

JOURNALS

OF THE

S E N A T E

OF THE

NINTH CONGRESS

OF THE

REPUBLIC OF TEXAS.

PUBLISHED BY AUTHORITY.

—
WASHINGTON:

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MILLER & CUSHNEY, PUBLIC PRINTERS.

—
1845.

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JOURNALS OF THE SENATE,

NINTH CONGRESS,

OF THE

REPUBLIC OF TEXAS.

SENATE CHAMBER, }
WASHINGTON, December 2d, 1844. }

The Senate met in accordance with law, and the Proclamation of His Excellency, the President.

On motion of Mr. Lawrence of Harris, Mr. Greer of San Augustine was called to the Chair.

Stephen Z. Hoyle was appointed Secretary pro tem.

The roll of Senators being called by Districts, the following members appeared and took their seats:

From the District of San Augustine,—J. A. Greer.

From the District of Nacogdoches, Rusk and Houston—Isaac Parker.

From the District of Jasper and Jefferson—G. A. Patillo.

From the District of Harris, Galveston and Liberty—Wm. Lawrence.

From the District of Washington, Montgomery and Brazos—Jesse Grimes.

From the District of Robertson and Milam—Henry J. Munson.

From the District of Austin, Colorado and Fort Bend—James K. McCrearey.

From the District of Matagorda, Jackson and Victoria—Richard Roman.

From the District of San Patricio, Goliad and Refugio—H. L. Kinney,

The following members then presented their credentials, and took the oath prescribed by the Constitution, viz :

H. L. Kinney, of San Patricio.

Henry J. Munson, of Robertson.

Richard Roman, of Jackson.

James K. McCrearey, of Fort Bend.

On motion of Mr. Grimes, S. W. Pipkin was appointed Sergeant-at-Arms, pro tem.

On motion of Mr. Lawrence, the Senate adjourned until to-morrow at 10 A. M.

TUESDAY, Dec. 3d, 10 o'clock, A. M.

The Senate met pursuant to adjournment, Mr. Greer in the chair, the roll of Districts being called, Mr. Pilsbury, Senator from the District of Brazoria, appeared, presented his credentials, took the oath and his seat.

The roll of members being called, the following Senators answered to their names :—Messrs. Greer, Grimes, Kinney, Lawrence, McCrearey, Munson, Parker, Patillo, Pilsbury, Roman and Smith—quorum present,

On motion of Mr. Parker, the Senate proceeded to the election of a Secretary. Messrs. Roman and Lawrence were appointed tellers.

Mr. Kinney nominated H. P. Bee, Mr. Munson nominated H. J. Jewett, Mr. Smith nominated E. S. C. Robertson.

The vote being taken, Mr. Bee received three votes, Mr. Robertson received three votes, Mr. Jewett five.

No one candidate having received a majority of all the votes, the Senate proceeded to a second ballot.

Whereupon, Mr Bee received three votes, Mr. Robertson three, Mr. Jewett five.

No candidate having received a majority of all the votes, the Senate proceeded to a third ballot.

Whereupon, Mr. Bee received three votes, Mr. Robertson three, Mr. Jewett five.

No candidate having received a majority of all the votes, the Senate proceeded to a fourth ballot.

Whereupon, Mr. Bee received three votes, Mr. Robertson two, Mr. Jewett six.

Mr. Jewett having received a majority of all the votes, was declared duly elected.

The Senate then proceeded to the election of assistant Secretary.

Mr. Munson nominated Messrs. N. Raymond, A. W. Lockett, Thomas Sheppard, and H. H. Collier: the vote being taken, Mr. Raymond received two votes, Mr. Lockett received five votes, Mr. Sheppard received three votes, Mr. Collier one vote; no candidate having received a majority of all the votes, the Senate proceeded to a second ballot.

Whereupon, Mr. Raymond received one vote, Mr. Lockett received six, Mr. Sheppard received four.

Mr. Lockett having received a majority of all the votes, was declared duly elected.

The Senate then proceeded to the election of Engrossing and Enrolling Clerk.

Mr. Grimes nominated R. J. Clow, Mr. Patillo nominated H. W. Raglin.

The vote being taken, R. J. Clow received five votes, H. W. Raglin received six votes.

Whereupon, Mr. Raglin having received a majority of all the votes, was declared duly elected.

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

Mr. Roman nominated Mr. Wright, Mr. Parker nominated Mr. Pipkin, Mr. Ward, Mr. Goodman, Mr. Hornsby and Mr. Byers.

The vote being taken, Mr. Wright received three votes, Mr. Byers received one vote, Mr. Pipkin received three votes,

Mr. Goodman received two votes, Mr. Hornsby received one vote.

No candidate having received a majority of all the votes, the Senate proceeded to a second ballot,

Whereupon, Mr. Wright received three votes, Mr. Byers received one vote, Mr. Pipkin received four votes, Mr. Goodman received two votes, Mr. Hornsby one vote.

No candidate having received a majority of all the votes, the Senate proceeded to a third ballot.

Whereupon, Mr. Wright received four votes, Mr. Pipkin received five votes, Mr. Goodman received two votes.

No candidate having received a majority of all the votes, the Senate proceeded to a fourth ballot.

Whereupon, Mr. Wright received five votes, Mr. Pipkin received five votes, Mr. Goodman received one vote.

No one candidate having received a majority of all the votes, the Senate proceeded to a fifth ballot.

Whereupon, Mr. Wright received five votes, Mr. Pipkin received six votes.

Mr. Pipkin having received a majority of all the votes, was declared duly elected.

The Senate then proceeded to the election of a Door-Keeper.

Mr. Parker nominated James Neely, Mr. Grimes nominated G. W. Crawford, Mr. Munson nominated J. Wilkinson.

The vote being taken, Mr. Neely received six votes, Mr. Crawford received four votes, Mr. Wilkinson received one vote.

Whereupon, Mr. Neely having received a majority of all the votes, was declared duly elected.

The officers elect came forward and took the oath of office.

On motion of Mr. Parker, a committee, consisting of Messrs. Parker and Pilsbury, was appointed by the chair to wait upon the House of Representatives and inform them that the Senate was organized and ready to proceed to business.

On motion of Mr. Grimes, the Secretary was instructed to furnish his Excellency the President, with a list of the officers of the Senate, elected at the present session.

On motion of Mr. Grimes, the Senate adjourned until half past 4 o'clock, P. M.

Half past 4 o'clock, P. M.

The Senate met pursuant to adjournment. Roll called—quorum present.

A committee of the House of Representatives, Mr. Parker of Fort Bend, chairman, appeared and informed the Senate that the House was organized, and ready to proceed to business.

A message was received from the House, through their chief clerk, James H. Raymond, informing the Senate that a committee, consisting of Messrs. Scurry, Johns and Perkins, was appointed to wait upon His Excellency, the President, and inform him that they were ready to receive any communication from him, and requesting the appointment of a like committee on the part of the Senate, to act in conjunction with the committee on the part of the House for this purpose; and, on motion of Mr. Parker, Messrs. Parker and Grimes were appointed, and the committee then asked leave to retire and perform their duty.

On motion of Mr. Pilsbury, Mr. John Caldwell, Senator elect from the District of *Bastrop, Travis, Fayette and Gonzales*, presented his credentials, took the oath and his seat.

The committee appointed to inform the House that the Senate was organized, reported through their chairman Mr. Parker, that they had performed that duty.

The committee appointed on the part of the Senate to wait upon His Excellency the President, returned and reported, through their chairman Mr. Parker, that the President would deliver his message to the two Houses of Congress in the Representative Hall, on to-morrow, at 11 o'clock, A. M.

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

SENATE CHAMBER, }
 Wednesday, Dec. 4th, 10 o'clock, A. M. }

Senate met—roll called—the following members answered to their names, viz :

Messrs. Caldwell, Greer, Grimes, Kinney, Lawrence, McCrearey, Munson, Parker, Patillo, Pilsbury, Roman and Smith.

Quorum present. Journals of the two preceding days read and adopted.

On motion of Mr. Grimes, the Secretary was instructed to furnish His Excellency the President, a list of the Senators of the ninth Congress, together with a list of the officers elect of the same.

A committee from the House, Mr. Sadler, Chairman, appeared, and invited the Senate to a seat within the Representative Hall, to receive the annual message of His Excellency the President, at half past 11 o'clock, A. M.

Mr. Parker moved that the Secretary inform the House of Representatives that the Senate accepts their invitation.

A Message was received from the House of Representatives, through their chief Clerk, Mr. Jas. H. Raymond, transmitting to the Senate the following list of officers elect, viz :

Hon. J. M. Lewis, Speaker; Messrs. Jas. H. Raymond, chief clerk; John M. Swisher, assistant do.; Benj. F. Hill, engrossing do.; M. H. Chevalie, enrolling do.; J. M. Alexander, Sergeant-at-Arms; Francis Hughes, door-keeper.

On motion of Mr. Parker, the Senate proceeded to an election of a President pro tem.

Mr. Parker nominated the Hon. J. A. Greer. Mr. Smith was called to the chair. There being no other nomination, on motion of Mr. Roman, Mr. Greer was declared elected President pro tem.

Mr. Roman and Mr. Parker being appointed by the chair, conducted the President pro tem. to his seat.

Whereupon, the President pro tem., arose and addressed the Senate, returning thanks for the honor conferred on him.

On motion of Mr. Roman, the Senate then proceeded to the election of a Chaplain: Mr Grimes nominated the Rev. Mr. Tryon.

On motion of Mr. Caldwell, the roll was called, and the following Senators answered to their names:—Messrs. Caldwell, Greer, Grimes, Kinney, Lawrence, McCrearey, Munson, Parker, Patillo, Pilsbury, Roman and Smith.

Mr. Pilsbury nominated the Rev. Mr. Fisher for Chaplain. Messrs. Smith and Roman were appointed tellers, and the

vote being taken, Mr. Tryon received six votes, and Mr. Fisher received six votes.

There being no election, the Senate proceeded to a second ballot. The vote being taken, Mr. Tryon received six votes, Mr. Fisher received six votes.

On motion of Mr. Caldwell, the election of Chaplain was postponed until to-morrow.

On motion of Mr. Parker, the Senate proceeded to the House of Representatives to hear the message of his Excellency, the President. The message was read to both Houses of Congress, as follows:

EXECUTIVE DEPARTMENT, }
Washington, December 4th, 1844. }

Gentlemen of the Senate,

and of the House of Representatives:

In meeting again, and for the last time during my official term, now about to close, the assembled representatives of the people of Texas, in their annual session, I avail myself of the occasion to congratulate them upon the condition of the country, in its foreign and domestic relations, and to join with them in unaffected thanks to a propitious Providence for the numerous favors which have been vouchsafed to us as a people. We have many reasons to feel grateful to that omnipotent arm which has been so constantly stretched out to supply our wants and sustain us in every trial, alike in peace and war.

As my services as Chief Magistrate must now so soon come to an end, it will only be necessary for me to lay before the Honorable Congress a succinct view of the principal transactions of the Government within the last year, and to make such suggestions as may naturally arise out of the facts submitted—leaving to my successor the further duty of proposing for legislative consideration, such subjects as may seem to him proper for the security and welfare of the nation.

Since your last adjournment, our relations have been extended upon the continent of Europe, by the negotiation of treaties of amity, navigation and commerce with some of the German States, with which a respectable trade, convenient and profitable, has already sprung up.

The Government of Great Britain and France, still maintain towards us those sentiments of friendship and good feeling, which have ever marked their intercourse with us, and which it should continue to be our studious care, by every proper manifestation on our part, to strengthen and reciprocate. There is no ground to suspect that the late agitation of international questions between this Republic and that of the United States, has, in any degree, abated their desire for our continued prosperity and independence, or caused them to relax their good offices to bring about the speedy and honorable adjustment of our difficulties with Mexico. That they should evince anxiety for our separate existence, and permanent independence as a nation, is not only natural, but entirely commendable. They will never require of us, I am fully assured, any sacrifice of honor or interest; and if they did, we should be quite free, as I am certain we should be ready, to refuse it. They are too well acquainted with the history of our origin and progress to suppose, for an instant, that we would under any circumstances, surrender one jot or tittle of that liberty and right to self government which we achieved in the sanguinary conflicts of revolution, or give up a single privilege secured to us by our laws and constitution. They will not ask it—they do not expect it—we would not yield it.

Our relations with the United States remain in the same condition as at the time of my last annual communication. We are still without any treaty stipulations between the two countries. Within the two last years, all attempts at their establishment have been negatived by the ratifying power of that government. That any effort for the same purpose will meet with better success, for some time to come, I am wholly unable to determine.

In all but the name, we still continue at peace with Mexico. Since the autumn of 1842, no incursion has been made within our borders. The moral effect of public opinion throughout the enlightened world, if not the decided intervention of powers mutually friendly, seems to have arrested that course of conduct heretofore practised against us, on the part of our enemy, and so plainly subversive of every rule of honorable warfare.

Those of our citizens, who surrendered to the officers of Mexico, under pledges of the treatment usually accorded to

prisoners of war, have all been released from the captivity in which they were so perfidiously retained, and permitted to return home, with the exception of Mr. José Antonio Navarro, one of the ill-fated number composing the Santa Fé expedition, who alone remains to bear the vengeance of a government which seems to delight in inflicting upon a helpless individual those wrongs and cruelties which would degrade the head of any other nation to a level with the rudest savage.

The laws of the last Congress touching our prisoners in Mexico, were carried out as fully and as speedily as circumstances would permit.

The commission sent out by this government to confer with a similar commission on the part of Mexico, in regard to the establishment of an armistice between the two countries, concluded their labors in the month of February last. Under the instructions by which they were governed, it became necessary for the Executive to approve or reject their proceedings. As soon as they were submitted, he did not hesitate, for reasons palpably manifest, to adopt the latter course.

The subsequent manifesto of the Mexican Government, in relation to this subject, disregarding as it did every ordinary courtesy, even between belligerents, and descending into the vilest and most unmerited abuse of the people of Texas, forced upon the President the necessity of a response. He accordingly replied in such terms as he believed the occasion required at his hands.

Our Indian affairs are in as good condition as the most sanguine could reasonably have anticipated. When it is remembered that a great while necessarily elapsed before the various tribes, all of whom were in a state of the most bitter hostility, could be reached through the agents of the Government, and that they are now, taken as different communities, completely pacified and in regular friendly intercourse with our trading establishments, in the judgment of the unprejudiced and impartial, the policy which would inculcate and maintain peace, and thereby save the frontiers from savage depredations and butcheries, will be viewed as satisfactorily demonstrated. It is not denied, that there are among the Indians, as among our own people, individuals who will disregard all law and commit excesses of the most flagrant char-

acter; but it is unjust to attribute to a tribe or body of men disposed to obey the laws, what is properly chargeable to a few renegades and desperadoes. Other governments of far superior resources for imposing restraints upon the wild men of the forests and prairies, have not been exempt from the infraction of treaties and the occasional commission of acts of rapine and blood. We must therefore expect to suffer in a greater or less degree from the same causes. But even this, in the opinion of the Executive, does not furnish overruling testimony against the policy which he has constantly recommended, and which he has had the happiness to see so fully and so satisfactorily tested.

The appropriation made by the last Congress, for the service of the Indian department for the present year, has been found insufficient to meet the necessary expenditures. An additional sum is therefore respectfully asked to cover outstanding liabilities necessarily incurred—amounting altogether to not more than four thousand dollars.

It will appear from the report of the Secretary of the Treasury, that the finances of the country are in the most healthy and prosperous condition. It is believed the receipts from the various sources of revenue will at least equal the expenditures—and perhaps leave a small surplus in the Treasury. The Executive has no hesitation in declaring that this would have been the case to a comparatively large amount, if the recommendations he has so frequently made in relation to the more prompt and certain collection of the revenues, had been responded to by the Hon Congress, by the enactment of the legal provisions deemed absolutely indispensable for this object. It is plainly unjust that the law-abiding citizen and faithful officer, should be charged with the burthens of government, and the dishonest and unpatriotic be permitted by the defects of our statutes, to be relieved from the contribution of their fair proportion. Had the necessary laws been passed, as recommended, we should have received from customs, upon our eastern boundary, as is estimated, some seventy-five thousand dollars more, annually, than have been collected; making, within the last three years, the sum of two hundred and twenty-five thousand dollars, which has been totally lost, and which at this time, would enable us to be in a far better state of preparation for the contingencies to

which every nation is liable, and for undertaking the various improvements which our situation, as a rising people, makes obligatory upon us.

It is only necessary to mention, in order to show the striking propriety of adequate amendments to our revenue laws, that the defalcations which have already occurred in the collection of the direct tax alone amount to more than fifty-two thousand dollars ; and the defalcations of the late collectors of import duties at the two ports of Galveston and San Augustine, reach nearly thirty thousand dollars. It is obvious, therefore, that the laws must be so improved, by the action of the legislature, as to secure the more certain and prompt collection and transmission of the public moneys. Otherwise, no safe calculation can be made as to the means annually appropriated for the support of government.

The total amount of expenditures for all purposes during the present administration, up to the first of November last, excluding fifty thousand eight hundred and seventy-three dollars and eighty-two cents, incurred during the administration of my predecessor and paid by this; is four hundred and sixty thousand two hundred and nine dollars and eighteen cents. The receipts for the same period are estimated at four hundred and sixty-six thousand one hundred and fifty-eight dollars and nine cents—leaving a balance of five thousand nine hundred and forty-eight dollars and ninety-one cents, after carrying on the Government for the last three years. It should be mentioned, also, that the estimate of expenditures, dates back to the first of December, 1841, and that of receipts to the first of February, 1842, at which time Exchequer bills began to be received for revenue—a space of two months, during which the expenses of Government were being incurred without the receipt of a dollar to meet them.

It appears from the several enactments on the subject, that the amount appropriated for sustaining the post office establishment during the administration of my predecessor, was two hundred and fifty-two thousand nine hundred and seventy dollars ; and that the like appropriations during the last three years, for the same purpose, amount to but about twenty-nine thousand. Notwithstanding, however, this great difference in the means afforded for the support of this im-

portant branch of the public service, it is believed that, by the exercise of proper economy, the mails have been regularly transported upon all the routes prescribed by law, so as to give the greatest benefits possible under the means which could be applied.

This statement, it is believed, will best explain the conduct of the administration in the management of its finances; and perhaps satisfy the people of the Republic, that all within its power has been done to economise the means which they had contributed for the support of our institutions. Much hardship has been encountered, and sometimes extreme perplexity endured, by all the public officers, from the fluctuations to which the currency has been subjected. But they have the satisfaction to know, that although they have frequently received less than one half the compensation assigned them by law, for their services, they have materially assisted in sustaining their country in the time of difficulty and need.

During the past summer, dissensions of a most unfortunate character, arising from private and personal causes, and leading to the most deplorable excesses against life and property, existed in the county of Shelby and extended in some degree to the surrounding districts. The necessity for the prompt intervention of the Government, to arrest this state of things, became imperative; and, accordingly, the Executive proceeded in person to a convenient point near the scene of difficulties, and ordered out a military force deemed sufficient for the effectual attainment of the object in view. He is happy to say that the citizen soldiery obeyed the call upon their patriotic services with the utmost alacrity; by which the reign of order and the supremacy of the laws were speedily re-established.

It was deemed prudent, in order to secure the maintenance of these blessings, and to give due protection to the civil authorities in the administration of justice, to station a company of men in the county of Shelby. For this purpose a corps of volunteers were enrolled, and continued in service as long as the Government thought it advisable for the preservation of peace.

The Executive does not doubt that the Honorable Congress will readily perceive the necessity which existed for

the exertion of the strength of the Government for the suppression of the disorders alluded to; and that they will as readily make provision for the payment of the expenses incurred in doing so.

It appears that the force authorized to be kept in service for the protection of the south-western frontier has not been adequate to afford the security anticipated. The Government, being desirous to extend every facility in its power for the better security of that border, authorized the raising of a company, in addition to that already in the field. The expenses thus incurred are small; and it is hoped that the necessary means will be provided for their payment.

Reports from the several Departments and Bureaus of Government are herewith respectfully submitted; and the attention of the Honorable Congress invited to their contents.

I have now only to add the hope, that your deliberations may be characterized by that wisdom and harmony so essential to the attainment of those great ends for which you are here assembled; with my fervent desire that all your labors may, under the guidance of Heaven, give additional force and energy to all those principles of private and public virtues indispensable to the stability, prosperity, and success of the Government and people of the Republic.

SAM HOUSTON.

The Senate returned from the Representative Hall—roll called—quorum present.

And, on motion of Mr. Roman, the Senate adjourned until to-morrow at 10 o'clock, A. M.

THURSDAY, Dec. 5th, 10 o'clock, A. M.

Senate met; roll called; quorum present; Mr. Greer, President pro tem., in the chair; journals of the preceding day read and adopted.

On motion of Mr. Smith, the rules for conducting business in the Senate of the last session were adopted.

On motion of Mr. Roman, the Secretary was instructed to ascertain if copies of the Laws of Texas could be procured for the use of the Senate.

On motion of Mr. Parker, five hundred copies of the President's annual message were ordered to be printed for the use of the Senate.

Mr. Parker moved that the Senate now proceed to the election of a Chaplain; motion carried. Messrs. Roman and Smith were appointed tellers, and the vote being taken, Mr. Tryon received five votes, Mr. Fisher seven; whereupon Mr. Fisher having received a majority of all the votes, was declared elected Chaplain of the Senate.

A message was received from His Excellency the President, through his Private Secretary, Mr. W. D. Miller, which on motion of Mr. Parker, was read as follows:

EXECUTIVE DEPARTMENT, }
Washington, December 5th, 1844. }

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

I have the honor to make known to the Hon. Congress, that, during their recess, the Judgeships in the first and sixth Judicial Districts, became vacant by the death of their respective incumbents; and that the same was filled by Executive appointment.

SAM HOUSTON.

Also transmitting the annual report of the Secretary of the Treasury. (See Appendix.)

A committee from the House of Representatives—Mr. Henderson, chairman, informed the Senate that the House was ready, at any hour convenient to the Senate, to count the votes for President and Vice President of the Republic.

On motion of Mr. Caldwell, the Secretary was instructed to inform the House that the Senate would meet them for that purpose, at half past three o'clock, P. M.

The President informed the Senate that there were communications from his Excellency, the President, "marked secret."

On motion of Mr. Pilsbury, a committee of three was appointed to act in conjunction with a like committee on the part of the House, to contract for the contingent printing of both Houses. Messrs. Parker, McCrearey and Smith were appointed said committee.

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

On motion, the doors were opened, and the Senate proceeded to business.

A message was received from the House of Representatives, through their Chief Clerk, Mr. J. H. Raymond, informing the Senate that a committee, consisting of Messrs. Williamson, Mabry, Perkins, Scurry and Wallace, were appointed on the part of the House, to make arrangements for the inauguration of the President and Vice President elect, and requesting the appointment of a like committee by the Senate.

