty of the Commissioner of the General Land Office to

resume business, and open his office so far as relates to the perfecting land titles upon all lands which has been surveyed previous to the closing of the same; and that this law take effect from and after its passage"—read 1st time. Mr. Greer moved the suspension of the rule requiring bills to be read on three several days. The ayes and noes being called for on the suspension, stood as follows:

Ayes—Messrs. Barnett, Greer, Pattillo, Randall and Titus; 5.

Noes—Messrs. Lawrence, Jones, Muse, Shaw and Smith; 5—lost.

Mr. Muse, by leave, introduced "a Joint Resolution requiring the President to order an election for Major General"—read 1st time. Mr. Muse moved to suspend the rule requiring bills to be read on three several days. The ayes and noes being called for on the suspension, stood thus:

Ayes—Messrs. Barnett, Jones, Muse, Pattillo, Smith and Titus; 6.

Noes—Messrs. Greer, Lawrence, Randall and Shaw; 4—lost.

On motion, the orders of the day were taken up.

"A bill to provide for the safety of the National Archives"—read 2d time, and on motion of Mr. Titus laid on the table.

"A Bill to raise a revenue by impost duties"—read 2d time, and on motion of Mr. Barnett, referred to the Committee on Finance.

On motion of Mr. Barnett, the Senate adjourned until 1 o'clock, P. M.

Senate met. Vice President in the Chair—roll called—no quorum present.

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

MONDAY Dec. 12th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Greer, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus.

The Hon. Wm. H. Jack Senator from Brazoria took his seat—quorum present. Mr. Muse by leave introduced the following Resolution. "Resolved, that with the concurrence of the House of Representatives, the two Houses of Congress



adjourn on Monday the 26th instant, *sine die*." Mr. Jack moved that the Resolution to adjourn lie on the table. The ayes and noes being called for stood as follows:

Ayes—Messrs. Jack, Jones, Pattillo, Shaw and Smith; 5.

Noes—Messrs. Greer, Lawrence, Muse, Randall and Titus; 5. There being a tie, the Vice President gave the casting vote in the negative—lost.

Mr. Jack offered an amendment to the Resolution, viz: "strike out 26th instant, and insert 2nd January 1843"—adopted, and Resolution as amended adopted.

On motion the orders of the day were taken up.

"A Joint Resolution authorizing the President to take command of the army" read 2nd time, and on motion of Mr. Muse laid on the table.

"A Joint Resolution regulating the seventh Congress," read 2nd time and on motion of Mr. Muse laid on the table.

"A Bill requiring the President to remove the papers &c. of the Land Office" read 2nd time; Mr. Muse offered an amendment, "to fill the blank wherever it occurred with Crocket." The ayes and noes being called for on the adoption of the amendment, stood as follows:

Ayes—Messrs. Muse and Titus; 2.

Noes—Messrs. Barnett, Greer, Jack, Jones, Lawrence, Pattillo, Randall, Shaw and Smith; 9—lost.

Mr. Jones moved to fill the blank with "Houston." The ayes and noes being called for stood thus:

Ayes—Messrs. Jack, Jones and Pattillo; 3.

Noes—Messrs. Barnett, Greer, Lawrence, Muse, Randall, Shaw, Smith and Titus; 8—lost.

Mr. Barnett offered an amendment, to fill the blank wherever it occurred with "Washington," adopted. Mr. Jack offered an amendment to the bill, "wherever it reads Commissioner General of the Land Office, be so altered as to read Commissioner of the General Land Office," adopted. Mr. Lawrence moved that the bill as amended lie on the table. The ayes and noes being called for stood thus:

Ayes—Messrs. Jack, Jones, Lawrence and Shaw; 4.

Noes—Messrs. Barnett, Greer, Muse, Pattillo, Randall, Smith and Titus; 7—lost—and bill ordered to be engrossed.

"A Joint Resolution requiring the President to order an election of Major General," read 2nd time; Mr. Jones offered the following amendment to said resolution, strike out "unless the President be authorized to take command;" Mr. Jack offered an amendment to the amendment "strike out all after next"

in 1st section, adopted. On motion the joint resolution was laid on the table.

On motion of Mr. Barnett "A Joint Resolution authorizing the President to take command of the army," was taken up; also "A Joint Resolution requiring the President to order an election of Major General" was taken up and on motion of Mr. Jack, referred to the Committee on Military Affairs.

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

TUESDAY, Dec. 13th, 10 A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—Prayer by the Rev. Wm. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, and Titus—quorum present—the Journals of the preceding day were read and adopted.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate that a Committee was appointed on the part of the House, to contract for printing; also, that the House of Representatives had passed "a bill to repeal in part an act to provide for the return of surveys, for the collection of Government dues, and for other purposes."

Mr. Shaw one of the Committee on Engrossed Bills, reported; that the Committee had examined "a bill requiring the President to remove the Papers &c. of the General Land Office" and found the same to be correctly engrossed.

Mr. Lawrence, chairman of the Committee on Military Affairs, asked further time to report on certain bills referred to said Committee—granted.

Mr. Muse by leave introduced a resolution asking certain information of the President—adopted.

On motion the Senate proceeded to the

#### ORDERS OF THE DAY.

"A Bill to repeal in part an act to provide for the return of surveys, for the collection of public dues, and for other purposes;" read 1st time.

"A Bill requiring the President to remove the papers &c. of the Land Office;" read 3d time. Mr. Jones moved that said bill lie on the table until the 26th instant; the ayes and noes being called for stood thus.



Ayes—Messrs. Jack, Jones, Muse, Shaw, Smith and Titus; 6.  
Noes—Messrs. Barnett, Greer, Lawrence, Pattillo and Randall; 5—carried, and bill laid on the table.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

A communication in writing was received from the Executive, through his private secretary W. D. Miller Esq. marked, *Secret*. On motion of Mr. Jack the Senate went into secret session. The doors being opened, Mr. Jones chairman of the Committee on Finance, to which was referred, "a bill to raise a revenue by impost duties," reported that the majority of the Committee were opposed to said bill and recommended its indefinite postponement—adopted.

Mr. Jack by leave introduced a resolution requesting the Committee on Finance to report a bill to reduce the civil list; adopted.

Mr. Jack by leave introduced, "a bill to amend an act, entitled an act regulating sales by judgement or decree of a Probate Court, or Court of Chancery, approved Feb. 1st, 1841; read 1st time.

Mr. Jack by leave introduced, "a bill for the compensation of the members of the eighth Congress &c," read 1st time.

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

WEDNESDAY, Dec. 14th, 10 A. M.

The Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

On motion, the Hon. Oliver Jones was added to the Committee on the Judiciary.

The Door-keeper Mr. Miller, requested leave of absence on account of the sickness of his family; which being granted, his son was appointed Door-keeper pro tem, who came forward, was sworn, and entered on the discharge of his duties. On motion the Senate proceeded to the

#### ORDERS OF THE DAY

"A Bill to repeal in part an act to provide for the return of



surveys, for the collection of Government dues, and for other purposes"—read 2d time, and on motion of Mr. Jack referred to the Committee on Public Lands.

"A Bill to fix the compensation of the members of the eighth Congress—read 2d time. Mr. Titus offered the following amendment, strike out "five cents" and insert "four dollars," the ayes and noes being called for stood thus:

Ayes—Messrs. Barnett, Lawrence, Pattillo, Randall and Titus; 5.

Noes—Messrs. Greer, Jack, Jones, Muse, Shaw and Smith; 6—lost. On motion of Mr. Titus the bill was referred to a select Committee, with instructions to report by bill or otherwise: Messrs. Titus, Lawrence, Jones, and Muse, were appointed said Committee.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

Mr. Jack by leave introduced a Resolution requesting the Committee on Finance to enquire into the expediency of repealing a law concerning the issue of Exchequer bills &c.—adopted.

Mr. Jones moved a re-consideration of the vote adopting the report of the Committee on Finance upon "a bill to raise a revenue by impost duties—carried; and on motion of Mr. Greer, the bill and report were laid on the table."

"A Bill to amend an act, entitled an act, regulating sales by judgment or decree of a Prebate Court, or Court of Chancery, approved Feb. 1st, 1841,"—read 2d time; and on motion of Mr. Greer referred to the committee on the Judiciary.

Mr. Titus moved a re-consideration of the vote to lay on the table "a bill requiring the President to remove the papers &c. of the Land Office" until the 26th instant. Mr. Jack moved that the motion to re-consider lie on the table—lost. The question to re-consider being taken was carried, and on motion of Mr. Greer, the bill was laid on the table.

Mr. Muse by leave introduced "a Joint Resolution to regulate printing"—read 1st time. On motion of Mr. Jones the rule requiring bills to be read on three several days was suspended, and the joint resolution—read 2d time. Mr. Jones offered the following amendment, strike out all after the word "the" and insert "concurrence of the majority of the Joint Committee on printing—adopted. On motion, the rule was further suspended,



and joint resolution—read 3d time, and passed. On motion of Mr. Jack, the Senate went into secret session.

The doors being opened, the Vice President notified the Senate that he would be absent for a few days: On motion Mr. Greer was unanimously elected President pro tem. of the Senate.

On motion of Mr. Lawrence, the Senate adjourned until tomorrow morning at 10 o'clock.

THURSDAY Dec. 15th, 10, A. M.

Senate met pursuant to adjournment. President pro tem. in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

Mr. Randall chairman of the Committee on Engrossed Bills, reported, that the Committee had examined "a Joint Resolution respecting printing," and found the same to be correctly engrossed—report adopted.

The Committee on the Judiciary, Mr. Jack chairman; to which was referred "a Bill amending the laws of Probate sales" report, that they have considered the same, and with a slight amendment recommend its passage.

Mr. Titus chairman of the select Committee to which was referred "a Bill to fix the compensation of members of the eighth Congress," asked time for further consideration—granted.

Mr. Titus by leave introduced "a Bill to repeal the duties on sugar, coffee and other articles therein named"—read 1st time.

A message was received from the Executive in writing by his Private Secretary W. D. Miller Esqr.

Mr. Pattillo, by leave, introduced "a Bill to be entitled an act, to amend the existing laws in relation to proceedings in Courts of Probate—read 1st time. On motion the Senate proceeded to the

#### ORDERS OF THE DAY.

"A Bill amending the laws of Probate sales" was taken up on its 3d reading: the following amendment of the Committee on the Judiciary, after "sales" insert "be on a day previous" was adopted. On motion of Mr. Jack, the bill was laid on the table until the 16th instant.

The message from the Executive was taken up and read as follows:



EXECUTIVE DEPARTMENT }  
 Washington Dec. 14th, 1842. }

*To the Honorable, the Senate:*

The resolution of your honorable body, of yesterday's date, requesting the Executive to lay before the Senate as soon as practicable, any and all communications which he may have received from the Governor, or other authorities of Yucatan has been received, and in compliance therewith the communications referred to are submitted with great pleasure, both in the originals, and, (as far as they have been translated) in the translations; that marked No. 1, and addressed to the Executive, is the only one he has himself, ever received. It will be perceived that it amounts simply to a notification to the Executive of this government, that the government of Yucatan had no further occasion for our assistance at that time, and that they would not have under eight months. The other letters are addressed to the Secretary of State, to whose department the Senate is respectfully requested to direct their return, in as much as copies could not be conveniently prepared.

Since the date of these communications, the Executive has received no further intelligence from that quarter, except through the medium of the news-papers.

As no continuance of the correspondence seems to be suggested by these letters, the Executive did not for various reasons open one with the authorities of that country; particularly so as he did not deem it proper to fraternize with them, although assured that our vessels would always meet in the ports of Yucatan the most friendly reception.

At the time negotiations were first opened by this government with Yucatan, the present Executive, then a private citizen, could not but hope that any proposition from them in their then attitude would not be entertained by this government. They were an integral part of the Mexican Republic, with which we were at war. They had not separated themselves or assumed independency of Mexico. Therefore they were our enemies. To enter into arrangements with them, could not in my opinion change that character, or be productive of any good; but might result in serious injury to Texas.

The then Executive had a secret agent at Mexico, for the purpose of negotiating peace between Texas and that government; and no less than two ministers plenipotentiary and envoys extraordinary had been despatched with a view ostensibly to negotiate amicable relations; and professions were made of a



disposition on the part of the government of Texas to promote that object.

In the face of these circumstances, for Texas to render aid and support to a rebellious portion of Mexico, was well calculated to produce feelings of the most hostile character on the part of the government of that country towards Texas. It was setting at naught every profession which had been made, and pretermittting every hope which might have been entertained of adjusting our affairs with Mexico.

Our connection with Yucatan stands without an example on record. She had not declared her independence; she was a portion of the Mexican Republic; and held herself as such dependent upon the contingencies of treaties. But had she declared her independence, it would have been unwise, impertinent, and indelicate in Texas, to have thrust herself forward and been *first* to recognize the independence of a new community, in anticipation of the views and dispositions of the most powerful and best established governments in christendom.

The Executive of Texas has not, nor had he ever any right under the constitution to form treaties of alliance with any other government; or to attempt to carry them into execution, without the sanction of the Senate. In the case of Yucatan, that body had given no expression in relation to such an alliance. Our navy was hundreds of miles detached from the protection of our coast, subsidized to a revolutionary portion of Mexico, and placed at their disposition, and after having been thus employed for months, returned destitute to our shores, not having been paid the amount contracted for, and without adding renown to our navy, or reaping glory or advantage for the country. Since that time all the means and efforts of this government have not been able to get the navy again to sea.

The whole transaction was not of this government; it was that of the individual placed at its head, without having authority either under the constitution or law; and whatever is done without authority is of course violative of that law from which the authority is assumed to be derived.

The Executive cannot but remark to your honorable body, that had he under all the circumstances attendant upon this alliance with Yucatan, continued the correspondence, he would have been acting in bad faith to the people of Texas; he does not wish to soil his skirts with the crime of treason, and were he to *adhere to the enemies of the Republic and render to them aid and support*; he would bring himself within the definition of treason under the constitution. He regards any aid rendered



to Yucatan as ultimately servicable to Mexico; assured as he is, that though the flickerings of a revolutionary spirit render to the malcontents a momentary gleam of hope, eventually they will be re-united to Mexico, and he would not be surprised if their adhesion had been tendered before the present moment.

SAM. HOUSTON.

On motion of Mr. Shaw, referred to the Committee on Foreign Relations. On motion of Mr. Jack, Mr. Smith was added to the Committee on Foreign Relations.

Mr. Muse, one of the Committee on Military Affairs to whom was referred "a joint resolution, requiring the President to order an election of Major General" reported, that a majority of said Committee have examined the joint resolution, and beg leave to offer an amendment by way of substitute and recommend its passage—adopted and substitute read 1st time. On motion the substitute was taken up on its 2d reading. Mr. Jack offered the following amendment strike out "day and January" and insert "Monday and February"—adopted.

A message was received from the House of Representatives through their Chief Clerk Mr. Raymond, informing the Senate of the passage of "a bill to be entitled an act transferring an unexpended appropriation for the contingent expenses of the seventh Congress. Mr. Jones offered the following amendment to the substitute, insert after the word "campaign" the words "any law to the contrary notwithstanding"—adopted. Mr. Barnett offered an amendment by way of substitute for the joint resolution. The ayes and noes being called for on its adoption stood thus:

Ayes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall and Titus; 6.

Noes—Messrs. Jack, Jones, Muse, Shaw and Smith; 5—adopted.

Mr. Barnett offered the following amendment, after the word "President" insert, "Sam. Houston"—adopted. Mr. Barnett offered the following amendment, after the word "Republic," insert, "who shall hold his office for two years"—adopted. Mr. Jack offered the following amendment, strike out the words, "that it shall be the duty of" and insert the word "may" after the word "act"—adopted.

Mr. Jones by leave, introduced a joint resolution as a substitute for the substitutes to a joint resolution requiring the President to order an election for Major General, and a joint resolution authorizing the President to take command of the army.



On motion of Mr. Jack, the substitutes were laid on the table.

"A Bill to be entitled an act transferring an unexpended appropriation for the contingent expenses of the seventh Congress—read 1st time.

Mr. Jack by leave introduced a resolution requesting certain information of the Executive—adopted.

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

FRIDAY, Dec. 16th, 10, A. M.

Senate met pursuant to adjournment. The President *pro tem.* in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Public Lands, Mr. Smith chairman, to which was referred "a joint resolution supplementary to a joint resolution granting further time for the payment of government dues, and the return of field notes, approved Nov. 27th, 1841," report the same back with an amendment, and recommend its passage.

The select Committee, Mr. Titus chairman, to which was referred "a bill fixing the compensation of the members of the eighth Congress, report the same back with an amendment and recommend its passage.

Mr. Jack by leave introduced "a bill to provide for the payment of tax assessors—read 1st time; on motion, rule suspended and bill read 2d time; and on motion rule further suspended, and bill read 3d time and passed.

On motion of Mr. Jones, the joint resolution, with its amendments, requiring the President to order an election of Major General was taken up, and on motion referred to a select Committee: Messrs. Jones, Barnett and Jack were appointed said Committee. On motion the Senate proceeded to the

#### ORDERS OF THE DAY.

"A Bill transferring an unexpended appropriation, for the payment of the contingent expenses of the seventh Congress," read 2d time; and on motion of Mr. Barnett referred to a select Committee: Messrs. Barnett, Smith and Titus, were appointed said Committee.

"A Bill to repeal the duties on sugar, coffee, and other articles therein named," was read 2d time, and on motion referred to the Committee on Finance.



"A Bill to amend an act, entitled an act, to regulate proceedings in Probate Courts &c.—read 2d time, and ordered to be engrossed.

"A Joint Resolution, to repeal in part an act to provide for the return of surveys &c.—read 2d time and the amendment proposed by the Committee on Public Lands adopted. Mr. Barnett moved that the joint resolution and report be referred to a select Committee—lost.

"A Bill for the compensation of the members of the eighth Congress—read 3d time, and on motion of Mr. Jack laid to the table.

"A Bill to amend an act, entitled an act, to regulate sales by judgment or decree of Probate Courts—read 2d time and ordered to be engrossed.

Mr. Greer by leave introduced "a bill to abolish the collectoral district of San Augustine—read 1st time.

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

SATURDAY, Dec. 17th., 10 A. M.

Senate met pursuant to adjournment. The President *pro tem.* in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceeding day were read and adopted.

The Committee on Foreign Relations, Mr. Lawrence chairman, to whom was referred a communication from the Executive, with accompanying documents, purporting to have been received from the Governor and other authorities of Yucatan, report: that they have duly considered the same, and beg leave to return them to the Senate, and respectfully suggest that they be returned to the department to which they respectively belong, and further, that should they conceive it important in the progress of their duties through the session, further to notice said documents, they will do so in their final report at the close of the session.

Mr. Randall chairman of the Committee on Engrossed Bills, reports: That the Committee have examined "a bill to be entitled an act, to amend the existing laws in relation to proceedings in Probate Courts," and "a bill to amend an act, entitled an act, regulating sales by judgment or decree of a Probate



Court or Court of Chancery, approved Feb. 4th, 1841," and find the same to be correctly engrossed.

The select Committee, Mr. Barnett chairman, to which was referred "a bill to be entitled an act, transferring an unexpended appropriation for the contingent expenses of the seventh Congress, offered the following amendment.

"SEC. 1. Be it enacted by the Senate and House of Representatives of the Republic of Texas in Congress assembled. That four thousand dollars of the unexpended appropriation for frontier protection, placed at the disposition of the Executive, by act of Congress, passed Feb. 3d, 1842, be, and the same is hereby transferred and appropriated, viz. One thousand dollars to meet the contingent expenses of the two Houses of Congress, and the other three thousand dollars to be equally distributed between the Senators, Representatives, and officers of the two Houses of the seventh Congress.

"SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage."

The select Committee Mr. Jones chairman, to which was referred, "a joint resolution requiring the President to order an election for Major General," and "a joint resolution requiring the President to take command of the army," with their several amendments, offer an amendment as follows:

"Resolved by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That his Excellency the President, be, and he is hereby required to cause an election for Major General of militia, to be held on the first Monday in February next, in accordance with the provisions of the militia law now in force," also report back to the Senate for their action, "a joint resolution authorizing the President to take command of the army in person."

Mr. Jack by leave introduced "a bill to be entitled an act, to re-organize the 1st, 2d, 4th, and 6th, Judicial Districts of the Republic of Texas--read 1st time. The Senate then proceeded to the

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"A Joint Resolution, supplementary to a joint resolution, granting further time for the payment of government dues, and the return of surveys."--read 3d time. On motion of Mr. Jack, the vote of yesterday passing said joint resolution to its third reading was reconsidered. On motion of Mr. Jack the vote was reconsidered, striking out "1846" and inserting "1845," and bill passed to its 3d reading.

"A Bill to amend an act, to be entitled an act, regulating



sales by judgment or decree of Probate Courts or Courts of Chancery, taken up on its 3d reading. On motion of Mr. Jack, the rule prohibiting amendments upon the third and final reading of bills, was suspended. Mr. Jack, offered the following amendment, wherever the word "executor" occurs, insert thereafter, the words, "or guardian,"---adopted and bill read 3d time and passed.

"A Bill to be entitled an act, to amend the laws in relation to the proceedings in Courts of Probate,"---read 3d time, and on motion of Mr. Lawrence, recommitted to the Committee on the judiciary.

"A Bill transferring an unexpended appropriation for the payment of the contingent expenses of the seventh Congress; read 2d time, with the report of the committee. Mr. Jack, offered the following amendment, to the amendment of the Committee; that the words "in the following manner" be inserted after the word "appropriated,"---adopted. Mr. Jack moved to further amend by striking out the word "equally" and inserting "*pro rata*,"---adopted. The amendment proposed by the Committee, was then adopted, and bill passed to its 3d reading.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of "a joint resolution for the relief of Jacob Tator," and "a bill, to be entitled an act, supplementary to an act, entitled an act, to divide the county of Red river, and to create and establish the counties of Bowie and Lamar."

The report of the Committee on Foreign Relations to which had been referred the communication from the Executive was read, and on motion of Mr. Jack, was, together with the Executive message laid on the table. On motion said communication was referred to a select Committee: Messrs. Jack, Muse and Randall, were appointed said Committee.

"A Joint Resolution, authorizing the President to take command of the army,"---read 2d time. Mr. Barnett offered an amendment, by adding to said resolution, the words "that may be brought in the field,"---adopted and resolution ordered to be engrossed.

"A Bill requiring the President to order an election of Major General,"---read 2d time with the report, by joint resolution, as an amendment to the "joint resolution, requiring the President to order an election of Major General."

Mr. Muse offered an amendment to said resolution, requiring the President to order an election of Major General, as follows, at the end of the first section, insert, "whose duty it shall be, to



take command of all expeditions authorized by law, when the amount of a Regiment or more is called into the field,"—lost. Mr. Jack offered the following amendment, insert after the 1st section, "that this joint resolution take effect from and after its passage,"—adopted. Mr. Barnett offered the following amendment, to be inserted previous to the amendment last adopted:

"SEC. 2. Be it further resolved, That the Major General of militia, elect under the provisions of this act, shall hold his office the term of four years and no longer, but may be eligible to be reelected, any law to the contrary notwithstanding;" adopted. Mr. Burnett offered a further amendment; strike out "second Monday in February" and insert, "first Monday in September," a division of the question being called for, the question on striking out was carried.

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

MONDAY, Dec. 19th, 10, A. M.

Senate met pursuant to adjournment. President *pro tem* in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

A communication from the assistant Secretary, tendering his resignation, as such, of the seventh Congress of the Republic of Texas, was read.

Mr. Barnett moved that the Senate proceed to the election of an assistant Secretary, to fill the vacancy occasioned by such resignation—carried. Mr. Barnett then nominated H. H. Collier for assistant Secretary. There being no opposition, Mr. Collier was declared duly and constitutionally elected assistant Secretary of the Senate for the seventh Congress. On motion of Mr. Pattillo, Mr. Collier was sworn into office.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled an act to amend the existing laws in relation to proceedings in Courts of Probate, begged leave to report the bill back to the Senate, with an amendment, and recommended its passage.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that they had examined a bill to be entitled "a Joint Resolution to authorize the President to take command of the



army in person," and find the same correctly engrossed—report adopted.

Mr. Shaw, by leave, introduced a Bill to be entitled an act, to repeal in part, an act to authorize the firm of McKimney, Williams & Co., to issue their notes for circulation as money, and for other purposes;" which was read a first time.

Mr. Shaw, by leave, introduced a Bill to be entitled "an act to repute the Navy agency;" which was read a 1st time.

On motion of Mr. Muse, the Senate then took up the  
**ORDERS OF THE DAY.**

The Senate resumed the consideration of a Joint Resolution requiring the President to order an election for Major General, which was under discussion when the Senate adjourned. Mr. Jack moved to fill the blank by inserting the first Monday in April. Mr. Muse moved to fill the blank by inserting the first Monday in March. Mr. Jack then withdrew his motion. The question was then taken upon the motion to insert the first Monday in March—and carried. Mr. Jack moved the adoption of the amendment as amended—carried. Mr. Muse then moved the engrossment of the bill as amended—carried.

Mr. Jones, by leave, introduced the following resolution: "Resolved, that the Secretary of the Treasury, inform the Senate what disposition has been made of the twenty thousand dollar appropriation by the sixth annual Congress for the protection of the frontier—what portion of the appropriation has been expended, and for what purpose, or purposes—resolution adopted. A bill to be entitled an act, transferring an unexpended appropriation of the twenty thousand dollars for the protection of the frontier, with the amendments of the Committee as a substitute, was read, and on motion of Mr. Jack, was laid on the table.

"A Joint Resolution, supplementary to a Joint Resolution, granting further time for the payment of Government dues, and the returns of field notes, approved November 27th, 1841," was read a 3d time, and passed as amended.

"A Bill to abolish the collectorial district of San Augustine," was read a 2d time, and on motion, referred to the committee on Finance.

"A Joint Resolution for the relief of Jacob Tator"—read 1st time.

"A Bill to be entitled an act, supplementary to an act, entitled an act, to divide the county of Red river, and create and establish the counties of Bowie and Lamar"—read 1st time.

"A Bill to be entitled an act to organize the first, second,



fourth and sixth Judicial Districts of the Republic of Texas"—read 2d time, and on motion of Mr. Jack, was referred to the committee on the Judiciary.

On motion of Mr. Greer, "a bill to raise a revenue by Impost duties," together with the report of said committee, was taken up. Mr. Greer moved that the report on said bill, be laid upon the table—motion carried. Mr. Greer offered an amendment to the bill. On motion of Mr. Jack, the bill and the amendments were referred to a select committee, consisting of Messrs. Jack, Greer and Randall.

A message was received from the President through his Private Secretary, Mr. Miller, in writing, marked *secret*.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of the following bills, to wit:

A bill to be entitled "an act for the relief of William Ashworth, and others."

A bill to be entitled "an act to authorize the Commissioner of the General Land Office to issue a patent to Robert Peebles."

And a bill to be entitled "an act to designate the southern boundary of Lamar county, and for other purposes"—requesting the concurrence of the Senate on the same.

On motion, the Senate went into secret session. On motion, the doors were again opened, and the Senate proceeded to business.

Mr. Greer moved to take up the following bills, to wit: A bill to be entitled "an act for the relief of William Ashworth, and others"—read 1st time.

A bill to be entitled "an act to authorize the Commissioner of the General Land Office to issue a patent to Robert Peebles"—read 1st time.

A bill to be entitled "an act to designate the southern boundary of Lamar county, and for other purposes"—read 1st time.

On motion of Mr. Randall, the Senate adjourned until tomorrow morning, 10 o'clock.

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TUESDAY, Dec. 20th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Patillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.



Mr. Jack, one of the Committee on Finance, made the following report:

Washington, Dec. 19th, 1842.

The Committee on Finance, to which was referred a resolution of the Senate, instructing them to inquire into the expediency of reducing the number of officers of the Government, and retrenching its expenditures, have instructed me to report.

Your committee are well satisfied that legislatures in their efforts to retrench expenditures and lop off redundances, are often in danger of running into extremes, and sometimes may endanger the interests of the people, by reducing the compensation of their officers, so low, that it becomes exceedingly difficult to command the services of men possessed of sufficient talent, qualifications and integrity. Entertaining this view, we are decidedly of opinion, that the salaries of the various officers of the government should not be reduced, as we conceive that even now they are scarcely sufficient to support the incumbents decently.

But the committee is equally clear in the conviction, that there are several offices which may, with propriety, be abolished, and all the duties now required by law, may be discharged as satisfactorily by others.

The committee is of opinion, that at present, no essential benefit can result to the nation by the continuation of our foreign missions. We have but recently entered into treaties of Amity and Commerce with England and France; and the terms of a treaty have been agreed on between the United States of America and Texas. With the European powers, our intercourse is so limited, that no difficulties can be anticipated; and from the United States, we may always expect that the hand of kindness and paternity will be extended towards us.

All the duties which would devolve upon our foreign representatives, your committee confidently believe, may with propriety, be discharged with Consuls General, to be appointed by the Executive, who may reside in or near the Capitol of the foreign nation, and serve us as effectually as our Chargé d'Affaires. No difficulty will present itself, in procuring the services of such gentlemen without salary. But should an emergency arise which would produce the necessity of a special Agent, such an agent could be procured with but little expense to the nation. The committee therefore, recommend that our representatives at foreign courts be recalled.

We are further of opinion, that the offices of "Secretary of Treasury," and of "War and Navy," may with great propriety,



be abolished, without any the least detriment to the public service. From the experience of the past year, and even in preceding years, it is manifest that the duties of those offices, have repeatedly been discharged by Chief Clerks of the respective departments, and so far as we are informed, the action of those "Chief Clerks," has been as satisfactory, as if the heads of Departments had been personally present. Such being the fact, the conclusion is irresistible that these offices are mere sinecures, without any benefit to the nation, and ought not any longer to exist.

We therefore, recommend that the Treasurer be required by law, to perform all the duties of Secretary of the Treasury; and that the Secretary of State be required to perform all the duties of Secretary of War and Navy.

The blending of these offices will increase but little the labors of the Treasurer, or of the Secretary of State, and the nation thereby, save an expense of three thousand dollars, besides escaping from the dangerous influence of sinecure offices, and expanded Executive patronage.

As to the last proposition contained in the resolution of the Honorable Senate, we are convinced beyond all question, that the public service, and a fair and just disposition of the appropriation made by law, imperiously require that the head of Treasury Department should be entirely independent of the Executive, and responsible alone to the representatives of the nation, for the honest discharge of his important duties.

The experience of this and of other countries, has shown the dangerous effects resulting from the accumulation of power in the hands of any one man. And wherever the sword and the purse are united in an ambitious individual, the rights, if not the liberties of the people, may be in imminent peril. A system of favoritism, is certain to spring up, and the most just claims are often postponed, or rejected, from whim or caprice, or prejudice, thereby creating in the minds of the people, a distrust in the justice of their rulers, and a consequent disaffection to the government. It is a fact which none will now deny, that our government commenced its operations in 1836, on a scale entirely too magnificent, and with a prodigal expenditure, much beyond the means of the nation, and its impoverished condition. The evil was then seen, and its effects predicted by some; but the anticipated loan it was thought, would relieve us from all embarrassment, and enable us to sustain our credit.

When that bubble had burst, the nation found itself irredeemably bankrupt, and the system of repudiation commenced.



This repudiation was absolutely necessary, to our existence as a nation, and upon this principle can be justified.

During the last winter, the Congress seems to have been for the first time, aroused from their previous lethargy, and important retrenchments were made in our expenditures. That Congress deserves the gratitude of the nation, for commencing a work of reformation, and we would prove recreant to the interests of our constituents, if we neglect the present opportunity to consummate an undertaking of such vital importance to the prosperity and happiness of the nation.

Your committee therefore, beg leave to offer the accompanying bill, which they recommend to the serious consideration of the Honorable Senate.

And introduced a Bill to be entitled "an act to abolish certain offices therein named," which report was adopted, and bill read 1st time.

Mr. Muse moved that two hundred and fifty copies of said report be printed—motion lost.

Mr. Randall, chairman of the Committee on Engrossed Bills, reported: that a bill to be entitled "a joint resolution requiring the President to order an election for Major General," had been examined, and found to be correctly engrossed.

Mr. Smith, by leave, introduced an act to authorize John McMullen to order the election of county officers in the county of Bexar, and for other purposes—read 1st time. On motion, the rule was suspended, and bill read 2d time, and on motion, referred to the committee on the Judiciary.

Mr. Pattillo, by leave, introduced a bill to be entitled an act, to repeal an act, to regulate the collection of Impost duties, approved 23d July, 1842.

Mr. Smith, by leave, introduced a bill to be entitled an act to legalize the proceedings of the fall term (one thousand eight hundred and forty-two) of the District Court of the county of Bexar—read 1st time. On motion, rule suspended, and bill read 2d time, and on motion, referred to the committee on the Judiciary. On motion of Mr. Greer, the Senate proceeded to the

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A Joint Resolution requiring the President to take command of the army in person—read 3d time. The ayes and noes being called for on its final passage, stood thus:

Ayes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, Shaw and Titus; 7.

Noes—Messrs. Jack, Jones, Muse and Smith: 4—carried, and bill finally passed.



A Bill to be entitled an act to amend the existing laws in relation to proceedings in Courts of Probate, with report of committee, came up on its 2d reading—and on motion, the report was adopted, and bill ordered to be engrossed.

A Bill to repeal in part, an act entitled an act to authorize the firm of McKinley, Williams & Co., to issue their notes for circulation as money, and for other purposes—read 2d time, and on motion of Mr. Lawrence, referred to committee on the Judiciary.

A Bill to be entitled an act for the relief of William Ashworth, Abner Ashworth, and others—read 2d time, and on motion of Mr. Jones, referred to the committee on Public Lands.

On motion of Mr. Jack, the vote just taken was re-considered. Mr. Jack then moved the indefinite postponement of the bill. The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Jones, Muse, Randall, Shaw and Smith; 8.

Noes—Messrs. Lawrence, Pattillo and Titus; 3—carried, and bill indefinitely postponed.

A Bill to be entitled an act, supplementary to an act, entitled an act to divide the county of Red river, and create and establish the counties of Bowie and Lamar—read 2d time.

“A Bill to be entitled an act to regulate the Navy Agency”—read 2d time, and on motion of Mr. Jack, a repealing clause was inserted in the bill. On motion, the bill was ordered to be engrossed. On motion of Mr. Greer, rule suspended, and bill read 3d time and passed.

A Bill to be entitled “a Joint Resolution for the relief of Jacob Tator”—read 2d time, and on motion of Mr. Jack, indefinitely postponed.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of “a bill to be entitled an act, amendatory to an act concerning Executions;” also, “a bill to be entitled an act for the relief of William J. Jones,” with a request of a concurrence on the part of the Senate.

“A Bill to be entitled an act to designate the southern boundary of Lamar county, and for other purposes”—read 2d time, and on motion, was referred to a select committee, consisting of Messrs. Titus, Greer and Jack.

A Bill to be entitled an act to authorize the Commissioner of the General Land Office to issue a patent to Robert Peebles—read 2d time. Mr. Muse moved the indefinite postponement of the bill. The ayes and noes being called for, stood as follows:



Ayes—Messrs. Greer, Jack, Jones, Muse, Randall, Shaw and Smith; 7.

Noes—Messrs. Barnett, Lawrence, Pattillo and Titus; 4—carried, and bill indefinitely postponed.

A Bill to be entitled a Joint Resolution requiring the President to order an election of Major General—read 3d time, and passed.

A Bill to be entitled an act, amendatory to an act concerning Executions—read 1st time.

“A Bill to be entitled an act for the relief of William J. Jones”—read 1st time. On motion, the rule was suspended, and the bill read 2d time. On motion of Mr. Jones, the bill was referred to the committee on the Judiciary.

On motion, the Senate went into secret session. On motion, the doors were again opened, and the Senate proceeded to business.

On motion of Mr. Muse, “a bill to be entitled an act, transferring an unexpended balance of the appropriation for the contingent expenses of the seventh Congress,” was taken up, and bill read a second time. Mr. Jones moved to lay the bill upon the table—lost. Mr. Greer moved to strike out “four thousand dollars,” and insert “seven thousand dollars”—carried. Mr. Greer moved to strike out “one thousand dollars,” and insert “two thousand dollars”—carried. Mr. Greer moved to strike out “three thousand dollars,” and insert “five thousand dollars”—carried. Question upon the adoption of the amendment—carried. Question on the adoption of the amendment as amended—carried.

Mr. Jack, by leave, introduced the following resolution: “Resolved, that a committee of three be appointed to examine the condition of the Department of the Secretary of the Treasury, and of the Treasurer’s office, to ascertain whether the appropriations have been paid out according to law, and what amount of unexpended balances are still on hand.” The resolution was laid upon the table.

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

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WEDNESDAY, Dec. 21st, 10 A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—Prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs.



Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, and Titus—quorum present—the Journals of the preceding day were read and adopted.

Mr. Greer presented the petition of J. Pinckney Henderson, which was read, and on motion of Mr. Greer, referred to the committee on Finance.

The Committee on Engrossed Bills, Mr. Randall, chairman, reported that said committee had examined “a bill to be entitled an act to amend the existing laws in relation to proceedings in Courts of Probate;” also, “a bill to be entitled an act to regulate the Navy Agency,” and find the same to be correctly engrossed.

The Committee on the Judiciary, Mr. Jack, chairman, to whom was referred “a bill to be entitled an act, to legalize the proceedings of the fall term (one thousand eight hundred and forty-two) of the District Court of Bexar county,” report: that they have examined the same, and with a slight amendment, recommend its passage—the report was adopted, and bill ordered to be engrossed.

The Committee on the Judiciary, Mr. Jack, chairman, to whom was referred “a bill to be entitled an act for the relief of William J. Jones,” report: that they have had the same under consideration, and recommend its passage—report adopted.

The select Committee, Mr. Titus chairman, to whom was referred “a bill to be entitled an act to designate the southern boundary of Lamar county, &c.,” reported the same back to the Senate without amendment, and recommended its passage—report adopted.

The select Committee, Mr. Jack chairman, to whom was referred “a bill to be entitled an act, to amend an act to raise a revenue by Impost duties, &c.,” report the same back to the Senate with an amendment, and recommend its passage—report adopted.

A communication from the Hon. Secretary of the Treasury, was taken up and read, and on motion of Mr. Jack, referred to the committee on Finance.

Mr. Jack moved the re-consideration of a vote indefinitely postponing “a bill to be entitled an act for the relief of Robert Peebles, &c.” On motion of Mr. Jack, said motion was laid upon the table.

Mr. Barnett moved the re-consideration of the vote indefinitely postponing “a bill to be entitled a joint resolution for the relief of Jacob Tator”—carried.

On motion of Mr. Jack, the motion for the re-consideration



of a vote indefinitely postponing "a bill to be entitled act authorizing the Commissioner of the General Land Office to issue a patent to Robert Peebles," was taken up, and the vote reconsidered. On motion of Mr. Jack, said bill was referred to the committee on Public Lands.

On motion of Mr. Barnett, "a bill to be entitled a joint resolution for the relief of Jacob Tator," was taken up, and referred to the committee on Public Lands.

Mr. Jack moved a re-consideration of the vote indefinitely postponing "a bill to be entitled a joint resolution for the relief of William Ashworth, Abner Ashworth, and others"—carried, and on motion of Mr. Pattillo, said resolution was referred to the committee on Public Lands. The Senate then took up the

#### ORDERS OF THE DAY.

A Bill to be entitled an act transferring an unexpended balance of an appropriation, for contingent expenses of Congress, came up on its second reading, and on motion of Mr. Jack was laid on the table.

A Bill to be entitled an act, supplementary to an act, entitled an act to divide the county of Red river, and create and establish the counties of Bowie and Lamar—read 3d time and passed.

A Bill to be entitled an act, amendatory to an act concerning Executions, came up on its second reading, and on motion of Mr. Muse, was referred to the committee on the Judiciary.

A Bill to be entitled an act to abolish certain offices therein named, and for other purposes—read 2d time, and on motion of Mr. Lawrence was referred to a select committee, consisting of Messrs. Lawrence, Jack and Pattillo.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of the following bills:

A Joint Resolution respecting printing.

A Bill to be entitled a joint resolution for the relief of Samuel Hughs, E. H. Campbell and James Moore; and

A Bill to be entitled an act for the relief of Octavius A. Cooke, dec'd, and request a concurrence on the part of the Senate.

A Bill to be entitled an act to repeal in part, an act to regulate the collection of Impost duties, approved the 23d day of July, 1842—read 2d time, and on motion of Mr. Jack, referred to the committee on Finance.

A Bill to be entitled an act to amend the existing laws in relation to proceedings in Courts of Probate—read 3d time. On motion of Mr. Greer, the second section was stricken out. Question on the final passage of the bill—carried.



A Bill to be entitled a joint resolution for the relief of William J. Jones, came up on its second reading—the report of the committee on the Judiciary adopted. On motion, rule suspended, bill read 3d time and passed.

A Bill to be entitled an act to designate the southern boundary of the county of Lamar—read 2d time.

A Bill to be entitled an act, to amend an act to raise a revenue by Import duties, came up on its second reading. Mr. Muse moved to add "munitions of war." Mr. Lawrence moved to lay the bill upon the table—carried. On motion of Mr. Greer, said bill was made the special order of the day for to-morrow.

A Bill to be entitled a joint resolution for the relief of Octavius A. Cooke de'd—read 1st time.

A Bill to be entitled a joint resolution for the relief of Samuel Hughs, E. H. Campbell and James Moore—read 1st time.

A Joint Resolution respecting printing, to wit:

"Be it resolved by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That no printing of any description shall be contracted for by either House, without the concurrence of a majority of the joint committee on public printing of both Houses of Congress," was taken up. On motion of Mr. Jack, the Senate concurred in the amendments of the Houses, (to wit: the foregoing as a substitute.)

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

The Committee on Finance, Mr. Jones chairman, to whom was referred a communication from the Hon. Secretary of the Treasury, reported the same back to the Senate, and recommended that the unexpended balance of the twenty thousand dollars for frontier protection, after deducting seven thousand dollars, be cancelled.

Mr. Jack moved to take up a bill to be entitled an act transferring an unexpended balance of an appropriation, for contingent expenses of Congress—carried. Mr. Jack offered the following amendment: "The unexpended balance of the said appropriation is hereby cancelled, any law to the contrary notwithstanding"—which amendment was rejected. Mr. Jones moved to reconsider the vote placing the bill upon its third reading—lost. The question was then taken upon the final passage of the bill as amended, and carried.



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

THURSDAY, Dec. 22d, 10 A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceeding day were read and adopted.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that “a bill to be entitled an act to legalize the proceedings of the fall term (one thousand eight hundred and forty-two) of the District Court, Bexar county,” had been examined, and found to be correctly engrossed.

The select Committee, Mr. Lawrence chairman, to whom was referred “a bill to be entitled an act to abolish certain offices therein named,” reported that they have had the same under consideration, and recommended the striking out of all, from the second, to the fifth section, inclusive.

Mr. Muse, by leave, introduced “a bill to be entitled an act to prevent fire hunting”—read 1st time.

On motion of Mr. Lawrence, the Senate took up the

### ORDERS OF THE DAY.

“A Bill to be entitled an act to exempt certain articles therein named from Impost duties,” which was made the special order of this day, came up on its second reading. Mr. Muse renewed his motion to insert “powder, lead and fire arms”—rejected. Mr. Jones moved that the article of “salt,” be stricken out—rejected. Mr. Greer moved the adoption of the amendment proposed by the committee—carried. The question was then taken upon the engrossment of the bill, and carried. On motion of Mr. Barnett, the rule was suspended, and bill read 3d time. The ayes and noes being called for on the final passage of the bill, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Lawrence, Muse, Pattillo, Randall, Smith and Titus; 9.

Noes—Messrs. Jones and Shaw; 2—carried, and bill passed.

The Committee on Finance, Mr. Jones chairman, to whom was referred the petition of J. Pinckney Henderson, reported the same back to the Senate with a bill for his relief—read 1st time.



On motion of Mr. Greer, the rule was suspended, and bill read 2d time, and on motion, the rule was further suspended, bill read 3d time and passed.

A Bill to be entitled an act to legalize the proceedings of the fall term (one thousand eight hundred and forty-two) of the District Court, Bexar county—read 3d time and passed.

A Bill to be entitled an act for the relief of Octavius A. Cooke, dec'd—read 2d time, and on motion of Mr. Barnett, was referred to the committee on Public Lands.

A Bill to be entitled an act to designate the southern boundary of Lamar county—read 3d time and passed.

A Bill to be entitled an act for the relief of Samuel Hughes, E. H. Campbell and James Moore—read 2d time, and on motion of Mr. Greer, referred to the committee on Public Lands.

“A Bill to be entitled an act to abolish certain offices therein named,” came up on its second reading. The question upon the adoption of the report of the select committee, was put. The ayes and noes being called for on the same, stood as follows:

Ayes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall and Titus; 6.

Noes—Messrs. Jack, Jones, Muse, Shaw and Smith; 5—carried, and report adopted.

Mr. Greer moved to insert after the words “Chargè d’Affaires,” the words “Secretary of Legation”—carried. Mr. Jack moved to strike out the last section—carried. On motion of Mr. Jack, the bill was ordered to be engrossed.

The Committee on Finance, Mr. Jones chairman, to whom was referred a bill to be entitled an act, to repeal an act, to regulate the collection of Impost duties, reported the same back to the Senate, and recommended its indefinite postponement. Mr. Jones moved to lay the bill on the table—rejected. The question was then put upon the adoption of the report of the committee. The ayes and noes being called for on the same, stood as follows:

Ayes—Messrs. Barnett, Jack, Jones, Randall, Shaw, Smith and Titus; 7.

Noes—Messrs. Greer, Lawrence, Muse and Pattillo; 4—carried, and bill postponed.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that a bill to be entitled a joint resolution for the relief of J. Pinckney Henderson; also, a bill to be entitled an act to exempt certain articles therein named from Impost duties, have been examined, and found to be correctly engrossed.

On motion of Mr. Greer, the Senate went into secret session.



On motion, the doors were again opened, and the Senate adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

Senate met pursuant to adjournment—roll called—no quorum present—the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, Dec. 23d, 10, A. M.

Senate met pursuant to adjournment. The President *pro tem.* in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Engrossed Bills, Mr. Randall chairman, reported, that they had examined "a bill to abolish certain offices therein named," and found the same correctly engrossed.

The Committee on Public Lands Mr. Smith chairman, to whom was referred "a bill, to be entitled an act, for the relief of Octavius A. Cooke, deceased; report the same back to the Senate, and recommend its passage.

The Committee on Public Lands, Mr. Smith chairman, to whom was referred "a bill, to be entitled an act, for the relief of Wm. Ashworth, Abner Ashworth and others," report the same back to the Senate, and recommend its passage.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a "a bill to be entitled an act, to authorize John McMullen to order the election of county officers in the county of Bexar," report the same back to the Senate with a slight amendment, and recommend its passage.

The Committee on Finance, Mr. Jones chairman, to whom was referred "a bill to repeal the duties on certain articles therein named: also, "a bill, to be entitled an act, to abolish the collectorial district of San Augustine, reported the same back to the Senate without comment, for their further consideration.

Mr. Randall by leave introduced "a bill, to be entitled an act, to amend an act, entitled an act giving the election of Chief Justice of the County Courts to the people, approved 7th Dec., 1841, which was read 1st time: on motion, the rule was suspended, and bill read 2d time, and on motion, referred to a select Committee, consisting of Messrs. Randall, Lawrence and Smith.



Mr. Smith by leave introduced a resolution, requesting the President to furnish this body with a copy of his instructions to the Commissioner of the General Land Office, under which he issued the following orders.

*To the County Clerk, and Clerk of the Board of Land Commissioners, for the County of Bexar.*

SIR:—I am instructed by his Excellency the President, to require you to furnish this office with a complete transcript of the testimony had upon each certificate issued by the former board of Land Commissioners for your county, in doing which you will be particular in all cases where certificates have been issued on interrogatory testimony, or by writ of Mandamus to certify specially to that effect, and also, whether the oath had been taken as required by the land law; which transcript so certified must be approved by the President of the Board, and forwarded to this office.

Very Respectfully,

JOHN P. BORDEN.

Commissioner of the General Land Office.

Resolution, adopted.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred, "a bill, to be entitled an act, to repeal an act, to suthorize the firm of McKinney Williams & Company, to issue their notes for circulation as money, and for other purposes;" reported the same back to the Senate and recommended that the bill be laid upon the table—report adopted.

The Committee on Public Lands, Mr. Smith chairman, to whom was referred "a bill, to be entitled a joint resolution, for the relief of Jacob Tator," report that they had the same under consideration, and recommend its passage, with the following amendments:

"Be it further resolved, that the Secretary of War be required to issue to James J. Wier, a warrant for three hundred and twenty acres of land, for three months services, rendered the Republic, as private, under J. Bowie." On motion the Senate took up the

#### ORDERS OF THE DAY.

"A Bill, to be entitled a joint resolution, for the relief of Wm. Ashworth, Abner Ashworth and others, came up on its second reading: Mr. Muse, offered the following amendment: "Be it further resolved, that the Commissioner of the General Land Office, be, and he is hereby authorized and required to issue to William Goen, a patent for one league and labor of land, by his paying the dues and other fees required by law." On motion of Mr. Jack, the bill was laid upon the table.



"A Bill, to be entitled a joint resolution, for the relief of Octavius A. Cooke, deceased," came up on its 2d reading. The report of the Committee on Public Lands was adopted: and the motion to pass the bill to its 3d reading was rejected.

"A Bill, to be entitled an act, to abolish certain offices therein named, and for other purposes,"—read 3d time, and passed.

Mr. Lawrence by leave introduced the following resolution, "Resolved by the Senate, that the Committee on the Judiciary be instructed to examine and report as early as practicable, whether free persons of color, can constitutionally hold real estate,—adopted.

"A Bill, to be entitled an act, to authorize John McMullen to order an election of county officers in Bexar county," came up on its 2d reading; the report of the Committee adopted, and on motion of Mr. Jack, the bill was referred to a select Committee, consisting of Messrs. Randall, Lawrence and Smith.

"A Bill, to be entitled an act, to prevent fire-hunting," was read a second time, and on motion of Mr. Muse, referred to a select Committee, consisting of Messrs. Muse, Lawrence and Jack.

"A Bill, to be entitled an act, to repeal an act, authorizing the firm of McKinney Williams & Company to issue their notes for circulation as money, came up on its 2d reading. On motion of Mr. Jack, the report of the Committee was laid upon the table.

Mr. Jack, moved to strike out the 3d, 4th and 5th sections. On motion of Mr. Greer, the bill was laid on the table.

A Bill, to be entitled an act, for the relief of Jacob Tator, came up on its 2d reading: the report of the Committee adopted, and the bill passed to its 3d reading.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

The select Committee, Mr. Lawrence chairman, to whom was referred "a bill, to be entitled an act, to authorize John McMullen to issue writs of election for county officers in Bexar county &c.," reported the same back to the Senate and recommended its passage, with the amendment of the Committee on the Judiciary.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate that the House had under consideration, "a bill to be entitled an act, transferring a certain appropriation, &c.," and proposed the following amendments to the amendments of the Senate:



Strike out "seven thousand dollars," and insert "four thousand eight hundred dollars," strike out five thousand dollars," and insert "two thousand eight hundred dollars."

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred "a bill to be entitled an act, amendatory to an act concerning Executions, approved the 27th day of January, one thousand eight hundred and forty-two," report the same back to the Senate, and recommend the following amendments: Amend the caption so as to read "a bill to be entitled an act to reduce into one, and amend the several acts concerning Executions, approved January the 27th, one thousand eight hundred and forty-two;" and in the ninth line, strike out the word "next," and insert the words "one thousand eight hundred and forty-two."

Mr. Muse, by leave, introduced a bill to be entitled a joint resolution in relation to the troops now in the field—read 1st time.

A Bill to be entitled an act to reduce into one, and amend the several acts concerning Executions, approved the 27th of January, one thousand eight hundred and forty-two, came up on its second reading, together with the amendments of the committee. The question on the adoption of said amendments was put and carried, and the bill ordered to be engrossed.

A Bill to be entitled an act transferring an unexpended balance of an appropriation, &c., was taken up with the amendments of the House to the amendments of the Senate. The question upon the concurrence of the Senate, in the amendments of the House, was put and carried.

A Bill to be entitled an act to authorize John McMullen to order an election of county officers in Bexar county, came up on its second reading—the report of the committee adopted, and the bill ordered to be engrossed. On motion of Mr. Pattillo, the rule was suspended, bill read a third time and passed.

Mr. Barnett moved to reconsider the vote, wherein the Senate concurred in the amendments proposed by the House of Representatives, to the amendments of the Senate, to a bill to be entitled an act transferring a certain appropriation &c.—carried. The question then recurred upon the adoption of said amendments, which was put and lost. Mr. Muse moved that the bill be returned to the House of Representatives—carried.

On motion of Mr. Muse, a committee of conference was appointed on the part of the Senate, consisting of Messrs. Muse, Lawrence and Jack, to act in concert with a like committee to be appointed on the part of the House of Representatives.



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

SATURDAY, Dec. 24th, 10, A. M.

The Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Public Lands, Mr. Smith Chairman, to whom was referred, a bill, to be entitled a joint resolution, for the relief of Samuel Hughs, E. H Campbell and James Moore, report the same back to the Senate, and recommend the reference of the bill to the Committee on the Judiciary—adopted.

Mr. Jack by leave introduced the following resolution to wit: "resolved, that that the Secretary of the Treasury, be required to inform the Senate, what amount of money has been received by Commodore E. W. Moore, while engaged in the Yucatan service; whether the accounts of said E. W. Moore, have been settled, and if not settled, what is the reason of the delay,"—adopted.

Mr. Lawrence by leave introduced "a bill, to be entitled an act, locating the seat of government of the Republic of Texas, at the town of Washington, in the county of Washington,"—read 1st time.

Mr. Jones submitted a communication from the Hon. Secretary of Treasury, to the Committee on Finance, with an accompanying resolution, which was read, and on motion of Mr. Jack were referred to the Committee on Finance.

Mr. Barnett by leave introduced "a bill, to be entitled a joint resolution, respecting the assessors of Washington county"—read 1st time.