On motion of Mr. Lawrence, the Senate adjourned until three o'clock, P. M.

3 o'clock, P. M.

Senate met; roll called; quorum present; Mr. Greer, President pro tem. in the chair. Mr. Wright, Senator from the District composed of the counties of Red River, Fannin, Bowie and Lamar, presented his credentials, took the oath and his seat.

The President announced the following standing committees of the Senate:

Committee on Foreign Relations.—Messrs. Kaufman, Caldwell and Grimes.

Committee on Finance.—Messrs. Pilsbury, Grimes and Patillo.

Committee on Military Affairs.—Messrs. Kinney, Wright and Roman.

Committee on Naval Affairs.—Messrs. McCrearey, Lawrence and Patillo.

Committee on Public Lands.—Messrs. Smith, Lawrence and Wright.

Committee on Indian Affairs.—Messrs. Caldwell, Munson and Parker.

Committee on Judiciary.—Messrs. Lawrence, Caldwell and Kaufman.

Committee on Post Offices and Post Roads.—Messrs Patillo, Kinney and Parker.

Committee on Public Printing.—Messrs Grimes, Smith and Kinney.

Committee on Engrossed and Enrolled Bills.—Messrs. Roman, Caldwell and McCrearey.

Committee on Claims and accounts.—Messrs. Wright, Roman and Munson.

Committee on Privileges and Elections.—Messrs. Munson, Roman and McCrearey.

On motion of Mr. Pilsbury, the Senate proceeded to the Representative Hall, to hear the election returns for President and Vice President published by the Speaker, as provided by the Constitution.

Senate returned; roll called; quorum present; and on motion of Mr. Patillo, the Senate adjourned until to-morrow at 10 o'clock.

FRIDAY, Dec. 6th, 10 o'clock, A. M.

Senate met; Mr. Greer, President pro tem. in the chair; roll called; quorum present; prayer by the Chaplain; journals of the preceding day read and adopted.

The chair announced that the Senate were in possession of the annual report of the Commissioner of the General Land Office. (For Report see Appendix.)

On motion of Mr. Grimes, the report was ordered to be read, and on motion, referred to the committee on Public Lands.

A message was received from the House of Representatives, through their Chief Clerk, Mr. J. H. Raymond, that the House had passed the following bill: "a bill to be entitled an act making an appropriation for the contingent expenses of the ninth Congress." Bill read first time; and, on motion of Mr. Smith, the rule was suspended, read a second

time, and on motion of Mr. Grimes, referred to the committee on finance.

On motion of Mr. Caldwell, a committee was appointed to act in conjunction with the committee on the part of the House, to make the necessary arrangements for the inauguration of the President and Vice President elect. The chair appointed Messrs. Kaufman, Lawrence and Kinney said committee.

On motion of Mr. Grimes, the Senate adjourned until three o'clock, P. M.

3 o'clock, P. M.

Senate met; roll called; quorum present.

Mr. Pilsbury, chairman of the committee on finance, to which was referred, a bill to be entitled—"an act making an appropriation for the ninth Congress," asked leave to report a substitute, and recommend its passage:—substitute read first time; Mr. Caldwell moved its adoption—carried.

On motion of Mr. Grimes, the rule was suspended, read a second time—rule further suspended, read third time and passed.

A message was received from the House of Representatives, through their Chief Clerk, Mr. J. H. Raymond, announcing a committee of two, Messrs. Robinson and Wallace, to wait upon the Hon. Anson Jones, and the Hon. Kenneth L. Anderson, and inform them of their election as President and Vice President of the Republic, and induct them into office on Monday next; and requesting the appointment of a like committee on the part of the Senate.

Mr. Kinney, by leave, introduced a "joint resolution," making an appropriation for the payment of a company of men raised by H. L. Kinney, under the authority of the Secretary of War and Marine, for the protection of Corpus Christi, read first time—and, on motion of Mr. Kinney, rule suspended, and read second time.

On motion of Mr. Parker, referred to committee on military affairs.

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

SATURDAY, Dec. 7th, 10 o'clock, A. M.

Senate met; Mr. Greer, President pro tem. in the chair; roll called; quorum present; prayer by the Chaplain; journals of the preceding day read and adopted.

Mr. Kinney, chairman of the committee on military affairs, to whom was referred the joint resolution making an appropriation for the payment of a company of men raised by H. L. Kinney, made the following report:

The committee on military affairs to which was referred the bill for the payment of the troops raised by order of the President for the protection of Corpus Christi, have had the same under consideration, and would respectfully report, that they have examined the authority by which the troops were called into service, and also the vouchers of those services being rendered, and find them sufficient; believing also that an emergency existed requiring a military force at that place, the committee recommend the passage of the bill to the amount of two thousand two hundred and thirty-six dollars, \$2,236.]

H. L. KINNEY,

Mr. Kaufman moved the adoption of the report; carried.

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

The doors were opened, and, on motion of Mr. Pilsbury, the orders of the day were taken up.

The joint resolution making an appropriation for the payment of a company of men raised by H. L. Kinney read second time, and, on motion of Mr. Lawrence, the bill was ordered to be engrossed.

On motion of Mr. Roman, the rule was suspended, the resolution read third time and passed.

The following communication, in writing, was received from His Excellency the President, through his private Secretary, Mr. W. D. Miller.

EXECUTIVE DEPARTMENT, }
 Washington, December 7th, 1844. }

To the Honorable the Senate :

I herewith transmit to your Honorable Body, estimates from the Department of War and Marine, for the payment and support of a company of Rangers, organized by the order of the government during the past year, for the better protection of the South-western frontier.

The peculiar necessity which existed for the creation of this additional force, will be apparent upon an examination of the circumstances which induced it.

The privations which the company have endured, and the important services rendered, will recommend their claims to the favorable attention of the Honorable Congress.

SAM HOUSTON.

On motion of Mr. Lawrence, the message was referred to the committee on military affairs.

On motion of Mr. Pilsbury, a committee was appointed to examine and report, what portion of the annual report of the Commissioner of the General Land Office be printed. The chair appointed Messrs. Pilsbury, Kaufman and Grimes said committee.

On motion of Mr. Grimes, the annual report of the Secretary of the Treasury, with the accompanying documents, was referred to the committee on finance.

A message was received from the House of Representatives, through Mr. J. H. Raymond, Chief Clerk, informing the Senate, that the House had passed the following bill: "a bill to be entitled an act exempting ministers of the gospel from serving as jurors," and for other purposes; read first time.

On motion of Mr. Lawrence, the Senate went into secret session. Doors opened; and, on motion of Mr. Pilsbury, the Senate adjourned until Monday at 10 o'clock, A. M.

MONDAY, Dec. 9, 10 o'clock A. M.

Senate met; Senator Greer, President pro tem, in the chair; roll called; quorum present; prayer by the Chaplain; journals of the preceding day read and adopted.

Senator Kaufman, by leave, introduced the following resolutions:

First. *Resolved by the Senate*, That the administration of President Houston, which this day terminates, has been characterized by a forecast, economy and ability, which entitles it to the thanks and gratitude of the nation.

Second. *Resolved further*, That as the constitutional advisers of the President, we have undiminished confidence in the unbending integrity and devoted patriotism of General Sam Houston, and he carries with him into retirement our warm wishes for his health and happiness.

Third. *Resolved*, That the Secretary furnish Gen. Houston with a copy of these resolutions.

Senator Roman moved a call of the Senate; one Senator absent.

The Sergeant-at-Arms was despatched for the absent Senator; returned and reported, not to be found; further call dispensed with.

On motion of Senator Kaufman, the resolutions were adopted.

The President pro tem. announced that the time had arrived when the Senate should meet the House of Representatives, to be present at the inauguration of the President and Vice President elect.

Whereupon, the Senate repaired to the Representative Hall, where the Speaker of the House administered the oath prescribed by the Constitution, to the Hon. Anson Jones, President elect, who delivered the following

INAUGURAL ADDRESS:

Gentlemen of the Senate,

and of the House of Representatives:

Called by the suffrages of my fellow-citizens, to discharge the duties of Chief Magistrate of the nation, I now appear before you, responsive to their call, and in obedience to the

requirements of the Constitution, for the purpose of assuming the responsibilities their choice has devolved upon me. It is proper on this occasion, that I should express to you, as the immediate representatives of a common constituency, the deep and grateful sense which I entertain, of the distinguished honor which has been conferred upon me, and at the same time, declare to you and to them, the strong determination which I shall carry with me to discharge the executive functions with faithfulness and zeal; and, so far as I may be able, in such a manner as I sincerely hope, will best sustain and promote the general welfare and the common good of the Republic.

The occasion which has now called us together, is one of deep and absorbing interest to myself, as I doubt not it is so to you, the constitutional representatives of a free, sovereign and confiding people.

For my own part, I wish not to disguise the fact, that I approach the discharge of the duties which the partialities of my countrymen have assigned me, as President of this Republic, with a profound sense of the importance of the trust, which by a partial acquaintance with the embarrassing duties of the office, and a sincere distrust of my own abilities, are not, in any respect, calculated to relieve.

When I turn my eye upon the distinguished individual who has this day, for the second time, vacated the Presidential chair, under the peremptory requirements of the constitution—the man whom the people of this country have long delighted to honor with their confidence and esteem—when I recur to the decided feeling of approbation with which my other distinguished predecessor entered upon his official duties, and recollect the difficulties and embarrassments with which they were at all times surrounded, and with which they had to contend, and then look for a few weeks, and find myself preferred, by a majority of the electors, to an individual enjoying in an eminent degree, the confidence of his fellow-citizens, I am indeed admonished of the magnitude of the high undertaking I have this day assumed, and to regard the success likely to attend my efforts, with unfeigned distrust and apprehension. I can only throw myself freely and frankly upon the co-ordinate branches of the government, for that aid and support which I have no doubt, will be promptly accord-

ed to such measures as are best calculated to promote the general welfare of our constituents, sustain the honor and dignity of the country, in the elevated attitude it now maintains, and protect the rights and interests of the citizen, to the remotest extension of our territorial limits.

I congratulate myself, therefore, upon being thus early surrounded by the representatives of the people, assembled in general congress, from whose wisdom and patriotism, I may derive those aids which will be indispensable to a successful commencement on my part, of the administration of the government.

It belongs not to the present occasion to discuss the various subjects connected with the present or future policy of the country. Other occasions will occur for the appropriate performance of that duty. It is however due to that frankness which I intend shall ever attach to my conduct of the executive functions, to state briefly in advance, the objects which I conceive of importance to the welfare of the country, respectfully to ask your attention to the same, and your legislative aid, so far as they meet your approbation, in carrying them into effect.

Premising that I shall hold it my especial duty to preserve the Constitution sacred and inviolate, I deem of scarcely less importance a rigid and impartial execution of the laws, civil and criminal; giving consequent security to persons and to property, and a strict accountability in all the officers of the government; thus securing, to the greatest extent, the public interests. The other objects to which I have alluded, are the following:

The maintenance of the public credit and the preservation of the national faith, both as it regards individuals and nations.

A reduction of the expenses of the government to as small an amount as is consistent with the efficient administration of its different departments.

The entire abolishment of paper money issues by government, corporations or individuals, and the consequent introduction of an exclusive hard money currency.

A tariff sufficient to provide with certainty for the current expenses of the government, and for leaving a convenient amount of surplus in the Treasury at all times to meet any

unexpected emergency, with incidental protection and encouragement to our agricultural and manufacturing interests.

The establishment of a system of common schools and institutions, for the moral and religious culture of the rising generations.

The attainment of a speedy peace with Mexico, and the encouragement of a desirable immigration to the country, and the introduction of capital to develop its vast resources.

Friendly and just relations with our red brethren, a course not only according with the dictates of humanity, but the principles of acknowledged sound policy, as affording the least expensive protection and greatest safety to our extended frontier.

The introduction of a Penitentiary system into the criminal jurisprudence of the country.

Encouragement to Internal Improvements, such as the construction of bridges, the improvement of roads, and the navigation of our rivers.

An extension of our friendly and commercial relations with foreign powers, and a favorable consideration for our great staple productions, cotton, sugar and tobacco,—exempt however from inconvenient and entangling alliances.

An early settlement of the claims of our citizens to their head-right and bounty lands.

I rely, gentlemen, upon you for the necessary aid and assistance in the promotion of these objects, and all others which may be calculated to promote the general good. A brave, patriotic and struggling people have confided their most important interests to our care and keeping. It will be no less my constant desire than it is my manifest duty, to co-operate with you in every thing by which the confidence they have reposed in us may be redeemed, our civil institutions more firmly established, and the great cause of representative freedom honored and advanced.

It only remains for me to express my fervent desire, that all your deliberations may tend to the advancement of the peace, prosperity and happiness of Texas, and that Heaven may crown your labors in the cause of your country, with its richest blessings.

ANSON JONES.

Senator Greer, President pro tem, having administered the oath prescribed by the Constitution to the Hon. Ken-

neth L. Anderson, Vice President elect, the Senate returned to their chamber; roll called; quorum present.

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

TUESDAY, Dec. 10, 10 o'clock, A. M.

Senate met; Senator Greer, President pro tem., in the chair; roll called; quorum present; prayer by the Chaplain.

Journals of the preceding day read and adopted.

On motion of Senator Grimes, a committee of two were appointed to conduct the Hon. Kenneth L. Anderson, Vice President of the Republic, and President of the Senate, to the chair.

The President, pro tem., appointed Senators Grimes and Lawrence said committee.

The committee having performed that duty, the President arose, and returned thanks to the Senate for the courtesy extended to him.

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

WEDNESDAY, Dec. 11, 10 o'clock, A. M.

Senate met; roll called; quorum present. Prayer by the Chaplain.

Journals of the preceding day read and adopted.

Senator Parker presented the petition of William Allbright, administrator of Thomas R. Townsend, deceased, praying that the Commissioner of the General Land Office, be required to issue patents to certain lands. On motion, the same was referred, with the accompanying documents, to the committee on public lands.

Senator Wright presented the petition of John Robinson, praying the Hon. Congress to grant him a certificate for 320 acres of land; also, the petition of Abram Skidmore, pray-

ing for a special act, in his behalf, declaring his certificate for one league and labor of land a valid claim against the government, both of which petitions, on motion, were referred, with the accompanying documents, to the committee on public lands.

On motion of Senator Grimes, Senator Greer was added to the committee on finance ; and on motion of Senator Lawrence, Senator Greer was added to the committee on foreign relations.

Senator Kaufman introduced a joint Resolution providing for an amendment of the Constitution, and for the establishment of a supreme court : read first time, as follows :

A joint resolution, providing for an amendment of the constitution ; and for the establishment of a supreme court.

Whereas, owing to the great increase of business in the supreme court of the Republic, and under the present organization of our judiciary system, it is wholly impossible that our Judges can have sufficient time and opportunity to investigate the important questions that they will be called on to decide :—and

Whereas, it is belived that a separate and independent supreme court of the Republic is absolutely necessary for the due administration of justice, and that the same can be established with but little additional expense to the country :—Therefore,

Article 1. That sections seven, eight and nine, of Article Four, of the Constitution of the Republic of Texas, be changed and amended so as to provide, that the supreme court of the Republic of Texas, shall consist of a Chief Justice, and two Associate Judges, a majority of whom shall constitute a quorum to do business.

Art. 2. That the said judges of the supreme court shall be elected at the regular sessions of Congress, by joint ballot of both Houses, and shall hold their offices for the term of six years : their compensation shall be fixed by law, and shall not be increased or diminished, during their continuance in office.

Art. 3. That in the event that a quorum of said supreme court cannot be had, in any particular case, in consequence of the disability of any one or more of said judges, then the President of the Republic shall commission some one or

more gentlemen, learned in the law, to hear and determine said case or cases.

Art. 4. That should a vacancy occur in the office of chief justice of the supreme court, or either of the judges thereof, the President of the Republic of Texas, shall forthwith fill the same, by appointment, until the next regular session of Congress, when such vacancy shall be filled by Congress for the balance of the term, by joint ballot.

On motion of Senator Greer, the Secretary was instructed to subscribe for one hundred and fifty copies of the two newspapers published at this place: the "National Register," and the "National Vindicator," for the use of the Senate.

On motion of Senator Kaufman, the Senate then went into secret session, and the doors were closed.

The doors being opened, Senator Roman introduced the following resolution:

Resolved, That the committee on finance be instructed to enquire into, and report to the Senate, upon the propriety of abolishing the Tariff, and establishing in lieu thereof, direct taxation, as the sole means of supporting the government—adopted.

ORDERS OF THE DAY.

A bill to be entitled: "an act exempting Ministers of the Gospel from serving as jurors, and for other purposes"—read a second time; and, on motion of Senator Grimes, referred to the committee on finance.

Senator Kuafman moved that a standing committee on the state of the Republic, be appointed by the chair—carried.

On motion of Senator Lawrence, 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, through Mr. J. H. Raymond, Chief Clerk, announcing that the House had adopted the Senate's substitute, for a bill making appropriations for contingent expenses of the ninth congress; and also

that the House concurred in a joint resolution, passed in secret session.

Senator Kaufman, by leave, introduced a "joint resolution" for the benefit of the Captain of Ordnance: read first time.

The President announced the standing committee on the state of the Republic, to consist of Senators Greer, Wright and Roman.

Senator Wright introduced the following resolution:

Resolved, by the Senate, That his Excellency, the President, be requested to transmit to this body, copies of all contracts entered into between this government, and individuals or companies, for the purpose of colonizing the public domain of this Republic, since the first day of January, 1844. Read and laid on the table.

Senator Munson, by leave, introduced a bill to be entitled: "an act for the relief of John Gregg." Read first time.

Senator Kinney, by leave, introduced a bill to be entitled: "an act to incorporate the Texas Land Company."

On motion of Mr. Pilsbury, the Senate adjourned until tomorrow, at 10 o'clock, A. M.

THURSDAY, Dec. 12th, 10 o'clock, A. M.

Senate met; roll called; quorum present; prayer by the Chaplain; journals of the preceding day read and adopted.

Senator Wright presented the petition of William M. Harmon, praying the enactment of a law "allowing him a credit of \$624 25-100 in the Custom House of Red River District in payment of a draft drawn by H. L. Grush, Quarter-Master, in his favor, on Wm. L. Cazneau, Commissary and acting Quarter-Master-General, for purchase of provisions for the use of the army in 1840; and, on motion, the same was referred, with accompanying documents, to the committee on military affairs; also, the petition of Green Orr, praying a divorce from America Orr, and for other purposes;

which, on motion, was referred, with accompanying documents, to the committee on the judiciary.

Senator Pilsbury presented the petition of John Trussell, praying that his certificate for one league and labor of land, issued by the Board of Land Commissioners of Brazoria county, on the 19th day of September, 1839, as his "head-right," may be established as a good and valid claim against the government, and, on motion, the same was referred, with the accompanying documents, to the committee on public lands.

Senator Kaufman, by leave, introduced a bill to be entitled "an act to repeal an act to amend the existing laws in relation to proceedings in courts of Probate; read the first time.

Senator Kaufman presented the following report :

SENATE CHAMBER, Dec. 12th. 1844.

A majority of the select committee, who were appointed to examine the report of the Commissioner of the General Land Office, and report what portions of the same should be published, beg leave to report that they recommend the publication of two hundred and fifty copies of said report for the use of the Senate.

DAVID S. KAUFMAN.
JESSE GRIMES.

Read and laid on the table.

On motion of Senator Kaufman, the Senate proceeded to the

ORDERS OF THE DAY.

Joint resolution providing for an amendment of the Constitution, and for the establishment of a Supreme Court; read second time, by its caption, and, on motion of Senator Wright, referred to the committee on the judiciary.

Joint resolution for the relief of the Captain of Ordnance; read second time, and, on motion, the same was referred to the committee on military affairs.

Senator Kaufman, by leave, introduced the following resolution :

Resolved by the Senate, That His Excellency, the President, be respectfully requested to inform the Senate at as early a period as practicable, the names of every officer connected with the civil, military and naval service of the Republic, which are paid out of the public Treasury, with the salaries payable to each, also, the number of pensioners and the amount due to each.

A bill to be entitled : ‘ an act for the relief of John Gregg ;’ read second time ; and, on motion, referred to the committee on finance.

A bill, to be entitled : “ an act to incorporate the Texas Land Company ”—read a second time, and referred to the committee on the judiciary.

The committee on finance, Senator Pilsbury, chairman, to which was referred, the bill entitled : “ an act exempting Ministers of the Gospel from serving as jurors, and for other purposes,” reported the same back to the Senate, with the following amendments : by adding in the fourth line, after the word “ Gospel,” the words “ who continue to exercise the duties of their calling, unless disabled by sickness or otherwise.” Also, by adding, after the word “ jurors,” in the fourth line, the words “ and” : and striking out after “ roads,” in the fifth line, the words “ and performing military duty :” also by striking out the second section. Amendments adopted—ordered to be engrossed, and passed to a third reading.

On motion of Senator Kinney, the Senate adjourned until 3 o’clock, P. M.

3 o’clock, P. M.

Senate met ; roll called ; there being no quorum present, the Sergeant-at-Arms was despatched after absent members ; returned, and a quorum present.

A message was received from the President, through his Private Secretary, Mr. Stephen Z. Hoyle, transmitting two several communications in writing ; one marked “ secret :” and, on motion of Senator Grimes, the following was read :

EXECUTIVE DEPARTMENT, }
 Washington, December 12th, 1844. }

To the Honorable the Senate:

I have the honor to lay before the Congress, the resignation of the Hon. Wm. B. Ochiltree, as Judge of the 5th Judicial District—received and accepted on the 10th instant.

ANSON JONES.

Senator Pilsbury introduced a joint resolution taking the sense of both houses, as to the propriety of dispensing with ministers to foreign courts; read first time.

On motion of Senator Kaufman, the Senate went into secret session—doors opened; and,

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

FRIDAY, December 13th, 10 o'clock, A. M.

Senate met; roll called; quorum present; prayer by the Chaplain.

Journals of the preceding day read and adopted.

On motion of Senator Pilsbury, the Chaplain was granted leave of absence until Tuesday next. His place, in the mean time, being supplied by a brother minister.

Senator Smith, chairman of the committee on public lands, to which was referred the petition of John Robinson, made the following report:

COMMITTEE ROOM, }
 December 12th, 1844. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on public lands, to whom was referred the petition of John Robinson, have had the same under conside-

ration, and have instructed me to report a bill for his relief, and recommend its passage.

JOHN W. SMITH, Chairman.

Bill accompanying the report, read first time.

The chairman of the committee on Public Lands, to which was referred the petition of Abram Skidmore, reported by a bill for his relief; bill read first time.