Mr. Jack by leave introduced a resolution, to wit: "resolved, that the Secretary of War and Navy, be required to inform the Senate what amount of money has been received by Commodore E. W. Moore, while engaged in the Yucatan service, whether the accounts of said E. W. Moore have been settled, and if not settled, what is the reason of the delay"—adopted. On motion, the Senate took up the

#### ORDERS OF THE DAY

A message was received from the House of Representatives,



through their Chief Clerk Mr. Raymond, informing the Senate that a Committee of conference, consisting of Messrs. Williamson, Mathews, Peebles, Parker and Potter, had been appointed by the House, to confer with a like Committee on the part of the Senate, upon "a bill to be entitled an act, transferring a certain appropriation &c."

A Bill, to be entitled an act, for the relief of Jacob Tator, came up on its 2d reading: Mr. Jones moved to insert "and James J. Weir" after the words, "Jacob Tator"—carried and the bill read a 3d time and passed.

A Bill, to be entitled an act, to reduce into one, and amend the several acts concerning executions, approved January 27th, 1842, was read 3d time and passed.

A Bill, to be entitled an act, to repeal the duties on sugar, coffee, and other articles therein named, came up on its 2d reading, and on motion, was laid upon the table.

A Bill, to be entitled an act, to abolish the collectorial district of San Augustine, came up on its 2d reading, and on motion, was laid upon the table.

A Bill, to be entitled a joint resolution, concerning the troops now in the field, was read 2d time, and on motion laid upon the table.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate, that the report of the Committee of conference on the part of the House, on "a bill, to be entitled an act, transferring a certain appropriation &c, had been adopted; said report was then read, and the Senate refused to adopt the same. Mr. Muse, chairman of said Committee of conference on the part of the Senate, made a report, which report, on motion, was laid upon the table. Mr. Lawrence moved to lay the report, together with the bill upon the table—lost.

Mr. Muse moved that the Secretary be instructed to inform the House, that the report of the Committee of conference, was laid upon the table, and to request a recommittal of the bill to said joint Committee of conference—carried.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate, that the House had reconsidered the vote adopting the report of the Committee of conference on said bill, and had recommitted the same to said joint Committee of conference.

A message was received from the President in writing, through his private Secretary Mr. Miller, to wit:



EXECUTIVE DEPARTMENT, }  
 Washington, D. c. 23d, 1842. }

*To the Honorable, the Senate, and House of Representatives.*

The President deems it his imperative duty to inform the Honorable Congress, that he has been recently assured, that the different tribes of Indians have in their possession as prisoners, no less than eleven Texians, and that they will be brought to the Waco village at the time set apart for entering into a treaty with them, with the intention on the part of the Indians to exchange them for their own people, held by us as prisoners, as well as others held by the Lipan and Toncuhua tribes.

The Executive has ever regarded the reclamation of our prisoners from the Indians, as a matter of the deepest interest, not only to their relations, but to every humane and generous heart, and he has also believed that it could never be effected unless peace could be restored and established between the people of Texas and the Indians.

The Executive feels confident that the Honorable Congress will not require any incentive which he could offer, to induce them to place in his power the means to perform an act, so well calculated to fill every human breast with pleasure and satisfaction. The Indians being apprised that we hold many of their people, as prisoners, will be induced to retain ours, until they are assured that theirs are all in good faith restored.

The President has not the power or means by law to compel those citizens who hold the Indian prisoners to surrender them to his order so as to enable him to obtain the restoration of ours, to their homes and country, and to give once more to our frontiers peace and tranquillity. The passage of a law with adequate penalties, authorizing him to compel all who may refuse to place the prisoners at his disposal, to give them up subject to his order, and also, to enable him to employ such person or persons, as may be necessary to collect the prisoners and conduct them to the treaty ground, by the time at which the contracting parties may arrive, is respectfully recommended. \* It is also proper to suggest, that when the prisoners shall have been collected, they should have comfortable clothing and blankets.

Without the necessary appropriation this cannot be done, nor can the services of such persons as will be necessary to carry out the objects of the government, be procured unless sufficient means are placed within the control of the President to ensure a reasonable compensation.

SAM HOUSTON.



Which was read, and on motion, referred to the Committee on Indian Affairs.

A message was received from the the House of Representatives through their Chief Clerk Mr. Raymond, transmitting a communication from the President marked "secret" with a request that the Senate would go into secret session upon the same.

On motion of Mr. Titus, Mr. Greer was added to the Committee on Indian Affairs.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate that the House had adopted the amendments of the joint Committee, to whom was referred "a bill to be entitled an act, transferring a certain appropriation &c." and request the like action on the part of the Senate.

Mr. Muse, chairman of the joint Committee on the part of the Senate, reported that the joint Committee to whom was referred "a bill, to be entitled an act, transferring a certain appropriation &c." had the same under consideration, and recommend the following amendments, to wit: (which were also recommended to the House) strike out "two thousand dollars," and insert "five hundred dollars," for contingent expenses of Congress: strike out "five thousand dollars," and insert "four thousand, three hundred dollars," for pay of members &c. On motion, said report was adopted. On motion, the assistant Secretary was instructed to act as Secretary, during the indisposition of the Secretary.

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

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MONDAY, Dec. 26th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Greer, Jack, Jones, Muse, Randall, Shaw, Smith and Titus—no quorum being present—the Senate, on motion of Mr. Jack, adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

Senate met. Mr. Pattillo in the Chair—roll called—no quorum being present—the Senate adjourned until to-morrow morning 10 o'clock.



TUESDAY, Dec. 27th, 10 A. M.

Senate met pursuant to adjournment. President *pro tem.* in the Chair—roll called—the following Senators answered to their names, to wit: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—a quorum being present the Journals of the two preceding days were read and adopted.

The Committee on the Judiciary Mr. Jack chairman, to whom was referred "a bill, to be entitled an act, for the relief of Samuel Hughs, E. H. Campbell and James Moore, reported the same back to the Senate for their further consideration.

The Committee on Indian Affairs, Mr. Shaw chairman, to whom was referred the communications of the President in relation to Indian prisoners &c. &c., report "a bill, to be entitled an act, to provide for the collecting and conveying the Indian prisoners to the Waco village," which was read a first time.

On motion of Mr. Jack, the rule was suspended, and bill read a 2d time and referred to the Committee on the Judiciary.

The Committee on Public Lands, Mr. Smith chairman, to whom was referred "a bill, to be entitled an act, to authorize the Commissioner of the General Land Office to issue a patent to Robert Peebles," reported the same back to the Senate, without comment for their further consideration.

Mr. Smith by leave, introduced "a bill, to be entitled an act, to amend an act, requiring retailers of spirituous liquors to pay a licence tax"—read 1st time.

Mr. Smith by leave introduced "a bill, to be entitled an act, for the protection of the Western frontier," which was read 1st time. On motion of Mr. Shaw, the rule was suspended, and bill read 2d time, and referred to the Committee on Military Affairs. On motion, the Senate took up the

#### ORDERS OF THE DAY.

A bill to be entitled "a joint resolution, authorizing the Secretary of the Treasury to appoint an assessor for Washington county,"—read 2d time. Mr. Barnett offered an amendment, to wit: "Section second," which was adopted. On motion, the rule was suspended, bill read 3d time and passed.

A bill to be entitled "an act locating the seat of government of the Republic of Texas at the town of Washington, in the county of Washington," came up on its 2d reading.

Mr. Jones presented a communication from the Hon. Mr. Portis, which was read. On motion of Mr. Jack, the bill just read, together with the communication and accompanying



documents, were referred to a select Committee, consisting of Messrs. Jack, Lawrence, and Jones.

A bill to be entitled "a joint resolution, for the relief of Samuel Hughs, E. H. Campbell and James Moore, came up on its 2d reading. Mr. Jack offered an additional section, providing for the issuing a patent to John Trassell, for one league and labor of land &c., which was adopted.

Mr. Jones moved the indefinite postponement of the bill—carried.

Mr. Barnett moved the reconsideration of the vote just taken—carried.

On motion of Mr. Jack, the vote adopting the amendment of the additional section, was reconsidered. Mr. Jack, then by leave withdrew his amendment. The ayes and noes being called for on the final passage of the bill, stood as follows:

Ayes—Messrs. Barnett, Jack, Lawrence, Pattillo, Randall, Smith and Titus; 7.

Noes—Messrs. Greer, Jones and Shaw; 3—carried, and bill passed.

A message was received from the President, through his Private Secretary, Mr. Miller, in writing, to wit:

EXECUTIVE DEPARTMENT, }  
Washington, Dec. 24, 1842. }

*To the Honorable, the Senate:*

In reply to the resolution of your Honorable body of yesterday, the President has to state, that owing to the archives being at Austin, no reference can be had to the papers of the General Land Office: and that it will not be in his power to furnish the Honorable Senate with a copy of his instructions to the Commissioner of the General Land Office, under which, the Commissioner of the General Land Office issued the order accompanying the resolution calling for the information.

It will be observed that the order was issued during the last administration of the Government; nor was the present Executive apprised that such an order had been issued to the clerks or land commissioners of the county of Bexar until informed by the resolution in question.

SAM. HOUSTON.

Which was read, and on motion laid upon the table.

Mr. Barnett moved to reconsider the vote, finally passing a bill to be entitled "a joint resolution to authorize the Secretary of the Treasury to appoint an assessor for Washington county;" carried.



On motion, the resolution was laid on the table. On motion, the Senate went into secret session.

On motion, the doors were again opened, and the Senate adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

Senate met—roll called—quorum present.

The committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled "an act, to provide for the collecting and conveying the Indian prisoners to the Waco village," reported the same back to the Senate with amendments, and recommended its passage.

On motion, the amendments were adopted. On motion, the rule was suspended, and bill read 3d time. On motion of Mr. Jack, the first blank was filled with "four," and the second blank with "two thousand;" the question on the final passage of the bill—carried,

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



WEDNESDAY, Dec. 28th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

Mr. Shaw, one of the committee on engrossed bills, reported that a bill to be entitled "an act to provide for collecting and conveying Indian prisoners to the Waco Village," had been examined, and found correctly engrossed.

Mr. Jack, by leave, introduced a bill to be entitled "a joint resolution for the relief of John McKenzie, and others"—read 1st time.

Mr. Jones moved that the Sergeant-at-arms be instructed to procure a large pot, for the purpose of building a fire, and to be set in the middle of the room. On motion of Mr. Muse, the motion was laid upon the table.

Mr. Lawrence, by leave, introduced the following resolution: "Resolved by the Senate, that with the concurrence of the House of Representatives, the standing committees of both Houses on Military Affairs, will act in conjunction on such propositions as may be submitted to either branch, for frontier protection"—resolution adopted.

On motion of Mr. Muse, the Senate took up the

#### ORDERS OF THE DAY.

A Bill to be entitled "an act to authorize the Commissioner of the General Land Office to issue a patent to Robert Peebles," came up on its second reading. Mr. Pattillo offered an amendment, to wit: "Provided, that the said Alsberry has not previously received a title for the same, or any part thereof"—rejected. The question on passing the bill to its third reading was lost.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act to incorporate the Matagorda Caney Navigation Company;" also, a bill to be entitled "an act to organize a certain part of Liberty county for Judicial and other purposes;" also, of the indefinite postponement of a bill to be entitled "a joint resolution for the relief of J. Pinckney Henderson;" also, of the passage of a bill to be entitled "an act to provide for the collecting and conveying Indian prisoners to the Waco Village;" also, of the passage of a bill to be entitled "an act to authorize John McMullen to order the election of county officers in the county of Bexar," with an amendment, to wit: strike out "chief," and insert "associate."



A Bill to be entitled an act to amend an act, requiring retailers of spirituous liquors to pay a license tax—read 1st time, and on motion of Mr. Muse, referred to the committee on the Judiciary.

A Bill to be entitled "an act to authorize John McMullen to order the election of county officers in Bexar county," with the amendment of the House, came up. On motion of Mr. Jack, the Senate concurred in the amendment of the House.

A Bill to be entitled "an act to incorporate the Matagorda Caney Navigation Company"—read 1st time.

A Bill to be entitled "an act to organize a certain portion of Liberty county for Judicial and other purposes"—read 1st time.

On motion, the Senate went into secret session. On motion, the doors were again opened, and the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY Dec. 29th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the adoption of a resolution requiring a conjunction of action, on the part of the Military committee of both Houses, &c.; also, that the House had reconsidered the vote indefinitely postponing "a bill to be entitled a joint resolution for the relief of J. Pinckney Henderson," with a request that the bill be returned to the House.

The joint committee on Public Printing, Mr. Pattillo chairman, made the following report:

COMMITTEE ROOM, }  
December 26, 1842. }

*To the President of the Senate:*

"The joint committee of both Houses on Public Printing, to whom was referred the account for printing for the House, have had the same under consideration, and from the best information they can obtain from practical printers, your committee are of opinion that the following rates are a fair compensation for printing the items charged for in the following bill or printing for the House of Representatives:



*Bill, as made out by Thomas Johnson, Printer.*

For printing Ayes and Noes, and binding the same,	\$15,00
For printing one thousand copies of the President's Message,	100,00
For printing fifty copies of the rules of the House of Representatives,	72,00
For printing one hundred copies of the report of the Secretary of War and Marine,	50,00
For printing three hundred copies of the report of the Attorney General,	70,00
	<hr/>
Total amount, in Exchequer bills, at two for one,	\$337,00

*Bill as allowed by the Joint Committee.*

For printing Ayes and Noes of the House of Representatives, and binding the same,	\$21,00
For printing one thousand copies of the President's Message,	67,50
For printing fifty copies of the rules of the House of Representatives,	40,00
For printing one hundred copies of the Secretary of War and Navy's report,	32,00
For printing three hundred copies of the report of the Attorney General,	44,00
	<hr/>
Total amount,	\$207,50

G. A. PATILLO, Chairman  
of the joint committee on the part of the Senate,  
M. WARD, Jr., Chairman

of the joint committee on the part of the House of Rep's."

Which report, on motion, was laid upon the table.

A message was received from the President, in writing, through his private Secretary, Mr. Miller, to wit:

“EXECUTIVE DEPARTMENT, }  
Washington, Dec. 27, 1842. }

*To the Honorable, the Senate, and House of Representatives:*

The Executive herewith transmits the Honorable Congress, an estimate of the amount required to equip and maintain one company of cavalry upon the frontier for one year. It embraces the items deemed indispensable, in a well regulated service, and certainly does not overstate the sum which would be required. By reference to similar service in this country, heretofore, the accuracy of the estimate will be established, and it will be seen that the sum of fifty-four thousand, four hundred and sixty-five dollars and ninety-two cents, would be all absorbed. It



would also be fair to calculate upon the general estimate, when the service is not better regulated than ours, an additional amount of fifty per cent. to cover contingencies.

Unlike the service of all other countries, we have no Commissariat Department: and custom has dispensed, with all responsibility in officers of the line, as all accountability in officers who have had the disbursement of the public funds. Disobedience on the part of the subalterns, and the most flagrant violations of duty, have heretofore received the approbation of Congress. From the nature of our service, it is often impossible to assemble Courts Martial for the trial of officers; and hence it is that delinquents go unpunished, and subordination and discipline come to be totally disregarded—no matter how great the outrage against the rules and laws established for the government of the army—no matter how mutinous, and insubordinate and insulting to his immediate commanding officer—the Congress or Executive, an officer may be: according to the doctrine heretofore proclaimed, he is not to be stricken from the rolls. But, in contempt of all order, and in the face of the soldiery whom he has disgraced, he is to triumph in his defiance. Unless, therefore, power to bestow adequate and certain punishment is acknowledged to exist somewhere, no good can be expected to result to the country from our military expenditures, and the idea of national protection, under such circumstances, becomes supremely ridiculous.

It will be perceived from the accompanying estimate, that the amount of twenty thousand dollars in Exchequer bills, appropriated by last Congress, was totally inadequate to the creation of a force for the protection of the south-western frontier. The Executive deemed it useless to attempt an impossibility, and he had no inclination to squander the amount placed at his disposition.

Hence, it is that a portion of that appropriation has remained subject to the action of the Honorable Congress, transferring it to other purposes—such portions as have been used were devoted to giving every feasible facility to the attainment of the object intended. No regular constituted companies were maintained, because that would have been impracticable; but in various other ways, aid, encouragement and support were extended, resulting either directly or indirectly in promoting the safety of the frontiers.

Such portions as may not be required to meet obligations thus incurred, will be held subject to the future action of the Honorable Congress.

SAM. HOUSTON."



*Estimate of funds required to sustain a Company of Cavalry for one year, consistd<sup>g</sup> of sixty-seven men, including officers:*

One Captain, pay per month, -	\$124,50	12 m. -	\$1,494,00
One 1st Lieut., " " -	89,83	" -	1,076,96
One 2d Lieut., " " -	89,83	" -	1,076,96
One 1st Serg't., " " -	40,00	" -	480,00
Three do " " - each	30,00	" -	1,080,00
Four Corporals, " " - "	24,00	" -	1,152,00
One Farrier, " " -	24,00	" -	280,00
Fifty-five privates, " " - each	20,00	" -	1,320,00
			\$19,839,92
Amount of pay, - - - - -			\$19,839,92
Clothing for 64 men one year, each	\$40,00	\$2,560,00	
Subsistence for 64 men, pr. day, each	45	10,062,00	12,622,00
			21,799,00
Sixty-four Horses, each, -	\$150,00	9,600,00	
Sixty-four saddles, each, -	18,00	1,142,00	
Sixty-four bridles, each, -	5,00	320,00	
Sixty-four holsters, each, -	6,00	380,00	
Sixty-four p'rs spurs, each, -	2,50	160,00	
Sixty-four p'rs pistols, each, -	12,00	768,00	
Sixty-four sabres, each, -	10,00	640,00	
Sixty-four guns, each, -	25,00	160,00	
Sixty-four saddle blankets, each,	2,50	162,00	
Forage for 64 horses, pr day, each,	30	6,643,00	
Shoeing 64 do 3 times pr year, -		384,00	21,799,00
			205,00
Ten kegs powder, -	\$8,00	80,00	
One thousand pounds lead; 12,50		125,00	205,00
			\$54,465,92
CONTINGENCIES.			
Two additional sets of horses, - - - - -			19,200,00
			\$73,665,92.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act making appropriations for the year one thousand eight hundred and forty-three."

Mr. Shaw, one of the Committee on Engrossed and Enrolled Bills, reported that a bill to be entitled "an act to provide for collecting and conveying Indian prisoners to the Waco Village," had been examined and found to be correctly engrossed.



The Committee on the Judiciary, Mr. Jack chairman, to whom was submitted the proposition "whether free persons of color could hold real estate," reported that they had the same under consideration, and were unanimously of the opinion that such persons, can, constitutionally hold land.

Mr. Jack, by leave, introduced "a resolution requiring the Secretary of the Treasury to furnish a statement of Imposts which may have been received since the second day of July, at each of the custom offices, and to give his views and opinions as to the amount of revenue, which may be anticipated during the next year, under the existing laws"—which was adopted.

Mr. Greer, by leave, introduced a bill to be entitled "an act to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians—read 1st time; and on motion of Mr. Greer, rule suspended, bill read 2d time, and referred to the committee on Indian Affairs.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of "an act to amend the several laws regulating the Post-office Department."

The select Committee, Mr. Jack chairman, to whom was referred a bill to be entitled "an act locating the seat of Government at Washington, in the county of Washington, &c." reported the same back to the Senate, with an amendment, to wit: "Providing for the session of the Supreme Court at Galveston, on the first Monday in June, &c."

Mr. Jones moved to recommit the bill to said Committee.

Mr. Jack moved to lay the bill upon the table until to-morrow, 3 o'clock—carried.

Mr. Titus, by leave, introduced a bill to be entitled "an act, to repeal in part, an act, creating a board of Medical Censors"—read 1st time.

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

Senate met pursuant to adjournment. 3 o'clock, P. M.  
No quorum being present, on motion of Mr. Randall, the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, Dec. 30th, 10. A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to



their names: Messrs. Barnett, Greer, Jack, Jones, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Foreign Relations, Mr. Jack chairman, to whom was referred the communication of the President in relation to Campeachy, &c. &c., returned the same back to the Senate without a report.

Mr. Pattillo by leave, withdrew his report made on yesterday in relation to Public Printing, &c.

Mr. Titus by leave, introduced a bill to be entitled "an act to incorporate the German Emigrating Company"—read 1st time.

On motion, a communication of the President, was taken up and read; and on motion of Mr. Greer, the message, together with the accompanying documents, were referred to the committee on Military Affairs.

A message was received from the President in writing, through his private Secretary Mr. Miller, to wit:

EXECUTIVE DEPARTMENT, }  
Washington Dec. 28th, 1842. }

*To the Honorable, the Senate, and House of Representatives:*

The Executive avails himself of the earliest opportunity to present to the consideration of the Congress, a subject upon which its action is respectfully invited.

It appears that certain grantees presented a memorial dated the 25th of April, 1839; whose names will be seen in the accompanying despatch of the Hon. Charles Elliot, Her Britannic Majesty's Chargè d'Affaires to Texas, in which they claim various grants of land, under the colonization laws of the general Congress of Mexico, of the year 1829—and for which they seem inclined to claim remuneration, from the fact that the revolution of 1835, prevented a compliance on their part with the conditions of their grants.

It is to be regretted that copies of these grants have not been presented to this government; the dates, as well as the conditions of the grants, are consequently unknown; and though the memorialists allege that they did take measures to fulfil their contracts with the Mexican Government; they do not show that they had performed any one of the conditions; nor do they set forth that their contracts were not forfeited before the year 1835. If such grants ever did in reality exist, it certainly will be competent for them to show when they were made, the conditions annexed: and that the grants were not forfeited by an omission to perform their conditions.



It was the duty of the memorialists at an early day, to have acquainted the Government of Texas with the existence of these grants, and to have made them, or copies of them, a part of the archives of the country. If this has been done, by reference to the General Land Office, the facts can be ascertained.

The only wish that the Executive can entertain upon this matter, is that if merit should be found in the premises, equity may be done to the claimants: should the existing laws have interposed any obstacle to an equitable adjustment of their rights.

A law was passed by Congress opening the Courts of Justice to all empresarios: and whilst others have availed themselves of the benefit of these laws, it is to be regretted that the present memorialists had not thought proper to make use of similar advantages.

It will be perceived also, by the despatch of the Hon. Mr. Elliot, that the former settlers of San Patricio have solicited in their behalf, the interposition of Her Majesty's Government.

With deference, I would suggest that if the former citizens of that section of the country were compelled to leave their homes in consequence of the war in 1835, since that time this government has interposed no obstacle to the resumption of their former possessions. Their situation was truly harrassing and calamitous; and though the major part of them fled to Mexico for protection, it was natural that they should have done so, inasmuch as the Mexican troops were at that time in possession of that portion of our Territory. No act of forfeiture has since then been passed to the prejudice of those claimants, nor would the government upon their application, have prevented them from re-settling their lands: though they were debarred of the right by the provision of the constitution of 1836.

It will be perceived that the greatest leniency has been exercised, and that those who incurred the penalty of forfeiture, have never suffered from its enforcement. If they were really subjects of Her Majesty's Government, they could not hold land of their own right within the Republic of Mexico, and if they were bona fide Mexican citizens, it would not be within the province of any government, other than Mexico, to interfere in their behalf. They were either Mexican citizens, or British subjects; and as they make no reclamation of their homes as the latter, they thereby decide the question, and therefore, cannot hold land in right of being Mexican citizens.

The Executive would respectfully suggest, that if they wish to return to their homes, and are willing to render allegiance to the Republic of Texas, he would not feel authorized, in the ab-



sence of prohibitory provisions, to prevent the peaceful occupation of their former residences. Hence, it would seem that any provision in their behalf would be unnecessary; and that the course for them to pursue, would be to communicate their disposition and wishes to the Government, which would extend to them leave to return to the country.

It is respectfully requested that the Honorable Senate will cause this communication, with the accompanying papers, to be forwarded to the other branch of the Congress for its information and action.

SAM. HOUSTON.

Which was read, and on motion of Mr. Jack, transmitted to the House of Representatives.

The Committee on Enrolled Bills, Mr. Randall chairman, reported that a bill to be entitled "an act to authorize John McMullen to order the election of county officers in the county of Bexar," had been examined, and found to be correctly enrolled. The Senate then took up the

#### ORDERS OF THE DAY

A Bill to be entitled an act to organize a certain portion of Liberty county for Judicial and other purposes—read 2d time, and on motion, referred to the committee on the Judiciary.

A Bill to be entitled "an act making appropriations for the support of the government for the year one thousand eight hundred and forty-three"—read 1st time.

Mr. Jack, by leave, introduced a bill to be entitled "an act to fix the time and place of holding the Supreme Court"—read 1st time.

A bill to be entitled "an act to amend the several laws regulating the Post-office Department"—read 1st time. On motion, the rule was suspended, and bill read 2d time, and referred to the committee on Post-offices and Post-roads.

A Bill to be entitled "a joint resolution for the relief of John McKenzie, and others"—read 2d time; and on motion, referred to the committee on Military Affairs.

Mr. Muse, by leave, introduced a bill to be entitled "an act to amend the several laws regulating the Post-office Department"—read 1st time. On motion, the rule was suspended, bill read 2d time, and referred to the committee on Post-offices and Post-roads.

Mr. Muse moved that the Senate adjourn until 10 o'clock tomorrow morning—lost.

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



3 o'clock, P. M.

Senate met pursuant to adjournment—roll called—no quorum being present—the Sergeant-at-Arms was despatched for absentees. The Sergeant-at-Arms returned, and reported that Mr. Lawrence was sick, and that Mr. Smith could not be found.

Mr. Jack moved to adjourn until to-morrow morning, 10 o'clock—lost.

Mr. Greer renewed the motion to adjourn—lost.

The Sergeant-at-Arms and door-keeper were both despatched for absent members.

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

SATURDAY, Dec. 31st, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

Mr. Jack presented the credentials of the Hon. James Webb, Senator elect, from the counties of Travis, Fayette, Bastrop and Gonzales, which was read, and on motion of Mr. Jack, Mr. Webb, the senator elect, was sworn into office and took his seat.

On motion, said credentials were referred to the Committee on privileges and elections; on motion of Mr. Barnett, Mr. Pattillo was added to said Committee.

The Committee on Post-offices and Post-roads, Mr. Titus chairman, to whom was referred a bill to be entitled "an act to amend the several laws regulating the Post-office Department; report, that they have had the same under consideration, and recommend the following amendments.

In route number twelve, between the words "Boston and Clarksville," insert "De Kalb and Savannah," in route number fourteen, after the word "Felipe," insert the word "Burleigh," and also recommend its passage.

The Committee on Indian Affairs, Mr. Shaw chairman, to whom was referred a bill to be entitled "an act to establish and maintain peace and friendly intercourse with the Indians," report the same back to the Senate with an amendment, to wit:

In section seventh, fourth line, after the word "pence," strike out the balance of the section, and insert the following, "which posts or trading houses, shall be established as follows, to wit:



No. 1. On or near the South Fork of the Trinity, somewhere between the lower and upper cross timbers.

No. 2. At or near the Comanche Peake.

No. 3. At or near the old San Saba fort or mission.

No. 4. at or near Puerto Vandro."

In section nineteenth, fifth line, after the word "accordingly," strike out the words "by stripes as at common law," and recommend its passage.

The Committee on Post-offices and Post-roads, Mr. Titus chairman, to whom was referred a bill to be entitled "an act to amend the several laws regulating the Post-office Department," report, that they have had the same under consideration, and recommend its passage, with the following amendment, to wit:

In the first section, sixth line, strike out "relating to," and insert "providing for."

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled "an act to organize a certain portion of Liberty county for Judicial and other purposes, report the same back to the Senate for their further consideration.

Your Committee also report back for the consideration of the Senate, a bill to be entitled "an act to reorganize the first, second, fourth and sixth Judicial Districts," without comment.

Mr. Smith by leave introduced a bill to be entitled "an act to authorize the Court of Probate, of any county to open the succession of John R. Cunningham deceased, which was read 1st time. On motion, the rule was suspended and bill read 2d time. On motion rule further suspended, and bill read 3d time and passed.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled "an act to incorporate the Matagorda Cauey Navigation Company," report the same back to the Senate, without comment for their further consideration. On motion of Mr. Greer, the Senate took up the

#### ORDERS OF THE DAY.

On motion of Mr. Jones, a bill to be entitled "an act making appropriations for the year one thousand eight hundred and forth three" was taken up, on its second reading.

Mr. Jones moved to refer the bill to the Committee on Finance—lost.

The ayes and noes being called for on passing the bill to its third reading, stood as follows.

Ayes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, Shaw and Titus; 7.



Noes—Messrs. Jack, Jones, Smith and Webb; 4—carried and bill passed to its 3d reading.

A bill to be entitled “an act to locate the seat of government, of the Republic of Texas, at the town of Washington, in the county of Washington &c.” came up on its 2d reading.

Mr. Webb moved the postponement of a further consideration of the bill, until Monday next.

The ayes and noes being called for on the same stood as follows.

Ayes—Messrs. Jones, Shaw, Smith and Webb; 4.

Noes—Messrs. Barnett, Greer, Jack, Lawrence, Pattillo, Randall and Titus; 7—lost.

A message was received from the President, through his Private Secretary Mr. Miller in writing.

The bill to be entitled “an act to locate the seat of government of the Republic of Texas at the town of Washington, in the county of Washington,” and the documents thereto relating, together with the amendments of the select Committee being under consideration. The question on the adoption of said amendments—carried.

Mr. Webb moved to strike out “Washington” and insert “San Felipe.” The ayes and noes being called for on the same stood as follows:

Ayes—Messrs. Jack, Jones, Muse, Smith and Webb; 5.

Noes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, Shaw and Titus; 7—lost.

Mr. Webb moved to strike out “Washington” and insert “Nacogdoches;” Mr. Jack called for a division of the question; motion on striking out was put; the ayes and noes being called for stood as follows.

Ayes—Messrs. Jones Muse and Webb; 3.

Noes—Messrs. Barnett, Greer, Jack, Lawrence, Pattillo, Randall, Shaw and Titus; 8—motion lost.

A message was received from the House of Representatives through their Chief Clerk Mr. Raymond, informing the Senate, that “a joint resolution to adjourn *sine die*,” had been rejected, also, of the passage of a bill to be entitled “a joint resolution for the relief of J. Pinckney Henderson,” with an amendment; also, of the passage of a bill to be entitled “an act to regulate proceedings in Justices Courts;” also, of the passage of a bill to be entitled “a joint resolution for the relief of Elizabeth Washburn, Armstead Bennett and others;” also, of the passage of a bill to be entitled “an act to provide for the payment of assessors of taxes &c.” with a request of a like action on the part of the Senate.



Mr. Greer offered a section fourth, to the bill under consideration.

The ayes and noes being called for on its adoption, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus; 11.

No—Mr. Webb—carried, and amendment adopted.

Mr. Jack offered an amendment to section third—adopted.

Mr. Jack offered two additional sections,—adopted.

A message was received from the President through his Private Secretary Mr. Miller in writing.

Mr. Greer moved to fill the blank in Mr. Jack's amendment, with "San Jacinto;" Mr. Jones moved that all the motions be laid upon the table, and that the section under consideration, be referred to a select Committee,—lost.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

The bill under consideration when the Senate adjourned was taken up. The question on filling the blank in Mr. Jack's amendment, with "San Jacinto," was put, and carried, the amendment as amended was then adopted; and on motion, the bill was ordered to be engrossed.

A bill to be entitled "an act, to amend the several laws regulating the Post-office Department, came up on its 2d reading, with the amendments of the Committee. On motion said amendments were adopted.

Mr. Jack offered an amendment, to wit: strike out "Presidents Private Secretary,"—adopted.

Mr. Jack offered an additional section,—adopted.

Mr. Jack moved to amend by inserting "before the meeting and after the adjournment of Congress,"—rejected.

Mr. Jones moved to strike out "thirty days after,"—carried.

Mr. Greer moved to strike out "members of both branches of Congress during their term of service." The ayes and noes being called for on the same stood as follows:

Ayes—Messrs. Greer, Jack, Jones, Muse, Pattillo, Smith and Webb; 7.

Noes—Messrs. Barnett, Lawrence, Randall, Shaw and Titus; 5—carried.

Mr. Jack moved to strike out "the President and Vice Presi-



dent;" a division of the question was called for; the question on striking out "President" was then put; the ayes and noes being called for, stood as follows:

Ayes—Messrs. Greer, Jack, Lawrence, Pattillo, Smith and Webb; 6.

Noes—Messrs. Barnett, Jones, Muse, Randall, Shaw and Titus; 6—the Chair decided in favor of striking out.

Mr. Jack moved to reconsider the vote just taken;—carried.

Mr. Jack then withdrew his motion to strike out "President &c."

Mr. Jones moved to reconsider the vote striking out members of Congress;—carried.

On motion of Mr. Muse the bill was ordered to be engrossed.

Mr. Muse moved to take up a bill to be entitled, "a joint resolution for the relief of J. Pinckney Henderson," with the amendment from the House of Representatives;—carried

Mr. Muse moved that the Senate concur in the amendment proposed by the House.

A message was received from the the House of Representatives, informing the Senate of the passage of a bill to be entitled "an act, amendatory to an act, to raise a revenue by direct taxation, approved Feb. 5th, 1842;" also, of a bill to be entitled "an act, to authorize the Court of Probate of any county to open the succession of John R. Cunningham deceased; also, of a bill to be entitled "a joint resolution for the relief of Messrs. Neighbors and Rivers," and ask a concurrence on the part of the Senate.

The ayes and noes being called for on the question of concurrence, in said amendments, to the resolution before the Senate, stood as follows:

Ayes—Messrs. Jones, Lawrence, Pattillo, Smith and Webb; 5

Noes—Messrs. Barnett, Greer, Jack, Muse, Randall, Shaw and Titus; 7—lost.

On motion, the bill, with the amendments were laid upon the table.

On motion, the Senate went into secret session. On motion the doors were again opened.

A communication from the Secretary of the Treasury was taken up and read. On motion of Mr. Jones the communication was referred to the Committee on finance.

On motion of Mr. Barnett, Mr. Jones was added to the Committee on Naval affairs.

On motion of Mr. Muse, the Senate adjourned until tomorrow morning, 10 o'clock.



MONDAY, Jan. 2d, 10, A. M.

Senate met pursuant to adjournment. Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

Mr. Jones by leave, introduced a bill to be entitled "a joint resolution for the relief of James Reily," which was read a 1st time.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled "an act, amendatory to an act, requiring retailers of spirituous liquors to pay a license tax;" reported, by way of substitute, a bill to be entitled "an act to provide for the more certain collection of license taxes," which was read 1st time, and on motion of Mr. Jack, the rule was suspended and bill read a 2d time.

Mr. Jones offered an additional section, to wit. "That all travelling pedlars, who have resided within the Republic two years or upwards, shall, from and after the passage of this act, be exempt from the payment of license tax, any law to the contrary notwithstanding;" said amendment was rejected. The question on adopting the substitute of the Committee, was put and carried; and on motion the bill was ordered to be engrossed. On motion of Mr. Muse, the rule was further suspended, and the bill read 3d time and passed.

The Committee on Engrossed Bills, Mr. Randall chairman, reported, that they had examined a bill to be entitled, "an act, locating the seat of Government of the Republic of Texas, at the town of Washington, in the county of Washington;" also, a bill to be entitled "an act, to amend the several laws regulating the Post-office Department," and find the same correctly engrossed.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled, "a joint resolution for the relief of John McKenzie and others," reported the same back to the Senate, without comment, for their further consideration.

The joint Committee on Public Printing, Mr. Pattillo chairman, on the part of the Senate, to whom was submitted an account for printing for the House of Representatives, reported, that they had the same under consideration, and from the best information they can obtain, from estimates of practical printers, they are of opinion, that the account as made out, by the printer, Mr. Johnson, for "three hundred and thirty seven dollars,



should be reduced to "two hundred and seven dollars and fifty cents."

The Committee on Finance, Mr. Jones chairman, to whom was referred a communication from the Secretary of the Treasury, with the accompanying resolution, in relation to the Steamships Neptune and New York, report the same back to the Senate, for their further consideration, without comment.

Mr. Shaw by leave, introduced a bill to be entitled "an act, to amend so much of an act, establishing the jurisdiction and powers of the District Courts, approved Dec. 2nd., 1836, as relates to grand juries," which was read 2d time. On motion of Mr. Muse, the rule was suspended, bill read 2d time, and referred to the Committee on the Judiciary.

Mr. Webb by leave, introduced a bill to be entitled "an act, for the relief of John H. Wilkins, which was read 1st time. On motion the rule was suspended, bill read 2d time, and referred to the Committee on military affairs.

Mr. Muse moved, the reconsideration of a vote wherein the Senate refused to concur in the amendments proposed by the House of Representatives to a bill to be entitled "a joint resolution for the relief of J. Pinckney Henderson." The ayes and noes being called for stood as follows:

Ayes—Messrs. Jones, Lawrence, Muse, Pattillo, Randall and Webb; 6.

Noes—Messrs. Barnett, Greer, Jack, Shaw, Smith and Titus; 6.

The Chair decided in favor of a reconsideration.

Mr. Muse then moved that the Senate concur in the amendments proposed by the House of Representatives. The ayes and noes being called for stood as follows:

Ayes—Messrs. Jones, Lawrence, Muse, Pattillo, Randall and Webb; 6.

Noes—Messrs. Barnett, Greer, Jack, Shaw, Smith and Titus; 6.

The Chair decided in favor of a concurrence.

A communication from the State Department, was then taken up and read; and on motion of Mr. Webb, was referred to the Committee on Foreign Relations. The Senate then took up the

#### ORDERS OF THE DAY.

A bill to be entitled "an act, to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians," with the amendments proposed by the committee, came up on its 2d reading. On motion of Mr. Jones,



the bill was read section, by section. Mr. Jack moved to strike out the 1st section of the bill,—lost.

Mr. Greer moved to strike out after the words "Indian affairs" in the first section; Mr. Greer then moved to strike out after the word "affairs" to the word "with," and insert, "which shall be attached to the War Department;" Mr. Greer withdrew his motion; Mr. Jack then renewed the motion of Mr. Greer, to strike out after the word, "Indian affairs,"—carried.

Mr. Jack then moved to insert after "Indian affairs," the words "to be attached to the War Department,—carried.

Mr. Jones moved to insert after the words "War Department," the words "and the Chief Clerk of that Department shall perform the duties, without any additional compensation;" carried.

Mr. Jack moved to insert the words "not exceeding four," in section third,—carried.

Mr. Webb offered an amendment to the amendment of the the Committee, to section seventh, to wit: strike out all after the word "posts" in section seventh,—adopted.

Mr. Smith moved further to amend the amendments, to wit: "that a fifth trading house be established at or near the junction of the Moros, and the Rio Grande rivers,—adopted.

The amendments of the Committee to section seventh, as amended, were then adopted.

Mr. Jack then offered an amendment to section eighth, to wit: "and such persons thus licensed shall pay into the Treasury Department, five per cent on their invoice of goods which are sold at the trading houses."

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

Mr. Jones moved to lay the bill under consideration when the Senate adjourned, upon the table,—carried.

Mr. Jones moved a reconsideration of the vote, placing a bill to be entitled "an act, to amend the several laws regulating the Post-office department" upon its 3d reading,—carried.

On motion, the bill and motion for reconsideration were laid upon the table.

Mr. Jack by leave, introduced "a resolution requiring the Committee on Finance to report a bill to the Senate providing for the payment of the claim of General Waddy Thompson, against



this government, for money advanced for the relief of Santa Fé prisoners"—adopted.

On motion of Mr. Greer, the Senate took up a bill to be entitled "an act, making appropriations for the support of the Government for the year one thousand eight hundred and forty three," which was read 3d time.

Mr. Jones moved to refer the bill to the Committee on Finance,—lost.

The ayes and noes being called for on the final passage of the bill stood as follows:

Ayes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, Shaw and Titus; 7.

Noes—Messrs. Jack, Jones, Muse, Smith and Webb; 5—carried and bill finally passed.

A bill to be entitled "an act, to locate the seat of Government of the Republic of Texas, at the town of Washington, in the county of Washington" was read 3d time. Mr. Webb moved that the bill be recommitted to the select Committee. The ayes and noes being called for, stood as follows.

Ayes—Messrs. Jones, Muse, Shaw, Smith and Webb; 5.

Noes—Messrs. Barnett, Greer, Jack, Lawrence, Pattillo, Randall and Titus; 7—lost.

Mr. Muse moved a reconsideration of the vote engrossing the bill. The ayes and noes being called for, stood as follows:

Ayes—Messrs. Jones, Muse, Shaw, Smith and Webb; 5.

Noes—Messrs. Barnett Greer, Jack, Lawrence, Pattillo, Randall and Titus; 7—lost.

The ayes and noes being called for on the final passage of the bill, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Lawrence, Pattillo, Randall, Smith and Titus; 8.

Noes—Messrs. Jones, Muse, Shaw and Webb; 4—carried, and bill passed.

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

TUESDAY, Jan. 3d, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall,



Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceeding day were read and adopted.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that said committee had examined a bill to be entitled "an act to provide for the more certain collection of license taxes," and found the same to be correctly engrossed.

The Committee on Enrolled Bills, Mr. Randall chairman, reported that said committee had examined a bill to be entitled "an act to authorize the Court of Probate of any county to open the succession of John R. Cunningham deceased," and found the same to be correctly enrolled.

The Committee on Finance, Mr. Jones chairman, to whom was referred a resolution of the Senate, requiring said committee to report a bill to be entitled "an act for the relief of Waddy Thompson," report for the consideration of the Senate, a bill to be entitled "an act for the relief of Waddy Thompson"—read 1st time.

Mr. Jack, by leave, introduced a bill to be entitled "an act for the relief of J. B. Lynch"—read 1st time.

Mr. Jack, by leave, introduced a bill to be entitled "a joint resolution to modify the provisions of an act granting land to emigrants, &c."—read 1st time.

Mr. Jack, by leave, introduced a bill to be entitled "an act to incorporate the Texian Emigration, Agricultural and Commercial company"—read 1st time.

The Committee on Privileges and Elections, Mr. Barnett chairman, to whom was referred the credentials of the Hon. James Webb, Senator elect from the counties of Travis, Bastrop, Fayette and Gonzales, have had the same under consideration, and report "favorably."

Mr. Jones, by leave, introduced "a joint resolution appropriating five thousand dollars for the payment of office rent, &c."—read 1st time.

Mr. Smith moved a reconsideration of the vote finally passing the bill to be entitled "an act to locate the seat of Government at the town of Washington, in the county of Washington."

Mr. Jack moved that the Secretary be instructed to recall the bill from the House of Representatives.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Jack, Jones, Muse, Shaw, Smith and Webb; 6.

Noes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall and Titus; 6. The President decided in favor of a recall.

The Committee on Foreign Relations, Mr. Webb chairman, to whom was referred a communication from the State Depart-



ment, in relation to the claim of Mr. Amory, reported to the Senate, a bill to be entitled "an act to abolish the office of Secretary of Legation to the United States, and for other purposes" — read 1st time.

The question on reconsidering the vote finally passing the bill to be entitled "an act to locate the seat of Government of the Republic of Texas, at the town of Washington, in the county of Washington," was put.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Jack, Jones, Muse, Shaw, Smith and Webb; 6.

Noes—Messrs. Barnett, Greer, Lawrence, Patillo, Randall and Titus; 6. The President decided in favor of a reconsideration.

Mr. Jack moved that the bill be referred to the select committee, to whom it was previously referred, with instructions to report forthwith—carried.

On motion of Mr. Greer, a bill to be entitled "an act providing for the establishment and maintenance of peace, and to regulate friendly intercourse with the Indians," was taken up on its second reading—the Senate having previously proceeded with the reading to section eight.

Mr. Jack withdrew his amendments to section eight—and offered the following amendment: "and such persons thus licensed, shall pay into the Treasury of the Republic, such sum as the President may require; and no license shall extend beyond one year, but may be renewed."

Mr. Greer moved to strike out of the amendment, the word "one," and insert the word "three." A division of the question was called for. Question on striking out was put and lost.

Question on adopting the amendment—carried.

Mr. Jones moved to strike out all after the word "trade," in section ninth—carried.

Mr. Muse moved to strike out "unless by express permission of the President," in section 13th—lost.

Mr. Jack moved the reconsideration of the vote to strike out in section 9th—carried.

Mr. Jack then offered the following amendment to section 9th: "But when a trader may act as agent, he shall receive no salary, and when such agent may be a trader, he shall make out his invoices and swear to them before some Chief Justice of the county, or Justice of the Peace"—adopted.

Mr. Jones moved to strike out all after the word "house," in the fourteenth (14) section. Mr. Jones withdrew his motion.

Mr. Jack offered the following amendment to section four-



teenth: insert "by the agent or any other person," after the word "destroy"—adopted.

Mr. Muse moved to strike out section fourteenth, as amended—lost.

Mr. Muse moved to strike out section fifteenth—lost.

Mr. Greer moved to strike out "within the limits of the white settlements," and insert "the line of their territory"—carried. Section as amended, adopted.

Mr. Pattillo moved to strike out all relating to Courts martial in section nineteenth—lost.

Mr. Jack offered an additional section (22d.)

Mr. Muse moved to strike out the words "if practicable" in said amendment—lost.

Question on the adoption of the amendment carried.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

The Bill under consideration when the Senate adjourned, was read as amended.

Mr. Barnett moved to insert in section 18th, the words "provided said Indian or Indians are not found without the limits of their territory, in violation of this law"—adopted.

The question on the engrossment of the bill—carried.

The select Committee, Mr. Jack chairman, to whom was referred a bill to be entitled "an act to locate the seat of Government of Texas, at the town of Washington, in the county of Washington," report by way of substitute, a bill to be entitled "an act for the removal of the Archives of the Republic of Texas," for the consideration of the Senate; which report was received, and bill laid upon the table to come up among the orders of the day.

The Committee on Foreign Relations, Mr. Webb chairman, to whom was referred that part of a communication of the Executive, relating to Consuls, report a bill to be entitled "an act prescribing the perquisites and emoluments of the offices of Foreign Consuls, and for other purposes;" which report was received, and bill laid upon the table to come up among the orders of the day.

Mr. Greer moved to take up the report of the select Committee to whom was referred a bill to be entitled "an act locating the seat of Government of the Republic of Texas, at the town of Washington, in the county of Washington"—carried, and substitute read.



Mr. Greer moved to strike out all after the word "him," in second line of section second.

Mr. Jack moved to insert "unless within six months of this time," after the word "President"—adopted.

Mr. Greer moved to strike out the words "seat of Government"—carried.

Mr. Barnett moved to strike out section third.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Pattillo, Randall, Shaw and Titus; 6.

Noes—Messrs. Jack, Jones, Lawrence, Muse, Smith and Webb; 6. The President decided in favor of striking out.

Mr. Jack moved to fill the blank in section fourth, with "one thousand, two hundred dollars."

Question on adopting the section as amended—carried.

The question on adopting the substitute as amended, was put.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Jack, Jones, Lawrence, Muse, Smith, Titus and Webb; 7.

Noes—Messrs. Greer, Barnett and Randall; 3—carried, and amendment adopted as amended.

On motion of Mr. Titus, the bill was passed to its 3d reading.

The ayes and noes being called for on the final passage of the bill, stood as follows:

Ayes—Messrs. Greer, Jack, Jones, Lawrence, Muse, Pattillo, Shaw, Smith and Titus; 9.

Noes—Messrs. Barnett, Randall and Webb; 3—carried, and bill finally passed.

On motion of Mr. Jack, the caption was so amended, as to read a bill to be entitled "an act for the removal of the Archives of the Republic of Texas."

The Committee on Finance, Mr. Jones chairman, report for the consideration of the Senate, a bill to be entitled "an act to provide for the payment of a balance due members of Congress at the extra session of 1842"—read 1st time.

A Bill to be entitled "an act to provide for the payment of assessors of Taxes," with an amendment proposed by the House of Representatives, was taken up.

On motion of Mr. Jack, the Senate concurred in the amendments proposed by the House.

A Bill to be entitled "an act to amend the several laws regulating the Post-office Department," was taken up on its 2d reading.

On motion of Mr. Jack, the 3d section was stricken out.

The question on the engrossment of the bill—carried.



On motion, the rule was suspended, bill read 3d time and passed.

A Bill to be entitled "an act to amend the several laws regulating the Post-office Department," came up on its 2d reading.

Mr. Pattillo offered an amendment to route number 13, to wit: strike out the words "from San Augustine to Jasper," and insert "from Jasper to Sabine Town"—adopted.

Mr. Lawrence offered an amendment to route number twenty one, to wit: "via Town Bluff"—adopted.

Mr. Jack moved to insert in route number fourteen, the word "Richmond," before "San Felipe"—adopted.

On motion, the bill passed to its 3d reading.

A Bill to be entitled "an act to reorganize the first, second, fourth and sixth Judicial Districts," came up on its second reading; and on motion of Mr. Jack was laid upon the table until to-morrow morning, eleven o'clock.

A Bill to be entitled "an act to organize a certain portion of Liberty county for Judicial and other purposes," came up on its second reading; and on motion of Mr. Barnett, was committed to a special committee, consisting of Messrs. Barnett, Lawrence and Titus.

A Bill to be entitled "an act to incorporate the Matagorda Caney Navigation Company," came up on its second reading.

Mr. Barnett moved the indefinite postponement of the bill—lost.

Mr. Barnett moved to lay the bill upon the table—carried.

A Bill to be entitled "an act, amendatory to an act to raise a revenue by direct taxation," approved February 5th, 1842—read 2d time.

A Bill to be entitled "an act to regulate the proceedings in Justices Courts"—read 2d time.

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

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WEDNESDAY, Jan. 4th, 10, A. M.

The Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

A message was received from the President, in writing, through his private Secretary, Mr. Miller.



The Committee on Military Affairs, Mr. Lawrence chairman, to whom was referred a bill to be entitled "an act for the protection of the western and south-western frontier," have, in accordance with a resolution of the Senate, and concurred in by the House of Representatives, conferred with a like committee on the part of the House of Representatives, on subjects relating to frontier protection, and report that a bill to be entitled "an act for the protection of the western and south-western frontier," has been introduced in the House of Representatives, by a concurrence of said joint committee. Your committee, therefore, return the bill referred to herein, and beg leave to be discharged from a further consideration of the subject.

On motion of Mr. Jack, the report, together with the bill, were laid upon the table.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled "an act to modify the provisions of an act in relation to grand Juries," report that at present, it is deemed inexpedient to change the existing laws; which report was received, and bill laid upon the table to come up among the orders of the day.

The Committee on Military Affairs, Mr. Lawrence chairman, to whom was referred a message from the President, with accompanying documents, showing an estimate of the amount required to equip and maintain one company of cavalry upon the frontier for one year, have had the same under consideration, and report that they deem it unnecessary to recommend the passage of a bill to raise such a company, as a general system for frontier protection, incorporated in the same bill, has been introduced into the House of Representatives. Your committee ask leave to report the same back to the Senate, and to be discharged from a further consideration of the subject.

On motion of Mr. Jack, the Senate concurred in the report.

Mr. Greer, by leave, introduced a resolution, to wit: "Resolved by the Senate and House of Representatives, that the two houses of Congress adjourn *sine die*, on Monday the 16th instant.

Mr. Jones moved to strike out "16th," and insert "10th"—carried.

Mr. Jones moved to lay the resolution upon on the table—lost.

On motion, the resolution as amended, was adopted.

Mr. Jack moved that a bill to be entitled "an act to reorganize the first, second, fourth and sixth Judicial Districts," which was made the special order of this day, 11 o'clock, be laid upon the table—carried.



A Bill to be entitled "an act to amend the several laws regulating the Post-office Department"—read 3d time and passed.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that said committee had examined a bill to be entitled "an act to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians," and find the same correctly engrossed.

The Committee on Enrolled Bills, Mr. Randall chairman, reported that a bill to be entitled "a joint resolution for the relief of J. Pinckney Henderson," had been examined and found correctly enrolled.

A Bill to be entitled "a joint resolution for the relief of John McKenzie, and others," came up on its 2d reading; and on motion of Mr. Shaw, was referred to a select committee, consisting of Messrs. Shaw, Jack and Smith.

A Bill to be entitled "an act to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians"—read 3d time and passed.

A Bill to be entitled "an act to provide for the payment of a balance due the members of Congress, at the extra session in 1842"—read 2d time, and ordered to be engrossed.

On motion of Mr. Jack, the rule was suspended, bill read 3d time and passed.

A Bill to be entitled "an act fixing the time and place of holding the Supreme Court," came up on its second reading.

Mr. Greer arose to a question of order: "whether the bill under consideration could be entertained?" The Chair decided in the affirmative.

Mr. Greer then appealed from the decision of the Chair.

The ayes and noes being called for on the question: "shall the appeal be sustained?" stood as follows:

Ayes—Messrs. Greer, Randall and Shaw; 3.

Noes—Messrs. Jack, Jones, Lawrence, Muse, Pattillo, Smith, Titus and Webb; 8—lost, and the decision of the chair sustained. On motion of Mr. Greer, the bill was then laid upon the table.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act confirming the location of the seat of Justice of Harrison county, at the town of Marshall;" also, a bill to be entitled "an act to amend the Probate Law," with a request of the like action on the part of the Senate.



A Bill to be entitled "a joint resolution for the relief of General Waddy Thompson," came up on its 2d reading.

Mr. Jack offered the following amendment: "after the word 'Zavala,' the tackle, apparel, furniture &c., for cash, or credit not exceeding six months"—adopted.

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

On motion, the Senate went into secret session. On motion, the doors were again opened, and the Senate adjourned until half past 2 o'clock, P. M.

Half past 2 o'clock, P. M.

Senate met—roll called—quorum present.

A Bill to be entitled "an act to repeal in part, an act creating a board of medical Censors for the Republic of Texas"—read 2d time, and on motion ordered to be engrossed.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that a bill to be entitled "an act to remove the Archives of the Republic of Texas;" also, a bill to be entitled "an act to provide for the payment of the members of Congress, at the extra session, in 1842, the amount due them, have been examined and found correctly engrossed.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of "a bill for the protection of the western and south-western frontier," and request a concurrence on the part of the Senate.