On motion of Senator Greer, the communication of His Excellency, the President, conveying intelligence of the resignation of the Hon. Wm. B. Ochiltree, Judge of the fifth Judicial District, was transmitted to the House of Representatives.

On motion of Senator Greer, 500 copies of the report of the Secretary of the Treasury, with the accompanying documents, were ordered to be printed.

Senator Greer, by leave, introduced a bill to be entitled, an act to repeal an act to regulate the collection of impost duties—approved, July 23d, 1842; read first time.

Senator Munson, by leave, introduced a bill, to be entitled an act to repeal a certain act therein named; read first time.

Senator Munson introduced the following resolution:

Resolved, That the committee on Military Affairs be requested to enquire what number of men be necessary, and what system of organization be most efficient for the protection of our frontier, and that the said committee report by bill or otherwise; read and adopted.

Senator Kaufman, by leave, introduced a bill to be entitled "an act providing for and regulating *arbitrations* and references; read first time.

Senator Kaufman, by leave, introduced a bill to be entitled "an act granting to settlers on vacant public domain, pre-emption privileges; read first time.

Senator Wright, by leave, introduced a bill entitled "an act for the relief of Berthlett, Heald & Co.; read first time.

The Senate then proceeded to the

ORDERS OF THE DAY.

A bill entitled "an act exempting Ministers of the Gospel from serving as jurors, and for other purposes," read third time, as amended by the Senate, and passed.

A bill to be entitled, an act to repeal an act, to amend an act relating to proceedings in Courts of Probate, read a second time, and referred to the committee on the Judiciary.

A resolution asking information from His Excellency, the President; read and adopted.

Joint resolution taking the sense of both Houses of Congress, as to the propriety of dispensing with Ministers to Foreign Courts; read second time, and, on motion, referred to the committee on Foreign Relations.

On motion of Senator Greer, the Senate adjourned until tomorrow at 10 o'clock, A. M.

SATURDAY, Dec. 14, 10 o'clock, A. M.

Senate met; roll called; quorum present; prayer by the Chaplain; Journals of the preceding day read and adopted.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

An act for the relief of Abram Skidmore, read second time, and, on motion, re-committed to the committee on Public Lands, with instructions to report in writing.

An act for the relief of John Robinson, read a second time, and, on motion, referred to the committee on Public Lands.

An act to repeal an act, to regulate the collection of impost duties, approved, July 23d, 1842; read second time, and referred to the committee on Finance.

A bill to be entitled, an act to repeal an act therein named; read a second time, and referred to the committee on the Judiciary.

A resolution instructing the committee on Military Affairs, read as amended, and adopted.

A bill to be entitled, an act providing for and regulating arbitrations and references, read second time, and referred to the committee on the State of the Republic.

An act granting to settlers on vacant public domain, *pre-emption* privileges, read second time, and, on motion, referred to the committee on Public Lands.

An act for the relief of Berthlett Heald & Co., read second time, and, on motion, referred to the committee on Claims and Accounts.

Senator Pilsbury, by leave, presented the petition of Captain John G. Tod, praying relief for services rendered in the Navy; referred to the committee on Naval Affairs.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, informing the Senate that the House had passed the following bills, to wit:

Joint resolution making an appropriation for the payment of a company of men raised by H. L. Kinney, for the protection of Corpus Christi. Amendment by the House—strike out "\$2,236," and insert "2,349;" and, on motion, the amendments were adopted.

A bill to be entitled, an act to incorporate the town of Marshall, in Harrison county; read first time.

A bill to be entitled, an act to locate the county seat of the county of Austin; read first time.

A bill to be entitled, an act more perfectly defining the boundaries of the county of Jackson; read first time.

A bill to be entitled, an act to alter and permanently establish the eastern boundary line of Rusk county, and for other purposes; read first time.

Senator Kinney, by leave, made the following report:

SENATE CHAMBER, }
Washington, Dec. 14, 1844. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Military Affairs, to whom was referred a joint resolution for the benefit of the Captain of Ordnance, beg leave to report, that they have examined said bill, and recommend its passage.

H. L. KINNEY, Chairman.

Senator Caldwell, by leave, introduced an act making an appropriation for the redemption of William and Jane Simpson; read first time.

The Senate then went into secret session—the doors were closed. The doors being opened,

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

MONDAY, Dec. 16, 10 o'clock, A. M.

Senate met ; roll called ; quorum present ; prayer by the Chaplain ; Journals of Saturday read and adopted.

Senator Kaufman, by leave, presented the petition of Richard Hooper, praying for compensation for running the county line between Harrison and Shelby counties ; and, on motion, the same was referred to the committee on Claims and Accounts—also, the petition of Thomas Bristow, praying that the title of his head-right lands may be secured to him ; and, on motion, the same was referred to the committee on Public Lands.

Senator Roman, Chairman of the committee on Engrossed and Enrolled Bills, reported that they had examined a joint resolution, making an appropriation for the payment of a company of men raised by H. L. Kinney, for the protection of Corpus Christi, and find the same correctly Enrolled : the same having been signed by the Speaker of the House, and President of the Senate, was presented to the President for his approval, on Saturday, the 14th instant.

Senator Smith, Chairman of the committee on Public Lands, to which was referred a bill to be entitled, an act for the relief of John Robinson, reported that they had examined the same, and recommen its passage.

Senator Kaufman, one of the committee on the Judiciary, to which was referred, an act to repeal an act, to amend the existing laws in relation to proceedings in Courts of Probate, reported that they had had the same under consideration, and recommended its passage, with the following amendment : insert in the third line from the bottom, "Provided, that nothing in this act shall be so construed as to repeal that portion of the act which requires that no administrator, executor or guardian shall be compelled to sell any other property than that of a perishable character, belonging to the estate of any deceased person or ward ; and, on motion, the amendment was adopted, and ordered to be engrossed for a third reading.

Senator Greer offered the following resolution :

Resolved, by the Senate, That with the concurrence of the House of Representatives, the two Houses will meet in the Hall of the House of Representatives, on Wednesday, the 18th inst., for the purpose of electing Judges of the first, fifth and sixth Judicial Districts ; on motion, laid on the table.

Senator Parker offered the following resolution :

Resolved, That the Senate, with the concurrence of the

House of Representatives, will proceed to the election of Public Printer, to print the laws and journals of both Houses of Congress, on the 21st instant.

Senator Caldwell moved to strike out "21st instant"—lost; and the resolution was adopted.

On motion of Senator Kaufman, Senator Pilsbury was added to the committee on Foreign Relations; and,

On motion of Senator Kinney, Senator Pilsbury was added to the committee on Naval Affairs.

Senator McCrearey, by leave, introduced a bill to be entitled, an act allowing mileage to Sheriffs, Coroners and Constables; read first time.

On motion of Senator Greer, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to incorporate the town of Marshall, in Harrison county, read second time, and on motion, referred to the committee on the Judiciary.

A bill to be entitled, an act to locate the county seat of Austin county, read second time, and, on motion of Senator McCrearey, passed to a third reading.

A bill to be entitled, an act more perfectly defining the boundaries of the county of Jackson, read second time, and, on motion of Senator Roman, bill passed to a third reading.

A bill to be entitled, an act to alter and permanently establish the eastern boundary line of Rusk county, read second time, and, on motion, referred to a select committee, consisting of Senators Kaufman, Parker and Greer.

Joint resolution for the relief of the Captain of Ordnance, read third time, and on motion of Senator Kaufman, laid on the table.

Joint resolution making an appropriation for the redemption of William and Jane Simpson, read second time, and on motion of Senator Parker, ordered to be engrossed.

An act for the relief of John Robinson, read, and on motion of Senator Grimes, laid on the table.

A bill to be entitled, an act to repeal in part, an act to amend the existing laws in relation to proceedings in Courts of Probate; amendments adopted, and ordered to be engrossed.

On motion of Senator McCrearey, a select committee was appointed to examine into and report what alterations are necessary and expedient in the probate laws now in force.

Senators Pilsbury, Grimes, Parker, McCrearey and Kaufman were appointed said committee.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, transmitting the following bills :

Joint resolution for the relief of Isaac Van Zandt, late Chargé d'Affaires to the United States; read first time.

Joint resolution granting to Hugh S. Stapp, one-third of a league of land; read first time.

A bill to be entitled, an act for the appointment of an additional number of Notaries Public for the county of Montgomery; read first time.

On motion of Senator Kinney, the Senate adjourned until tomorrow at 10 o'clock, A. M.

TUESDAY, Dec. 17, 10 o'clock, A. M.

Senate met; roll called; quorum present; prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Pattillo presented the petition of the heirs of H. D. Runnels, praying that his certificate for 1280 acres of land, issued by the Board of Land Commissioners for Jefferson county, may be a good and valid claim against the Government.

The chairman of the committee on Public Lands, made the following report :

COMMITTEE ROOM, }
Dec. 17th, 1844. }

To the President of the Senate :

The committee on Public Lands, to whom was referred the petition, and other documents, of Thomas Bristow, have had the same under consideration, and instruct me to report the same back to the Senate, and recommend that the petition, with the accompanying documents, be referred to the committee on the Judiciary.

JOHN W. SMITH, Chairman.

Senator Kaufman, one of the committee on the Judiciary, to

which was referred a bill to be entitled an act providing for an amendment to the Constitution, and the establishment of a Supreme Court, reported that they had had the same under consideration, and instructed him to report it back to the Senate, and recommended its passage; also, a bill to be entitled an act to repeal an act therein named, reported the same back to the Senate, and recommended its rejection.

Senator Kaufman, from the special committee to which was referred a bill to be entitled an act to repeal in part an act to amend the existing laws in relation to the proceedings in Courts of Probate, reported the same back to the Senate, and recommended its passage.

Senator Grimes, by leave, introduced a bill to be entitled an act to regulate the salaries of District Judges and District Attorneys; read a first time.

Senator Kaufman moved to suspend the rules; motion lost.

Senator Parker, by leave, introduced a bill to be entitled an act authorizing a mail route from Fanthorp's, in Montgomery county, to Henderson, in Rusk county, via Mitchel's, Fort Boggy, Alabama and Fort Houston; read a first time.

Senator Greer, by leave, introduced a bill to be entitled an act providing for the location of the seat of government by the people of Texas; read a first time.

Senator Smith, chairman of the committee on Public Lands, to which was referred a bill to be entitled an act granting to settlers on vacant public domain, pre-emption privileges, made the following report:

COMMITTEE ROOM, }
Dec. 17th, 1844. }

To the President of the Senate:

The committee on Public Lands, to whom was referred a bill to be entitled an act granting to settlers on vacant public domain, pre-emption privileges, have had the same under consideration, and instruct me to report the same back to the Senate, with the following amendments, to wit: after the words "promissory notes," in the third section, strike out the words "of the government" and insert in the place thereof, "bonds, funded debt, or other liquidated demands against the Republic of Texas," and amend by adding the following proviso at the end of the third section, "provided that to actual settlers as contemplated by this act, certificates or land scrip to the amount of

eighty acres, may be issued, but not for a less amount." In the fourth section strike out the words "actual settlers and occupants," and insert "those who may actually settle upon and occupy said improvements"—and recommend the passage.

JOHN W. SMITH, Chairman.

Senator Kaufman, by leave, introduced the following resolution :

Resolved by the Senate, That, with the concurrence of the House of Representatives, the two Houses of Congress will adjourn *sine die* on Monday, the 20th of January, 1845 ; adopted.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled an act allowing mileage to Sheriffs, Coroners and Constables ; read a second time, and, on motion, referred to the committee on the Judiciary.

A bill to be entitled an act to locate the county seat of Austin county ; read a third time and passed.

A bill to be entitled an act more perfectly defining the boundaries of the county of Jackson ; read a third time and passed.

Joint resolution for the relief of Isaac Van Zandt, late Charge d'Affaires to the United States ; read a second time, and, on motion, passed to a third reading.

Joint resolution granting one-third of a league of land to Hugh S. Stapp : read a second time, and, on motion, referred to the committee on Public Lands.

A bill to be entitled an act for the appointment of an additional number of Notaries Public for the county of Montgomery ; read a second time, and, on motion, referred to the committee on the Judiciary.

Senator Caldwell, by leave, introduced a bill to be entitled, an act directing the President and Heads of Departments to return to the city of Austin ; read first time.

On motion of Senator Kaufman, a joint resolution providing for an amendment to the Constitution, and for the establishment of a Supreme Court was taken up, read a second time, and ordered to be engrossed.

On motion of Senator Kaufman, a bill to be entitled, an act granting to settlers on vacant public domain, pre-emption privi-

leges was taken up, and the amendments as reported by the committee on Public Lands were adopted; and,

On motion of Senator Greer, the bill with the amendments was laid on the table until Friday, the 20th instant.

On motion of Senator Parker, a bill to be entitled, an act to alter and permanently establish the eastern boundary line of Rusk county, was taken up on its second reading.

Senator Greer moved to strike out the word "permanently; carried—and the bill passed to a third reading.

Senator Roman, Chairman of the committee on Engrossed and Enrolled Bills, made the following report:

The committee on Engrossed and Enrolled Bills have examined and find correctly Engrossed, the following bills:

A bill to be entitled, an act to repeal in part an act to amend the existing laws in relation to proceedings in Courts of Probate—also, a joint resolution making an appropriation for the redemption of William and Jane Simpson.

R. ROMAN, Chairman.

A message was received from the President, by S. Z. Hoyle, Private Secretary, transmitting a communication, with accompanying documents, in answer to a resolution of the Senate, requesting the President to inform them the names of every officer connected with the Civil, Military and Naval service of the Republic, which are paid out of the public Treasury, with the salaries paid to each—also, the number of pensioners, with the amount due to each—also, transmitting a communication in writing, in answer to a resolution of the Senate, requesting the President to transmit to that body copies of all contracts between the Government and individuals, or companies, for the purpose of colonizing the public domain of this Republic, since the first day of January, 1844—also, informing the Senate that the President had approved and signed a joint resolution, making an appropriation for the payment of a company of men raised by H. L. Kinney, for the protection of Corpus Christi.

On motion, the first communication, with the accompanying documents, was referred to the committee on Finance—and the second, with the accompanying documents, to the committee on Public lands.

On motion of Senator Caldwell, a joint resolution making an appropriation for the redemption of William and Jane Simpson was taken up, read a third time and passed.

On motion of Senator Kaufman, a bill to be entitled, an act

to repeal in part, an act to amend the existing laws in relation to proceedings in Courts of Probate, was taken up on its second reading; and, on motion of Senator Greer, referred to the select committee appointed to examine into and report what alterations are necessary and expedient in the probate laws.

On motion of Senator Kinney, the Senate adjourned until tomorrow at 10 o'clock, A. M.

WEDNESDAY, Dec. 18, 10 o'clock, A. M.

Senate met; roll called; quorum present; prayer by the Chaplain; Journals of the preceding day read and adopted.

A message was received from the House of Representatives, by James H. Raymond, Chief Clerk, informing the Senate that the House had concurred in the resolution of the Senate, for the two Houses to go into the election of a Public Printer, in the Hall of Representatives, on the 21st instant—also, that they had acceded to the request of the Senate, that the Military committee of the House should act conjointly with the like committee of the Senate, on the subject of frontier protection—also, that the House had adopted the following resolution:

Resolved. That the committee on the Judiciary, of the Senate, be requested to act with the like committee of the House, in the examination of a copy of a digest of the laws of the Republic.

Senator Smith, chairman of the committee on Public Lands, made the following reports:

COMMITTEE ROOM, }
December 18th, 1844. }

To the President of the Senate:

The committee on Public Lands to whom was referred the petition of the heirs of Hardin D. Runnels, deceased, have had the same under consideration, and instruct me to report the same back to the Senate, with the accompanying bill, and recommend its passage.

JOHN W. SMITH, Chairman.

COMMITTEE ROOM, }
December 18th, 1844. }

To the President of the Senate :

The committee on Public Lands to whom was referred a joint resolution granting one-third of a league of land to Hugh S. Stapp, have had the same under consideration, and a majority of the committee have instructed me to report the said joint resolution back to the Senate, and recommend its passage.

JOHN W. SMITH, Chairman.

Senator Wright, chairman of the committee on Claims and Accounts, made the following report :

The committee on Claims and Accounts, to which was referred a bill and memorial for the relief of Berthlett, Heald & Co., have had the same under consideration. The bill contemplates the reimbursement of the amount of \$900, expended in the redemption of our citizens from Indian captivity. Your committee being satisfied that such expenditure was made, (from vouchers, &c.) and by it the object accomplished, would recommend the passage of the accompanying bill as a substitute for that submitted to the committee.

G. W. WRIGHT, Chairman.

Senator Kaufman, from the committee on the Judiciary, to whom was referred a bill to be entitled an act to incorporate the town of Marshall, in Harrison county, have had the same under consideration, and report the same back to the Senate, and recommend its passage.

Senator McCreary, by leave, introduced a bill to be entitled an act defining in part the duty of Assessors of direct taxes, and amending a portion of the law to raise a revenue by direct taxation ; read a first time.

Senator McCreary, by leave, introduced a bill to be entitled an act extending the limits of the jurisdiction of Constables ; read a first time.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report :

To the Honorable K. L. Anderson,

President of the Senate :

The committee on Engrossed Bills have examined and find correctly engrossed a joint resolution providing for an amend-

ment of the Constitution, and for the establishment of a Supreme Court.

R. ROMAN, Chairman.

On motion of Senator Lawrence, the Senate proceeded to the

ORDERS OF THE DAY.

Joint resolution for the relief of Isaac Van Zandt, late Chargé d'Affaires to the United States; read a third time and passed.

A bill to be entitled an act to regulate the salaries of Judges of the District Courts and District Attorneys; read a second time, and referred to the committee on the Judiciary.

A bill to be entitled an act authorizing a mail route from Fanthorp's, in Montgomery, to Henderson in Rusk county, via Mitchell's, Fort Boggy, Alabama and Fort Houston; read a second time, and, on motion, referred to the committee on Post Offices and Post Roads.

A bill to be entitled an act to locate the seat of Government by the people of Texas; read a second time, and, on motion, referred to the committee on the State of the Republic.

A bill to be entitled, an act to repeal an act therein named, read a second time, and, on motion of Senator Munson, was laid on the table.

A bill to be entitled, an act directing the President and Heads of Departments to return to the city of Austin, read a second time, and, on motion, referred to the committee on the State of the Republic.

A bill to be entitled, an act for an amendment of the Constitution, and for the establishment of a Supreme Court; read third time.

The Ayes and Noes being taken on the final passage of the bill, stood thus:

Ayes—Senators Caldwell, Greer, Grimes, Kaufman, Lawrence, McCrearey, Parker, Pattillo, Pilsbury, Roman, Smith and Wright—13.

Noes—Senator Munson—1. So the bill was passed.

The chairman of the committee on Claims and Accounts, by leave, made the following report:

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Claims and Accounts to whom was refer-

red the petition of Richard Hooper, praying an allowance for running the boundary of a county, have had the same under consideration, and instruct me to report that the allowance asked for should not, in their opinion, be made: but that the petitioner should more properly claim compensation by the counties directly interested in the boundary.

Your committee therefore respectfully ask to be discharged from further consideration of the subject.

G. W. WRIGHT, Chairman.

Senator Kaufman moved to take up the report of the select committee to whom was referred the report of the Commissioner of the General Land Office, and to report what portion of said report should be printed; motion lost.

A message was received from the President, through his Private Secretary, Mr. S. Z. Hoyle, transmitting a communication in writing; which was read as follows:

EXECUTIVE DEPARTMENT, }
Washington, December 16, 1844. }

Gentlemen of the Senate,

and of the House of Representatives:

In the discharge of a duty imposed upon me by the Constitution, under that provision in it which requires the President from time to time to give Congress information of the state of the Republic, and recommend for their consideration such measures as he may deem necessary; I now respectfully communicate, for your consideration, the subjoined information, with my views and opinions, in regard to such measures, connected with the public interests, as seem to me proper to engage your early attention.

The message of my distinguished predecessor, communicated to your honorable bodies at the commencement of the present session, has embraced all the information connected with the state and condition of the Republic, which to him appeared necessary for your governance, in those matters relating to the past administration of our national affairs. The full and perspicuous exposition of our foreign relations, presented in that message, leaves no further information to be communicated, touching that subject; and renders unneces-

sary as well as superfluous, any suggestions upon it from me at the present time.

It cannot but be remarked however, that, in the existing posture of our affairs, we have arrived at a point, perhaps at a *crisis* fraught with deep and absorbing interest in our history as a nation. But it must be a source of gratification to every patriot that, in our present position, few if any necessary causes of apprehension or alarm for the future prosperity of our country, force themselves upon our observation.

The representatives of the people, happily, are not now assembled for the paramount purpose of providing for the continuance or security of our national existence, immediately threatened by foes from without or from within our borders. That existence no longer depends upon the issue, nor involves in its continuance the hazards and calamities of impending war or immediate strife.

The history of the world demonstrates, that the infancy of every community, however exalted or distinguished, may have been its subsequent career and elevation, has been nursed and cradled amidst the stern concomitants of adversity and poverty; until nerved and fitted to win in the race of empire, regardless of the toils and difficulties of the course; and the fact, that our Republic has heretofore struggled and labored beneath the burthen of adverse and depressing influences, only shows that she could neither claim nor expect in her favor, any exception or remission of the destiny prescribed for all. We have reason, however, for joy and congratulation, that our past history and present attitude, alike evince to the powers of the earth, our capacity for self-government, and our undeniable claim to distinct and elevated nationality; and for unfeigned gratitude to Almighty God, whose providence has guided our nation through her initiatory struggles, by exhibitions of favor and protection, not less obvious in the course of events, and in the connection of cause and effect than the pillar and the flame, which anciently preceded and led his chosen people in their journey to the promised land.

The fears of our friends touching the permanency of our institutions, and the misrepresentations of our enemies abroad, have no doubt heretofore had an effect, greatly to lessen the amount of emigration from other countries to this; but within

the past year, the unpropitious influence of these causes has been greatly mitigated, though doubtless not completely removed. This is apparent, from the tide of immigration, consisting of thousands of families, which, during the last few months, has flowed into the northern, eastern and other portions of our territory—so that the rich harvests and plenteous crops, which in those sections crowned the labors of the cultivator, have not sufficed to prevent a temporary scarcity of provisions, in a land hitherto overflowing with abundance.

The administration of justice through the medium of our courts, has been constant and uninterrupted, throughout the several districts and counties, insuring the preservation and protection of private and public rights, the inviolability and enjoyment of privileges and property, the suppression of vice and immorality, the punishment of crimes and misdemeanors; and in short, circulating and diffusing the mild and beneficent influence, action and supremacy of the laws, throughout the community. In the few precincts and neighborhoods, where some disturbances arose, and instances of limited insubordination for a short time prevailed—good order has been happily restored; and, in the same sections, where the collection of the revenue has been evaded or resisted, submission to the requirements of our statutes on that subject is secured.