A Bill to be entitled "an act prescribing the perquisites and emoluments of the office of Foreign Consuls, and for other purposes"—read 2d time.

Mr. Jack moved to strike out that portion which relates to Consuls giving "certificates on invoices of goods"—carried.

Mr. Jack moved to strike out all that portion of the bill requiring Consuls to give passports.

On motion of Mr. Webb, the bill was indefinitely postponed.

A Bill to be entitled "an act to incorporate the German Emigrating Company"—read 2d time, and on motion, referred to the committee on Foreign Relations.

A Bill to be entitled "an act to abolish the office of Secretary of Legation to the United States, and for other purposes"—read 2d time and ordered to be engrossed.

A Bill to be entitled "a joint resolution appropriating five thousand dollars for the payment of office rent, &c."—read 2d time; and on motion of Mr. Jack, laid upon the table.



A Bill to be entitled "an act to regulate the proceedings in Justices Courts"—read 2d time; and on motion of Mr. Jack, passed to its 3d reading.

On motion of Mr. Jack, the Secretary was instructed to purchase one copy of the laws.

A Bill to be entitled "an act amendatory to an act to raise a revenue by direct taxation, approved 5th February, 1842"—read 2d time; and on motion, referred to the committee on Finance.

A Bill to be entitled "a joint resolution for the relief of James Reily"—read 2d time; and on motion of Mr. Jack, indefinitely postponed.

A Bill to be entitled "a joint resolution for the relief of Elizabeth Washburn, Armstead Bennett, and others"—read 1st time.

A Bill to be entitled "a joint resolution respecting the Steamships Neptune and New York"—read 1st time.

Mr. Jones moved the indefinite postponement of the resolution—lost.

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

A Bill to be entitled "a joint resolution for the relief of Messrs. Neighbors and Rivers"—read 1st time.

A bill to be entitled "an act for the relief of J. B. Lynch"—read 2d time; and on motion of Mr. Greer, referred to the committee on Finance.

A Bill to be entitled "an act to incorporate the Texian Emigration, Agricultural and Commercial Company"—read 2d time; and on motion of Mr. Jack, referred to the committee on Foreign Relations.

A Bill to be entitled "a joint resolution to modify the provisions of an act granting land to emigrants"—read 2d time; and on motion of Mr. Greer, referred to the committee on Public Lands.

A bill to be entitled "an act to amend the Probate Law"—read 1st time.

A Bill to be entitled "an act confirming the location of the seat of Justice of Harrison county, at the town of Marshall"—read 1st time.

A Bill to be entitled "an act to provide for the protection of the western and south-western frontier"—read 1st time.

On motion of Mr. Jones, the rule was suspended, bill read 2d time, and referred to the committee on Military Affairs.

A Bill to be entitled "an act, to amend so much of an act establishing the Jurisdiction and powers of the District Courts, approved the 22d of December, 1836, as relates to Grand Ju-



ries," came up on its second reading, together with the report of the committee on the Judiciary.

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

The select Committee, Mr. Shaw chairman, to whom was referred a bill to be entitled "a joint resolution for the relief of John McKenzie, and others," recommend that all after the enacting clause, be stricken out: and that a bill to be entitled "a joint resolution for the relief of minute men," be substituted.

The amendment of the committee was adopted; and on motion of Mr. Jack, the bill was ordered to be engrossed.

On motion, the rule was suspended, and bill read 3d time and passed.

On motion of Mr. Randall, the Senate adjourned until tomorrow morning, 10 o'clock.

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THURSDAY, Jan. 5th, 10 A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Greer, Jack, Jones, Muse, Pattillo, Randall, Shaw, Smith and Titus—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Finance, Mr. Jones chairman, to whom was referred, a bill to be entitled "an act, amendatory to an act, to raise a revenue by direct taxation, report the same back to the Senate and recommend its pasage.

Mr. Webb by leave introduced a bill to be entitled "an act, to extend the time for making payments on town lots in the city of Austin &c," which was read 1st time.

Mr. Webb by leave, introduced a bill to be entitled "an act, for the relief of George Miller, which was read 1st time.

Mr. Jones by leave introduced a bill to be entitled "a joint resolution for the relief of H. Castro and J. Jassand, which was read 1st time.

Mr. Smith by leave introduced a bill to be entitled "an act, for the relief of Bexar county," which was read 1st time.

Mr. Jack by leave introduced a bill to be entitled "an act, to authorize the county of Brazoria to levy a tax for certain purposes," which was read 1st time. On motion of Mr. Jack, the rule was suspended, and bill read 2d time, and ordered to be engrossed. On motion, the rule was further suspended, and bill read 3d time, and passed.



Mr. Webb moved to take up a bill to be entitled "An act to extend the time for making payments on town lots in the city of Austin." On motion, the rule was suspended, bill read a second time, and ordered to be engrossed. On motion, the rule was further suspended, bill read a third time, and passed.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act to organize the county of Burnet for judicial purposes;" also, a bill to be entitled "an act to extend to the Chief Justice, and associate Justices, the authority to issue certificates of head-rights to emigrants," and request a concurrence on the part of the Senate.

The Committee on Foreign Relations, Mr. Webb chairman, to whom was referred a bill to be entitled "an act to incorporate the German Emigrating Company," reported the same back to the Senate, and moved that the bill be referred to the Committee on Finance,—carried.

The Committee on Engrossed Bills, Mr. Randall chairman, Reported that a bill to be entitled "an act, to repeal in part an act, to create a board of Medical Censors &c.;" also, a bill to be entitled "a joint resolution for the relief of minute men;" also, a bill to be entitled "an act to abolish the office of Secretary of Legation to the United States," had been examined and found correctly engrossed.

On motion of Mr. Jack, a bill to be entitled "an act, to repeal in part an act, to authorize the firm of McKinney Williams and company, to issue their notes for circulation as money, was taken up and referred to the Committee on Finance.

On motion of Mr. Jack, a bill to be entitled "a joint resolution for the relief of H. Castro and J. Jassand, was taken up, and on motion, rule suspended, bill read 2d time and referred to the Committee on Public Lands. The Senate then took up the

#### ORDERS OF THE DAY.

A bill to be entitled "an act, to regulate the proceedings in Justices Courts," came up on its second reading. On motion the bill passed to its 3d reading.

A bill to be entitled "an act, confirming the location of the seat of Justice of Harrison county, at the town of Marshall," was read 2d time and on motion of Mr. Randall, the word "Marshall" was stricken out wherever it occurs in the bill, and the word "Pulaski" inserted. On motion of Mr. Randall, the bill was referred to a select Committee, consisting of Messrs. Randall, Jack and Greer.

A bill to be entitled "a joint resolution for the relief of Messrs.



"Neighbors and Rivers," was read 2d time, and on motion of Mr. Jack, referred to the Committee on Claims and Accounts.

The Committee on Finance, Mr. Jones chairman, to whom was referred a bill to be entitled "a joint resolution for the relief of J. B. Lynch, reported the same back to the Senate, without comment, and moved to refer the resolution to the Committee on Claims and Accounts,—carried.

On motion, Mr. Randall was added to said Committee.

A bill to be entitled "an act, to amend the Probate law," was read 2d time.

A bill to be entitled "a joint resolution for the relief of Elizabeth Washburn, Armstead Bennett and others was read 2d time.

Mr. Jack offered the following amendment; "requiring the Commissioner of the General Land Office, to issue to John Wassell, a patent for one league and labor of land &c." which amendment was rejected; Mr. Jack moved to strike out all that portion of the bill, except what relates to Elizabeth Washburn; lost. On motion the bill was passed to its 3d reading.

A bill to be entitled "an act to abolish the office of Secretary of Legation to the United States, and for other purposes," came up on its 3d reading. On motion of Mr. Greer, the words "to the United States," was stricken out. The question on the final passage of the bill,—carried.

A bill to be entitled "an act, to repeal in part an act, to create a board of Medical Censors for the Republic of Texas," was read 2d time, and on motion passed to its 3d reading.

A bill to be entitled "an act, amendatory to an act, to raise a revenue by direct taxation &c," was read 2d time, and on motion passed to its 3d reading.

A bill to be entitled "an act, regulating the proceedings in Justices Courts," was read 3d time and passed.

A bill to be entitled "an act to organize the county of Burnet for Judicial and other purposes," was read 1st time. Mr. Greer moved its rejection. The ayes and noes being called for on the same stood as follows:

Ayes—Messrs. Greer, Jack, Jones, Randall, Smith and Webb; 6.

Noes—Messrs. Lawrence, Muse, Pattillo, Shaw and Titus; 5 carried, and bill rejected.

Mr. Jack moved to take up a bill to be entitled "an act, to reorganize the first, second, fourth, and sixth Judicial Districts;" carried. On motion of Mr. Jack, the bill was referred to a select Committee, consisting of Messrs. Lawrence, Pattillo, Jack and Greer.



Mr. Webb moved the reconsideration of a vote rejecting the bill entitled "an act, to organize the county of Burnet, for Judicial and other purposes,—carried.

A bill to be entitled "an act, to authorize the Chief Justice and associate Justices, to issue certificates of head-rights to emigrants,—read 1st time.

On motion of Mr. Pattillo, a bill to be entitled "an act, for the relief of William Ashworth, Abner Ashworth and others," was taken up; Mr. Muse by leave withdrew his amendment to the bill; and on motion, the bill passed to its 3d reading.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act, supplementary to an act, supplementary to an act, entitled an act, to detect fraudulent land certificates, and to provide for issuing patents to legal claimants," and request a concurrence on the part of the Senate.

The select Committee, Mr. Jack chairman, to whom was referred a bill to be entitled "an act, to reorganize the first, second, fourth and sixth Judicial Districts," recommend that all after the enacting clause be stricken out, and that a bill to be entitled "an act, to reorganize the first, second, fourth, fifth and sixth Judicial Districts," be substituted.

Mr. Jack moved to strike out all after the words "county of" in section first, and insert in its place the amendments now incorporated in the bill,—adopted.

The substitute as amended, was adopted, and bill ordered to be engrossed.

On motion of Mr. Jack, the rule was suspended, and bill read 3d time and laid upon the table.

The Committee on Public Lands, Mr. Greer chairman, to whom was referred a bill to be entitled "a joint resolution to modify the provisions of an act granting lands to emigrants; report, that they have had the same under consideration, and propose a substitute for the original bill, and recommend its passage. On motion, the substitute was adopted.

Mr. Jack offered the following amendment.

"Section — The President is hereby authorized to modify or extend any other contracts which may have been made with



any other persons for the introduction and settlement of emigrants to Texas," which amendment was adopted. On motion of Mr. Jack the bill was laid upon the table.

Mr. Jones by leave introduced a bill to be entitled "a joint resolution for the relief of Anson Jones,"—read 1st time.

On motion, the rule was suspended, resolution read 2d time and referred to the Committee on Claims and Accounts.

Mr. Pattillo by leave introduced a bill to be entitled "an act, for the relief of William Bryan," which was read 1st time. On motion the rule was suspended and bill read 2d time, and referred to the Committee on Claims and Accounts.

"A bill supplementary to an act, supplementary to an act, entitled an act, to detect fraudulent land certificates, and to provide for the issuing of patents to legal claimants,"—read 1st time.

On motion, the Senate went into secret session. On motion, the doors were again opened, and the Senate adjourned until tomorrow morning 10 o'clock.

FRIDAY, Jan. 6th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names, to wit: Messrs. Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith and Titus—a quorum being present the Journals of the preceding day were read and adopted.

Mr. Webb presented the petition of Sam. Whiting, Ex Public Printer, which was read, and on motion of Mr. Webb, referred to the Committee on claims and accounts.

Mr. Webb also presented the petition of G. K. Teulon, which was read, and on motion, referred to the Committee on claims and accounts.

The Committee on Foreign Relations, Mr. Webb chairman, to whom was referred a bill to be entitled "an act to incorporate the Texian Emigrating Agricultural and Commercial Company," report, that they have had the same under consideration, and recommend a substitute for the original bill, which report was received, and bill laid upon the table to come up among the orders of the day.

A message was received from the President, through his Private Secretary, in writing, to wit: "I am directed by his Excellency the President, to inform the Honorable Senate, that he has approved and signed, "an act to authorize the Court of



Probate of any county to open the succession of John R. Cunningham deceased;" also, "a joint resolution for the relief of J. Pinckney Henderson."

The Committee on Engrossed Bills, Mr. Randall Chairman, report, that said Committee have examined the following bills, and find the same correctly engrossed.

A bill to be entitled "an act, to authorize the County Court of Brazoria county, to levy a tax for certain purposes."

A bill to be entitled "an act to extend the time for the payment of dues on town lots in the city of Austin."

A bill to be entitled "a joint resolution for the relief of minute men."

A bill to be entitled "an act, to repeal in part an act, establishing a board of medical censors for the Republic of Texas,"

A bill to be entitled "an act, to abolish the office of Secretary of legation."

The Committee on Military Affairs, Mr. Lawrence chairman, to whom was referred a bill to be entitled "an act, to provide for the protection of the Western and South-western frontier," reported the same back to the Senate and recommend, the amendment of the bill in some particulars; which report was received, and bill laid upon the table to come up among the orders of the day.

The Committee on Finance, Mr. Jones chairman, to whom was referred, a bill to be entitled "an act for the relief of General Waddy Thompson," report by way of substitute, a bill to be entitled "an act to compensate those who have made advances for the benefit of the Santa Fe prisoners," which report was received and bill laid upon the table to come up among the orders of the day.

The Committee on Finance, Mr. Jones chairman, to whom was referred a communication from the Hon. Secretary of the Treasury, reported the same back to the Senate, together with accompanying resolution, to be entitled "an act to repeal in part an act passed the 22d of July, 1842, in relation to the receipt of Government dues &c." which was read 1st time.

The select Committee, Mr. Randall chairman, to whom was referred a bill to be entitled "an act locating the seat of Justice of Harrison county at "Palaski," report by way of substitute a bill to be entitled "an act, confirming the location of the seat of Justice of Harrison county," which report was received and bill laid upon the table to come up among the orders of the day.

Mr. Titus by leave, introduced a bill to be entitled "a joint



resolution for the relief of William Becknell and M. W. Mathers, which was read 1st time.

On motion, the rule was suspended, bill read 2d time and referred to the Committee on Claims and Accounts. The Senate then took up the

#### ORDERS OF THE DAY.

A bill to be entitled "a joint resolution for the relief of Wm. Ashworth, Abner Ashworth and others,"—read 3d time, and passed.

A bill to be entitled "an act, amendatory to an act, to raise a revenue by direct taxation &c."—read 3d time, and passed.

On motion of Mr. Jack, "a bill to reorganize the first, second, fourth, fifth and sixth Judicial Districts," was taken up,—read 3d time, and passed.

A bill to be entitled "an act, for the relief of Bexar county,"—read 2d time, and ordered to be engrossed.

A bill to be entitled "an act to extend to the Chief Justice and associate Justices, the right to issue certificates of head-rights to emigrants," was read 2d time and on motion of Mr. Muse, was referred to the Committee on Public Lands.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act to establish a sabbath or day of rest throughout the Republic;" also, a bill to be entitled "a joint resolution for the relief of Elizabeth Jane Thornbery;" also, that the House of Representatives had adopted "a joint resolution to adjourn *sine die*," with the following amendments; strike out "Thursday the 10th," and insert "Monday the 16th."

A bill to be entitled "a joint resolution for the relief of Elizabeth Washburn, Armstead Bennett &c."—read 3d time, and rejected.

A message was received from the President, through his Private Secretary Mr. Miller, marked "secret."

A bill to be entitled "a joint resolution for the relief of George Miller,"—read 2d time.

Mr. Smith moved to insert after the words "George Miller," the words "and Ma. Jesusa De Travinio;" Mr. Smith withdrew his amendment; Mr. Jack offered an additional "Section 2," which was adopted; and on motion of Mr. Jack, the bill was indefinitely postponed.

A bill to be entitled "an act to amend the Probate law, was read 3d time. Mr. Jack moved to insert in section 3d fifth line after the word "sale" the words, "or some day previous to sale;" adopted, and bill finally passed.



Mr. Titus moved a reconsideration of the vote rejecting a bill to be entitled "an act, for the relief of Elizabeth Washburn, Armstead Bennett and others,"—carried.

The question then recurred upon the final pasage of the bill which was put. The ayes and noes being called for stood as follows:

Ayes—Messrs. Greer, Lawrence, Muse, Pattillo, Randall, Titus and Webb. 7.

Noes—Messrs. Jack, Jones, Shaw and Smith; 4—carried, and bill passed.

On motion, the Senate went into secret session. On motion, the doors were again opened.

On motion of Mr. Randall, a bill to be entitled "an act, confirming the location of the seat of Justice of Harrison county at Pulaski," was taken up, and the substitute of the select Committee adopted. On motion the rule was suspended, bill read 3d time and passed.

A bill to be entitled "a joint resolution for the relief of Elizabeth Jane Thornberry,"—read 1st time.

On motion of Mr. Jack, the rule was suspended, bill read 2d time and indefinitely postponed.

A bill to be entitled "a joint resolution for the relief of Gen. Waddy Thompson," with the report of the Committee, came up on its 2d reading; substitute of the Committee adopted, and the bill ordered to be engrossed. On motion of Mr. Jack, the rule was suspended, bill read 3d time and passed.

A bill to be entitled "an act to incorporate the Texian Emigration, Agricultural and Commercial Company;" with the report of the Committee on Foreign Relations, by way of substitute, came up on its 2d reading. Mr. Jack moved to strike out the word "pounds," where it occurs in the bill, and insert five times the amount in the word "dollars,"—carried.

Mr. Jack moved to strike out the words "one thousand eight hundred and fifty five," and insert the words "one thousand eight hundred and fifty,"—lost.

On motion, the substitute of the Committee, as amended was adopted, and the bill ordered to be engrossed.

On motion of Mr. Greer, the rule was suspended, bill read 3d time and passed.

On motion of Mr. Jack, a bill to be entitled "a joint resolution to modify the provisions of an act, granting lands to emigrants &c." was taken up on its 2d reading.

On motion of Mr. Greer the vote adopting the amendment of Mr. Jack, was reconsidered.



Mr. Jack offered an amendment to the amendment of the Committee, to wit: strike out from the words "this Republic," to the words "any thing" and insert (the amendment incorporated in the bill) in its place,—carried.

Mr. Jones moved to strike out "seven years," and insert "four years." Mr. Greer, called for a division of the question. The question on striking out, was lost.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

Mr. Greer moved the adoption of the amendment of the Committee as amended, to the bill under consideration when the Senate adjourned,—carried, and the bill ordered to be engrossed.

On motion of Mr. Greer, the rule was suspended, bill read 3d time and passed.

Mr. Greer moved a reconsideration of the vote, finally passing a bill to be entitled "a joint resolution for the relief of Wm. Ashworth, Abner Ashworth and others,"—carried.

Mr. Pattillo moved a call of the Senate. Sergeant-at-arms was dispatched for absent Senators. Sergeant-at-arms returned, and reported that Mr. Jack was sick, and unable to attend. On motion a further call was dispensed with. On motion the bill was laid upon the table until to-morrow 11 o'clock.

The select Committee, Mr. Lawrence chairman, to whom was referred a bill to be entitled "an act, supplementary to an act, giving the election of Chief Justice of County Courts to the people," report the same back to the Senate, and recommend a substitute therefor, which substitute, on motion, was adopted.

On motion of Mr. Randall, the rule was suspended, bill read 3d time and passed.

A bill to be entitled "an act, to establish a sabbath or day of rest, throughout the Republic of Texas,"—read 1st time.

On motion of Mr. Greer, the rule was suspended and bill read 2d time.

Mr. Jones, moved to insert "any law to the contrary notwithstanding, and that this act take effect from and after its passage,"—carried.

On motion of Mr. Muse, the bill was laid upon the table.

A bill to be entitled "an act, for the protection of the Western and South-western frontier," together with the report of the Committee on Military Affairs, came up on its 2d reading, and



on motion of Mr. Webb, was laid upon the table until to-morrow at 11 o'clock.

A joint resolution to adjourn *sine die*, with the amendment from the House, was taken up. Mr. Jones moved to amend the amendment by inserting "Saturday the 14th instant,—lost.

On motion of Mr. Titus, the Senate concurred in the amendment proposed by the House.

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

SATURDAY, Jan. 7th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Enrolled Bills Mr. Randall chairman, reported that a bill to be entitled "an act for the payment of assessors of taxes," had been examined and found correctly enrolled.

The Committee on Public Lands, Mr. Smith chairman, to whom was referred a bill to be entitled "an act, to extend to the Chief Justice and associate Justices, the authority to issue certificates of head-rights to emigrants &c." report the same back to the Senate, with an amendment, to wit: "section 3d," and recommend its passage.

The Committee on Military Affairs, Mr. Lawrence chairman, to whom was referred a bill to be entitled "an act, for the relief of John H. Wilkins," report the same back to the Senate without comment.

The Committee on Finance, Mr. Jones chairman, to whom was referred a bill to be entitled "an act to incorporate the German Emigrating Company," have had the same under consideration, and report the bill back to the Senate, with an amendment, to wit: strike out the "fifth section," and recommend its passage.

Mr. Smith by leave introduced a bill to be entitled "an act, to amend the several laws regulating the Post-offices," which was read 1st time.

On motion of Mr. Greer, the rule was suspended, and bill read 2d time. Mr. Jack offered an additional "section second," which was adopted, and the bill ordered to be engrossed. On motion of Mr. Greer, the rule was further suspended, and bill read 3d time and passed.



A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate, that the House had rejected a bill to be entitled "an act regulating sales by judgement or decree of Probate Court, or Court of Chancery;" also, that the House had passed a bill to be entitled "an act for the relief of Thurston M. Taylor," also, a bill to be entitled "an act, supplementary to an act, making appropriations for the support of Government for the year one thousand eight hundred and forty three," and requested a concurrence on the part of the Senate.

Mr. Jack moved to take up a bill to be entitled "an act, to incorporate the Matagorda Caney Navigation Company,"—carried.

Mr. Jack moved to strike out all after the word "period" in section eighth, and insert the words "after which, this charter shall be vested in the counties of Matagorda and Brazoria."

Mr. Greer moved to strike out all after the word "thereafter," in section eighth,—carried.

Mr. Jack renewed his last motion, to insert,—adopted.

On motion of Mr. Titus, the vote just taken was reconsidered.

Mr. Greer moved to strike out "counties of Matagorda and Brazoria," and insert "Republic of Texas" in the amendment proposed,—lost.

The question on adopting the amendment of Mr. Jack,—carried, and bill passed to its 3d reading.

The Committee on Public Lands. Mr. Smith chairman, to whom was referred a bill to be entitled "a joint resolution for the relief of H. Castro and J. Jassand," report the same back to the Senate with an amendment, to wit: after the word "Jassand," insert "or any other person or persons, who may have entered into such contracts previous to the passage of this act," and recommend its passage.

The Committee on Claims and Accounts, Mr. Muse chairman, to whom was referred a bill to be entitled "an act for the relief of Anson Jones," report the bill back with an amendment, to wit: strike out "in payment of duties," and recommend its passage.

Mr. Randall moved the reconsideration of a vote finally passing a bill to be entitled "a joint resolution to modify the provisions of an act, granting lands to emigrants,"—carried.

Mr. Randall moved to strike out "twelve dollars," and insert "six dollars," for sectionizing the lands &c.; by leave, Mr. Randall withdrew his motion. The question on the final passage of the bill,—carried.



The Committee on Engrossed Bills, Mr. Randall chairman, made the following report.

COMMITTEE ROOM, Jan. 7th, 1843.

Mr. President: your Committee have examined the following bills, viz:

A bill to be entitled "an act, to reorganize the first, second, fourth, fifth and sixth Judicial Districts."

A bill to be entitled "an act, supplementary to an act, giving the election of Chief Justice of County Courts to the people."

A bill to be entitled "an act, to compensate those who made advances to the Santa F'É prisoners."

A bill to be entitled "an act, for the relief of Bexar county."

A bill to be entitled "a joint resolution, to modify the provisions of an act, granting lands to emigrants &c.," also:

A bill to be entitled "an act, to incorporate the Texian Emigrating Agricultural and Commercial Company, and find the same correctly engrossed.

L. RANDALL, Chairman.

A bill to be entitled "an act, to provide for the protection of the Western and South-western frontier," together with the report of the Military Committee, and made the special order of this day 11 o'clock, came up on its 2d reading. On motion, the bill was read section by section.

Mr. Titus moved to strike out the first section; Mr. Titus withdrew his motion.

Mr. Webb moved to amend the fifth section, to wit: "that the Major General have the right to appoint the Colonel and Lieutenant Colonel,—motion withdrawn.

Mr. Greer moved to strike out, in sixth line, fifth section, the word "he" and insert "the President,"—lost.

Mr. Greer moved to strike out "section seventh." The ayes and noes being called for stood as follows:

Ayes—Messrs. Greer, Pattillo and Randall; 3.

Noes—Messrs. Jack, Jones, Lawrence, Muse, Shaw, Smith, Titus and Webb; 8—lost.

Mr. Greer, moved to strike out "section eleventh,"—lost.

Mr. Randall moved to strike out that portion, which gives the spoils to captors, and insert "that the same shall accrue to the Republic,"—lost.

On motion of Mr. Muse, the blank in section fourteenth, was filled with "twenty thousand dollars." Mr. Greer moved to strike out "section fifteenth." The ayes and noes being called for, stood as follows:

Ayes—Messrs. Greer Lawrence Pattillo and Randall; 4.



Noes—Messrs. Jack, Jones, Muse, Shaw, Smith, Titus and Webb; 7—lost.

Mr. Pattillo moved to strike out all after “block house,” in section seventeenth,—lost.

The ayes and noes being called for on passing the bill to its 3d reading, stood as follows:

Ayes Messrs. Jack, Jones, Muse, Shaw, Smith, Titus and Webb; 7.

Noes—Messrs. Greer, Lawrence, Pattillo and Randall,—carried, and bill passed to its 3d reading.

A bill to be entitled “an act for the relief of Bexar county,”—read 3d time. The ayes and noes being called for on its final passage stood as follows:

Ayes—Messrs. Jack, Jones, Lawrence, Smith, Titus and Webb; 6.

Noes—Messrs. Greer, Muse, Pattillo, Randall, and Shaw; 5—carried, and bill passed.

A bill to be entitled “an act, to incorporate the German Emigrating Company,” with the amendments proposed by the Committee, came up on its 2d reading.

Mr. Shaw moved to strike out the word “Indians” in section second,—lost.

The report of the Committee was then adopted, and the bill ordered to be engrossed. On motion of Mr. Jack, the rule was suspended, bill read 3d time and passed.

A bill to be entitled “a joint resolution, for the relief of Wm. Ashworth, Abner Ashworth and others,” came up on its 3d reading. The ayes and noes being called for on its final passage, stood as follows:

Ayes—Messrs. Jack, Jones, Lawrence, Pattillo, Shaw, Titus and Webb; 7.

Noes—Messrs. Greer, Muse, and Randall; 3—carried and bill passed.

A bill to be entitled “an act, to alter the time and place of holding the Supreme Court,” on motion of Mr. Jack, was taken up on its second reading, and on motion of Mr. Jones, the bill was ordered to be engrossed.

A bill to be intitled “a joint resolution for the relief of John H. Wilkins,” came up on its 2d reading; and on motion was ordered to be engrossed.

A bill to be entitled “an act, supplementary to an act, making appropriations for the support of Government for the year one thousand eight hundred and forty-three,”—read 1st time.



A bill to be entitled "a joint resolution, for the relief of Anson Jones," with the report of the Committee, came up on its 2d reading. Mr. Greer moved to lay the bill and report upon the table until the 1st of March next. The ayes and noes being called for, stood as follows:

Ayes—Messrs. Greer, Jack, Pattillo, Randall, Shaw and Smith; 6.

Noes—Messrs. Jones, Muse, Titus and Webb; 4—carried and bill laid upon the table until the 1st day of March next.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

Mr. Jack presented the credentials of Mr. John Rugely, Senator elect from the counties of Jackson, Matagorda and Victoria.

On motion of Mr. Jack, Mr. Rugely was sworn into office, and took his seat.

On motion of Mr. Jack, the credentials of Mr. Rugely were referred to the committee on privileges and elections.

The Committee on Claims and Accounts, Mr. Muse chairman, to whom was referred a bill to be entitled "an act for the relief of Captains William Becknell, and M. W. Mathews," have had the same under consideration, and report by way of substitute, a bill to be entitled "a joint resolution for the relief of Captain William Becknell, &c." Which report was received, and bill laid upon the table to come up among the orders of the day.

The said Committee also report back a bill to be entitled "a joint resolution for the relief of William Bryan," and recommend the following amendments: strike out "eight per cent," wherever it occurs in the bill, and insert "five per cent." Which report was received, and bill laid upon the table to come up among the orders of the day.

A Bill to be entitled "a joint resolution for the relief of Captains William Becknell and M. W. Mathews," with the report of the Committee on Claims and Accounts, came up on its 2d reading.

On motion, the report of the committee was adopted; and on motion of Mr. Titus, the bill was ordered to be engrossed.

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

A Bill to be entitled "a joint resolution for the relief of William Bryan," together with the report of the committee on Claims and Accounts, came up on its second reading.



On motion of Mr. Greer, the report of said committee was laid upon the table.

Mr. Greer moved to amend the bill, by striking out that part which relates to interest—carried.

Mr. Greer moved to strike out that portion which requires the drafts to be received for Government uses.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Greer, Jack, Randall, Shaw, Smith and Titus; 6.

Noes—Messrs. Jones, Muse and Pattillo; 3—(Mr. Rugely being excused from voting) carried.

On motion of Mr. Jones, the bill was laid upon the table.

A Bill to be entitled "a joint resolution for the relief of Thurston M. Taylor"—read 1st time.

On motion of Mr. Muse, a bill to be entitled "an act supplementary to an act making appropriations for the support of the Government for the year one thousand eight hundred and forty-three," was taken up; and on motion of Mr. Jones, the rule was suspended, and bill read 2d time, and referred to the committee on Finance.

A Bill to be entitled "an act to extend to the Chief Justice and associate Justices, the authority to issue certificates of head-rights to Emigrants, &c.," came up on its 2d reading, with the amendments of the committee

On motion, said amendments were adopted.

Mr. Jack offered an amendment, to wit: after "issue," insert "unconditional certificates to such persons as are entitled to them under the existing laws;" and strike out all the balance of the bill, except the last section.

On motion of Mr. Jack, the bill was referred to a select committee, consisting of Messrs. Jack, Greer and Randall.

Mr. Titus, by leave, introduced a bill to be entitled "an act to amend the charter of De Kalb College"—read 1st time.

On motion, the rule was suspended, bill read 2d time and ordered to be engrossed.

Mr. Smith, by leave, introduced a bill to be entitled "a joint resolution for the relief of James Goodman"—read 1st time.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that a bill to be entitled "an act to alter the time and place of holding the Supreme Court," had been examined and found correctly engrossed.

On motion, the Senate went into secret session. On motion, the doors were again opened.

On motion of Mr. Pattillo, a bill to be entitled "a joint reso-



lution respecting the Steamships Neptune and New York," was taken up on its second reading; and on motion of Mr. Jack, the bill was ordered to be engrossed.

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

MONDAY, Jan. 9th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Privileges and Elections, Mr. Barnett chairman, to whom was referred the credentials of Mr. Rugely, reported upon the same "favorably."

The Committee on Engrossed Bills, Mr. Randall chairman, made the following report:

COMMITTEE ROOM, Jan. 9th, 1843.

*Mr. President:*—

Your Committee have examined a bill to be entitled "a joint resolution to authorize the Secretary of the Treasury to issue change notes;" also, a bill to be entitled "an act for the relief of John H. Wilkins;" also, a bill to be entitled "an act, amendatory to an act, to establish and incorporate the college of De Kalb;" also, a bill to be entitled "a joint resolution respecting the Steamships Neptune and New York;" also, a bill to be entitled "an act in relation to Post-offices;" and also, a bill to be entitled "a joint resolution for the relief of Captain William Becknell and Captain M. W. Mathews," and find the same correctly engrossed.

L. RANDALL, Chairman.

Mr. Greer, one of the Committee to whom was referred a bill to be entitled "an act to authorize the Chief Justices and associate Justices to issue certificates of head-right to emigrants," reported the same back to the Senate without amendments, and recommend its passage.

Mr. Jones, by leave, introduced a bill to be entitled "a joint resolution authorizing the issue of change notes"—read 1st time.

On motion of Mr. Jones, the rule was suspended, and bill read 2d time.

Mr. Jones offered an amendment, to wit: insert "Comptroller," after the word "Treasurer"—adopted.



A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act for the protection of the sea coast;" also, a bill to be entitled "an act to authorize the County Court of Brazoria county to levy a tax for certain purposes;" also, that the vote rejecting a bill to be entitled "an act to amend an act regulating sales by judgement or decree of Probate Court or Court of Chancery," had been reconsidered: and that the House requested the return of the bill.

On motion, the Secretary was instructed to return the said bill to the House.

Mr. Webb moved to strike out all that portion of the bill under consideration, relating to compensation of Treasurer and Comptroller—carried.

Mr. Greer moved to insert "engraved" before "blanks"—carried.

Mr. Muse moved to strike out "Treasurer," and insert "Secretary of the Treasury"—carried.

The ayes and noes being called for on the engrossment of the bill, stood as follows:

Ayes—Messrs. Barnett, Jones, Muse, Pattillo, Randall, Shaw, Smith, Titus and Webb; 9.

Noes—Messrs. Greer, Jack, Lawrence and Rugely; 4—carried, and bill ordered to be engrossed.

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

Mr. Jack moved to reconsider a vote which laid a bill to be entitled "a joint resolution for the relief of Anson Jones" upon the table until the 1st day of March next—carried; and on motion of Mr. Jack, bill referred to a select committee, consisting of Messrs. Jack, Rugely and Greer.

Mr. Jack moved to take up a bill to be entitled "an act to incorporate the Matagorda Caney Navigation Company"—carried; and on motion of Mr. Jack, bill referred to a select committee, consisting of Messrs. Rugely, Jack and Greer.

Mr. Greer moved to take up a bill to be entitled "an act to authorize the Chief Justice and associate Justices to issue certificates of head-right to emigrants"—carried.

On motion of Mr. Greer, the blank was filled with "approved 5th February, 1841.

Mr. Greer moved to insert after the word "issue," in section first, the word "unconditional"—carried. Also, after the figures "1842," insert "who may have resided three years"—carried.

On motion of Mr. Greer, the rule was suspended, bill read 3d time and passed.



The select Committee, Mr. Jack chairman, to whom was referred a bill to be entitled "a joint resolution for the relief of Anson Jones," reported that in the opinion of the committee, there can be no doubt of the justice of the claim of the applicant. But your committee are also of the opinion, that the present situation of the country will not justify its payment, and they ask that the applicant have leave to withdraw his papers.

Mr. Greer moved to lay the report and bill upon the table.

Mr. Jones called for a division of the question.

Question on laying the report upon the table—carried.

The question on laying the bill upon the table, also—carried.

The select Committee, Mr. Rugely chairman, to whom was referred a bill to be entitled "an act to incorporate the Matagorda Caney Navigation Company," by leave, report the same back to the Senate, and recommend the striking out the amendments made by the Senate: and that the bill be passed in its original shape.

The report was adopted; and on motion, the bill passed to its 3d reading.

A Bill to be entitled "an act to provide for the protection of the western and south western frontier," came up on its third reading.

The ayes and noes being called for on its final passage, stood as follows:

Ayes—Messrs. Jack, Jones, Muse, Rugely, Shaw, Smith, Titus and Webb; 8.

Noes—Messrs. Barnett, Greer, Lawrence, Pattillo and Randall; 5—carried, and the bill finally passed.

A Bill to be entitled "an act fixing the time and place of holding the Supreme Court"—read 3d time.

The ayes and noes being called for on its final passage, stood as follows:

Ayes—Messrs. Jack, Jones, Lawrence, Muse, Rugely, Smith, Titus and Webb; 8.

Noes—Messrs. Barnett, Greer, Pattillo, Randall and Shaw; 5—carried, and bill passed.

Mr. Jack moved to take up a bill to be entitled "an act fixing the compensation of the members of the eighth Congress," together with the report of the select committee—carried.

On motion of Mr. Jones, the report was laid upon the table.

The ayes and noes being called for on the engrossment of the bill, stood as follows:



Ayes—Messrs. Greer, Jack, Jones, Muse, Rugely and Smith; 6.

Noes—Messrs. Barnett, Lawrence, Pattillo, Randall, Shaw, Titus and Webb; 7—lost.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

Mr. Lawrence, by leave, introduced the following: "Resolved by the Senate, that the Committee on the Judiciary be instructed to enquire into the expediency of so amending the constitution as to require a longer residence in the Republic, to constitute eligibility to vote; and if thought expedient, to submit such an amendment to the Senate as soon as practicable"—adopted.

A Bill to be entitled "a joint resolution concerning the Steamships Neptune and New York"—read 3d time; and on motion, laid upon the table.

A Bill to be entitled "an act to amend an act, creating and incorporating the college of De Kalb"—read 3d time.

Mr. Barnett moved to insert after the words "six hundred and forty acres," the words "provided the same is done within the limits of the Senatorial District wherein De Kalb college is situated"—carried.

The ayes and noes being called for on its final passage, stood as follows:

Ayes—Messrs. Jones Lawrence, Pattillo, [Randall, Rugely, Shaw, Titus and Webb; 8.

Noes—Messrs. Barnett, Greer, Muse and Smith; 4—carried, and bill finally passed.

Mr. Muse, by leave, introduced "a joint resolution for the relief of Winchester Doyle, and others"—read 1st time; and on motion of Mr. Muse, the rule was suspended, bill read 2d time, and on motion of Mr. Shaw, referred to the committee on the Judiciary.

A Bill to be entitled "a joint resolution for the relief of John H. Wilkins"—read 3d time and rejected.

A Bill to be entitled "a joint resolution for the relief of Thurston M. Taylor"—read 2d time; and on motion of Mr. Barnett, referred to the committee on Naval Affairs.

A Bili to be entitled "a joint resolution concerning the Steamships Neptune and New York," on motion of Mr. Lawrence, was taken up on its 3d reading.



Question on the final passage of the resolution—lost.

The Committee on Finance, Mr. Jones chairman, to whom was referred a bill to be entitled "an act, supplementary to an act making appropriations for the support of the Government for the year one thousand eight hundred and forty-three," report the same back to the Senate, with an additional "section fourth."

Mr. Webb offered a substitute for the amendment of the committee, to wit: "section fourth"—which was adopted.

Mr. Muse offered an amendment, to wit: "for printing Treasury warrants for Comptroller, and other printing, two hundred dollars"—adopted.

The ayes and noes being called for on the engrossment of the bill, stood as follows:

Ayes—Messrs. Barnett, Greer, Lawrence, Muse, Pattillo and Webb; 6.

Noes—Messrs. Jack, Jones, Randall, Rugely, Shaw, Smith and Titus; 7—lost, and bill rejected.

A Bill to be entitled "an act, supplementary to an act, to detect fraudulent land certificates, and to provide for the issuing of patents to legal claimants"—read 2d time.

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

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TUESDAY, Jan. 10th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled "an act for the relief of Winchester Doyle, and others," report the same back to the Senate without comment, for their farther consideration.

On motion of Mr. Greer, the Secretary was instructed to return the original documents belonging to the State Department.

A Bill to be entitled "an act to incorporate the Matagorda Caney Navigation Company"—read 3d time and passed.

A Bill to be entitled "an act to provide for the protection of the sea coast"—read 1st time.

On motion of Mr. Muse, the rule was suspended, and bill read 2d time, and on motion, passed to its 3d reading.



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

Mr. Jones moved to take up a bill to be entitled "a joint resolution for the relief of H. Castro and J. Jassand"—carried. The amendments of the committee were adopted, and the bill ordered to be engrossed.

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

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act for the relief of A. B. Sheby;" also, a bill to be entitled "an act, to amend an act incorporating the city of Houston, &c;" also, that a bill to be entitled "an act for the removal of the Archives of the Republic of Texas," had been rejected; also, that a bill to be entitled "an act to fix the time and place of holding the Supreme Court," had been rejected; also, of the passage of a bill to be entitled "an act to legalize the proceedings of the fall term (1842) of the District Court, Bexar county," and request a concurrence on the part of the Senate.

A Bill to be entitled "an act to authorize the counties of Brazoria and Galveston to levy a tax, &c."—read 1st time; and on motion of Mr. Jack, the rule was suspended, and bill read 2d time, and referred to a select committee, consisting of Messrs. Jack, Lawrence and Rugely.

Mr. Lawrence, by leave, introduced a bill to be entitled "a joint resolution to amend the Constitution"—read 1st time; and on motion of Mr. Lawrence, the rule was suspended, and bill read 2d time, and referred to the committee on the Judiciary.

Mr. Jack, by leave, introduced a bill to be entitled "an act in relation to Clerk's and Sheriff's fees"—read 1st time.

Mr. Jack moved to suspend the rule—lost.

A Bill to be entitled "an act, supplementary to an act, to detect fraudulent land certificates, and to provide for the issuing of patents to legal claimants, &c."—read 3d time and passed.

A Bill to be entitled "a joint resolution for the relief of James Goodman"—read 2d time; and on motion of Mr. Smith, referred to the committee on Claims and Accounts.

A Bill to be entitled "an act to repeal in part, an act passed July 23d, 1842, as relates to direct and license taxes and postages"—read 2d time.

Mr. Jones moved to lay the bill upon the table—lost.

Mr. Greer moved to strike out "and licenses"—carried.



On motion, the bill was ordered to be engrossed.

On motion of Mr. Jack, the rule was suspended, and the bill read 3d time and passed.

Mr. Randall moved the reconsideration of a vote rejecting a bill to be entitled "an act, supplementary to an act making appropriations for the support of Government for the year one thousand eight hundred and forty-three"—carried.

The question on passing the bill to its 3d reading—carried.

On motion of Mr. Muse, the rule was suspended, and bill read 3d time.

The ayes and noes being called for on its final passage, stood as follows:

Ayes—Messrs. Barnett, Greer, Lawrence, Muse, Pattillo, Randall, Titus and Webb; 8.

Noes—Messrs. Jack, Jones, Rugely, Shaw and Smith; 5—carried, and bill passed.

Mr. Muse moved to take up a bill to be entitled "an act for the relief of William Bryan"—carried.

Mr. Greer moved to strike out "one third" wherever it occurs in the bill, and insert "one fourth"—carried.

Mr. Jack moved to strike out "eight per cent." and insert "five per cent."

Mr. Greer called for a division of the question.

Question on striking out—carried. Question on inserting—lost.

Mr. Greer moved to strike out "section third"—carried.

Mr. Jack moved to strike out "par funds"—carried.

The question on the engrossment of the bill—carried.

On motion of Mr. Webb, the rule was suspended, and the bill read 3d time.

Mr. Webb offered a "section third," which was adopted, and the bill finally passed.

A Bill to be entitled "a joint resolution for the relief of A. B. Shelby"—read 1st time.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate that the House had concurred in the amendments proposed by the Senate, to a bill for the protection of the western and south western frontier, &c; also, that the House had concurred in one of the amendments of the Senate, to a bill to be entitled "an act, supplementary to an act making appropriations for the support of Government for the year one thousand eight hundred and forty-three"—and that they had refused to adopt the other—had appointed a committee of conference, and request a like



committee on the part of the Senate, to confer upon the same.

On motion, Messrs. Greer, Jack and Muse, were appointed said committee.

On motion of Mr. Jones, a bill to be entitled "a joint resolution for the relief of Anson Jones," was taken up.

Mr. Jack moved to strike out "1st day of March next," and insert "the first day of January, 1845."

Mr. Greer moved to amend the amendment, by striking out the entire section—carried.

A Bill to be entitled "an act, to amend an act, to incorporate the City of Houston, &c."—read 1st time.

Mr. Jack moved its indefinite postponement.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Randall, Shaw, Smith, Titus and Webb; 8.

Noes—Messrs. Jones, Muse and Pattillo; 3—carried, and bill indefinitely postponed.

On motion of Mr. Muse, a bill to be entitled "an act for the relief of Winchester Doyle, and others," was taken up on its 2d reading; and on motion of Mr. Muse, was ordered to be engrossed.

On motion, the rule was suspended, bill read 3d time and passed.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

The Committee on Engrossed Bills, Mr. Randall chairman, report that they have examined the following bills, and find the same correctly engrossed, to wit:

"A Joint Resolution for the relief of Winchester Doyle, and others."

"A Bill to repeal in part, an act passed the 23d July, 1842, so far as relates to direct taxes and postages."

A Bill to be entitled "an act to incorporate the German Emigrating Company."

A Bill to be entitled "a joint resolution for the relief of H. Castro and J. Jassand."

A Bill to be entitled "a joint resolution for the relief of William Bryan;" and

A Bill to be entitled "an act, to amend an act, creating and incorporating the college of De Kalb."

Mr. Muse, by leave, introduced a bill to be entitled "a joint



resolution for the relief of Sam. Whiting"—read 1st time; and on motion of Mr. Webb, the rule was suspended, bill read 2d time and ordered to be engrossed.

The Committee on Naval Affairs, Mr. Greer chairman, to whom was referred a bill to be entitled "a joint resolution for the relief of Thurston M. Taylor," report the same back to the Senate, and ask that the bill be referred to its appropriate committee.

Mr. Muse moved to lay the report upon the table—withdrawn.

Mr. Webb moved to lay the report upon the table, and take up the bill—carried.

On motion of Mr. Webb, the bill was laid upon the table.

Mr. Webb moved a reconsideration of a vote rejecting a bill to be entitled "an act, to amend an act, incorporating the city of Houston, &c."—carried.

On motion of Mr. Lawrence, the rule was suspended, bill read 2d time and passed to its 3d reading.

On motion, the rule was further suspended, bill read 3d time and passed.

The Committee on the Judiciary, Mr. Jack chairman, to whom was referred a bill to be entitled "a joint resolution to amend the Constitution," have had the same under consideration, and recommend the following amendments: in eighth line, strike out "six months," and insert "two years;" in ninth line, after "President," insert "and Vice President;" after "citizenship," eight lines from bottom, insert the following, in lieu of the sixth article: "to be eligible to the office of President, the person shall be at least thirty-five years of age—shall have been a citizen of this Republic, at the time of the adoption of the Constitution, or an inhabitant of this Republic, at least five years immediately before his election."

Mr. Greer moved to strike out "who can read and right intelligibly the English language, and who shall pay taxes to the Republic, upon property, real or personal, to the value of five hundred dollars.

A division of the question was called for.

Question on striking out that part which relates to property qualifications—carried.

Mr. Greer then withdrew the former part of his motion.

On motion, the bill was ordered to be engrossed.

On motion of Mr. Muse, the Senate adjourned until tomorrow morning, 10 o'clock.



WEDNESDAY, Jan. 11th, 10, A. M.

The Senate met pursuant to adjournment. The Vice President in the Chair—prayer by the Rev. Mr. Tryon—roll called—the following Senators answered to their names: Messrs. Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

The Committee on Enrolled Bills, Mr. Randall chairman, reported that said committee had examined a bill to be entitled “an act to legalize the proceedings of the fall term (one thousand eight hundred and forty-two) of the District Court, Bexar county,” and find the same correctly enrolled.

The select committee, Mr. Jack chairman, to whom was referred a bill to be entitled “an act to authorize the counties of Brazoria and Galveston to raise a revenue, &c.” reported the same back to the Senate, and recommended its passage.

On motion of Mr. Jack, the rule was suspended, and the bill read 3d time and passed.

Mr. Barnett, by leave, introduced a bill to be entitled “an act to divorce Anthony B. Hannam and Mary Hannam his wife”—read 1st time.

On motion of Mr. Muse, the rule was suspended, and bill read 2d time. Mr. Jones moved the indefinitely postponement of the bill—carried.

Mr. Jack offered the following resolution: “Resolved by the Senate, that a special committee be appointed to enquire whether Stephen Hoyle, the Secretary of the Senate, has been engaged in giving or accepting a challenge, or has been engaged in a duel, and if proved to be guilty, to report whether the said Hoyle should any longer be permitted to act as Secretary—and that said committee have power to compel the attendance of witnesses for examination”—adopted.

Messrs. Jack, Muse and Lawrence were appointed said committee. The Senate then took up the

#### ORDERS OF THE DAY.

A Bill to be entitled “a joint resolution for the relief of Sam. Whiling”—read 3d time and passed.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate that the House had passed a bill to be entitled “an act to authorize the Chief Justice, and associate Justices of the County Courts, to issue certificates of head-right to emigrants,” with amendments; also, a bill to be entitled “a joint resolution re-



pealing a part of a joint resolution, honorably discharging Doctor E. J. Felder; also, a bill to be entitled an act, to amend an act regulating the coasting trade, &c;" also, a bill to be entitled "an act to authorize the county Court of the counties of Brazoria and Galveston to levy a tax;" also, a bill to be entitled "a joint resolution for the relief of minute men;" and a bill to be entitled "an act directing the auditing of claims for carrying the mail for 1841 and 1842," and request a concurrence on the part of the Senate.

A Bill to be entitled "a joint resolution for the relief of Anson Jones"—read 3d time and passed.

The Contingent Committee, Mr. Smith chairman, to whom was referred an account of W. Y. McFarland, report that they have had the same under consideration; and your committee are unwilling to pass upon the same, unless directed to do so by the Senate.

On motion, the report was laid upon the table.

On motion of Mr. Greer, a bill to be entitled "an act to extend to the Chief Justice, and associate Justices, &c., the right to issue certificates of head-right to emigrants," was taken up together with the amendments from the House of Representatives to the amendments of the Senate.

Mr. Greer moved that the Senate insist upon their amendments to the bill—carried.

On motion of Mr. Greer, a committee of conference was appointed, consisting of Messrs. Greer and Jones, to confer with a like committee on the part of the House of Representatives.

On motion of Mr. Titus, a bill to be entitled "an act creating the county of Burnet, for Judicial and other purposes," was taken up.

Mr. Jack moved the indefinite postponement of the bill.

The ayes and noes being called for on the same, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Jones, Rugely and Smith; 6.

Noes—Messrs. Lawrence, Muse, Pattillo, Randall, Shaw, Titus and Webb; 7—lost.

Mr. Webb offered an additional "section seventh," which was adopted.

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

Mr. Jones moved to take up the report of the committee on Contingent Expenses—carried; and on motion, the report and account were referred to the committee on Claims and Accounts.



A Bill to be entitled "an act, to amend an act, regulating the coasting trade"—read 1st time.

A Bill to be entitled "an act for the relief of A. B. Shelby"—read 2d time; and on motion of Mr. Greer, referred to the committee on Claims and Accounts.

A Bill to be entitled "an act in relation to Sheriff's and Clerk's fees"—read 2d time.

Mr. Barnett moved to strike out that part of the bill which relates to mileage.

The ayes noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Pattillo, Randall and Shaw; 5.

Noes—Messrs. Jack, Jones, Lawrence, Rugely, Smith, Titus and Webb; 7—lost.

Mr. Jack moved to insert "provided that when two or more writs, or other process, are served on the same person, on the same day, the mileage shall be divided"—adopted.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act legalizing the location of the seat of Justice of Fannin county;" also, a bill to be entitled "a joint resolution for the relief of David G. Burnet;" also, a bill to be entitled "an act to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians," with amendments, and request a concurrence on the part of the Senate.

Mr. Greer moved to strike out section second, of the bill last under consideration.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Muse, Pattillo, Randall, Shaw and Titus; 7.

Noes—Messrs. Jack, Jones, Lawrence, Rugely, Smith and Webb; 6—carried, and section second stricken out.

Mr. Jack offered a "section second," which was adopted; and on motion, the bill was ordered to be engrossed.

On motion, the rule was suspended, bill read 3d time and passed.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act to exempt certain articles therein named, from impost duties," with an amendment.

Mr. Webb moved to amend the amendment of the House, by striking out "cotton gins"—carried.

On motion of Mr. Jack, "spinning machines" was stricken out.

The ayes and noes being called for on the same, stood as follows:



Ayes—Messrs. Greer, Jack Jones, Lawrence, Muse, Pattillo, Randall, Rugely, Smith and Shaw; 10.

Noes—Messrs. Barnett, Titus and Webb; 3.

On motion, the amendments proposed by the House, were rejected.

Mr. Lawrence moved a reconsideration of the vote rejecting the clause, requiring a property qualification, in a joint resolution to amend the Constitution—carried; and the motion was laid upon the table.

On motion of Mr. Barnett, Mr. Shaw was granted leave of absence.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

A bill to be entitled "an act, to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians," with the amendment from the House, came up; Mr. Shaw, moved the concurrence of the Senate in the amendments proposed by the House,—carried.

Mr. Jack, moved a reconsideration of the vote which engrossed a bill to amend the Constitution,—carried.

Mr. Jack, moved to insert, after the words "English language," "and who shall have paid taxes to the Republic, for two preceding years,"—carried, and the bill ordered to be engrossed. On motion rule suspended, bill read 3d time and passed.

Mr. Webb moved to take up a bill to be entitled "an act, directing the auditing of claims for carrying the mail for one thousand eight hundred and forty one,"—read 1st time.

On motion, the rule was suspended, and bill read 2d time.

Mr. Jones moved to insert "one thousand eight hundred and forty two," after the words "one thousand eight hundred and forty one,"—adopted.

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

The Committee on Claims and Accounts, Mr. Muse chairman, to whom was referred a bill to be entitled "a joint resolution, for the relief of A. B. Shelby," have examined the same, and find the claim to be just, but differ however as to the time and manner of discharging the same, and report the bill back to the Senate for their action.

Mr. Jack offered an amendment, to wit: strike out "one



thousand eight hundred and forty-four," wherever it occurs in the bill, and insert "one thousand eight hundred and forty five," amendment withdrawn.

Mr. Jack, moved to insert "that all claims for back pay due the Judges of the Supreme, or District Courts, are placed on the same footing as that of A. B. Shelby, and shall be audited in like manner,"—adopted, and bill passed to its 3d reading.

On motion, the rule was suspended, bill read 3d time and passed.