Primary schools and the higher institutions of learning, are generally established, and adequately supported in various portions of our Republic; extending the facilities and blessings of education and instruction to the rising generation, almost as universally and effectually as those privileges are enjoyed in the favored portions of the United States.

And in this connection, the cheering truth should not be passed over, that the gospel of peace, untrammelled by any species of legal intolerance or persecution, and cherished by perfect liberty to believe and worship according to the dictates of conscience, is constantly and regularly preached by its ministers of the several christian denominations, in every neighborhood and settlement; and that the millions who assemble at the call of the Sabbath bell in the cities and villages of our fatherland, are joined in their devotions and their worship by the multitudes who, at the same time, gather for a like object, throughout all our borders.

The proud and happy position, which the preceding review of our affairs evinces that we now occupy as a nation, is to be attributed, under Providence, to the operation of those elevated

principles of ethics and natural justice, which govern and regulate the intercourse and conduct of the civilized and enlightened powers of the earth. From the moral influence incident to the practice of those principles, our Republic has obtained the respect of the great nations of the world; and in that respect, and in the united and unqualified reprobation with which those nations join in branding the barbarous policy of Mexico, in declaring against her a war of savage extermination, no less than in her own prowess, she finds the best guaranty for a continuance of the security she enjoys. At the risk of passing the legitimate bounds ordinarily prescribed to a document of this description, I cannot but remark, that the foregoing unexaggerated description of our present condition, stamps with deserved falsehood, the assertion of the pseudo-philanthropist and calumniator, that the Anglo-Americans, in their progress of emigration to the west, have carried along with them, and incorporated in their institutions *an inferior order of civilization*. For the history of their migrations, and that of the noble race from which they sprung, clearly demonstrates, that, neither in the climes of the farthest east, nor in the islands of Australia and the Pacific, nor in the wilds and prairies of the west, have they ever, in a single instance, as a people or a community, degenerated from the distinguishing virtues of their ancestral stock, nor become degraded by adopting in their intercourse with savages, any of the barbarous usages or customs incident to savage life.

From the preceding review of our condition, the course of legislation naturally indicated, seems necessarily confined to such measures as Congress, in its wisdom, may deem best calculated to promote the domestic interests and internal happiness of the community, and among these, the following subjects are respectfully suggested for your consideration.

Respectfully referring the Hon. Congress to the remarks made by me on the occasion of assuming the Executive functions, I would now suggest, in reference to the very important subject of our national currency, that the experiment of sustaining a paper issue, has indeed, to a very considerable and satisfactory extent, succeeded; but it has only been by the most extraordinary prudence, with which it has been managed. Circumspect as was the preceding administration, in holding the rein on the emission of Exchequer money, it created a sort of delusion as to the fiscal ability of the government, which was made manifest in the extraordinary amount of private appropriations pro-

posed by the different sessions of Congress. These appropriations, it is true, were in a great measure arrested, but only by the exercise of that power vested in the Executive, which is ever used with great reluctance.

That urgent necessity which three years since, required of the government a resort to the issue of Exchequer bills, has now ceased to exist, and the continuance of the system is no longer justified. I would therefore recommend the repeal of all laws by which they are authorized, and such enactments as will provide for the redemption of those now in circulation, prevent a re-issue, and require their destruction as fast as they are received into the Treasury.

The fallacy and the danger of a factitious paper currency have been demonstrated by every civilized nation upon earth and Texas, having once participated in this demonstration, should now, when she is able to do so, abandon the experiment, and resort in time to what the experience of the past has conclusively shown to be the only safe expedient for governments—a hard money currency—as a circulating medium. As a commercial convenience, recourse may be had to a system of Treasury drafts, drawn against specie in actual deposit.

Intimately connected with the important subject of the currency, are those of the income and expenditures of the government. In relation to the latter, I would earnestly impress upon Congress the manifest importance of reducing them to the lowest amount consistent with an efficient administration of our national affairs.

The burthens of taxation, whether direct or indirect, are sorely felt by the people, and should be made as light as possible. These however constitute at the present time, the only available means for the support of our civil institutions, the maintenance of our independence, and the protection of our widely extended frontier. The current expenditures of the government should at all events, be reduced considerably within the probable amount of its current receipts; for by this course alone, can the national faith and credit be sustained, and the most difficult and unpleasant embarrassments to the administration prevented.

The statements already submitted to Congress by the Treasury Department, will show this amount, and be a safe guide to Congress, in making judicious and proper appropriations.

We are in a great measure indebted to the tariff for the present healthy condition of our finances, and past experience

proves that it is impossible the government can subsist without it. No system of direct taxation can adequately supply its place. One of the most serious objections to the tariff system has heretofore been, that its burthens have fallen unequally on different sections of the country. This objection, however, in consequence of the energetic endeavors of the Treasury Department, I am happy to say, has, in a great measure, ceased to exist, and with the aid of judicious legislation, giving to the government the power to enforce the revenue laws in the case of importations by land carriage, we have every reason to expect that by the meeting of the next Congress, the Executive will be able to report a general payment of the revenue throughout the Republic.

The subject of revenue is one of which you will allow me to recommend to your very deliberate regard, and in connection with it, to express a conviction, derived from the experience of the last three years, that the present rates of duties on imports, under such regulations as will lead to their general collection in all parts of the country, and their prompt and certain payment into the Treasury, will insure to the government an amount probably sufficient, under a continuance of a state of peace, to meet the wants of an economical administration of its affairs.

So long as the right to impose duties on imports is confined to its legitimate purpose, the raising of a sufficient revenue for the constitutional wants of the government, it may not be material, in the present condition of the country to pursue any other object of discrimination, than such as will render the returns from it secure and stable, and apply it to such articles as come most generally into common use in all parts of the country, thereby drawing, as near as may be, from all who participate in the blessings of a good government, a measurably equal contribution to its support. If these objects have been attained by the present tariff, I should hope its provisions might not be disturbed by any act on our part which will render it less deserving of public confidence.

But I cannot, at the same time, refrain from directing your attention towards the severe hardships to which our planting interests are exposed, by the inordinate duties imposed by foreign countries on our cotton, our only staple export of present particular importance; and to suggest to your especial consideration, the passage of such laws as shall mitigate the operation of our tariff on importations from such manufacturing countries

as shall agree to relieve our cotton partially or entirely from the duties now imposed upon it.

No country on the face of the earth possesses so distinctly as we do, the ability to enter upon that policy of mutual free trade, which should become more and more every day the great object and aim of all enlightened governments. Let us begin then by limiting its operation to such countries as may have the wisdom and the justice to extend to our own great staples an exemption from that burthen which now bears with such severity upon our planting and landed interests.

Should the present system of direct taxation be continued, I would respectfully recommend to Congress a thorough reformation in the mode of its collection. The officers engaged in this branch of the public service, should be made immediately responsible to the government. The Treasury Department should have the power of appointing, directing, and removing all officers connected with the public income, in order to ensure its prompt application to the purposes for which it may have been collected.

Connected with the subject of our finances, I would respectfully recommend to Congress the passage of a law for ascertaining and classifying the public debt of the country, by requiring all persons having claims against it, to present the same to the Treasury Department, within a definite period, with a view to an ultimate liquidation of the same, upon principles of equality. The plighted faith of the country should be protected from all reproach; and if we shall indeed find that the patrimony of our children has been impaired by extravagance and improvidence, we may at least relieve our own memories in their estimation, and that of the world, from the humiliating stain of repudiation.

There is another subject which will doubtless engage your deliberations, as it has that of every other Congress which preceded you; I refer to the establishment of the seat of government. This has always been a vexed question, and the agitation of it has produced much excitement in the public mind.—The efforts of the national legislature to settle it satisfactorily have heretofore proved entirely abortive, and as this desirable result would be productive of great good to the country and the interests of all her citizens, I would most respectfully, but earnestly recommend that the question of a location of the seat of government, for the next twenty years, should be at once referred to the people for their determination.

The protection of our western and south-western frontier, is

a subject of which, from its necessity and importance, will recommend itself, I doubt not, to the attention of Congress. I would recommend, that one or two additional corps of rangers, be authorized to be raised, and that they be mustered into service either permanently or temporarily as future exigencies may require. By this means, it is believed, adequate protection and safety may be extended to that interesting and hitherto suffering portion of our country.

In a letter addressed to the Secretary of State, under date of the 23d ultimo, and communicated to the Executive Department, my attention has been called to a matter of some importance in its relation to the commercial interests of the country, and the safety of vessels bound for the port of Galveston. It appears that owing to the absence of a light-house, or some conspicuous land-mark to serve as a guide to ship masters, much difficulty and delay, as well as considerable loss, have been experienced by navigators unacquainted with the coast, in entering that port. It is suggested that our government would be doing an acceptable service to foreign shipping, besides lowering freights and facilitating her commercial intercourse with Europe, now sensibly affected by the present high rates of insurance, by the construction of the necessary beacons; and to your consideration the matter is submitted.

Although there has been considerable legislation, having for its object the settlement of the claims of our citizens to head-right and bounty lands, yet the existing laws are deemed insufficient for the full adjustment of those claims. The constitution, for instance, provides, that all citizens living in Texas at the time of its adoption, (viz: the 17th of March, 1836,) who had not received their lands in like manner as colonists, should be entitled to the same in the proportions therein specified. It is well known that a class of immigrants came and settled in the country between the 2d and 17th of March, 1836, and it is believed that, by the existing laws, no mode is provided whereby they can obtain their respective *quanta* of land. This instance is not referred to as presenting the most important class of unliquidated claims for land in favor of a portion of our citizens, but merely for the purpose of illustrating the necessity of further legislative action to provide for the speedy settlement of all just claims of a similar or analagous description, which remain dormant and unsatisfied.

To provide for perfecting the titles of our citizens by patents, in all cases where their incipient rights have been properly con-

summated by adequate surveys, under legal and genuine certificates, or land warrants, is also recommended to your attention. It would be proper, deliberately to consider in what cases patents should be issued, and to define, by clear and distinct enactments, the duties of officers in this behalf. It might, also, be productive of great benefit and convenience, to establish, in different sections of the country, two local land offices, subordinate to the General Land Office, to facilitate the issuance of patents to those who may be entitled to receive them.

The formation of a penal code, and the revision of the civil and criminal laws, as contemplated and required by the 7th section of the general provisions of the Constitution, are subjects which commend themselves to your attention, as well by their innate importance and bearing upon the well being of the community, as by the sacred character of the paramount law which enjoins the duty; and it will be for Congress to determine whether the time has yet arrived when it may be *convenient* for the country to be put in possession of the lasting and incalculable benefits to which she is thus entitled by her Constitution. At the present session, however, Congress can do little more in this matter than to prescribe the mode of effecting the object contemplated, by providing for the appointment of some suitable person or persons to accomplish the undertaking, under such restricted powers as you may see fit to define and grant; and to take some incipient measures for the erection of a penitentiary—thereby carrying into practice the “principles of reformation,” unalloyed by “vindictive justice,” as contemplated by the framers of the constitution in the article alluded to.

It is well known, that considerable amounts of land, in different parts of our territory, have accrued to the government by forfeiture and otherwise, of which she has not been put in possession; and in suits between individuals, for the settlement of their private rights relating to land, intricate and protracted litigation not unfrequently occurs, in cases which would be adjusted without difficulty, if the rights of the government were defined and consummated. Accumulated locations and surveys have, in many instances, been made upon the same tract, under the belief, that, notwithstanding prior locations, the land was still vacant. Such a course of proceeding, growing out of delay, on the part of the govern-

ment, to avail herself of the possession of her own legitimate rights in regard to the domain ; inducing by its continuance, a spirit of reckless and unfair speculation in doubtful titles, and necessarily involving, in the issue, distress and ruin to many individuals—might, doubtless, be arrested by adequate and just legislation ; and it is accordingly submitted to your prudent consideration, to devise the mode of effecting that object, by the passage of a law to put the government in possession of lands subject to forfeiture or escheat : to settle the claims of individuals touching the same, so far as adverse to that of the government ; and, should Congress deem proper, to dispose of the same, by giving a pre-emption right in favor of persons equitably entitled to such a grant by possession or otherwise, in case they might choose to become the purchasers.

In conclusion, I must be permitted to express to you, as the representatives of a youthful, but prosperous and gallant nation, my firm reliance upon your individual and collective wisdom and integrity, in the prosecution of such measures as may best tend to promote and secure the great interests of the community confided to our charge, by a course of prudent and peaceful legislation, in which I shall be most happy to co-operate ; and, by a devoted and unselfish discharge of your exalted trusts, which I shall be most proud to emulate. In the performance of the duties indicated by your official relations, I am unable to perceive any unavoidable causes of dissention or discord, to mar the harmony of your counsels, and consequently to detract from the dignity and wisdom of your deliberations ; and, although the tares as well as the wheat, may, if sought, be found in the field of your labors, yet, I confidently trust, that like the messengers of good, you will gather for the garner of our nation, and for your own meed, the latter and not the former.

ANSON JONES.

On motion of Senator Kaufman, 500 copies of the Message were ordered to be printed for the use of the Senate.

On motion of Senator Smith, the Senate adjourned until tomorrow at 10 o'clock, A. M.

THURSDAY, Dec. 19, 10 o'clock, A. M.

Senate met; roll called; there not being a quorum present, the Sergeant-at-Arms was despatched after absent members; returned; quorum present; prayer by the Chaplain; Journals of the preceding day read and adopted.

On motion of Senator Caldwell, the President appointed a standing committee of two, in accordance with the 7th joint rule, to act in conjunction with a like committee on the part of the House, to compare the enrolled with the engrossed bills, as passed in the two Houses.

Senators Caldwell and Romau were appointed said committee.

A message was received from the House, through James H. Raymond, Chief Clerk, transmitting the following bills, in which they respectfully request the concurrence of the Senate:

A bill to be entitled an act to establish a mail route and for other purposes.

A bill to be entitled an act to legalize the official acts of L. H. Dilliard, Chief Justice of the county of Harrison.

A bill to be entitled an act legitimatizing and changing the name of Mary Jane Dillard.

A bill to be entitled an act to re-organize the District Courts of the fourth Judicial District: passed 18th January, 1844.

A bill to be entitled an act to restore lands sold for taxes to the original owners.

A bill to be entitled an act for the divorce of Elizabeth A. Dennissee from Peter Dennissee—also, the following resolution:

Resolved, That with the concurrence of the Senate, the two Houses of Congress shall proceed to the election of Judges, for the first, fifth and sixth Judicial Districts, on the 21st instant, at 11 o'clock, A. M.

Senator McCreary presented the petition of F. M. Gibson, Wm. Ryan, Claudius Buster and J. G. W. Pierson, praying relief for services rendered in 1842. in a campaign to the Rio Grande.

Senator Grimes presented the proposals of Messrs. Miller & Cushney and T. Johnson, for printing the Laws and Journals of both Houses of Congress, which were, on motion, laid on the table.

Senator Munson, chairman of the committee on Privileges and Elections, made the following report:

COMMITTEE ROOM, }
Dec. 18th, 1844. }

To the President of the Senate :

The committee on Privileges and Elections have examined the credentials of Geo. W. Wright, from the District of Fannin, Lamar, Red River and Bowie—of H. L. Kinney, from the District of San Patricio, Refugio and Goliad—of Henry J. Munson, from the District of Milam and Robertson—of John Caldwell, from the District of Travis, Bastrop, Fayette and Gonzales—of Richard Roman, from the District of Matagorda, Jackson and Victoria—of James K. McCrearey, from the District of Austin, Fort Bend and Colorado—and of Timothy Pilsbury, from the District of Brazoria, and have instructed me to report that the above named gentlemen have been duly and constitutionally elected Senators for said Districts, and that they are entitled to their seats for the term respectively elected.

HENRY J. MUNSON, Chairman.

Senator Kaufman, one of the committee on the Judiciary, made the following report :

COMMITTEE ROOM, }
December 18th, 1844. }

To the Honorable K. L. Anderson,

President of the Senate :

The committee on the Judiciary to whom was referred an act allowing mileage to Sheriffs, Coroners and Constables, beg leave to recommend the passage of the same, with the following amendments : in the first section, strike out the word "three," and insert the word "two:" in the first section, strike out the words "actually travel," and insert "are actually bound to travel :?" and add, at the end of the first section, the words "always counting from the Court House of his county, or from the place where the Justices' Court that issued the process was held : Provided, that where the process has issued from one county, directed to the officer of another county, the said officer serving such process, shall always count from the county seat of his county."

Add, "Section 2. *Be it further enacted,* That if the officer of any one county neglect or refuse to serve process, or execute any mandate or duty properly issued by the authorities of any

other county, without having his fees advanced or paid, or in any other manner secured than by the general security for costs of the suit in regard to which said process or mandate may have issued, he shall, on conviction thereof before the District Court, be dismissed from office, and shall be liable in an action of damages to the party injured: *Provided*, That this section shall only apply where the county whence the process issued, and the county, to the officer of which said process is directed, constitute a part of the same Judicial District."

DAVID S. KAUFMAN.

Senator Parker, by leave, introduced a bill to be entitled an act to authorize the Commissioner of the General Land Office to issue patents in certain cases; read a first time.

Senator McCrearey, by leave, introduced a joint resolution for the admission of theological books into the Republic free of duty; read a first time.

On motion, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled an act for the relief of Martha B. Runnels, and others; read a first time.

A joint resolution granting one-third of a league of land to Hugh S. Stapp; read a second time, and passed to a third reading.

A bill to be entitled an act to incorporate the town of Marshall, in Harrison county; read a second time, and passed to a third reading.

A bill to be entitled an act defining in part the duty of Assessors of direct taxes, and amending a portion of the law to raise a revenue by direct taxation; read a second time, and referred to the committee on Finance.

A bill to be entitled an act extending the limits of the jurisdiction of Constables; read a second time, and referred to the committee on the Judiciary.

The report of the committee on Claims and Accounts, to whom was referred the petition of Richard Hooper, was read, and, on motion, the petition and report was referred to the committee on the Judiciary.

A bill to be entitled an act for the relief of Bertholett, Heald & Co., being a substitute for the original bill, as reported by the

committee on Claims and Accounts ; read a second time, and referred to the committee on Finance.

The Resolution from the House to go into an election of Public Printer on the 21st instant ; read, and, on motion of Senator Caldwell, laid on the table.

A bill to be entitled an act to establish a mail route, and for other purposes ; read a first time.

A bill to be entitled an act to legalize the official acts of L. H. Dilliard, Chief Justice of Harrison county ; read a first time.

A bill to be entitled an act legitimatizing and changing the name of Mary Jane Dillard ; read a first time.

A bill to be entitled an act to re-organize the District Courts of the fourth Judicial District, passed 18th January, 1844 ; read a first time.

A bill to be entitled an act to restore lands sold for taxes to the original owners ; read a first time.

A bill to be entitled an act for the divorce of Elizabeth A. Dennissee from Peter Dennissee ; read a first time.

Senator Greer, by leave, introduced a bill to be entitled an act to make the Secretary of the Senate an annual officer ; read a first time.

On motion of Senator Smith, the Senate adjourned until tomorrow at 10 o'clock, A. M.

FRIDAY, Dec. 20, 10 o'clock, A. M.

Senate met ; roll called ; there not being a quorum present, the Sergeant at-Arms was despatched for absent Senators : returned ; quorum present ; prayer by the Chaplain ; Journals of the preceding day read and adopted.

Senator Grimes presented the proposals of Messrs. Cruger & Moore for printing the laws and journals of the ninth Congress, which, on motion, was laid on the table.

Senator Greer, chairman of the committee on the State of the Republic, made the following report :

To the President of the Senate :

The committee on the State of the Republic, to which was

referred a bill providing for the location of the seat of Government by the people of Texas, have had the same under their consideration, and a majority of said committee have agreed to report the bill with an amendment, and recommend its passage.

J. A. GREER, Chairman.

Amendment—the 9th section, by filling the blank with “two thousand.”

Senator Smith introduced the following resolutions :

Resolved by the Senate, That the President be required to furnish the Senate with copies of the orders under which the troops on the south-western frontier were mustered into the service of the Republic under the command of Gen. Somervell, in the months of November and December in the year 1842—as, also, the orders under which that General marched westward, and to the Rio Grande, with any muster rolls or reports made by the commander of those troops to the proper departments of this Republic, showing the disbanding of said troops.

Resolved, by the Senate, That the President be required to furnish the Senate with a statement showing the disposition or disbursement of the appropriation, made under a joint resolution for the relief of the Texas Prisoners in Mexico, approved February 5th, 1844.

Senator Pilsbury, by leave, introduced a bill to be entitled an act to authorize the appointment of Trustees in certain cases ; read a first time.

On motion, the Senate proceeded to the special order of the day.

A bill to be entitled an act granting to settlers on vacant public doman pre-emption privileges.

Senator Kaufman introduced the following amendment to the bill :

Add to “Section 2. Provided, that no survey can be made under the provisions of this act, unless such survey be made on some genuine claim of land against this government ;” adopted.

Senator Kaufman moved the engrossment of the bill.

The Ayes and Noes being called for, stood thus :

Ayes—Senators Caldwell, Grimes, Kaufman, Kinney, McCrearey, Munson, Parker, Roman, Smith and Wright—10.

Noes—Senators Greer, Lawrence, Pattillo and Pilsbury—4:

So the bill was ordered to be engrossed.

The Senate then proceeded to the

ORDERS OF THE DAY.

A bill to be entitled an act to alter and establish the eastern boundary line of Rusk county and for other purposes, on its third reading.

Senator Kaufman moved to lay the bill on the table until Monday next; carried.

A bill to be entitled an act allowing mileage to Sheriffs, Coroners and Constables—amendments of the Judiciary Committee adopted—read a second time, on motion of Senator McCrearey, ordered to be engrossed.

A bill to be entitled an act to authorize the Commissioner of the General Land Office to issue patents in certain cases; read a second time, and on motion, referred to the committee on the Judiciary.

A bill to be entitled an act providing for the admission of theological books into the Republic, free of impost duties: read a second time, and, on motion, referred to the committee on Finance.

A bill to be entitled an act for the relief of Martha B. Runnels, and others; read a second time, and, on motion of Senator Pattillo, ordered to be engrossed for a third reading.

A bill to be entitled an act making the Secretary of the Senate an annual officer; read a second time, and, on motion of Senator Greer, ordered to be engrossed for a third reading.

Joint resolution granting one-third of a league of land to Hugh S. Stapp; read a third time and passed.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, informing the Senate that the House had passed a joint resolution, on which they had suspended the rule, authorizing the Secretary of the Treasury to make a final settlement of the accounts pending between Gail Borden, jr., late Collector of Galveston and the government of the Republic of Texas.

A bill to be entitled an act to incorporate the town of Marshall, in Harrison county; read a third time and passed.

A bill to be entitled an act to establish a mail route, and for other purposes; read a second time, and, on motion, referred to the committee on Post Offices and Post Roads.

A bill to be entitled an act to legalize the official acts of L. H. Dilliard, Chief Justice of the county of Harrison; read a se-

cond time, and, on motion, referred to the committee on the Judiciary.

A bill to be entitled an act to re-organize the District Court of the fourth Judicial District, passed January 18th, 1844; read a second time, and, on motion, referred to a select committee, consisting of Senators Roman, Kinney and Smith.

A bill to be entitled an act to restore lands sold for taxes to the original owners; read a second time, and, on motion, referred to the committee on the State of the Republic.

A bill to be entitled an act legitimatizing and changing the name of Mary Jane Dillard; read a second time, and, on motion of Senator Parker, referred to the committee on the State of the Republic.

A bill to be entitled an act for the divorce of Elizabeth A. Dennissee from Peter Dennissee; read a second time, and, on motion of Senator Caldwell, referred to the committee on the State of the Republic.

A joint resolution authorizing the Secretary of the Treasury to make a final settlement of the accounts pending between Gail Borden, jr., late Collector of Galveston, and the Government of the Republic of Texas; read a first time, rule suspended, read a second time, and, on motion of Senator Kaufman, referred to the committee on Finance, with instructions to report to-morrow.

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

SATURDAY, Dec. 21, 10 o'clock, A. M.

Senate met; roll called; quorum present; prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
 Dec. 18, 1844. }

To the Honorable K. L. Anderson,
President of the Senate :

The committee on Engrossed Bills have examined and find correctly Engrossed the following Bills, to wit :

A bill to be entitled an act granting to settlers on vacant public domain pre-emption privileges.

A bill to be entitled an act for the relief of Martha B. Runnels and others.

A bill to be entitled an act allowing mileage to Sheriffs, Coroners and Constables.

A bill to be entitled an act to make the Secretary of the Senate an annual officer.

R. ROMAN,
 Chairman.

Senator Pilsbury, chairman of the committee on Finance, made the following report :

COMMITTEE ROOM, }
 Dec. 21st, 1844. }

The committee on Finance, which have had under consideration a joint resolution authorizing the Secretary of the Treasury to make a final settlement of the accounts pending between Gail Borden, Jr., late collector of Galveston, and the government of the Republic of Texas, have attended to the duty assigned them, and ask leave to report the bill without amendments, and recommend its passage.

T. PILSBURY, Chairman.

Senator Greer moved to take up the joint resolution authorizing the Secretary to make a final settlement of the accounts pending between Gail Borden, Jr., late collector of Galveston, and the Republic of Texas, and the report of the committee; report adopted; bill read a second time, and passed to a third reading.

Senator Caldwell, one of the committee on the Judiciary, made the following report :

COMMITTEE ROOM, }
Dec. 21, 1844. }

To the Honorable K. L. Anderson,

President of the Senate :

The committee on the Judiciary to whom was referred a bill to be entitled an act to incorporate the Texas Land Company, beg leave to report the same back to the Senate, and recommend that it be referred to a committee of the whole Senate for their action.

JNO. CALDWELL,
One of the Committee.

On motion of Senator Greer, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled an act providing for the location of the Seat of Government by the people of Texas, on its second reading, as reported by the committee on the State of the Republic.

Senator Caldwell moved to lay the report and bill on the table.

Senator Greer moved a call of the Senate—further call suspended.

Ayes and Noes called for on the motion to lay the report and bill on the table, stood thus :

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Pilsbury, Roman, Smith and Wright—8.

Noes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6. So the bill was laid on the table.

Senator Greer moved to take up the resolution of the House, to go into the election of Judges of the first, fifth and sixth Judicial Districts, on this day, 21st instant.

Ayes and Noes being called for, stood thus :

Ayes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

Noes—Senators Caldwell, Kinney, McCrearey, Pilsbury, Roman, Smith and Wright—7.

So the Senate refused to take up the resolution.

On motion of Senator Munson, the propositions of the different candidates for the Public Printing were taken up and read.

A committee from the House of Representatives, Hon. G. A.

Parker, chairman, informing the Senate that the House was ready to go into the election of Public Printer.

The Senate then proceeded to the Representative Hall for that purpose.

Messrs. Miller & Cushney, and Thomas Johnson were nominated. The Senators voting for Messrs. Miller & Cushney, were—Senators Caldwell, Greer, Kaufman, Kinney, Pilsbury, Roman and Smith—7. Those who voted for Mr. Thos. Johnson were—Senators Grimes, Lawrence, McCrearey, Munson, Parker and Pattillo—6.

The Speaker of the House announced, that neither of the candidates had received a majority of the joint vote, whereupon the Senate again proceeded to a second ballot, and the Senators voting for Messrs. Miller & Cushney were—Senators Caldwell, Greer, Kaufman, Kinney, Pilsbury, Roman and Smith—7. Those who voted for Thomas Johnson were—Senators Grimes, Lawrence, McCrearey, Munson, Parker and Pattillo—6: whereupon, the Speaker announced that Messrs. Miller & Cushney having received a majority of all the votes of both Houses of Congress, were duly and constitutionally elected Public Printers of the ninth Congress.

The Senate returned to their chamber, and proceeded to the

ORDERS OF THE DAY.

Resolution requesting information of the Executive relative to the orders issued to General Somervell, in November and December, 1842; adopted.

Also, a resolution requesting information of the disbursement of an appropriation, made under a joint resolution for the relief of Texas prisoners in Mexico, approved 5th February, 1844; adopted.

A bill to be entitled an act to authorize the appointment of Trustees in certain cases; read a second time, and on motion, referred to the committee on the Judiciary.

A bill to be entitled an act to allow mileage to Sheriffs, Coroners and Constables; on its third reading.

Senator Kaufman moved to lay the bill on the table until Tuesday next; lost.

Senator Pilsbury moved to re-commit the bill to the committee on the Judiciary; carried.

A bill to be entitled an act to make the Secretary of the Senate an annual officer; on its third and final reading.

Senator Greer, by leave, offered the following additional section, as an amendment ;

“ Sec. 4. *Be it further enacted*, That in case of the death or resignation of the Secretary of the Senate, the Secretary of State shall appoint a Secretary *pro tem.*, to perform the duties ;” adopted.

The bill was then read a third time and passed.

A bill to be entitled, an act for the relief of Martha B. Runnels, and others, read a third time and passed.

A bill to be entitled, an act granting to settlers on vacant public domain pre-emption privileges, on its third reading.

On motion, re-committed to the committee on the Judiciary.

Senator Roman, by leave, made the following report :

COMMITTEE ROOM, }
Dec. 21, 1844. }

To the Honorable K. L. Anderson,

President of the Senate :

The special committee, to which was referred a bill to be entitled, an act to re-organize the District Courts of the 4th Judicial District, passed January 18th, 1844, have examined the same, and herewith submit a substitute for the bill in question, and recommend its passage.

R. ROMAN, Chairman.

The resolution of the House of Representatives, requesting the committee on the Judiciary, of the Senate, to act in conjunction with the like committee of the House, in the examination of a digest of the laws of the Republic, was concurred in.

On motion of Senator Caldwell, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, Dec. 23, 10 o'clock A. M.

The Senate met ; a quorum not being present, the Sergeant-at-Arms was despatched after absent Senators—re-

turned ; a quorum present ; Prayer by the Chaplain ; Journals of Saturday read and adopted.

Senator Munson presented the petition of Lavina Mansell, a free woman of color, praying for permission to remain permanently in the Republic, which was, on motion, referred to the committee on the State of the Republic.

Senator Grimes presented the petition of Jerome B. Robinson, praying that his certificate for one league and labor of land may be established as a good and valid claim against the government ; and, on motion, the same was referred to the committee on Public Lands.

Senator Greer, chairman of the committee on the State of the Republic, made the following reports :

COMMITTEE ROOM, }
Dec. 23, 1844. }

To the Honorable K. L. Anderson,
President of the Senate :

The committee on the State of the Republic, to which was referred a bill to divorce Elizabeth A. Dennissee from Peter Dennissee, have had the same under their consideration, and a majority of said committee are of opinion that it would be unconstitutional to pass said bill, and therefore recommend its rejection.

J. A. GREER, Chairman.

COMMITTEE ROOM, }
Dec. 23, 1844. }

To the Honorable K. L. Anderson,
President of the Senate :

The committee on the State of the Republic, report that they have had under their consideration, a bill legitimatizing and changing the name of Mary Jane Dillard. and recommended its passage.

JOHN A. GREER, Chairman.

Senator Roman, from the committee on the State of the Republic, made the following report :

COMMITTEE ROOM, }
Dec. 23, 1844. }

To the Honorabbe K. L. Anderson,
President of the Senate :

The undersigned, comprising a majority of the committee on the State of the Republic, to which was referred a bill requiring the President and Heads of Departments to repair to the city of Austin, early after the adjournment of the present Congress, have had the same under consideration, and herewith return the same, and recommend its passage.

RICHARD ROMAN.
GEORGE W. WRIGHT.

Senator Kaufman, from the Judiciary committee, made the following report :

COMMITTEE ROOM, }
Dec. 23, 1844. }

To the Honoræble K. L. Anderson,
President of the Senate :

The committee on the Judiciary, to whom was referred a bill to be entitled, an act to legalize the official acts of L. H. Dilliard, Chief Justice of the county of Harrison, beg leave to report the bill back to the Senate, and recommended its passage.

DAVID S. KAUFMAN,
One of the Committee.

Senator Kaufman, one of the committee on the Judiciary, to whom was referred the bill to be entitled an act, granting to settlers on vacant public domain pre-emption privileges, made the following report ;

COMMITTEE ROOM, }
Dec. 23, 1844. }

To the Hon. President of the Senate :

The committee on the Judiciary, to whom was referred a bill to be entitled, an act granting to settlers on vacant pub-

lic domain, pre-emption privileges, beg leave to recommend the passage of the bill, with the two accompanying additional sections. This bill it is hoped and seriously believed, will constitute a valuable substitute for the unfortunate and lavish donation system which has heretofore prevailed. The pre-emption system has always been a favorite policy with the United States; and, although originally it was only of a *retrospective* character, and operated alone, on settlements already made; they have now a permanent *prospective* system of pre-emption, inviting settlers to take possession of their extensive uninhabited territory. Shall not Texas, who so much desires population, and the hardy and valuable American Pioneers, hold out similar inducements, and compete for so useful a species of emigrants? It is clearly our policy to do so. Our former donation laws gave to every emigrant, land, whether he wanted it or not—whether he used it to support himself or his family, or squandered it in idleness or dissipation. This bill only proposes to give a preference to the actual occupant and settler, and secures his improvement and labor from a rapacity which, unfortunately for human nature, too often requires the restraining hand of legislation. The donation system, immensely and in a majority of cases *unprofitably*, increased the land liabilities of this government, while the salutary effect of this bill will be to settle such liabilities, and gradually to abolish and take up a great portion, if not the whole of our national debt. If a law of this character had been adopted instead of the colonization system, which, by the last Congress was discontinued, how salutary would have been its effect in extending our frontier, and developing the agricultural resources of the country, and that, too, without the government donating a single acre of land, in consideration of the great benefits that will accrue to her resources, strength and finances, by the acquisition of such a population. The bill endeavors carefully to provide against its being made an instrument of speculation, and is so framed as while it extends a sufficient protection to the settlers, it will enable the territory adjoining the settlement, to be legally appropriated by other claimants or settlers.

DAVID S. KAUFMAN,

One of the Committee.

The following are the additional sections :

Sec. 6. *Be it further enacted*, That it shall be the duty of the county surveyors of each and every county of this Republic, to keep a record book, to be devoted exclusively to pre-emption claims, in which settlers, within six months from the passage of this act, or within six months from the commencement of such settlement hereafter made, shall cause to be entered the amount of land for which they intend to claim pre-emption, which entry shall specify the beginning corner of the intended survey, and designate the land, to include the improvements, with such precision and certainty as will enable the adjoining vacant territory to be settled upon or appropriated, subject to such instructions from the Commissioner of the General Land Office, in regard to such entry as he may deem necessary, to prevent conflicts and disputes among claimants, which said instructions the said Commissioner is hereby required to issue, as early as practicable, after the passage of this act, to the several county surveyors of this Republic: Provided, that in making such entries or locations in the county surveyor's office, the settler shall not be compelled to have at the time, or file, the corresponding land certificate, but he shall take an affidavit that he believes he is settled upon vacant public domain, as contemplated by the first section of this act, which affidavit may be sworn to and subscribed before the county surveyor, or any officer authorized to administer oaths, and shall be filed among the records of the county surveyor's office; and for every entry thus made, together with the affidavit taken, the county surveyor shall be entitled to charge a fee of one dollar.

Sec. 7. *Be it further enacted*, That should any settler die previous to procuring a patent for the land including the settlement and improvement as provided by this act, the widow, if there be one, and the heirs, or the heirs alone shall be entitled to the same preference as the deceased would have been, according to the provisions of this act.

Senator Kinney, by leave, introduced a joint resolution relative to public printing; read a first time.

On motion of Senator Kaufman, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to alter and establish the eastern boundary line of Rusk county, and for other purposes, which was made the special order of the day, for to-day, on its third reading, read a third time and passed.

A message was received from the House of Representatives, by James H. Raymond chief clerk, transmitting the following bills, which had passed the House :

A bill to be entitled, an act amendatory of the several acts relative to fraudulent land certificates ; read a first time.

A bill to be entitled, an act for the establishment of a Post Office at the House of Jonathan Collard, in the county of Montgomery ; read a first time.

A joint resolution for the relief of J. C. Neill ; read a first time.

A bill to be entitled, an act directing the President and Heads of Departments to return to the city of Austin ; read a second time.

Mr. Pattillo moved to refer it to the committee on the State of the Republic.

The Ayes and Noes being called, stood as follows :

Ayes—Senators Greer, Grimes, Kaufman, Lawrence, Munson, Parker and Pattillo—7.

Noes—Senators Caldwell, Kinney, McCrearey, Pilsbury, Roman, Smith and Wright.—7.

The President voting in the affirmative—so the bill was referred.

A message was received from his Excellency the President, through his private Secretary, Mr. S. Z. Hoyle, marked secret.

The joint resolution authorizing the Secretary of the Treasury to settle the accounts pending between this government and Gail Borden, Jr., late collector of Galveston ; read a 3d time and passed.

The substitute to a bill, to be entitled an act, to amend an act, entitled an act, to re-organize the District Courts in the 4th Judicial District, passed January 18th, A. D. 1844 ; read a 2d time, and ordered to be engrossed.

A bill to be entitled, an act to incorporate the Texas Land Company, was taken up, and the report of the committee

referring it to the committee of the whole Senate, was adopted.

Senator Pilsbury moved to lay the bill on the table, until Monday next, and then go into the committee of the whole; lost.

Senator Kaufman moved that the Senate go into committee of the whole on the bill, on to-morrow, at 3 o'clock, P. M.; carried.

Senator Greer moved to take up the bill to be entitled, an act providing for the location of the seat of government by the people of Texas; lost.

On motion of Senator Kaufman, a bill to be entitled an act granting to settlers on vacant public domain pre-emption privileges, was taken up, and the report of the committee on the Judiciary, and the amendments adopted.

Senator Grimes moved to strike out the word "three," before the word "years," in second section; lost—and,

On motion of Senator Kaufman, the bill and amendments were ordered to be engrossed.

A message was received from his Excellency, the President, through his private secretary, Mr. S. Z. Hoyle, transmitting the following communication in writing:

EXECUTIVE DEPARTMENT, }
Washington, December 23, 1844. }

To the Honorable the Senate:

In compliance with a resolution of your Honorable body, adopted on the 21st instant, the Executive herewith transmits a communication from the acting Secretary of War and Marine setting forth the causes which will produce delay, in immediately responding to the same. The honorable Senate are assured, that the statements required in the resolution referred to, will be transmitted at the earliest moment possible.

ANSON JONES.

On motion of Senator Smith, the communication of the President, and the accompanying documents relative to the colonization contracts, were ordered to be transmitted to the House of Representatives.

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

TUESDAY, Dec. 24, 10 o'clock, A. M.

Senate met ; roll called ; quorum present ; Prayer by the Chaplain ; Journals of the preceding day read and adopted.

Senator Grimes presented the petition of Wm. S. Taylor, and C. B. Stewart, praying for duplicate certificates to be granted them ; and, on motion, the same was referred to the committee on Public Lands.

Senator Smith, chairman of the committee on Public Lands, made the following report :

COMMITTEE ROOM, }
Dec. 24, 1844. }

To the Honorable K. L. Anderson,

President of the Senate :

The committee on Public Lands, to whom was referred the petition of John Trussell, have had the same under consideration, and are of the opinion that the claim is not such a one as was embraced by any of the laws, heretofore granting relief to persons holding rejected land certificates ; but that the same contains equity and justice, which can only be remedied by the action of Congress. Therefore, I am instructed to report the same back to the Senate, with the accompanying bill, and recommend the passage of the same.

JOHN W. SMITH, Chairman.

Senator Kaufman, one of the committee on the Judiciary, made the following report :

COMMITTEE ROOM, }
Dec 24, 1844. }

To the Honorable K. L. Anderson,

President of the Senate :

The committee on the Judiciary, to whom was referred the petition of Green Orr, praying Congress to grant him a divorce

from his wife America Orr, beg leave to report, that they have given the prayer of the petitioner a serious consideration, and while they have no doubt the petitioner has substantial merits, they are constrained from constitutional consideration to deny his prayer. Marriage is a civil contract; the sixteenth section of the declaration of rights, expressly declares "that no laws impairing the obligation of contracts shall be made. *A fortiori*, no law can be made destroying entirely the obligation of contracts, which every law granting a divorce must necessarily do. Because, article 1st of the Constitution, provides that "the powers of this government shall be divided into three departments, viz: Legislative, Executive and Judicial, which shall remain forever separate and distinct. The judicial tribunals of the country have the right by law, to grant divorces. If the same right is exercised by Congress, is this last quoted provision of the Constitution preserved? When the legislative and judicial powers of the government both exercise jurisdiction over similar matters, are they kept separate and distinct? The granting of divorces is either a legislative or a judicial power. If it is one it cannot be another. Is it then a judicial or legislative matter? Evidently the former. It is a question to be decided upon testimony. Divorces cannot and should not be granted for slight and trivial causes. The policy of society forbids it. Strong testimony should be produced, on which decisions of this character should be based. Laws are never predicated upon testimony. Judicial decisions always are. This, then, is a *Judicial* and not a *Legislative* power. Besides, no one should be deprived of his wife, or her husband, without knowing it, nor be condemned unheard, which must generally be the case when jurisdiction is taken of matters of this kind in Congress. Proceedings of this character, affecting the dearest rights of individuals, are entirely *ex parte*; whereas, in the courts, notice must be served on the party defendant.

The inexpediency of granting divorces by Congress, is as palpable as its unconstitutionality. Our laws are extremely liberal on this subject; more so, perhaps, than the laws of any State of the American Union. If we take jurisdiction of *one* case, our tables will groan with petitions, praying for

emancipation from the matrimonial bonds,—mole hills will be magnified into mountains—slight misunderstandings incidental to human intercourse will be represented as intolerable grievances, and the poor offender will have neither notice nor opportunity to make a defence—each petitioner will endeavor to show that his or hers is a very *hard* case, and in the discussions of the questions of the relative merits of the different petitioners, the time of Congress will be diverted from *general* legislation, and the treasures of the country squandered. Your committee believe the granting of divorces by Congress, to be inexpedient and unconstitutional, and therefore recommend the rejection of said petition.

DAVID S. KAUFMAN,
One of the Committee.

Senator Kaufman, by leave, introduced a bill to be entitled an act providing for the publication of the opinions of the Supreme Court, &c.; read a first time.

Senator Parker, by leave, introduced a bill to be entitled an act for establishing a standard of weights and measures, for the Republic of Texas; read a first time.

Senator Wright, by leave, introduced a bill to be entitled an act, to repeal an act, to create a Board of Medical Censors; read a first time.

Senator Kaufman, by leave, introduced a bill to be entitled an act, making provisions to defray the expenses incurred by order of the Executive, in suppressing the disturbances in Shelby county; read a first time.

Senator Kinney, by leave, presented the petition of Alexander Stephenson; and, on motion, the same was referred to the committee on Military Affairs.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for the divorce of Elizabeth A. Dennissee from Peter Dennissee; report and bill read a 2d time, and, on motion, laid on the table.

A bill to be entitled, an act legitimatizing and changing the name of Mary Jane Dillard; report adopted, bill read a 2d time, and passed to a third reading.

A bill to be entitled, an act directing the President and Heads of Departments to return to the city of Austin; report and bill read a second time; and, on motion, laid on the table.

A bill to be entitled, an act legalizing the official acts of L. H. Dilliard, Chief Justice of the county of Harrison; report of committee adopted, bill read a second time, and passed to a third reading.

A bill to be entitled, an act for the appointment of an additional number of Notaries public for the county of Montgomery; report of committee adopted—the first, second and third amendments to the bill recommended by the committee, were adopted; and, on motion, the bill and amendments were laid on the table.

Joint resolution relative to public printing, read a second time, and ordered to be engrossed for a third reading.

A bill to be entitled, an act amendatory to the several acts relative to fraudulent land certificates; read a second time.

A bill to be entitled, an act for the establishment of a Post Office, at the house of Jonathan Collard, in the county of Montgomery; read a 2d time, and referred to the committee on Post Offices and Post Roads, with instructions to report whether or not it would increase the expenses of carrying the mail.

Joint resolution for the relief of J. C. Neill, read a second time; and, on motion of Senator Greer, referred to the committee on Finance, with instructions to report to the Senate, the practicability of allowing pensions to all persons wounded or permanently disabled in the defence of the Republic.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Dec. 24, 1844. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Engrossed and Enrolled Bills, have examined and find correctly Engrossed, a bill to be entitled, an act granting to settlers on vacant public domain, pre-emption privileges.

R. ROMAN, Chairman.

Report adopted, and bill taken up on its 3d and final reading.

The Ayes and Noes being called for, stood as follows :

Ayes—Senators Caldwell, Greer, Grimes, Kaufman, McCrearey, Munson, Parker, Pattillo, Pilsbury, Roman, Smith and Wright—12.

Noes—none.

On motion of Senator Greer, the Senate adjourned until Friday, 10 o'clock, A. M.

FRIDAY, Dec. 27, 10 o'clock, A. M.

Senate met; roll called; a quorum not being present, the Sergeant-at-Arms was despatched for absent Senators; returned, and a quorum present; Prayer by the Chaplain; Journals of Tuesday read and adopted.