A bill to be entitled "a joint resolution for the relief of minute men," with the amendments from the House of Representatives, came up. The Senate, on motion, concurred in the first amendment, and rejected the second.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act, authorizing an additional compensation to be paid to certain officers of the civil list."

A bill to be entitled "an act, providing an additional method of proving letters, or powers of attorney &c."

A bill to be entitled "an act, supplementary to an act, to divide the county of Red river, and to create and establish the counties of Bowie and Lamar:" and

A bill to be entitled "an act to incorporate the Galveston Orphans Friend Society," and request a concurrence on the part of the Senate.

Mr. Jones, moved a reconsideration of the vote, concurring in the first amendment, to a bill to be entitled "a joint resolution, for the relief of minute men,"—carried.

The question on concurring in said amendment, was then put, and lost.

A bill to be entitled "an act, regulating sales by judgement or decree of Probate Court, or Court of Chancery &c.," with the amendments of the House of Representatives was taken up; on motion, the Senate concurred in said amendments.

A bill to be entitled "an act, to incorporate the Galveston Orphans Friend Society"—read 1st time.

On motion of Mr. Jack, the rule was suspended, bill read 2d time and passed to its 3d reading.

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

A bill to be entitled "an act, authorizing an additional compensation to be paid to certain officers of the civil list"—read 1st time.



On motion of Mr. Jack, rule suspended, and bill read 2d time. Mr. Jack, moved to strike out "twenty five dollars," and insert "ten dollars." On motion of Mr. Pattillo, the bill was laid upon the table.

A bill to be entitled "a joint resolution for the relief of David G. Burnet"—read 1st time.

A bill to be entitled "a joint resolution, to repeal a part of a joint resolution, honorably discharging Doctor E. J. Felder"—read 1st time.

A bill to be entitled "an act, legalizing the location of the seat of Justice of Fannin county"—read 1st time.

A bill to be entitled "an act, supplementary to an act, to divide the county of Red river, and to create and establish the counties of Bowie and Lamar"—read 1st time.

On motion of Mr. Titus, the rule was suspended, and the bill read 2d time; and on motion of Mr. Randall, referred to the Committee on the Judiciary.

A bill to be entitled "an act, providing an additional method of proving letters or powers of attorney"—read 1st time.

The Committee on Claims and Accounts, Mr. Muse, chairman, to whom was referred the following bills, to wit:

A bill to be entitled "a joint resolution, for the relief of Messrs. Neighbors and Rivers."

A bill to be entitled "a joint resolution for the relief of Messrs. Lynch."

A bill to be entitled "a joint resolution, for the relief of James Goodman."

A bill to be entitled "a joint resolution, for the relief of George K. Teulon."

Report the same back to the Senate, and recommend that they lay upon the table—report adopted.

On motion of Mr. Randall, the Senate adjourned until tomorrow morning, 10 o'clock.

THURSDAY Jan. 12th, 10, A. M.

Senate met pursuant to adjournment. President *pro tem.* in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

A message was received from the President through his Private Secretary Mr. Miller in writing, marked "secret," was received and laid upon the table.



A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate that the House had adopted the report of the joint Committee of conference, on a bill to be entitled "an act, supplementary to an act, making appropriations for the support of Government for the year one thousand eight hundred and forty three."

Mr. Muse presented the petition of sundry individuals, citizens of Nacogdoches county &c.; which was read, and on motion of Mr. Muse, referred to a special Committee, consisting of Messrs. Muse, Barnett and Randall.

The Committee on Engrossed Bills, Mr. Randall, chairman, reported, that a bill to be entitled "a joint resolution, proposing amendments to the Constitution of the Republic," had been examined and found correctly engrossed.

The Committee on Enrolled Bills, Mr. Randall, chairman, reported, that said Committee had examined a bill to be entitled "an act, to authorize the counties of Brazoria and Galveston to levy a tax for certain purposes," and found the same correctly enrolled.

The Committee on the Judiciary, Mr. Jack, chairman, to whom was referred a bill to be entitled "an act, to organize the county of Burnet, for judicial and other purposes," have considered the same, and report that it is inexpedient to legislate upon the subject; which was read, and laid upon the table.

On motion of Mr. Jack, said bill, and the above report were taken up.

The question, on the adoption of the report was put; the ayes and noes being called for, stood as follows:

Ayes—Messrs. Greer, Jack, Jones, Rugely, Smith and Webb; 6.

Noes—Messrs. Barnett, Lawrence, Muse, Pattillo, Randall, Shaw and Titus; 7—report rejected.

Mr. Muse, moved that the word "County" be stricken out and "District" inserted—carried.

Mr. Jack, offered an additional section "seventh;" Mr. Lawrence moved to amend the section by inserting "so far as the District Court is concerned"—adopted.

Section seventh, as amended—adopted.

Mr. Lawrence, offered an amendment, to wit: strike out "sixth Congress"—adopted.

On motion of Mr. Jack, the vote adopting his amendment was reconsidered, and the amendment withdrawn.

Mr. Jack, then offered the following amendment, to wit: "Provided that no organization of the District Courts, for the



District of Burnet, or of any other Judicial District, or division, shall be made before the next regular session of Congress"—adopted; and on motion, the bill passed to its 3d reading.

On motion, the rule was suspended, and bill read 3d time. The ayes and noes being called for on its final passage stood, as follows:

Ayes—Messrs. Barnett, Lawrence, Muse, Pattillo, Randall and Webb; 6.

Noes—Messrs. Greer, Jack, Jones, Rugely, Smith and Titus; 6—there being a tie the bill was lost.

The select Committee, Mr. Muse, chairman, to whom was referred a bill to be entitled "an act to prevent fire hunting," have had the same under consideration, report the bill back to the Senate, and recommend its passage.

The Committee on the Judiciary, Mr. Jack, chairman, to whom was referred a bill to be entitled "an act, to divide the county of Red river, and to create and establish the counties of Bowie and Lamar," report the same back to the Senate, without comment, for their further consideration.

Mr. Jones, by leave introduced the following resolution, to wit:

"Whereas, accounts for a considerable sum have been presented to the Senate, for payment, by W. Y. McFarland Esqr., one of the proprietors of the town of Washington, for preparing and furnishing the Senate room,

Therefore, be it resolved by the Senate, that His Excellency the President, be respectfully requested to inform the Senate, if any contract was made by the Government, with the proprietors of the town of Washington, relative to the accommodation of the Legislative Department of the Government"—adopted.

Mr. Barnett, by leave introduced a bill to be entitled "an act, to divorce J. B. Crabbtree and Rachael Crabbtree"—read 1st time.

On motion of Mr. Barnett, the rule was suspended, and bill read 2d time.

Mr. Webb, moved to insert the name of "William B. Skaats and Sarah Elizabeth Smith Skaats"—carried.

Mr. Jones, moved to insert "D. C. Gilmoore and Catharine his wife; and William Moore, and Nancy Moore, (alias Jones) his wife."

Mr. Barnett, asked leave to withdraw his bill. The Senate refused to grant leave; question on adopting the amendment of Mr. Jones—lost.



Mr. Smith, moved to insert "Manuel Escularo, and Sinona his wife"—carried.

Mr. Jones, moved the indefinite postponement of the bill; the ayes and noes being called for stood as follows:

Ayes—Messrs. Greer, Jack, Jones, Pattillo, Randall, Shaw and Titus; 7.

Noes—Messrs. Barnett, Lawrence, Muse, Rugely, Smith and Webb; 6—motion carried.

Mr. Pattillo, by leave introduced a bill to be entitled "an act, to authorize the return of field-notes and payment of Government dues"—read 1st time.

On motion of Mr. Pattillo, the rule was suspended and bill read 2d time.

Mr. Webb, offered an amendment, to wit: "and persons having papers therein, to be allowed to obtain the same"—adopted.

Mr. Webb, moved to strike out section "second"—lost.

Mr. Jones, moved to insert after the word "further enacted," the words "Government dues, &c."—lost.

The question on the engrossment of the bill—carried.

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

Mr. Greer, chairman of the Committee of Conference, to whom was referred a bill to be entitled "an act, supplementary to an act, making appropriations for the support of the Government for the year one thousand eight hundred and forty-two," with the amendments thereon, reported, that said Committee had agreed to recommend that the House of Representatives, recede from their disagreement, so far as relates to the appropriation for the arrearages due the members of the sixth Congress, at the extra session, and that the Senate shall recede, so far as relates to the compensation of members of the seventh Congress; and therefore recommend that the section proposed by the Senate be amended by striking out "nine thousand," and inserting "three thousand seven hundred and fifty one," and strike out all the section after "one thousand eight hundred and forty-two." On motion of Mr. Muse, said report was adopted.

Mr. Titus, by leave introduced a bill to be entitled, "a joint resolution to distribute the laws and the journals"—read 1st time.

Mr. Webb, moved to strike out "removed"—carried.

Mr. Muse, moved to insert "three hundred dollars to carry into effect the provisions of this act."

Mr. Titus moved to refer the bill to a select Committee, with instructions to report this evening—carried; Messrs. Jones, Titus and Pattillo, were appointed said Committee.



Mr. Titus, by leave introduced a bill to be entitled "a joint resolution, authorizing the President to remove the Land Office"—read 1st time.

On motion of Mr. Titus, the rule was suspended, and bill read 2d time.

Mr. Jones, moved to refer the bill to a select Committee.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

The Senate took up the motion under consideration when the Senate adjourned, which was put; Mr. Jack, moved a call of the Senate. The Sergeant-at-arms was dispatched for absentees. The Sergeant-at-arms returned with the absent Senators.

Mr. Webb, moved to lay the bill upon the table until Wednesday morning next; the ayes and noes being called for stood as follows:

Ayes—Messrs. Jack, Jones, Rugely, Smith and Webb; 5.

Noes—Messrs. Barnett, Greer, Lawrence, Muse Pattillo, Randall, Shaw and Titus; 8—lost.

Mr. Jack, moved to strike out "Crockett"—lost.

The question on referring the bill to a select Committee was put again, and carried.

Messrs. Jones, Jack, Greer and Shaw, were appointed said Committee.

A message was received from the House of Representatives through their Chief Clerk Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act, to incorporate Herman University;" also

A bill to be entitled "an act, directing the auditing the claims for carrying the mails for one thousand eight hundred and forty-one, and two" with amendments.

A bill to be entitled "an act, creating the county of Rusk."

A bill to be entitled "an act, to authorize the President to bring into market the Cherokee lands."

A bill to be entitled "an act, for the relief of Texian prisoners captured by the Mexicans in the year one thousand eight hundred and forty-two;" also,

That the House of Representatives had appointed a Committee of conference, on the amendments to a bill to be entitled "an act, to extend to the chief Justice and associate Justices, the authority to issue certificates of head-right to emigrants &c.;" and request that a like Committee be appointed on the part of the Senate.



Mr. Muse, moved to take up a bill to be entitled "an act, to create the county of Rusk"—read 1st time.

Mr. Pattillo, chairman of the Committee on Public Printing, by leave reported, that said Committee had under consideration certain propositions for printing the laws and journals of the seventh Congress, (which they also submitted to the Senate) and recommend that a public printer be elected, by joint ballot of both Houses of Congress, on Friday the 13th inst.

Mr. Lawrence, by leave introduced a bill to be entitled "an act, to authorize the clerks of the District Courts, to issue writs of sequestration"—read 1st time.

On motion of Mr. Lawrence, the rule was suspended, bill read 2d time and ordered to be engrossed.

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

Mr. Barnett, moved to take up a bill authorizing the President to bring into market the Cherokee lands"—carried and bill read 1st time.

Mr. Greer, moved to take up the report of the Committee on Public Printing—carried.

Mr. Greer, moved to strike out "Friday the 13th," and insert "Saturday the 14th"—carried, and the report as amended, adopted.

Mr. Muse, moved to take up a bill to be entitled "an act, authorizing the auditing of claims for carrying the mail for, one thousand eight hundred and forty-one, and two," with the amendments from the House of Representatives—carried.

On motion, the Senate concurred in said amendments.

On motion of Mr. Smith, "a bill to be entitled "an act, for the relief of Texian prisoners, captured in the year one thousand eight hundred and forty-two, was taken up and read 1st time.

On motion of Mr. Smith, rule suspended, and bill read 2d time.

Mr. Smith, moved to insert "that the provisions of the 1st section of this act, shall extend to Jose Antonio Navarro"—carried. In the 2d section, insert after the words "this act," "those who were slain in Bexar County, from the 11th to the 19th of September"—carried.

On motion, the bill passed to its 3d reading.

On motion, the rule was further suspended, and the bill read 3d time and passed.

The select Committee, Mr. Jones, chairman, to whom was referred, a bill, to be entitled "an act to distribute the laws and journals," report, that they have had the same under considera-



tion, and recommend that all, after the enacting clause, be stricken out, and a substitute inserted, which substitute was read and adopted.

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

FRIDAY, Jan. 13th, 19, A. M.

Senate met pursuant to adjournment. Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

Mr. Smith, presented the petition of Henry Fisher and Burchard Miller, which was read, together with a bill for their relief.

On motion of Mr. Lawrence, the rule was suspended, bill read 2d time, and referred to the Committee on Public Lands.

The select Committee, Mr. Jones, chairman, to whom was referred a bill to be entitled "an act, for the removal of the General Land Office, reported the following, to wit:

"To the Honorable, the Vice President, and President of the Senate:

A majority of your Committee, to whom was referred a bill to be entitled "a joint resolution, for the removal of the General Land Office," have given the subject all the investigation its importance merited.

A majority of your Committee are of opinion, that the only benefit which could result from the passage of the resolution, would be an expression of opinion, approving that illegal and unauthorized act of the President, in secretly raising an armed force, for the purpose of removing the archives from the seat of Government established by law, at a time when the representatives of the people were in Congress assembled, and deliberating on the propriety of their removal.

A majority of your Committee are of opinion, that it was impolitic locating the seat of Government at Austin, and that the archives of the nation, were for a time exposed on account of our unfriendly relations with all the Indian tribes; but having been assured by the President, that his negotiation now pending, will inevitably result in a perpetual peace, have satisfied your Committee, that the archives are at this time in less danger than at any former period.

A majority of your Committee are of opinion, that the Presi-



dent of the Republic, is morally and legally bound under his oath of office, and the action of the present Congress, to remove (with the Heads of Departments) to the seat of Government established by law, which will obviate the necessity of removing the archives, save an unnecessary expenditure of the people's money, and have a salutary effect in restoring confidence and tranquility to the frontier settlements.

Therefore, a majority of your Committee, have instructed me to return to the Senate, the joint resolution, and recommend its indefinite postponement. OLIVER JONES, Chairman."

Which report was read. The ayes and noes being called for on its adoption, stood as follows.

Ayes—Messrs. Jack, Jones, Muse, Rugely, Shaw, Smith and Webb; 7.

Noes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall, and Titus; 6—carried, and report adopted.

Mr. Greer, moved that said report be placed upon the Journals. The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb; 13—there being no dissenting voice.

Mr. Barnett, by leave introduced a bill "to exempt from execution and forced sale, the property of certain persons," read 1st time.

On motion of Mr. Barnett, the rule was suspended, and bill read 2d time.

Mr. Jack, moved to strike out "or at the call of the Executive"—carried.

On motion the bill was ordered to be engrossed.

On motion of Mr. Webb, the rule was further suspended, and bill read 3d time.

The ayes and noes being called for on its final passage stood as follows:

Ayes—Messrs. Barnett, Jack, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb; 10.

No—Mr. Greer; 1—carried, and bill finally passed.

Mr. Greer, chairman of the joint Committee of conference on the part of the Senate, to whom was referred the difference between the Senate and the House of Representatives, on a bill to be entitled "an act, to extend to the chief Justice, and associate Justices, the authority to issue certificates of head-right to emigrants," reported, that said Committee have agreed to amend the disagreement, to wit: amend the first amendment, by inserting after the word "unconditional," the words "and conditional,"



and to amend the third section by striking out the word "three" and insert the word "two," and recommend the same to the two Houses for their adoption, which report was read and adopted.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate that the House had adopted the report of the joint Committee of conference, on a bill to be entitled "an act, to extend to the chief Justice, and associate Justices, the authority to issue certificates of head-right to emigrants &c."

Mr. Pattillo, moved a reconsideration of the vote, rejecting a bill to be entitled "an act, to divorce J. B. Crabbtree, and his wife Rachael Crabbtree"—carried.

On motion of Mr. Barnett, said bill was taken up.

Mr. Muse, moved to refer the bill to a select Committee, with instructions to report this evening—carried.

Messrs. Muse, Randall and Barnett, were appointed said Committee.

Mr. Titus, moved a reconsideration of the vote, rejecting a bill to be entitled "an act, to organize the county of Burnet"—carried.

The question then recurred upon the final passage of the bill, which was put and carried.

Mr. Webb, by leave introduced a bill to be entitled "an act, in relation to attorney's in fact," which was read 1st time.

On motion of Mr. Titus, the rule was suspended, and bill read 2d time, and ordered to be engrossed.

On motion, the rule was further suspended, and the bill read 3d time and passed.

Mr. Lawrence, by leave introduced a bill to be entitled "an act, to suspend civil proceedings," which was read 1st time.

Mr. Muse, by leave, introduced a resolution, to wit: "Resolved by the Senate, that the Secretary be authorized to have a fair copy of the Journals of the Senate made out for the public printer, for which service he shall be entitled to receive twenty-five cents for each folio contained in said copy, to be paid out of the contingent fund of Congress"—adopted.

A message was received from the House of Representatives, requesting the return of a bill to be entitled "an act to fix the time and place of holding the Supreme Court, the House having reconsidered the vote which rejected said bill.

On motion of Mr. Webb, a bill to be entitled "a joint resolution for the relief of David G. Burnet," was taken up—read 2d time; and on motion, passed to its 3d reading.



Mr. Jones moved to take up a bill to be entitled "an act giving additional pay to certain officers of the civil list"—carried.

On motion, the bill was referred to a select committee, consisting of Messrs. Jones, Barnett and Muse.

Mr. Muse, by leave, introduced a resolution, to wit: "Resolved by the Senate, that no new business shall be received during the present session, without a vote of two-thirds of the Senate"—adopted.

A bill to be entitled "a joint resolution to distribute the laws and journals"—read 2d time.

Mr. Barnett moved to fill the blank with "four hundred dollars"—lost.

Mr. Muse moved to fill the blank with "two hundred dollars" carried.

On motion, the bill was ordered to be engrossed.

On motion, the rule was further suspended, and the bill read 3d time and passed.

Mr. Barnett moved to take up a bill to be entitled "an act to authorize the President to bring into market, the Cherokee lands"—lost.

A bill to be entitled "an act, supplementary to an act, to divide the county of Red River, and to create and establish the counties of Bowie and Lamar," came up, and on motion, was laid on the table.

On motion, the Senate went into secret session. On motion, the doors were again opened.

The Committee on Engrossed Bills, Mr. Randall chairman, reported that said committee had examined the following bills, and found the same correctly engrossed:

A bill to be entitled "a joint resolution to distribute the laws and journals."

A bill to be entitled "an act to authorize the return of field notes and the payment of Government dues."

A bill to be entitled "an act to allow the several District Clerks to issue writs of sequestration;" and

A bill to be entitled "an act to exempt from execution and forced sales, the property of certain persons."

Mr. Titus moved that the Secretary be authorized to employ an assistant enrolling and engrossing clerk—carried.

A bill to be entitled "a joint resolution for the relief of A. B. Shelby"—read 3d time and passed.

A bill to be entitled "an act to authorize the President to bring into market, the Cherokee lands"—read 2d time.

Mr. Greer moved to strike out all the first section, after the



word "market," and insert "four hundred thousand acres of land, as authorized to be sold in the Cherokee country, by an act approved the 22d of July, one thousand eight hundred and forty-two," within the following boundaries and limits:

Beginning at the head of the Neches river; thence running north to the Sabine river; thence down said river to a point or place, from whence a line running south to the Neches; and thence up the same, to the place of beginning, as will include said quantity of land.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act for the relief of purchasers of Austin city lots, &c;" also, a bill to be entitled "an act further to amend the Judiciary laws;" also, a bill to be entitled "an act to amend the existing laws in relation to the proceedings in Courts of Probate," with amendments; also, that the House had appointed a committee of conference on the difference between the two Houses, on a bill to be entitled "an act exempting certain articles therein named from Impost duties," and request a like committee on the part of the Senate.

Mr. Greer moved that a committee of conference be appointed, as requested by the House.

Mr. Jack arose to a question of order: "whether the Senate was regularly in possession of the bill, or could entertain the motion?"

Mr. Greer then withdrew his motion to appoint said committee, and moved a reconsideration of the vote which rejected the amendments of the House, to the bill under consideration.

Mr. Pattillo moved a call of the Senate.

The Sergeant-at-Arms was despatched for absent Senators. The Sergeant-at-Arms returned, and reported that none could be found.

The question on the reconsideration, was then put.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Lawrence, Pattillo, Randall and Titus; 6.

Noes—Messrs. Jack, Jones, Muse, Rugely, Shaw, Smith, and Webb; 7—lost.

Mr. Greer renewed his motion to appoint a committee of conference.

Mr. Jack insisted on the question of order.



The Chair decided that the bill could not be entertained, except through a motion to reconsider.

Mr. Muse moved to reconsider the vote which refused the reconsideration of the vote rejecting the amendments of the House of Representatives—carried. The question then recurred upon the reconsideration of the vote rejecting said amendments.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse Patillo, Randall, Smith and Titus; 10.

Noes—Messrs. Rugely, Shaw and Webb; 3—carried, and vote reconsidered.

Mr. Greer moved that the Senate refuse to concur in the amendments proposed by the House.

The ayes and noes being called for, stood thus:

Ayes—Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Patillo, Randall, Shaw, Smith and Titus; 11.

Noes—Messrs. Rugely and Webb; 2—carried, and the Senate refused to concur.

On motion of Mr. Greer, a committee of conference was appointed, to act with a like committee on the part of the House of Representatives, to confer upon the difference existing between the two Houses, upon said bill.

Messrs. Greer, Jack and Titus were appointed said committee.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "a joint resolution to modify the provisions of an act granting lands to emigrants, &c.," with amendments; also,

A Bill to be entitled "an act to exempt from execution and forced sale, the property of certain persons;" and

A Bill to be entitled "an act, to amend an act, to incorporate the college of De Kalb."

The select committee, Mr. Muse chairman, to whom was referred a bill to be entitled "an act to divorce J. B. Crabtree and his wife Rachael Crabtree," report that they have had the same under consideration, and are of opinion that the passage of the bill with the amendments, will not only be calculated to promote the happiness of many worthy citizens, but, will have a further tendency to promote the morals of society. Your committee, therefore, report the bill back to the Senate, with amendments, to wit: the additional names now inserted in the bill, and recommend its passage; which report was received, and the bill laid upon the table to come up among the orders of the day.



The select Committee, Mr. Jones chairman, to whom was referred a bill to be entitled "an act giving additional compensation to certain officers of the civil list," report the same back to the Senate, with the following amendments, to wit: in the third line, previous the word "Clerks," insert "Heads of Bureaux and;" which report was received, and the bill laid upon the table to come up among the orders of the day.

On motion of Mr. Pattillo, "a bill to divorce J. B. Crabbtree and Rachael Crabbtree, his wife," together with the report of the select committee, was taken up, and the report adopted.

Mr. Jones moved to insert "D. C. Gilmore, and his wife, Charlotte"—carried.

On motion, the bill was ordered to be engrossed.

On motion of Mr. Webb, the rule was further suspended, and the bill read 3d time.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Barnett, Lawrence, Muse, Pattillo, Rugely, Smith and Webb; 7.

Noes—Messrs. Greer, Jack, Jones, Randall, Shaw and Titus; 6—carried, and bill passed.

A Bill to amend an act regulating the coasting trade—read 2d time.

Mr. Rugely moved to suspend the rule.

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

On motion of Mr. Pattillo, a bill to be entitled "an act to regulate the proceedings in Courts of Probate," was taken up with the amendments from the House of Representatives.

On motion of Mr. Pattillo, the Senate concurred in said amendments.

On motion of Mr. Webb, a bill to be entitled "an act for the relief of Thurston M. Taylor," was taken up, and passed to its 3d reading.

A message was received from the President, in writing, through his Private Secretary, Mr. Miller, marked "secret."

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage a bill to be entitled "an act to alter the time of holding the District Court in the seventh District;" also,

A Bill to be entitled "an act appropriating four leagues of land to Trinity College;" also,

A Bill to be entitled "a joint resolution passing a vote of thanks to the army, for the capture of Lorado.

On motion, the Senate went into secret session. On motion,



the doors were again opened, and the Senate adjourned until tomorrow morning, 10 o'clock.

SATURDAY, Jan. 14<sup>th</sup>, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Rugely, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of the following bills:

A bill to be entitled "a joint resolution for the relief of William Bryan."

A Bill to be entitled "a joint resolution for the relief of Winchester Doyle, and others."

A bill to be entitled "an act to divorce certain persons therein named;" and

A bill to be entitled "an act for the organization of the militia, in Robertson and Brazos counties," and request a concurrence on the part of the Senate.

The Committee on Engrossed Bills, Mr. Randall chairman, report that the following bill has been examined, and found correctly engrossed:

A bill to be entitled "a joint resolution for the relief of Henry Fisher and Berchard Miller, contractors, &c."

The Committee on Enrolled Bills, Mr. Randall chairman, report the following bills correctly enrolled:

A bill to be entitled "an act in relation to Post-offices."

A bill to be entitled "a joint resolution to modify the provisions of an act granting lands to emigrants, &c."

A bill to be entitled "an act to reorganize the first, second, fourth, fifth and sixth Judicial Districts."

A bill to be entitled "an act to exempt from execution and forced sale, the property of certain persons."

A Bill to be entitled "an act to amend the existing laws in relation to the Probate Courts."

A bill to be entitled "an act for the relief of Winchester Doyle, and others."

A bill to be entitled "an act to exempt certain articles therein named from Impost duties."



A bill to be entitled "a joint resolution for the relief of William Bryan."

A bill to be entitled "an act to grant an extension of time for the payment of dues on town lots in the city of Austin;" and

A bill to be entitled "an act, amendatory to an act, to create and establish the college of De Kalb."

The Committee on Public Lands, Mr. Smith chairman, to whom was referred a bill to be entitled "a joint resolution for the relief of Henry Fisher and Burchard Miller, contractors, &c.," have had the same under consideration, and report back for the action of the Senate, a substitute for the original bill, and recommend its passage; which report was received, and bill laid upon the table to come up among the orders of the day.

The Committee on Engrossed Bills, Mr. Randall chairman, report that they have examined a bill to be entitled "an act to divorce J. B. Crabbtree and Rachael Crabbtree, and others," and find the same correctly engrossed.

The Committee on Enrolled Bills, Mr. Randall chairman, report that a bill to be entitled "an act to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians;" also,

A bill to be entitled "an act, to amend an act, regulating sales by judgment or decree of a Probate Court, or Court of Chancery, &c.," had been examined, and found correctly enrolled.