A message was received from his Excellency, the President, through his private secretary, Mr. S. Z. Hoyle, transmitting the following communication in writing :

EXECUTIVE DEPARTMENT, }
Washington, December 26, 1844. }

To the Honorable the Senate :

I have the honor herewith to transmit a communication from the acting Secretary of War and Marine, of the 24th instant with accompanying documents, in compliauce with a resolution of your honorable body of the 21st instant, embracing the information called for in said resolution.

ANSON JONES.

On motion, the message and accompanying documents were referred to a select committee, consisting of Senators Smith, McCrearey and Pilsbury.

Senator Parker, by leave, introduced a bill to be entitled, an act to repeal in part an act therein named; read a 1st time.

Senator Kaufman, by leave, introduced the following resolution:

Resolved by the Senate, That the Secretary be authorized to employ a competent person to copy the journals of the Senate for the public printer, and examine the proof sheets of the same, when printed, with the originals; and that he be allowed fifteen cents for every one hundred words for said service, to be paid out of the contingent appropriation for both houses of Congress.

On motion of Senator Caldwell, the resolution was laid on the table.

Senator McCrearey, by leave, introduced a bill to be entitled, an act supplementary to an act, to raise a revenue by direct taxation, approved, February 5th, 1842; read a first time.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for establishing a standard of weights and measures for the Republic of Texas; read a 2d time, and referred to the committee on the State of the Republic.

A bill to be entitled, an act to repeal an act to create a Board of Medical Censors; read a second time, and, on motion referred to the committee on the State of the Republic.

A bill to be entitled, an act making provisions to defray the expenses incurred by order of the Executive, in suppressing the disturbances in Shelby county; read a 2d time, and referred to the committee on Military Affairs.

A bill to be entitled, an act providing for the publication of the opinions of the Supreme Court; read a 2d time, and, on motion, referred to the committee on the Judiciary.

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

SATURDAY, Dec. 28, 10 o'clock, A. M.

Senate met; roll called; a quorum present; Journals of the preceding day read and adopted.

Senator Grimes presented the petition of Jesse Gray, praying compensation for board and attendance of a disabled soldier of the 1st regiment infantry, in the year 1839; and, on motion, the same was referred to the committee on Claims and Accounts.

Also, the petition of Master, Wardens and Brethren of the Orphans' Friend Lodge No. 17, praying for an act of incorporation; and, on motion, the same was referred to a select committee, consisting of Senators Grimes, Greer and Wright.

Senator Pattillo presented the petition of R. E. B. Baylor, and others, praying the incorporation of a College or University, for the purpose of a more general diffusion of useful knowledge; read 1st time.

Senator Greer, chairman of the committee on the State of the Republic, made the following reports:

COMMITTEE ROOM, }
Dec. 27, 1844. }

To the Honorable K. L. Anderson,

President of the Senate:

The undersigned, chairman of the committee on the State of the Republic, to whom was referred a joint resolution requiring the President and Heads of Departments to return to the city of Austin, would respectfully report—

That after having given the subject mature deliberation, he believes the passage of this joint resolution is at this time uncalled and impolitic, for the following reasons:

The emergency which required and caused the removal of the President, &c., from the city of Austin, in the opinion of the undersigned, still exists in its original force. It is true, there is not now, as at that time, a marauding party of Mexicans within our limits, to incur the danger of immediate molestation. Yet, the recent threats, and extensive preparations made by the Mexican government, for the invasion of

Texas, warns us to continued vigilance, and inculcates the importance of a prudent caution on our part, to meet any emergency that may arise from their attempt to carry those threats into execution. To this it may be answered, that a popular general has raised the standard of revolt against the existing government of that country, that from the intestine commotions of our enemy, we may find a guarantee to our own safety; but an acquaintance with the history of revolutions in Mexico, teaches that the most violent antipathies are productive of but a few days of strife, that every effort hitherto made to displace Santa Anna, has resulted in fixing him more firmly in his seat. That goaded and spurred by the constant clamors of the Mexican people to subjugate Texas, he stands pledged to the measure, and a failure of its redemption, is one of the charges preferred against him; should he succeed in baffling and overthrowing his antagonist, we cannot, with any sort of assurance, promise ourselves a long exemption from the hostile incursions of his legions. Should Paredes hurl Santa Anna from his unholy seat of usurped power, one of the chiefest tenures by which he expects to sustain himself, is offensive measures against this Republic. In support of this fact, I would beg leave to refer the honorable Senate to his proclamation.

The position of our negociations with foreign powers, renders it of great importance to their successful consummation, that the President and Heads of Departments should be at a point of easy and convenient communication.

Taking the subject in a financial point of view, the undersigned deems the resolution injurious to the interest of the nation, as it must be obvious to every Senator, that to place the ruined and dilapidated public buildings at Austin in a condition to receive the officers of the government, would require an expenditure of at least 20 or \$30,000.

The undersigned has always recognized the principle, that the majority should govern, as inseparable with the existence and perpetuation of democratic governments, and he conceives that it will not be denied, that the expression of popular will against the location of the seat of government at Austin, has been clear and unequivocal.

The undersigned, therefore, recommend that the resolution be rejected.

J. A. GREER.

COMMITTEE ROOM, }
Dec. 28, 1844. }

To the Honorable K. L. Anderson,
President of the Senate:

The committee on the State of the Republic, to whom was referred a bill to be entitled, an act to restore lands sold for taxes to original owners, have considered the same, and report the following amendment: insert the words "or would," after the word "may," in the 8th line. Strike out the word "any," in the 9th line, and insert the word "said." Insert the following, after the word "lands," in said 9th line: "Provided, the lands had been purchased by any person or persons;" and recommend it to the favorable consideration of the Senate.

J. A. GREER, Chairman.

COMMITTEE ROOM, }
Dec. 27, 1844. }

To the Honorable K. L. Anderson,
President of the Senate:

The committee on the State of the Republic, to whom was referred a bill to be entitled, an act to repeal an act to create a Board of Medical Censors, have had the same under their consideration, and believing the statute, which the bill intends to repeal, inoperative and of no effect, would recommend the passage of the bill.

J. A. GREER, Chairman.

The majority of the committee on the State of the Republic, made the following report:

COMMITTEE ROOM, }
Dec. 28, 1844. }

To the Honorable K. L. Anderson,
President of the Senate:

The undersigned, constituting a majority of the committee on the State of the Republic, to whom was referred a bill to be entitled, an act requiring the President and Heads of De-

partments to return to the city of Austin, have had the same under consideration, and herewith return the bill, and recommend its passage.

RICHARD ROMAN.
G. W. WRIGHT.

Senator Smith, chairman of the committee on Public Lands, made the following reports :

COMMITTEE ROOM, }
Dec. 28, 1844. }

*To the Honorable K. L. Anderson,
President of the Senate:*

The Committee on Public Lands, to whom was referred a bill to be entitled, an act amendatory of the several acts relative to fraudulent land certificates, have had the same under consideration, and instruct me to report the same back to the Senate, and recommend its passage.

JOHN W. SMITH, Chairman.

COMMITTEE ROOM, }
Dec. 28, 1844. }

*To the Honorable K. L. Anderson,
President of the Senate:*

The committee on Public Lands, to whom was referred a bill to be entitled, an act for the relief of Abram Skidmore, have had the same under consideration, and find that the claimant came to the Republic in the month of January or February, 1836—that he participated in the struggle for our independence, and in every requirement, performed such a part as entitled him as a single man, to the benefits of the laws of the Republic, in the distribution of public lands; but from circumstances not accounted for, the petitioner did not bring his family to the Republic, until some time in the year 1839; notwithstanding, the petitioner, early in the year 1836, made a selection of lands, and at the proper time had the same surveyed, to wit: one league and one labor of land, and improved the same in such a manner as to furnish shelter and accommodate his family, when they should arrive in the Republic.

The committee, after a careful examination of the bill and accompanying documents, have instructed me to report the same back to the Senate for their further consideration.

JOHN W. SMITH, Chairman.

Senator Pilsbury, chairman of the committee on Foreign Relations, made the following report ;

COMMITTEE ROOM, }
Dec. 28, 1844. }

*To the Honorable K. L. Anderson,
President of the Senate :*

A majority of the committee on Foreign Relations, which have had under consideration, a joint resolution to take the sense of Congress, on the subject of dispensing with Foreign Ministers and substituting agents, have duly considered the same, and ask leave to report the accompanying substitute, and recommend its passage.

T. PILSBURY,
One of the Committee.

Senator Kaufman one of the committee on the Judiciary made the following report :

COMMITTEE ROOM, }
Dec. 28, 1844. }

*To the Honorable K. L. Anderson,
President of the Senate :*

The committee on the Judiciary, to whom was referred an act allowing mileage to Sheriffs, Coroners and Constables, beg leave to recommend the insertion of the following words, after the word "travel," in the 8th line of 1st section : "and actually do travel."

DAVID S. KAUFMAN,
One of the Committee.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report :

COMMITTEE ROOM, }
Dec. 28, 1844. }

To the Honorable K. L. Anderson,
President of the Senate:

The committee on Engrossed Bills have examined and found correctly Engrossed, the following Bills, to wit:

A bill to be entitled an act to amend an act entitled, an act to re-organize the District Courts of the 4th Judicial District, passed January 18th, 1844; and,

A joint resolution relative to public printing.

RICHARD ROMAN, Chairman.

And, on motion, the same was adopted.

Senator Caldwell moved to take up the resolution of the Senate, authorizing the secretary to employ a competent person to copy the Journals of the Senate, for the public printer; motion carried—and the question being on the adoption of the resolution, was put, and lost.

Senator Kaufman, one of the committee on the Judiciary, made the following report:

COMMITTEE ROOM, }
Dec. 28, 1844. }

To the Honorable K. L. Anderson,
President of the Senate:

The committee on the Judiciary, to whom was referred a bill to be entitled, an act providing for the publication of the opinions of the Supreme Court, beg leave to recommend the passage of the bill, with the following amendments, after the word "opinions," in 7th line of the 1st section, insert: "together with an index and references."

DAVID S. KAUFMAN,
One of the Committee.

Senator Greer, chairman of the committee on the State of the Republic, by leave, to whom was referred the petition of Lavina Mansel, a free woman of color, and her children, reported the same back to the Senate, by bill, and recommended its passage.

Senator Kinney, chairman of the committee on Military Affairs, made the following report :

COMMITTEE ROOM, }
Dec. 28, 1844. }

To the Honorable K. L. Anderson,
President of the Senate :

The committee on Military Affairs, to whom was referred the petition of Alexander Stephenson, praying that the collector of customs for the port of Aransaso, be authorized to receive the claim of said Stephenson in payment of impost duties, having examined the petition and account accompanying it, beg leave to report favorable to the petition, and recommend the passage of a joint resolution for his relief.

H. L. KINNEY, Chairman.

Senator Kaufman, by leave, introduced the following resolution :

Resolved by the Senate, That with the concurrence of the House of Representatives, the two Houses of Congress will go into an election of Judge for the 5th Judicial District, on Monday the 30th instant, at 3 o'clock, P. M.

Senator Pattillo moved to insert the 6th Judicial District, also ; amendment rejected, and the original resolution adopted.

On motion of Senator Kaufman, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to legalize the official acts of L. H. Dilliard, Chief Justice of Harrison county, read 3d time and passed.

A bill to be entitled, an act for the relief of John Trussel—report of Committee on Public Lands adopted, and bill read 1st time.

A bill to be entitled, an act legitimatizing and changing the name of Mary Jane Dillard, read a third time and passed.

A bill to be entitled, an act to repeal in part an act therein named, on its 2d reading.

Senator Grimes offered the following amendment—strike out the caption of the bill and insert : “an act to provide that all laws shall take effect from and after their passage, unless a dif-

ferent time be specified in said law ;” amendment adopted, and bill ordered to be engrossed.

A bill to be entitled, an act supplementary to an act, to raise a revenue by direct taxation, approved, 5th February, 1842 ; read 2d time, and referred to the committee on Finance.

Joint resolution relative to public printing, read 3d time and passed.

Report of the committee on the Judiciary, on the petition of Green Orr, praying a divorce from America Orr.

The Ayes and Noes being called for on the adoption of the report, stood as follows :

Ayes—Senator Greer, Grimes, Kaufman, Kinney, McCrea-rey, Munson, Parker Pattillo and Roman—9.

Noes—Senators Caldwell, Lawrence, Pilsbury, Smith and Wright—5.

So the report was adopted

A message was received from the House of Representatives, through James H. Raymond, chief clerk, informing the Senate that the House had concurred in a joint resolution making an appropriation for the redemption of William and Jane Simpson; and, also, that they had passed the following bills, and asked the concurrence of the Senate to the same :

A joint resolution establishing a Post Office, and for other purposes; read a first time.

A bill to be entitled, an act for the relief of Jonathan Bird ; read a first time.

A bill to be entitled, an act to alter a certain mail route therein named, and for other purposes ; read a first time

A bill to be entitled, an act to confer the rights of citizenship on Early Cordray ; read a first time.

Joint resolution requiring the government to relinquish its title to two lots in the town of Quintana ; read a first time.

Joint resolution for the relief of J. A. Young; read 1st time;

A bill to be entitled, an act for the relief of Mrs. Sarah Brown. read 1st time.

Joint resolution making an appropriation for contingent printing of Congress ; read 1st time.

Senator Greer, by leave, introduced a bill to be entitled, an act to abolish the office of Secretary of Legation, and for other purposes ; read 1st time.

Senator Kaufman moved to take up the bill to be entitled, an act locating the seat of government by the people of Texas.

The Ayes and Noes being called, stood as follows :

Ayes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

Noes—Senators Caldwell, Kinney, Lawrence, McCrearey, Pilsbury, Roman, Smith and Wright—8.

So the Senate refused to take up the bill.

On motion of Senator Kinney, the Senate went into committee of the whole, Senator Kaufman in the Chair, on the bill to be entitled, an act to incorporate the Texas Land Company.

On motion of Senator Lawrence, the committee of the whole rose, and the chairman reported that they had had the bill under consideration, and adopted the following amendment, viz: in the first section, strike out the words "or elsewhere," in the 11th line, and the committee asked leave to sit again.

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

3 o'clock P. M.

Senate met; roll called; quorum present.

Senator Pattillo, by leave, introduced a bill to be entitled, an act to amend to 4th and 5th sections of an act, approved, Jan. 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved, February 5th, 1840; read 1st time.

Senator Munson introduced a bill to be entitled, an act for the relief of Calvin Bowles, Dread Dawson and others: read 1st time.

On motion of Senator Kinney, the Senate went into committee of the whole, on the bill to be entitled, an act to incorporate the Texas Land Company—Senator Parker in the chair.

On motion of Senator Caldwell, the committee rose,—the chairman reported that the committee had adopted the following amendments, viz: and, after the words bank notes, in the last line of the 8th section, "or any paper as a circulating medium."

And, at the end of the 11th section, add the following words: "and the government of this Republic shall at all times have the free use of such improvements, without any tolls whatsoever; and, provided, Congress may, in all cases, where dams or other obstructions may be made in any navigable stream, require said company to make slopes, or otherwise arrange the same, so that

the navigation of such streams shall not be obstructed or impeded, more than they now are; and that the citizens of this Republic shall not be prevented from navigating said streams as they now do."

Also, add to the 11th section, the following: "and be it further provided, that Congress may, at any time, appoint two Commissioners, to act in conjunction with two Commissioners or Directors appointed by said company, who, with another to be chosen by them, or in case of disagreement, to be appointed by the President of this Republic, shall constitute a board to revise and re-assess the rate of tolls which it may be lawful for said company to collect: Provided, said board shall not, without the consent of the Commissioners representing said company, assess a rate of tolls so low as to prevent their making a dividend of ten per centum per annum, on the sums expended in the construction and repairs of their roads, canals and other improvements, nor shall they, after such rate of tolls has been fixed by them reduce the same, unless the dividends exceed the rate of fifteen per centum per annum, on the expenditures aforesaid:" "and, provided, also, that when said company shall contemplate entering on the construction of any road or canal, or making any improvements in the rivers, harbors or bays of this Republic, they shall advertise a description of such road, canal or improvement, in some newspaper printed in the Republic, nearest the county through which said road, canal or other improvement is to be constructed, and shall file, in the clerk's office of the county in which such road, canal or improvement is to be made, the consent in writing, of a majority of the legal voters of such county to the making of such road, canal or improvement, and unless such consent in writing be first filed as aforesaid, the said company shall have no authority to make such a road, canal or improvement within such county."

Add an additional section, viz:

Sec. 15. And, be it further enacted, That the Congress may, at any time after the expiration of thirty years, repeal this charter, paying to the company the amount which they may have expended in the construction and repairs of roads, canals and other improvements, and giving a reasonable time for the sale of their property and estate; and in such case, the improvements thus paid for shall become the property of this Republic.

And the committee asked leave to be discharged from the further consideration of the bill.

On motion of Senator Greer, the bill was taken up, and the amendments reported by the committee of the whole, adopted.

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

MONDAY, Dec. 30, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain: Journals of Saturday read and adopted.

On motion of Senator Kaufman, a select committee of five was appointed to report the expediency of altering the 33d rule of the Senate.

Senators Kaufman, Caldwell, Pilsbury, Greer and Roman were appointed said committee.

Senator Smith presented the petition of J. L. Truehart, clerk of the District Court, in and for Bexar county, praying relief; and, on motion, the same was referred to the committee on Claims and Accounts.

Senator Smith, chairman of the committee on Public Lands, to whom was referred the petition of William S. Taylor, and Charles B Stewart, reported the same back to the Senate, and recommended its reference to the committee on the Judiciary.

Also, the petition of Wm. Allbright, administrator of the estate of Thomas R. Townsend, deceased, have had the same under consideration, and report it back to the Senate, recommending its reference to the committee on the Judiciary.

Senator Kaufman, one of the committee on the Judiciary, to whom was referred a bill to be entitled, an act to regulate the salaries of District Attorneys and District Judges, reported the same back to the Senate, with the following amendment: strike out "five hundred," in the second section, and insert "three hundred," and recommend its passage.

Senator Greer, chairman of the committee on the State of the Republic, made the following report:

The committee on the State of the Republic, to whom was referred a bill to be entitled, an act providing for and regulating arbitrations and references, beg leave to recommend the following amendments. At the end of the 1st section, add the following proviso: "Provided, that in no case shall the failure of a party previous to the institution of any suit, to give or offer an

arbitration bond to defendant, to comply with the award to be rendered by such arbitration, place the party in any worse situation than if such bond had been offered or given."

In section 5, after the word "Provided," strike out the balance of the section—"that any party to an arbitration, may take the deposition of a witness, after having given the opposite party, his agent or attorney, (if he have any,) five days notice of the time and place at which such deposition will be taken; Provided, however, that an additional notice of one day shall be given for every twenty miles such party, his agent or attorney may reside from the place at which the deposition was taken; Provided, that in taking such depositions, it shall not be necessary to propound interrogatories, or observe any other formalities, than those herein specified; and further Provided, that the opposite party may appear, at such time and place, and put such cross questions as he may think proper. Said notice shall specify the house at which such deposition shall be taken, and before what officer."

In section 7, strike out all after the word "cents," in the 5th line, to the word "to," in the 7th line.

With the above amendments, the committee would recommend the bill to the consideration of the Senate.

J. A. GREER, Chairman.

Senator Grimes, chairman of the select committee, to whom was referred the petition of the Masters, Wardens and Brethren of the Orphans' Friend Lodge No. 17, reported a bill to be entitled an act to incorporate the Orphans' Friend Lodge No. 17, and recommend its passage; bill read 1st time.

Senator McCreary, chairman of the select committee, to whom was referred the petition of F. M. Gibson, and others, recently prisoners in Mexico, reported by joint resolution for their relief, and recommended its passage; read 1st time.

Senator Kaufman, one of the committee on the Judiciary, to whom was referred a bill to be entitled, an act extending the limits of the jurisdiction of Constables, reported the same back to the Senate, for their action.

On motion of Senator Greer, the bill to be entitled, an act to incorporate the Texas Land Company, was made the special order of the day for to-morrow, at 11 o'clock.

On motion, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to incorporate the San Jacinto University; read 2d time, and referred to the committee on the State of the Republic.

On motion of Senator McCrearey, the bill to be entitled, an act providing for the location of the seat of government by the people of Texas, was taken up.

Senator Caldwell moved to strike out "1845," wherever it occurs in the bill.

The Ayes and Noes being called for, stood as follows:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Pilsbury, Roman, Smith and Wright—8.

Noes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

So the motion was carried.

Senator Caldwell moved to fill the blanks with "1847."

The Ayes and Noes were called, and stood as follows:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Pilsbury, Roman, Smith and Wright—8.

Noes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

So the motion was carried.

Senator Caldwell moved to strike out "Washington," and insert, three newspapers printed in the Republic; adopted.

Senator Caldwell moved to strike out "10th" and insert "12th" Congress, in section 7th; carried.

Senator Caldwell moved to strike out "11th" and insert "13th" Congress, in section 8th; carried.

Senator Kaufman moved to strike out "next," and insert "1847," in section 4th; carried.

Senator Kaufman moved to strike out "as soon as practicable," in 1st and 8th sections; carried.

Senator Greer moved to strike out "May," and insert "March," in the 4th and 5th sections; carried.

Senator Greer moved to strike out "June," and insert "May," wherever it occurs in the 4th section; carried.

Senator Greer moved to strike out "10," and insert "12th," in section 8th; carried.

On motion of Senator Caldwell, the bill was ordered to be engrossed.

Senator Caldwell moved to take up the bill to be entitled, an act directing the President and Heads of Departments to return to the city of Austin; carried.

Senator Pattillo moved a call of the Senate; carried.

One Senator absent—the Sergeant at-Arms dispatched for the absent Senator—returned, and full Senate.

The question being on the passage of the bill to a 3d reading.

The Ayes and Noes being called for stood as follows:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Pilsbury, Roman, Smith and Wright—8.

Noes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

So the bill passed to a third reading.

A bill to be entitled, an act to restore lands sold for taxes, to the original owners; the amendments reported by the committee on the State of the Republic, adopted.

Senator Greer moved to insert, after the word “persons,” in the amendment in the 9th line, the words “or remain in his own possession;” carried.

On motion of Senator Greer, the bill passed to a 3d reading.

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 amend the 4th and 5th sections of an act, approved January 27, 1842, which act was supplementary to an act, to raise a revenue by impost duties, approved 5th February, 1840; read 2d time, and referred to the committee on Finance.

A bill to be entitled, an act amendatory of the several acts relative to fraudulent land certificates.

Senator Kaufman moved to strike out “1848,” in the last line of the 1st section, and insert “1846”—a division of the question called for, on motion to strike out, carried; and motion to insert “1848,” lost.

On motion of Senator Pilsbury, the blank was filled with 1847.

Senator Pattillo offered the following amendment:

“Provided, that nothing in the act, approved February 4th, 1841, to which the act repealed by this act is a supplement, shall be so construed as to allow any person to prove up his or her claim, as assignee: but in all cases, the original grantee, if liv-

ing, shall appear and take the oath, and adduce the testimony required by the land law, approved December 14th, 1837; and if the original grantee be dead, then, and in that case, the executor, administrator, or legal heir or heirs of such original grantee shall appear, and make the proof required by said land law; any thing in any law to the contrary notwithstanding; rejected.

On motion of Senator Parker, the bill was re-committed to the committee on the State of the Republic.

A bill to be entitled, an act to repeal an act creating a Board of Medical Censors, on its second reading.

Senator Munson offered the following amendments—amend the 1st section, after the words “approved, December 14th, 1847,” insert “also, an act entitled an act, supplementary to an act, to appoint a Board of Medical Censors,” approved, December 16, 1837;” adopted.

In the last line of section 1st, strike out the word “is,” and insert the word “an;” adopted.

Add the following section to the bill:

Be it further enacted, That in the settlement of deceased persons estates, physicians and surgeons shall not be entitled to any preference over other creditors; adopted.

Senator Grimes offered the following amendment to the caption of the bill—in the caption, after the word “Censors,” strike out “and for other purposes,” and insert “and so much of the 21st section of an act regulating the duties of Probate Courts, approved February 5th, 1840, as gives a preference to physicians’ and Surgeons’ claims;” adopted, and bill ordered to be engrossed.

A bill to be entitled, an act for the relief of Abram Skidmore, on its second reading.

On motion of Senator Caldwell, the bill was re committed to the committee on Public Lands.

Senator Kinney, by leave, introduced a bill to be entitled, an act requiring the owners of lands in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and marked; read 1st time.

On motion of Senator Kaufman, the bill to be entitled, an act to regulate the salaries of District Attorneys and District Judges, and the amendments as reported by the Committee on the Judiciary, was taken up.

Senator Grimes moved to strike out “three hundred,” in the amendment of the committee, and insert “five hundred;” lost.

Senator Pilsbury moved to fill the blank with "three hundred;" carried, and bill ordered to be engrossed.

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

On motion of Senator Parker, a bill to be entitled, an act making an appropriation for contingent printing of Congress, was taken up, read 2d time, rule suspended, read 3d time and passed.

Senator Kaufman moved to re-consider the vote passing the bill; carried.

Senator Kaufman offered the following additional section to the bill:

Sec. 2. *Be it further enacted*, That this act take effect from and after its passage; adopted—bill read 3d time and passed.

Senator Grimes moved to take up a bill to be entitled, an act for the appointment of an additional number of Notaries Public, for the county of Montgomery; carried, and the bill placed among the orders of the day.

Substitute to a resolution dispensing with Ministers to Foreign Courts, read 2d time.

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

TUESDAY, Dec. 31, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Grimes introduced the petition of William Low, praying Congress to grant him the privilege of vending merchandize of every description, without license; and, on motion, the same was referred to the committee on Finance.

A committee from the House of Representatives, Mr. Cazneau chairman, informed the Senate that the House would go into an election for Judges of the 1st, 5th and 6th Judicial Districts, on to-morrow, at 11 o'clock, A. M., and requested the attendance of the Senate for that purpose.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, reported they had examined the following bills:

A bill to be entitled, an act to provide that all laws shall take effect from and after their passage, unless a different time be specified in said bill.

A bill to be entitled, an act providing for the location of the seat of government by the people of Texas.

A bill to be entitled, an act to regulate the salaries of District Judges and District Attorneys.

A bill to be entitled, an act to repeal certain acts relative to the creation of a Board of Medical Censors, and so much of the 21st section of an act regulating the duties of Probate Courts, &c., approved, February 5th, 1840, as gives a preference to physicians and surgeons, and find the same correctly engrossed.

Report adopted.

A message was received from his Excellency, the President, by S. Z. Hoyle, private secretary, transmitting a communication in writing, marked "secret."

Senator Kaufman introduced a joint resolution, authorizing the Commissioner of the General Land Office to respect certain instructions, issued by John P. Borden, to Boards of Land Commissioners; read 1st time—rule suspended, read 2d time, and referred to the committee on Public Lands.

On motion of Senator Parker, the Senate went into secret session—the doors were closed.

On motion, the doors were opened, and the Senate proceeded to business.

Senator Munson introduced a bill to be entitled, an act concerning patrols; read 1st time.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for the appointment of an additional number of Notaries Public, for the county of Montgomery.

Senator Kaufman offered the following amendment, after the word "hereby," in 3d section, insert "required in the discharge of their official duties, to have a separate seal of their own. After the word "centre," insert "and no acts can legally be done by such Notaries, until they have procured such seal;" adopted.

On motion of Senator Grimes, the bill was re-committed to a select committee, consisting of Senators Grimes, Kaufman and Pilsbury.

A message was received from the House of Representatives,

by J. H. Raymond, chief clerk, informing the Senate that the House had concurred in the substitute, to a bill to be entitled, an act to amend an act, entitled an act, to re-organize the District Courts of the 4th Judicial District, passed January 18th, 1844; and, also, that the House had passed the following bills, and request the concurrence of the Senate to the same:

Joint resolution making legitimate a certain person therein named;

Joint resolution authorizing Samuel J. Redgate to adopt a certain person therein named; and,

A bill for the relief of John Morris.

A bill to be entitled, an act allowing mileage to Sheriffs, Coroners and Constables—amendments of the Judiciary committee adopted, and bill passed to a 3d reading.

A bill to be entitled, an act providing for the publication of the opinions of the Supreme Court—amendments of the Judiciary committee adopted, and bill ordered to be engrossed.

Substitute to a resolution taking the sense of both Houses of Congress, on the propriety of dispensing with Ministers to Foreign Courts, being the special order of the day for 11 o'clock.

Ayes and Noes being called for on the adoption of the substitute, stood as follows:

Ayes—Senators Caldwell, Grimes, Kinney, McCrearey, Munson, Pattillo, Pilsbury, Roman, Smith and Wright—10.

Noes—Senators Greer, Kaufman and Parker—3.

So the resolution was adopted.

A bill to be entitled, an act to incorporate the Texas Land Company, being the special order of the day for 11 o'clock.

On motion of Senator Caldwell, the bill was re-committed to a select committee, consisting of Senators Caldwell, Kinney and Roman.

A bill to be entitled, an act for the relief of Lavina Mansel and her three children, read 2d time; and, on motion of Senator Parker, laid on the table.

Joint resolution for the relief of Alexander Stephenson, read 2d time, and ordered to be engrossed.

A bill to be entitled, an act for the relief of John Trussel, read 2d time, and ordered to be engrossed.

A message was received from the House of Representatives, by James H. Raymond, chief clerk, informing the Senate that the House had concurred in a bill which originated in the Senate, regulating the pay of District Judges and District Attorneys.

A bill to be entitled, an act to abolish the office of Secretary of Legation, and for other purposes, read 2d time, and ordered to be engrossed.

Senator McCrearey moved that the Senate accept the invitation of the House, to go into an election of Judges, for the 1st, 5th and 6th Judicial Districts, on to-morrow, at 11 o'clock, A. M.

Senator Greer moved to lay the motion on the table; lost.

The question on the adoption of the motion as made by Senator McCrearey, was put, and carried.

Senators McCrearey and Wright were appointed said committee.

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

3 o'clock, P. M.

Senate met; roll called, quorum present.

Joint resolution for the relief of Calvin Bowls, Dread Dawson and others, read 2d time, and referred to the committee on Claims and Accounts.

Joint resolution establishing a Post Office, and for other purposes, read 2d time, and referred to the committee on Post Offices and Post Roads.

Senator Greer, by leave, introduced a joint resolution for the relief of the heirs of John Williams, deceased; read 1st time.

Joint resolution for the relief of Jonathan Bird, read 2d time; and, on motion, passed to a third reading.

A bill to be entitled, an act to alter a certain mail route therein named, and for other purposes; read 2d time, and, on motion, referred to the committee on Post Offices and Post Roads.

Joint resolution for the relief of J. A. Young, read 2d time; and, on motion, referred to the committee on Claims and Accounts.

A bill to be entitled, an act to confer the rights of citizenship on Early Cordray, read 2d time; and, on motion, referred to the committee on the State of the Republic.

Senator Pilsbury, by leave, presented the resolutions of a mass meeting of the citizens of Brazoria county; read, and, on motion, referred to the committee on Foreign Relations.

Joint resolution requiring the government to relinquish its title to two lots in the town of Quintana; read 2d time, and referred to a select committee, consisting of Senators Pilsbury, Roman and Munson.

A bill to be entitled, an act for the relief of Mrs. Sarah Brown; read 2d time and referred to the committee on the Judiciary.

A bill to be entitled, an act requiring the owners of lands in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and surveyed; read 2d time, and referred to the committee on Public Lands.

A bill to be entitled, an act to restore lands sold for taxes to the original owners, on its third and final reading; and, on motion, referred to a select committee, consisting of Senators Kaufman, Pilsbury and Pattillo.

A bill to be entitled, an act extending the limits of the jurisdiction of Constables; read 2d time, and ordered to be engrossed.

Joint Resolution for the relief of the men mustered into service by General Somervell, under orders of the President; read 2d time, and referred to the committee on Military Affairs.

A bill to be entitled, an act to incorporate the Orphans' Friend Lodge No. 17, on its 2d reading.

Senator Greer offered the following amendment—add to the last line of the 1st section, "Provided, the amount of real estate shall not exceed five acres;" adopted, and the bill ordered to be engrossed.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Dec. 31, 1844. }

To the Honorable K. L. Anderson,

President of the Senate:

The joint committee on Enrolled Bills, have examined and find correctly Enrolled, the following Bills, viz.

A joint resolution making an appropriation for the redemption of William and Jane Simpson; and, also,

A bill to be entitled, an act to regulate the salaries of District Judges and District Attorneys; and the same having been signed by the Speaker of the House of Representatives and President of the Senate, and have, this day, been presented to the Executive for his signature.

R. ROMAN, Chairman.

Report adopted.

On motion of Senator Kinney, the Senate adjourned until tomorrow morning 10 o'clock, A. M.

WEDNESDAY, Jan. 1, 1845, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator McCrearey, chairman of the committee appointed to inform the House, that the Senate accepts their invitation to meet the House, for the purpose of electing District Judges, for the 1st, 5th and 6th Judicial Districts, reported duty performed.

Senator Grimes presented the petition of the citizens of Huntsville, praying the passage of an act incorporating said town; and on motion, referred to a select committee, consisting of Senators Grimes, Wright and Pilsbury.

Senator Wright presented the petition of Thomas Tomlinson, praying for land; and, on motion, referred to the committee on Public Lands.

Senator Smith, chairman of the committee on Public Lands, to whom was referred a bill to be entitled, an act for the relief of Abram Skidmore, reported the same back to the Senate, with a substitute for the original bill, and recommended its passage.

Senator Pilsbury introduced a bill to be entitled, an act to reduce the annual compensation of certain officers of government; read 1st time.

Senator Parker introduced a bill to be entitled, an act to provide for taking a census of the Republic; read 1st time.

On motion of Senator Pilsbury, the Secretary was directed to inform the House that the Senate was ready to go into the election of Judges, for the 1st, 5th and 6th Judicial Districts.

A message was received from the House of Representatives, by James H. Raymond, chief clerk, transmitting a joint resolution for the relief of Henry Castro, which had passed the House, and requested the concurrence of the Senate to the same: also, informing the Senate that the House were ready to go into an election for Judges.

And, on motion, the Senate proceeded to the Representative Hall for that purpose.

John B. Jones and A. B. Shelby were put in nomination for the 1st Judicial District. The Senators voting for John B. Jones, were—

Senators Caldwell, Greer, Grimes, Kaufman, Kinney, Munson, Pattillo, Pilsbury, Roman, Smith and Wright—11.

Those voting for A. B. Shelby, were—

Senators McCrearey and Parker—2.

The Speaker of the House announced the joint vote of both Houses, and that John B. Jones was duly and constitutionally elected Judge of the 1st Judicial District.

R. T. Wheeler and Thomas J. Jennings were put in nomination for the 5th Judicial District. The Senators voting for R. T. Wheeler, were—

Senators Greer, Grimes, Kaufman, Kinney, McCrearey, Munson, Pattillo, Pilsbury, Smith and Wright—10.

Those voting for Thomas J. Jennings, were—

Senators Caldwell Parker and Roman—3.

The Speaker announced that R. T. Wheeler had received a majority on joint ballot, and was duly and constitutionally elected Judge of the 5th Judicial District.

Wm. Lawrence, M. P. Norton, and James Scott were put in nomination for the 6th Judicial District. The Senators voting for Wm. Lawrence, were—

Senators Caldwell, Kinney, McCrearey, Pilsbury, Roman and Smith—6.

Those voting for M. P. Norton, were—

Senators Greer, Kaufman, Munson, Paker, Pattillo and Wright—6.

Senator Grimes voted for James Scott.

The Speaker announced that there was no election, neither candidate receiving a majority on joint ballot.

The Senate again proceeded to vote, and the result was as follows—for Wm. Lawrence :

Senators Caldwell, Kinney, McCrearey, Pilsbury, Roman and Smith—6.

For M. P. Norton—

Senators Greer, Grimes, Kaufman, Munson, Parker, Pattillo and Wright—7.

The Speaker announced there was no election, and the Senate proceeded to vote, and the result was as follows—for Wm. Lawrence :

Senators Caldwell, Kinney, McCreary, Pilsbury, Roman and Smith—6.

For M. P. Norton—

Senators Greer, Grimes, Kaufman, Munson, Parker, Pattillo and Wright—7.

The Speaker announced that there was no election, and the Senate again proceeded to vote, and the result was as follows—for Wm. Lawrence :

Senators Caldwell, Kinney, McCrearey, Pilsbury, Roman and Smith—6.

For M. P. Morton—

Senators Greer, Grimes, Kaufman, Munson, Parker, Pattillo and Wright—7.

The Speaker announced that there was no election; and, on motion of Senator Kaufman, the Senate proceeded to their Chamber.

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

3 o'clock, P. M.

Senate met; roll called; quorum present.

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

THURSDAY, Jan. 2, 10 o'clock A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

A message was received from the House of Representatives, by James H. Raymond, chief clerk, informing the Senate that the House had passed the following bills.

Joint resolution for the relief of Neely Kimbro;

Joint resolution for the relief of the heirs of Benjamin Parker, deceased; also, that the House had agreed to the amendment of the Senate, to a joint resolution making an appropriation for contingent printing of Congress.

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

FRIDAY, Jan. 3, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Smith, chairman of the committee on Public Lands, to whom was referred a joint resolution legalizing the instructions of John P. Borden, late Commissioner of the General Land Office, in regard to government dues upon land, reported the same back to the Senate, and recommended its passage.

Senator Roman Chairman of the committee on Engrossed and Enrolled Bills, reported they had examined, and found correctly Engrossed, the following Bills :

A bill to be entitled, an act providing for the publication of the opinions of the Supreme Court.

A bill to be entitled, an act extending the limits of the jurisdiction of Constables.

A joint resolution for the relief of Alexander Stephenson.

A bill to be entitled, an act to abolish the office of Secretary of Legation and for other purposes.

A bill to be entitled, an act for the relief of John Trussel, and

A bill to be entitled, an act to incorporate the Orphans Friend Lodge, No. 17.

Report adopted.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred the petition of Jesse Gray, reported :

That in their opinion, it would be impolitic to allow such claims, and beg leave to be discharged from further consideration of the same ; also,

The joint resolution for the relief of J. A. Young, reported the same back to the Senate and recommended its passage ; also,

The petition of Jas. L. Truehart, Clerk of the District Court of Bexar county, reported :

That in the opinion of the committee, it was inexpedient at this time, to allow holders of such claims any further relief than is now provided for by law.

Senator Grimes, chairman of the select committee to whom was referred a bill to be entitled, an act allowing two additional Notaries Public for Montgomery county, and one for each of the counties of Sabine and Harrison, submit a substitute for the former bill and amendments, and recommend its passage.

Senator Grimes, chairman of select committee to whom was referred the petition of the citizens of Huntsville, praying to be incorporated, reported by bill, and recommended its passage.

Bill read first time.

Senator McCrearey, chairman of the committee on Nava

Affairs, to whom was referred the petition of John G. Tod, reported by bill for his relief, and recommended its passage.

Bill read first time.

Senator Kinney, chairman of the committee on Military Affairs, to whom was referred the bill to be entitled, an act making provisions to defray the expenses incurred by order of the Executive in suppressing the disturbances in Shelby county—reported the bill back to the Senate for further action.

On motion of Senator Smith, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act regulating arbitrations and references, on its second reading, amendments of the committee on the state of the Republic, adopted, and bill ordered to be engrossed.

Report of the committee on Public Lands, on the petition of Wm. S. Taylor and Chas. B. Stewart, recommending the petition to be referred to committee on the Judiciary; report adopted.

Senator Kaufman, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled, an act to authorize and require the Commissioner of the General Land Office to issue patents in certain cases, by leave, reported the same back to the Senate and recommended its passage, with the following amendment: at the end of the first section add, "Provided further, that nothing herein contained shall be so construed, as to declare that any certificate located in any colony limits, is not as valid as if located upon any of the vacant domain of the Republic."

Report of committee on Public Lands, on the petition of Wm. Albright, recommending the reference of the petition to the committee on the Judiciary; adopted.

A bill to be entitled, an act locating the Seat of Government by the people of Texas.

Senator Caldwell moved to strike out the fourth clause of the preamble; lost.

Ayes and Noes on the final passage of the bill, stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Lawrence, McCrearey, Munson, Parker, Patillo and Wright—9.

Noes—Senators Caldwell, Kinney, Pilsbury, Roman and Smith—5.

So the bill passed.

A bill to be entitled, an act requiring the President and Heads of Departments to return to the city of Austin,

Senator Greer moved to strike out the preamble; lost.

The Ayes and Noes being called for on the final passage of the bill, stood thus:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Pilsbury, Roman, Smith and Wright.—8.

Noes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

So the bill passed.

Senator Grimes gave notice of protest against the passage of the bill.

Senator Pilsbury, by leave, chairman of select committee to whom was referred a joint resolution requiring the Government to relinquish its title to two lots in the town of Quintana, reported the same back to the Senate, and recommended its passage.

A bill to be entitled, an act that all laws shall take effect from and after their passage, unless a definite time is specified in said law.

On motion of Senator Kaufman, the following amendment was adopted:

Section 3d. Be it further enacted, That this act take effect from and after its passage.

Bill read third time and passed.

A bill to be entitled, an act to repeal certain acts relative to the creation of a board of Medical Censors, and so much of the 21st section of an act regulating the duties of Probate Courts, &c., approved 5th February, 1840, as gives a preference to physicians and surgeons claims; read 3d time and passed.

A bill to be entitled, an act allowing mileage to Sheriffs, Coroners and Constables, on its 3d reading,

The Ayes and Noes being called for, stood thus:

Ayes—Senators Caldwell, Grimes, Kinney, Lawrence, McCrearey, Pilsbury and Roman—7.

Noes—Senators Greer, Kaufman, Munson, Parker, Pattillo and Wright—6. So the bill passed.

A bill to be entitled, an act concerning patrols; read a second time, and referred to committee on the state of the Republic.

A joint resolution for the relief of the heirs of John Williams; read a second time and ordered to be engrossed.

A bill to be entitled, an act for the relief of Jonathan Bird; read a third time and passed.

A bill to be entitled, an act for the relief of John Morris; read first time.

Joint resolution, authorizing Samuel J. Redgate to adopt a certain person therein named; read first time.

Joint resolution, legitimating a certain person therein named; read first time.

A bill to be entitled, an act to provide for taking the census of the Republic; read second time, and on motion, referred to the committee on the state of the Republic.

A bill to be entitled, an act for the relief of John Trussell; read a third time and passed.

A bill to be entitled, an act for the relief of Abram Skidmore; substitute reported by committee on Public Lands, adopted; read second time and ordered to be engrossed.

A bill to be entitled, an act to reduce the compensation of certain officers of the Government; read second time, and referred to the committee on the state of the Republic.

A bill to be entitled, an act for the relief of Henry Castro and John Tausaud; read first time.

Joint resolution for the relief of the heirs of Benjamin Parker, deceased; read first time.

Joint resolution for the relief of Neely Kimbro; read first time.

Joint resolution for the relief of Alexander Stephenson, on its third reading, on motion of Senator Roman, laid on the table.

A message was received from the House of Representatives through Jas. H. Raymond, Chief Clerk, transmitting the following bills, which had passed the House, and requesting the concurrence of the Senate to the same.

A bill to be entitled, an act making an appropriation for the payment of the outstanding liabilities of the contingent expenses of the 5th Congress; read first time.

A bill to be entitled, an act supplementary to an act, enti-

bled an act defining the duties of the officers of the Treasury Department, approved 5th February, 1840; read first time.

A bill to be entitled, an act extending the limits of the jurisdiction of Constables.

The Ayes and Noes being called for, stood as follows :

Ayes—Senators Caldwell, Grimes, McCrearey, Roman, Smith and Wright—6.

Noes—Senators Greer, Kaufman, Kinney, Lawrence, Munson, Parker, Pattillo and Pilsbury—8.

So the bill was rejected.

A bill to be entitled, an act to incorporate the Orphans' Friend Lodge, No. 17; read third time and passed.

A bill to be entitled, an act to provide for the publication of the opinions of the Supreme Court, on motion, recommit- ted to a select committee composed of Senators Kaufman, Caldwell, Lawrence, Pilsbury and Wright.

Senator Pilsbury, by leave, presented the petition of John and Peter Shartzel; and on motion, referred to committee on Claims and Accounts.

A bill to be entitled, an act to abolish the office of Secretary of Legation and for other purposes; read third time and passed.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled, an act to incorporate the San Jacinto University, by leave, re- ported the same back to the Senate, and recommended its passage.

On motion of Senator Caldwell, the Senate adjourned un- til to-morrow morning, 10 o'clock, A. M.

SATURDAY, Jan. 4, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Parker presented the petition of Helena Nelson, praying for Head Right Certificate to land; and on motion, referred to the committee on Public Lands.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled, an act to provide for taking the Census of the Republic, and a majority of said committee report the same back to the Senate with the following amendments: Strike out all of the first section after the word "in" in eighth line, and insert "five columns, the first column showing the number of white males, the second column the white females, the third column the whole number of white population, the fourth column the total amount of slaves, and the fifth column the total number of free persons of color in their respective counties."

Senator Lawrence, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled, an act for the relief of Mrs. Sarah Brown, reported the same back to the Senate, and recommended its passage.