On motion, the Senate took up the

#### ORDERS OF THE DAY.

A communication from the President was taken up and read, to wit:

EXECUTIVE DEPARTMENT, }  
Washington, Jan. 13, 1842. }

*To the Honorable, the Senate:*

In answer to a resolution of your honorable body, relative to the propositions made to the Executive for the removal of the officers of the Government, &c., by W. V. McFarland, it is proper to state, that he proposed on the part of the proprietors of the town of Washington, that they would remove the papers and public stores; also, to furnish comfortable offices for all the officers, and to provide and furnish suitable buildings for the Honorable Congress, in which to meet and hold its session. All of which was to be done without cost or expense to the Government.

SAM. HOUSTON.

On motion of Mr. Jones, said communication was referred to the committee on Claims and Accounts.



A bill to be entitled "a joint resolution to modify the provisions of an act granting lands to emigrants, &c." with the amendments proposed by the House of Representatives, was taken up.

Mr. Webb moved that the Senate concur in said amendments—carried.

A bill to be entitled "a joint resolution for the relief of Henry Fisher and Burchard Miller," together with the report of the committee on Public Lands, was taken up.

Mr. Barnett moved to strike out all in relation to "twelve dollars," to be paid in lieu of alternate sections—lost.

Mr. Jones moved the adoption of the report—carried.

On motion of Mr. Webb, rule suspended, the bill read 3d time and passed.

On motion of Mr. Barnett, a bill to be entitled "an act to give an additional compensation to certain officers of the civil list," together with the report of the select committee; which report was adopted, and the bill read 2d time.

Mr. Jack moved to strike out "twenty-five dollars"—carried.

Mr. Muse moved to add "two hundred dollars to the Heads of Bureaux."

Mr. Muse moved to fill the blank with "twenty dollars"—lost.

Mr. Jack moved to fill the blank with "twelve and a half dollars"—carried.

Mr. Jones moved to insert an additional section, to wit:

That from and after the first day of March last, and up to the first of January, one thousand eight hundred and forty-three, the clerks of the several Departments and Bureaux, shall receive the sum of ten dollars per month, in addition to what they have already received." The ayes and noes being called for on its adoption, stood as follows:

Ayes—Messrs. Barnett, Greer, Jones, Lawrence, Muse, Pattillo, Rugely, Shaw, Smith, Titus and Webb; 11.

Noes—Messrs. Jack and Randall; 2—carried, and section adopted.

Mr. Greer moved to strike out the first section of the bill—lost.

Mr. Jones moved to strike out "a sufficient amount," and insert "seven thousand, seven hundred and forty dollars"—carried.

The ayes and noes being called for on passing the bill to its 3d reading, stood as follows:

Ayes—Messrs. Barnett, Jones, Lawrence, Muse, Pattillo, Smith and Webb; 7.

Noes—Messrs. Greer, Jack, Randall, Rugely, Shaw and Titus; 6—carried, and bill passed to its 3d reading.



A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate that the House had adopted the report of the committee of conference, on a bill to be entitled "an act to exempt certain articles therein named from impost duties;" also,

That the House had passed a bill to be entitled "an act to organize the several Judicial Districts," with amendments.

The Committee of Conference, Mr. Greer chairman, to whom was referred the amendments of the House of Representatives, to a bill to be entitled "an act to exempt certain articles therein named from impost duties," have had the same under consideration, and recommend that the House of Representatives recede from their amendments.

On motion of Mr. Greer, the Senate adopted the report.

Mr. Lawrence moved to suspend the rule, on a bill to be entitled "an act giving an additional compensation to certain officers of the civil list"—lost.

Mr. Jack moved to take up a bill to be entitled "an act to reorganize the first, second, fourth, fifth and sixth Judicial Districts," with the amendments thereto, proposed by the House of Representatives—carried.

On motion of Mr. Jack, the Senate concurred in the first amendment.

On motion of Mr. Jack, the Senate concurred in the second amendment.

On motion of Mr. Jack, the substitute for section fifth, was also adopted.

On motion of Mr. Greer, the bill to be entitled "an act to fix the time of holding the District Court, in the seventh Judicial District," was taken up and read 2d time.

On motion of Mr. Titus, the rule was suspended, and the bill read 3d time and passed.

Mr. Lawrence moved a reconsideration of the vote which passed "a bill to authorize certain officers of the civil list to receive an additional compensation," to its 3d reading—carried.

Mr. Lawrence moved a reconsideration of the vote which refused to strike out the first section of the bill.

Mr. Lawrence withdrew his motion.

Mr. Lawrence moved to strike out the last section of the bill—carried. On motion, the rule was suspended, bill read 3d time and passed.

Mr. Muse moved to take up a bill to be entitled "an act to create the county of Rusk"—carried, and the bill read 2d time; and on motion, passed to its 3d reading.



A bill to be entitled "an act to legalize the location of the seat of Justice of Fannin county"—read 2d time; and on motion, was passed to its 3d reading.

On motion of Mr. Webb, the rule was suspended, and the bill read 3d time and passed.

Mr. Jack moved to take up a bill to be entitled "an act the better to define the boundaries of the counties of Bowie and Lamar." Motion withdrawn.

A bill to be entitled "an act further to amend the Judiciary laws"—read 1st time.

On motion of Mr. Lawrence, the rule was suspended, and bill read 2d time; and on motion, passed to its 3d reading.

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

A bill to be entitled "an act to authorize the President to bring the Cherokee lands into market," was taken up on its 2d reading; and on motion of Mr. Muse, was laid upon the table.

A bill to be entitled "an act appropriating four leagues of land to Trinity College,"—came up on its first reading.

On motion of Mr. Jack, the bill was laid upon the table.

A bill to be entitled "an act to prevent fire hunting," came up on its second reading; and on motion of Mr. Jack, was laid upon the table.

A bill to be entitled "an act to provide for the organization of the militia of Robertson and Brazos counties"—read 1st time.

A bill to be entitled "an act for the relief of Thurston M. Taylor"—read 3d time and passed.

A bill to be entitled "a joint resolution for the relief of David G. Burnet"—read 3d time.

The ayes and noes being called for on its final passage, stood as follows:

Ayes—Messrs. Barnett, Jones, Lawrence, Muse, Pattillo, Rugely, Shaw, Smith, Titus and Webb; 10.

Noes—Messrs. Greer, Jack and Randall; 3—carried, and bill passed by a constitutional majority of two thirds.

A message was received from the House of Representatives, informing the Senate of the passage of "a bill to divorce J. B. Crabbtree and Rachael Crabbtree, and others," with amendments.

On motion of Mr. Barnett, said bill and the amendments proposed by the House, were taken up.

Mr. Jack moved the rejection of the amendments.

Mr. Greer moved to amend said amendments, by inserting after the word "Caroline," the following names, to wit:



Patrick Lynch and Abigail Lynch; Robert C. Ingraham and Elizabeth Ingraham; Frederick Elm and Martha Elm; George Grimes and Tharasia Maria Grimes; James Dickson and Helly Dickson; Wyngurt H. Woodby and Elizabeth Woodby; David R. Stout and Delila Stout; William L. Smith and Martha Smith; Anthony B. Hannam and Morgan Hannam; William G. Lewis and Louisa L. Lewis; William W. Allsberry and Medissa Allsberry; Luke Presnell and Narcissa Presnell; Newton Cooke and Ruth Cooke; W. L. Herring and Sarah O. Herring; Andrew Boyer and Mary Ann Boyer; Thomas Strother and Lucinda Strother; Geo. W. Stratton and Susan A. Stratton; Charles W. Morman and Helen Morman; Nathaniel Kellough and Bethany Kellough; Israel Curtis and Sarah Curtis; D. C. Gilmore and Charlotte Gilmore; Gambol Dorson and Susan Dorson; Charles Wagner and Misonora Jane Wagner; Alanson Holdredge and Prudence Holdredge; Almond Kendall and Abigail B. Kendall; James R. Howell and Dancy Howell; James Dickson and Hetty Dickson; Chesley Franks and Francis E. Franks; William A. Santa and Tobitha Ann Santa."

The ayes and noes being called for on their adoption, stood as follows:

Ayes—Messrs. Greer, Jack, Jones, Lawrence, Randall, Shaw, Smith and Titus; 8.

Noes—Messrs. Barnett, Muse, Pattillo, Rugely and Webb; 5—adopted.

Mr. Webb moved the adoption of the amendment as amended.

Mr. Jack moved the indefinite postponement of said amendment.

Mr. Webb arose to a question of order: "which motion has precedence?"

Mr. Titus moved that the Senate adjourn until 3 o'clock, P. M.—lost.

Mr. Jack then withdrew his motion.

Mr. Greer moved to lay the bill and amendments upon the table, until the 10th of February next.

Mr. Webb insisted upon his question of order: "whether his motion to adopt, had not precedence of all other motions?"

The Chair decided that a motion to postpone to a day certain, was first in order.

The question on laying upon the table until the 10th of February next, was put.

The ayes and noes being called for, stood as follows:  
Ayes—Messrs. Greer, Jack, Jones, Randall, Shaw, Smith and Titus; 7.



Noes—Messrs. Barnett, Lawrence, Muse, Pattillo, Rugely and Webb; 6—carried, and the bill laid upon the table until the 10th of February next.

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

3 o'clock, P. M.

Senate met—roll called—quorum present.

A message was received from the House of Representatives through their Chief Clerk Mr. Raymond, informing the Senate of the passage of the following bills, to wit:

A bill to be entitled "a joint resolution, to go into the election of Major General."

A bill to be entitled "an act to amend the several laws regulating the Post-office Department, with amendments.

A bill to be entitled "an act, in relation to Post Offices, and

A bill to be entitled "an act, concerning rents."

Mr. Titus, moved to take up "an act, supplementary to an act, to divide the county of Red river, and to create and establish the counties of Bowie and Lamar"—carried.

On motion, the bill was passed to its third reading.

On motion, the rule was suspended, and bill read 3d time and passed.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of another bill to be entitled "an act, to amend the several laws regulating the Post-office Department."

A bill to be entitled "an act, to amend the several laws regulating the Post-office Department," with the amendments from the House was taken up, and the question on concurring in said amendments, was put and lost.

Mr. Rugely, moved to take up a bill to be intitled "a joint resolution for the relief of Messrs. Neighbors and Rivers"—carried; and on motion of Mr. Barnett said bill was laid upon the table.

Mr. Titus, by leave introduced a resolution, to wit:

"Resolved by the Senate, that the Secretary, assistant Secretary, and Engrossing and Enrolling Clerk, shall hold their offices at the pleasure of the Senate, but shall not draw pay during the recess"—adopted.

A bill to be entitled "an act, to amend the several laws regulating the Post-office Department, read 1st time.

On motion, the rule was suspended, and bill read 2d time, and on motion, laid upon the table.



A bill to be entitled "an act, concerning rents" was read 1st time.

A resolution to go into the election of Major General, was read, and on motion of Mr. Jack, was laid upon the table.

A bill to be entitled "an act, to incorporate the Herman University" was taken up and read, and on motion of Mr. Jack, was laid upon the table.

A bill to be entitled "a joint resolution, repealing part of a joint resolution, honorably discharging Dr. E. J. Felder," read 2d time.

On motion of Mr. Jack, referred to the Committee on Military Affairs.

Mr. Jones, moved to take up a bill to be entitled "an act, to amend the several laws regulating the Post-office Department"—carried, and bill read 2d time.

Mr. Jack, moved to strike out all after the words "designated by law," in section first, to the words "on each"—carried.

On motion, the bill passed to its 3d reading.

On motion, the rule was further suspended, and the bill read 3d time.

Mr. Jack, moved to insert a repealing clause—carried, and bill finally passed.

The Committee on Military Affairs, Mr. Lawrence, chairman, to whom was referred a bill to be entitled "a joint resolution, repealing in part a joint resolution, honorably discharging Dr. E. J. Felder," report the same back to the Senate, and recommend its passage, which report was received and bill laid upon the table to come up among the orders of the day.

A bill to be entitled "an act to suspend civil proceedings," came up on its second reading.

Mr. Jones, moved to lay the bill upon the table until Saturday next; the ayes and noes being called for on the same stood as follows:

Ayes—Messrs. Barnett, Greer, Jack, Jones, Randall, Shaw, Smith and Titus; 8.

Noes—Messrs. Lawrence, Muse and Pattillo; 3—carried, and bill laid upon the table.

Mr. Lawrence, moved to take up "a resolution, repealing in part a joint resolution, honorably discharging Dr. E. J. Felder"—carried.

Mr. Jones, moved to make the bill the special order of the day, for the 23d of this month—lost.

On motion, the bill passed to its 3d reading.

A bill providing an additional method of proving letters or



powers of attorney, was read 2d time, and on motion, passed to its 3d reading.

A joint resolution, passing a vote of thanks to the army for the capture of Lorado, was read, and on motion of Mr. Jack, laid upon the table.

Mr. Barnett, moved to take up a bill to be entitled "an act, to authorize the President to bring into market the Cherokee lands"—carried.

Mr. Muse, moved to amend the amendment proposed by Mr. Greer, by inserting "provided that all legal locations shall be exempt from the provisions of this act"—accepted.

On motion of Mr. Rugely, the bill and amendments were laid upon the table.

On motion of Mr. Rugely, a bill to be entitled "an act, for the relief of Messrs. Neighbors and Rivers," was taken up; Mr. Rugely, moved to strike out "one half" wherever it occurs in the bill; also, strike out "seventy two dollars and fifty cents," and insert "one hundred and forty five dollars"—carried.

On motion of Mr. Rugely, the rule was suspended, and bill read 3d time.

The ayes and noes being called for on its final passage, stood as follows:

Ayes—Messrs. Barnett, Lawrence, Pattillo, Rugely, Smith and Webb; 6.

Noes—Messrs. Greer, Jones, Randall, Shaw and Titus; 5—carried and bill passed.

On motion, of the Senate adjourned until monday morning, 10 o'clock.

MONDAY, Jan. 16th, 10, A. M.

Senate met pursuant to adjournment. The Vice President in the Chair—roll called—the following Senators answered to their names: Messrs. Barnett, Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Rugley, Shaw, Smith, Titus and Webb—quorum present—the Journals of the preceding day were read and adopted.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of the following bills.

A "resolution passing a vote of thanks to General Waddy Thompson."



A bill to be entitled "an act, to prescribe the manner in which suits shall be tried, in which Judges of the District Court may be interested."

A bill to be entitled "an act, to repeal an act, granting lands to actual settlers, on the military road."

A bill to be entitled "an act, donating lands to emigrants."

A bill to be entitled "a joint resolution, for the relief of Henry Fisher and Burchard Miller, contractors &c."

The Vice President took his leave of the Senate for the present session, and called the President *pro tem.* to the Chair.

Mr. Muse, moved a reconsideration of the vote, adopting a resolution, prohibiting new business from being received, without the concurrence of two thirds of the Senate.

Mr. Barnett, moved that the Senate adjourn *sine die.*

Mr. Lawrence, moved to lay the motion upon the table, until four o'clock this day—carried. The Senate then took up the

#### ORDERS OF THE DAY.

A bill to be entitled "an act, to create the county of Rusk," was read 3d time and passed.

A bill to be entitled "an act, to organize the militia of Robertson and Brazos counties;" read 2d time and on motion, passed to a 3d reading.

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

A message was received from the President, in writing, through his Private Secretary, Mr. Miller, marked "secret."

A bill to be entitled "an act, concerning rents," was read 2d time; and on motion of Mr. Jack, laid upon the table.

A bill to be entitled "an act, to repeal in part an act, granting lands to actual settlers on the military road," was read 1st time.

On motion of Mr. Barnett, the rule was suspended, and bill read 2d time and passed to its 3d reading.

On motion of Mr. Jack, a bill to be entitled "an act, concerning rents," was taken up and on motion passed to its 3d reading.

On motion, the rule was further suspended, and bill read 3d time and passed.

A bill to be entitled "an act, donating lands to emigrants," was read 1st time.

A bill to be entitled "an act, prescribing the manner in which suits shall be tried, in which Judges of the District Courts may be interested," was read 1st time.



On motion of Mr. Lawrence, the rule was suspended, and the bill read 2d time, and on motion passed to its 3d reading.

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

A resolution passing a vote of thanks to General Waddy Thompson, to wit:

“Whereas, it has been ascertained by the Senate, that the Minister now resident at the city of Mexico, from the United States of America, has rendered high and important services to our fellow citizens of the Santa Fé expedition; and whereas, it is equally made known to this Senate, that this distinguished individual, General Waddy Thompson, was the first to announce upon the floor of the council of his nation, the glorious result of victory on the plains of San Jacinto; and whereas, the joint action of both Houses of Congress in relation to the services of this distinguished individual, cannot now be made known: therefore,

Be it resolved by the Senate, that they duly appreciate the services of General Waddy Thompson, resident Minister of the United States of America, at the Court of Mexico, extended to our fellow citizens of the Santa Fé expedition, have earned for and do entitle him to the thanks of this Senate.

Be it further resolved, that the foregoing preamble and resolution, be spread upon the Journals of this Senate.

Which resolution was read and unanimously adopted.

A bill to be entitled “a joint resolution, repealing in part “a joint resolution, honorably discharging Dr. E. J. Felder,” was read 3d time, and on motion of Mr. Lawrence, was laid upon the table.

A bill to be entitled “an act, to provide an additional method of proving letters or powers of attorney,” was read 3d time and passed.

On motion of Mr. Lawrence, a bill to be entitled “a joint resolution, repealing in part a joint resolution, honorably discharging Dr. E. J. Felder,” was taken up and accompanying documents read, and on motion the resolution finally passed.

On motion, the Senate went into secret session.

On motion, the doors were again opened, and the Senate adjourned until 3 o'clock P. M.

Senate met—roll called—quorum present.

3 o'clock, P. M.

The Committee on Contingent Expenses, Mr. Barnett, chairman, submitted the claims of Messrs. Fisher and Holt, for six



tables, at ten dollars, each, and recommend that six dollars only, for each table, should be allowed.

On motion, said report was laid upon the table.

The Committee on Enrolled Bills, Mr. Randall, chairman, reported, that a bill to be entitled "a joint resolution, for the relief of Henry Fisher and Burchard Miller, contractors &c." had been examined and found correctly enrolled.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of "a joint resolution suspending the operation of a joint rule of the two houses of Congress, prohibiting bills to be sent to the President on the last day of the session."

On motion, the Senate adopted said resolution.

A message was received from the House of Representatives through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act, supplementary to an act, for the protection of the Western and South-western frontier &c."

On motion of Mr. Jack, said bill was taken up and read 1st time.

On motion, the rule was suspended, bill read 2d time, and passed to its 3d reading.

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

The motion for reconsideration, which was made the special order for four o'clock, was taken up; the ayes and noes being called for on the reconsideration, stood as follows:

Ayes—Messrs. Jack, Lawrence, Muse, Rugely, Smith and Webb; 7.

Noes—Messrs. Barnett, Greer, Pattillo, Randall, Shaw and Titus; 6—carried, and vote reconsidered.

A message was received from the House of Representatives, through their Chief Clerk Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act, for the relief of Bexar county;" also, that the House had adopted the amendments of the Senate to the following bills.

A bill to be entitled "an act, to amend the several laws regulating the Post-office Department."

A bill to be entitled "a joint resolution, for the relief of Messrs. Neighbors and Rivers." and

A bill to be entitled "an act to authorize an additional compensation to certain officers of the civil list."

A message was received from the President, through his Private Secretary, Mr. Miller, informing the Senate



that the President had approved and signed, the following acts and joint resolutions.

"An act, for the relief of Winchester Doyle, Jackson Doyle, and Muscogee Doyle, children of Nimrod Doyle.

A joint resolution, for the relief of Wm. Bryan.

An act for the relief of the purchasers of lots in the city of Austin, and upon the city tract adjoining.

An act, amendatory to an act, to establish and incorporate the college of De Kalb.

An act, to reorganize the first, second, fourth, fifth and sixth Judicial Districts.

An act, to exempt from execution and forced sale, the property of certain persons.

An act, to amend the existing laws in relation to proceedings in Courts of Probate; also,

That he has deposited in the Department of State, without signature:

An act, to legalize the proceedings of the fall term (1842) of the District Court, Bexar county."

Mr. Jack offered the following resolution, to wit:

Resolved, that the resolution concurred in by the Senate to adjourn on this day, is hereby rescinded, and with the concurrence of the House of Representatives, the two Houses of Congress, will adjourn on Wednesday the eighteenth at ten o'clock, P. M."

On motion of Mr. Jack, said resolution was laid upon the table.

Mr. Lawrence, moved to take up a bill to be entitled "an act, donating four leagues of land to Trinity College"—lost.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate that the House had passed by a constitutional majority, over the veto of the President, a bill to be entitled "an act to provide for the protection of the western and south western frontier;" and that the House had receded from its amendments, to a bill to be entitled "an act to amend the several laws regulating the Post-office Department."

On motion, the veto of the President was taken up and read.

The question on the final passage of the bill, was put.

The ayes and noes being called for, stood as follows:

Ayes—Messrs. Jack, Jones, Lawrence, Muse, Rugely, Shaw, Smith, Titus and Webb; 9.

Noes—Messrs. Barnett, Greer, Pattillo and Randall; 4—carried, and bill passed by a constitutional majority of two-thirds.



A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of a bill to be entitled "an act to provide for the more certain collection of license taxes;" also.

A Resolution to go into the election of a Major General and Public Printer, forthwith.

On motion of Mr. Jack, said resolution was taken up and adopted.

Mr. Jack moved that the Senate proceed to make the nominations, and forward them to the House of Representatives—carried.

Mr. Jack nominated Thomas J. Rusk, for the office of Major General.

Mr. Titus nominated Mr. Thomas Johnson, for the office of Public Printer.

Mr. Jones nominated Mr. Sam. Whiting, for the office of Public Printer.

Mr. Greer nominated Mr. S. E. Powers, for the office of Public Printer; which nominations were sent to the House of Representatives.

Mr. Barnett asked leave to withdraw the claims of Messrs. Fisher and Holt. The Senate granted leave.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate that in addition to the nominations made by the Senate, the House had nominated Mr. James R. Cook, for the office of Major General.

A Committee from the House of Representatives, invited the Senate to proceed to the House, for the purpose of electing a Major General and Public Printer.

On motion of Mr. Jack, the Senate accepted the invitation, and repaired to the Representative Hall.

The roll being called upon voting for a Major General and Public Printer, the vote stood as follows:

For Thomas J. Rusk, for Major General—Messrs. Greer, Jack, Jones, Lawrence, Muse, Pattillo, Randall, Shaw, Smith, Titus and Webb; 11.

For James R. Cook, for Major General—Messrs. Barnett and Rugely; 2.

Thomas J. Rusk having received a constitutional majority of all the votes, was declared duly and lawfully elected Major General under the existing laws.

The two Houses then proceeded to the election of a Public Printer.



For Mr. Thomas Johnson, for Public Printer—Messrs. Barnett, Greer, Lawrence, Muse, Randall and Titus; 6.

For Mr. S. E. Powers, for Public Printer—Mr. Pattillo; 1.

For Mr. Sam. Whiting, for Public Printer—Messrs. Jack Jones, Rugely, Shaw, Smith and Webb; 6.

Mr. Johnson having received a majority of all the votes, was declared duly elected Public Printer for the seventh Congress. ¶

The election being over, the Senate returned to the Senate Chamber.

The Committee on Enrolled Bills, Mr. Randall chairman, reported that they had examined a bill to be entitled "a joint resolution for the relief of Bexar county," and found the same correctly enrolled; also,

A bill to be entitled "a joint resolution for the relief of Henry Fisher and Burchard Miller, contractors, &c.," and find the same correctly enrolled.

On motion, the Senate went into secret session. On motion, the doors were again opened.

Mr. Jack moved that the Secretary be instructed to procure a blank book, and cause the secret journals of the Senate to be recorded in the same, for which service he shall be entitled to receive the same compensation, as for copying the journals for the Public Printer—adopted.

On motion, the Senate adjourned until 8 o'clock, P. M.

8 o'clock, P. M.

Senate met—roll called—quorum present.

Mr. Smith, by leave, introduced the following resolution:

Resolved by the Senate, that the Secretary cause to be recorded, in a well bound book, the Journals and Executive messages of the Senate, and shall receive the same compensation heretofore allowed, to be paid out of the contingent fund of both houses of the seventh Congress—rejected.

A message was received from the President, through his Private Secretary Mr. Miller, informing the Senate that the President had approved and signed the following acts and joint resolutions:

"An act to authorize the County Court of Brazoria county to levy a tax for certain purposes."

"An act, to amend an act, entitled an act regulating sales by judgment or decree of Probate Court, or Court of Chancery, approved Feb. 4th, 1841."



"An act to provide for the establishment and maintainance of peace, and to regulate friendly intercourse with the Indians;" and  
 "A Joint Resolution to modify the provisions of an act, entitled an act granting lands to emigrants."

Mr. Jack moved that a committee be appointed to wait upon the House, and inform them that the Senate had disposed of all its business, and was now ready to adjourn *sine die*—carried.

Messrs. Jack and Pattillo, were appointed said committee.

Mr. Barnett moved that a joint committee be appointed on the part of the Senate, to act in conjunction with a like committee on the part of the House, to inform the President that the two Houses of Congress were now ready to adjourn—carried.

Messrs. Barnett and Titus were appointed said committee.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Raymond, informing the Senate of the passage of "an act to repeal in part, an act passed the 23d of July, regulating impost duties, so far as relates to direct taxes and postages;" also,

A bill to be entitled "an act to authorize the President to accept of the services of one company of mounted men, to act as spies on the frontier."

Which bill was taken up and read 1st time.

On motion, the rule was suspended, bill read 2d time, and passed to its 3d reading.

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

The committee to wait upon the House, returned, and reported that they had performed their duty.

A Committee was announced from the House, informing the Senate that the House would adjourn at precisely 9 o'clock.

Mr. Smith, by leave, introduced a resolution, to wit: "That the Sergeant-at-Arms and the door-keeper, be allowed one dollar per diem, in addition to the sum allowed by law, to be paid out of the contingent fund of Congress"—adopted.

The Committee on Enrolled Bills, Mr. Randall chairman, reported that a bill to be entitled "an act to amend the several laws regulating the Post-office Department," had been examined, and found correctly enrolled.

Mr. Randall, by leave, introduced the following resolution:

"Be it resolved by the Senate, that there shall be allowed to the Secretary, assistant Secretary and Enrolling and Engrossing Clerk, one dollar per diem, in addition to the compensation already fixed by law, to be paid out of the contingent fund of the two Houses of Congress"—adopted.



The Committee on Enrolled Bills, Mr. Randall chairman, reported that a bill to repeal in part, an act passed the 23d of July, 1842, to regulate impost duties, so far as direct taxes and postages were concerned;" also,

A bill to be entitled "an act to provide for the more certain collection of license taxes," have been examined and found correctly enrolled.

The Committee, Mr. Barnett chairman, to wait upon the President, returned, and reported that they had performed their duty.

Mr. Muse, by leave, introduced the following resolution:

"Resolved, that the thanks of the Senate, be, and they are hereby most respectfully tendered to the Rev. Mr. Tryon, for his politeness in attending the meetings of this body, at such times as were in his power, and performing the duties of Chaplain thereto.

Resolved further, that the Secretary forward a copy of the above resolution, to the Rev. Mr. Tryon—adopted.

On motion of Mr. Jack, the Senate adjourned *sine die*.

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