Senator Grimes introduced a bill to be entitled, an act for the relief of Wm. Moffitt and others; read first time.

Senator Smith, by leave, withdrew the petition and accompanying documents of Jas. L. Truehart.

Senator Parker, introduced a bill to be entitled, an act to repeal certain portions of an act concerning conveyances, approved 5th February, 1840; read first time.

On motion of Senator Smith, the Senate proceeded to the

ORDERS OF THE DAY.

Joint resolution, legalizing the instructions of John P. Borden, late Commissioner of the General Land Office, in regard to Government fees and dues upon land.

On its second reading, Senator Grimes offered the following amendment:

Section 2d. Be it further enacted, That in all cases where other or higher rates of land dues than those contained in the instructions of the Commissioner of the General Land Office, have been exacted, and paid by any person, the sum so paid over and above the rates fixed by said Commissioner, may be applied by the person paying the same in payment of land dues on other lands."

Amendment adopted, and bill ordered to be engrossed.

Senator Roman, by leave, chairman of committee on Engrossed and Enrolled bills, made the following report:

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

A bill to be entitled, an act providing for and regulating arbitrations and references.

A bill to be entitled, an act for the relief of Abram Skidmore.

Joint resolution for the relief of the heirs of John Williams, deceased.

R. ROMAN, Chairman.

Report adopted.

Joint resolution for the relief of J. A. Young; read third time and passed.

Report of committee on Claims and Accounts on the petition of Jesse Gray; adopted.

A bill to be entitled, an act for the appointment of an additional number of Notaries Public for Montgomery county; substitute as reported by select committee, adopted, and bill passed to a third reading.

A bill to be entitled, an act to incorporate the town of Huntsville; read second time, and passed to a third reading.

Joint resolution for the relief of Capt. John G. Tod, as reported by a majority of committee on Naval Affairs, on petition, Senator Pattillo asked leave to dissent from the report, and moved its recommitment to the committee on Finance; carried.

A bill to be entitled, an act making provisions to defray the expenses incurred by order of the Executive, in suppressing the disturbances in Shelby county.

On report of committee on Military Affairs,

Senator Kaufman moved its reference to a select committee of five.

Reference made; and Senators Kaufman, McCrearey, Greer, Roman and Grimes, were appointed said committee.

A bill to be entitled, an act to authorize and require the Commissioner of the General Land Office to issue patents in certain cases; amendments as reported by the Judiciary committee, adopted, and bill ordered to be engrossed.

Joint resolution requiring the Government to relinquish its title to two lots in the town of Quintana; report of select committee adopted, and bill passed to a third reading.

A bill to be entitled, an act for the relief of Henry Castro

and T. Jaussaud; read second time, and on motion, referred to committee on the State of the Republic.

A bill to be entitled, an act for the relief of John Morris; read second time, and referred to committee on Public Lands.

A bill to be entitled, an act authorizing Samuel J. Redgate to adopt a certain person therein named,

Senator Kaufman offered the following additional section, as an amendment:

Section —. Be it further resolved, That this act take effect from and after its passage.

Amendment adopted, and bill passed to third reading.

Joint resolution legitimating a certain person therein named; read second time, and on motion of Senator Greer, referred to Judiciary committee, with instructions to report a general bill.

Joint resolution for the relief of the heirs of Benjamin Parker, deceased; read second time, and on motion, referred to committee on Public Lands.

Joint resolution for the relief of Neely Kimbro; read second time, and passed to third reading.

Senator Lawrence, chairman of committee on the Judiciary, to whom was referred the petition of Wm. Albright, administrator of Thos. R. Townsend, deceased, reported by bill for relief of the heirs of Thos. R. Townsend, deceased; bill read first time.

Senator Munson, by leave, introduced a bill for the relief of H. L. Kinney; read first time.

A bill to be entitled, an act making an appropriation for the payment of the outstanding liabilities of the contingent expenses of the Eighth Congress; read second time, and referred to the committee on Finance.

A bill to be entitled, an act defining the duties of officers of the Treasury Department; read second time, and referred to committee on Finance.

A bill to be entitled, an act to incorporate the San Jacinto University, on its second reading, as reported by the committee on the State of the Republic.

On motion of Senator Greer, the blank before the word "Shannon," in section —, was filled with the word "Aaron,"

and on motion of Senator Kaufman, the bill was laid on the table.

Joint resolution for the relief of the heirs of John Williams, deceased; read third time and passed.

A bill to be entitled, an act for the relief of Abram Skidmore; read third time and passed.

A bill to be entitled, an act regulating arbitrations and references; read third time and laid on the table.

On motion of Senator Parker, the bill to be entitled, an act for the relief of Lavina Mansell and her three children, was taken up.

Senator Munson offered the following amendment: "Provided, she enters into bond with approved security, payable to the Chief Justice of the county wherein she resides, conditional for the good behaviour of herself and three children, and that the penalty of such bond shall be in such sum as the said Chief Justice shall direct"—adopted.

Senator Munson also offered the following amendment:—"And that she remain under the protection and direction of some white family"—adopted.

Senator Roman offered the following amendment: "And further provided, if she removes from the county where she now resides, she nor her children shall have the benefit of this act;" rejected, and bill ordered to be engrossed.

On motion of Senator McCrearey, a bill to be entitled, an act to divorce Elizabeth A. Denesse from Peter Denesse, was taken up on its second reading.

The question being on the passage of the bill to a third reading, was put and lost.

So the bill was rejected.

On motion of Senator Pilsbury, the Senate adjourned until Monday at 10 o'clock, A. M.

MONDAY, Jan. 6, 10 o'clock, A. M.

Senate met; roll called; a quorum not being present, the Sergeant-at-Arms was despatched for absent Senators; returned, and a quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Roman presented the petition of the citizens of Victoria, praying Congress to do all in their power to forward annexation to the United States Government; and on motion, referred to committee on Foreign Relations.

Senator Greer presented the petition of Samuel Brooks, praying relief; and on motion, referred to a select committee consisting of Senators Greer, Pilsbury and Roman.

Senator Grimes presented the petition of John Tom, praying the confirmation of a certificate for one-third of a league of land; and on motion, referred to the committee on Public Lands.

Senator Grimes presented the petition of citizens of Huntsville, in behalf of A. McGee, praying that he be allowed to introduce machinery into the country free of duty; and on motion, referred to the committee on Finance.

Senator Smith, chairman of the committee on Public Lands, to whom was referred the petition of Thos. Tomlinson, jun'r., reported by bill for his relief, and recommended its passage; bill read first time. Also,

A joint resolution for the relief of the heirs of Benjamin Parker, deceased; reported the same back to the Senate, and recommended its passage.

Senator Roman, chairman of the committee on Engrossed and Enrolled bills, reported they had examined and found correctly engrossed the following bills:

A bill to be entitled, an act to authorize and require the Commissioner of the General Land Office to issue patents in certain cases.

A joint resolution legalizing the instructions of John P. Borden, late Commissioner of the General Land Office, in regard to Government dues upon land.

A bill to be entitled, an act for the relief of Lavinia Mansel and her children, and

A bill to be entitled, an act allowing two additional Notaries Public for the county of Montgomery, and one for each of the counties of Sabine and Harrison.

Report adopted.

Senator Kinney, chairman of the committee on Military Affairs, to whom was referred the petition of Wm. M. Harrison, reported by bill for his relief, and recommend its passage; bill read first time.

Senator Kinney, chairman of joint committee of both Houses on Military Affairs, reported a bill to be entitled, an act for the protection of the frontier; read first time.

Senator Caldwell introduced a bill to be entitled, an act to amend an act entitled an act incorporating the town of Bastrop; read first time.

Senator Smith, chairman of the committee on Public Lands, to whom was referred a bill to be entitled, an act for the relief of John Morris, reported the same back to the Senate, and recommended its passage.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for the relief of Mrs. Sarah Brown; read a second time and passed to a third reading.

A bill to be entitled, an act to provide for taking the Census of the Republic; read second time, amendments reported by the committee on the State of the Republic, adopted, and on motion of Senator Caldwell, made the special order of the day for Wednesday the 8th inst.

Senator Pilsbury, chairman of the committee on Finance, on behalf of the minority of said committee, by leave, made a report, and on motion, the same was laid on the table.

Senators Greer and Pattillo, of the committee, dissented from the report. Senator Grimes, one of the committee, dissented from portions of the report.

A bill to be entitled, an act for the relief of Wm. Moffitt and others; read second time, and on motion, referred to committee on Public Lands.

On motion of Senator Kaufman, a bill to be entitled, an act regulating arbitrations and references, was taken from the table and put with the orders of the day.

A bill to be entitled, an act to repeal a certain portion of an act concerning conveyances, approved 5th February, 1840; read second time, and referred to the committee on the Judiciary.

On motion of Senator Kinney, a bill to be entitled, an act for the relief of Alexander Stephenson, was taken up, read third time and passed.

A bill to be entitled, an act requiring the Government to

relinquish its claim to two lots in the town of Quintana, on motion of Senator Kaufman, laid on the table.

A bill to be entitled, an act to incorporate the town of Huntsville; read third time and passed.

A bill to be entitled, an act to authorize Samuel J. Redgate to adopt a certain person therein named; read third time and passed.

A bill to be entitled, an act for the relief of Neely Kimbro, read third time and passed.

A bill to be entitled, an act for the relief of the heirs of Thos. R. Townsend, deceased; read second time and ordered to be engrossed.

A bill to be entitled, an act for the relief of H. L. Kinney; read a second time, and on motion, referred to the committee on Foreign Relations.

A bill to be entitled, an act to authorize and require the Commissioner of the General Land Office, to issue patents in certain cases; read third time and passed.

A bill to be entitled, an act allowing two additional Notaries Public for the county of Montgomery, and one for each of the counties of Sabine and Harrison; read a third time and passed.

Joint resolution legalizing the instructions of John P. Borden, late Commissioner of the General Land Office, in regard to Government fees and dues on land; read third time and passed.

A bill to be entitled, an act for the relief of Lavina Mansell and her three children, on its third reading, and on motion of Senator Greer, laid on the table.

A bill to be entitled, an act regulating arbitrations and references; read third time and passed.

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

TUESDAY, Jan. 7, 10 o'clock, A M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, reported they had examined and found correctly engrossed,

A bill to be entitled, an act for the relief of the heirs of Thos. Townsend, deceased.

Report adopted.

Senator Caldwell introduced a bill to be entitled, an act to repeal the 33d section of an act to raise a revenue by direct taxation; read 1st time.

Senator Kaufman, chairman of select committee to whom was referred a bill to be entitled, an act to restore lands sold for taxes to the original owners, reported the bill back to the Senate with the following amendments:

In caption strike out the word "original" and insert the word "former."

In third line of 1st section, before the word "owner" insert the word "former."

After the figures "44" in fifth line, 1st section, insert "or at any time previously."

In sixth line, 1st section, before the word "owner" insert the word "former;" and after the word "owners" in said sixth line, insert the words "or their agents or attorneys."

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled, an act establishing a Standard of Weights and Measures for the Republic, reported the same back to the Senate with a substitute, by way of amendment, for the original bill, and recommended its passage.

Substitute for the bill read.

Senator Greer, from the select committee to whom was referred the petition of Samuel Brooks, reported a bill for his relief, and recommended its passage.

Bill read first time, and on motion of Senator Kaufman, the rule was suspended, bill read second time, and laid on the table.

On motion of Senator Roman, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for the relief of Thos. Tomlinson, jun'r., read second time, and ordered to be engrossed.

Joint resolution for the relief of the heirs of Benjamin Parker, deceased, read 2d time, and passed to a third reading.

Senator Pattillo, chairman of the committee on Post Offices and Post Roads, to whom was referred sundry bills and resolutions for the establishment of mail routes, reported a general bill in lieu thereof, "providing for the transportation of the mails from April 1st, 1845, to April 1st, 1846, and establishing routes and rates of postage, &c."

Bill read first time.

Senator Munson introduced a bill to be entitled, an act to regulate venue in certain cases; read first time.

A message was received from the House of Representatives through Jas. H. Raymond, Chief Clerk, transmitting the following bills, which were severally read first time.

A bill to be entitled, an act for the relief of depopulated counties.

A bill to be entitled, an act for the relief of the heirs of James Garrard, deceased.

Joint resolution for the payment of the drafts of Josiah G. Beaty and others

A bill to be entitled, an act for the relief of the heirs of Joseph English, deceased.

Joint resolution for the relief of H. P. Bee.

Joint resolution for the relief of A. B. Shelby.

Joint resolution for the relief of Wm. Bugg.

A bill to be entitled, an act to incorporate the Galveston Lyceum.

A bill to be entitled, an act for the re-organization of Refugio and San Patricio counties.

A bill to be entitled, an act to change in part the time of holding the District Courts in the 7th Judicial District.

A bill to be entitled, an act to change the name of Henry Smith, and for other purposes.

A bill to be entitled, an act to change the name of Mary Nettle, and for other purposes.

A bill to be entitled, an act to repeal an act to incorporate the Caney Navigation Company.

A bill to be entitled, an act supplementary to an act to change

in part the times of holding the District Courts in the fifth and seventh Judicial Districts, approved January 27th, 1844.

Joint resolution for the relief of Wm. M. Harrison; read 2d time, and on motion, referred to the committee on Claims and Accounts.

A bill to be entitled, an act for the protection of the Frontier; read 2d time, and on motion, referred to the committee on Finance.

A bill to be entitled, an act to incorporate the town of Bastrop; read second time, and on motion, referred to a select committee composed of Senators Caldwell, Roman and Smith.

A bill to be entitled, an act for the relief of John Morris; read second time, and passed to a third reading.

On motion of Senator Pattillo, a bill to be entitled, an act to incorporate the San Jacinto University, was taken up.

Senator Pattillo moved to strike out "San Jacinto" wherever it occurs in the bill, and insert "Milam."

Motion carried; bill read second time and ordered to be engrossed.

A bill to be entitled, an act for the relief of Mrs. Sarah Brown; read third time and passed.

Senator Kaufman, by leave, one of the committee on the Judiciary, to whom was referred a bill to be entitled, an act to authorize the appointment of Trustees in certain cases, reported the same back to the Senate, recommending the following amendments.

In section 3d, strike out all after the word "care," in the third line, to the word "provided" in said section.

In sections 5th and 6th, strike out "200" and insert "10."

In section 5th, strike out the word "forever," and at the end of said section, add "until the Legislature shall otherwise direct."

Add, "Section 7th. Be it further enacted, That it shall be the duty of the President of the Trustees as contemplated by this act, to give in the lands or other property for taxation, belonging to such Trustees under oath, except such as are exempt by this act; and the right is hereby reserved to the Legislature, to make such alterations or modifications of this act as may seem to it to compute with the public interest."

A bill to be entitled, an act for the relief of the heirs of Thos. R. Townsend, deceased; read third time and passed.

A message was received from the House of Representatives, by James H. Raymond, Chief Clerk, transmitting the following

bills, which had passed the House, and requesting the concurrence of the Senate to the same.

A bill to be entitled, an act concerning the records and papers of county Surveyors; read a first time.

A bill to be entitled, an act granting to Augustus Burr, the franchise of the Ferry at the west end of Galveston Island; read first time.

On motion of Senator Caldwell, the committee on printing were instructed to have 150 copies of the following Report of the committee on Finance and an accompanying bill, printed for the use of the Senate.

COMMITTEE ROOM, }
Jan. 6, 1845. }

The minority of the Committee on Finance, which have had under consideration the resolution to repeal the tariff, have duly considered the same, and ask leave respectfully to report:

The committee have referred to the able statistical report of the late Secretary of the Treasury, for such action upon the tariff as would be just to the people, on whom it bears heavily, as well as the Government, which relies, mainly, for its maintenance, upon this efficient source of revenue.

In the incipient issue of the exchequer bills, they were intended to be confined, alone, to the future maintenance of the Government, and give to it a temporary support, until the operation of the tariff act, added to the direct-tax law, should gradually supply their place. The payment of nearly 50,000 dollars out of this fund, accruing long before the act passed, prostrated, measurably, the plan of finance then adopted. To remedy the evil, an act was passed at the extra session of Congress, requiring them to be received, at the offices of customs, and for licenses, at their market value. This, with the rigid economy which characterized the administration just terminated, raised the exchequers, at its close, to par with gold and silver.

Had the funds, raised by the issue of exchequer bills, and the proceeds of the tariff and direct taxes, only been applied to the disbursement of the actual ordinary expenses incurred during the three years of President Houston's administration, the whole issue would have been redeemed; and there would have remained in the Treasury more than one hundred thou-

sand dollars in silver and gold. That many extraordinary expenditures have prevented so desirable a consummation, has been owing to the calamities of war, and short crops; proving, incontestibly, the efficiency of the tariff system, which has enabled the Government to sustain itself under such untoward circumstances. If we leave out of the estimate what was paid, accruing before the system was established, the revenue would have been sufficient to have absorbed all the issue of exchequers, and have left 6,000 dollars in the Treasury. These facts warrant the conclusion, that a considerable reduction may now, safely, be made in the tariff, without, in any degree, impairing the ability to meet, promptly, the just demands against the Government, for all that is necessary for its economical maintenance. The exchequer now afloat, is 44,000 dollars. This amount would be reduced to 24,000 dollars, provided a settlement takes place with Gail Borden, Esquire, late collector of Galveston, under a resolution passed the present Congress; and your committee confidently believe it will. The amount expended the last year, ordinary and extraordinary, was 147,850 dollars. The extraordinary expenditures, or nearly all that may be so styled, including Indian expenditure—10,025 dollars; Mier prisoners, 4,500 dollars; keeping the navy in ordinary, 10,400 dollars; back pay of navy officers and seamen—13,621 dollars, and cetera, amounts in all, to 47,747 dollars. In estimating 6000 dollars for Indian disbursements, which should include the 4,000 dollars deficit, (and why deficits is unexplained by the documents before referred to,) and 8,000 dollars for taking care of the navy, and the amount of arrearages due the officers, making, altogether, \$14,000, would admit 33,747 dollars to be left out of the estimates for the present year.

The amount which can be saved by reducing salaries, and abolishing offices nearly useless, agreeably to a retrenchment bill now before the Senate, would admit 12,650 dollars more to be left out of the estimates for the present year.

Should the foreign ministers, and Secretary of Legation to the United States of America, be dispensed with, two of which of the first named, and the Secretary, cost an expenditure of nearly 20,000 dollars, and agents substituted as occasion may require, it would be a clear saving of 15,000

dollars per annum. This amount is nearly all spent abroad, and consequently bears more onerously upon our finances.

Your committee believe there is another minister, for whom no provision has been made by an appropriation; but to whom, they suppose, the Government is indebted 13,500 dollars, for services the last three years.

The *onerous disproportion* the amount appropriated, or to be appropriated, for the maintenance of foreign ministers, bears to the whole support of the Government, (nearly one-third of the estimated amount,) places this branch of expenditure sufficiently odious and oppressive, without comment from your committee.

Should, however, *two* foreign ministers be continued, at a salary of \$3,000 per annum, including outfit, as is provided in the retrenchment bill heretofore alluded to, a saving would be made of nearly 14,000 dollars.

If the Congress should carry out a discreet system of retrenchment, a further saving may be made, by transferring the War and Navy to the State Department; the Treasurer to the Department of the Secretary of the Treasury; and confide the Superintendency of Indian Affairs to some Chief Clerk, of about 3,500 dollars; all these offices being, in the opinion of your committee, the worst kind of sinecures, because the *form* of business remains, without the *substance*.

The committee are aware of the opinion entertained, of the necessity of checks and balances, in regard to the money in the Treasury. They would ask, have all these checks, heretofore, prevented the public money, or the substitute for money, its paper, from being abstracted?

The vast amount of paper disbursed in 1840 and '41, (2,700,000 dollars,) might require, it is true, two or three to count it out, but now, the principal business is done by drafts from the Treasury Department, on the Collector of Galveston; and by the change in the system of finance, the Collector at Galveston is truly the Treasurer of the Republic.

The several items of reduction in the estimates heretofore mentioned, make a total of 63,897 dollars, from the expenditure of last year; and leave the estimated actual requirements for the present year, 83,953 dollars. These reductions will not, in the opinion of your committee, impair the respectability of our infant association, or deprive the Exe-

cutive of the power of fulfilling the high duties for which he has been selected by a "confiding people."

The nett revenue from imposts and tonnage, the last year, was 177,861 dollars; the amount received for licenses, under the direct-tax law, 6,000 dollars; and the amount of direct tax, 30,000 dollars—making a total revenue of 213,861 dollars. If the present system of taxation was continued, it would be fair to estimate 10,000 dollars as the lowest average annual increase; making the total estimate for the present year, 223,861 dollars, from all the sources above referred to.

Your committee, however, can scarcely doubt that double the amount would be nearer the average annual increase.—The reason for this opinion may be found in the confidence exhibited throughout the country, that we have every thing to hope, and nothing to fear, in the prospect before us. We are in a state of repose. It is clearly in our power so to continue.

The United States have recovered from a commercial embarrassment unparalleled in her commercial history. She is now prosperous. Bordering on her territory, and connected with her by commercial as well as social ties—as we have suffered with her in depression, we may well expect to share in her prosperity.

Your committee are of opinion that the unpaid amounts of direct taxes for '42 and '43, (53,575 dollars,) and the 20,000 dollars for '44, of estimated, less than the assessed amount, will, as they come in, meet the amounts appropriated for private claims. They would, therefore, most respectfully urge upon the Senate, the propriety of confining the appropriations for the more urgent and meritorious private claims, to this fund and no other.

The committee would most respectfully suggest, that no alteration take place in the salaries of collectors of customs, the present year, for the reason that a more enlarged improvement can be made at the next session of Congress; and for which a sufficient time would not be allowed, at this period of the present session. The next Congress would be better able to make the necessary changes, after the experience of the working of the tariff, under the changes contemplated by the bill accompanying this report, as hereinafter described.

The bill herewith submitted, contemplates reducing the duty on coffee to one cent per pound. The amount of cost of the importation last year, being estimated at 85,000 dollars, out of 22,350 dollars, the whole amount of importation under the head of specific duties, makes a reduction, on this item, of 10,625 dollars—taking off the discriminating duty of five *per centum*, being on the amount of 593,225 dollars imported from the United States, amounting to 29,661 dollars. The reduction of this amount would only be 20,791 dollars, on the receipts of the last year, because nearly 9,000 dollars was refused to be paid at the north or east, by those who paid the other revenue exactions.

Your committee have no hesitation in recommending to the Honorable Senate to lop off this onerous exaction, it being founded on a principle of *retaliation* upon the U. States, and they believe is a fatal system for the weaker party.

Your committee have further recommended a reduction of five per centum on all the ad valorem duties, which will operate by reducing 35 to 30; 25 to 20; 15 to 10, and 10 to 5 per centum. Keeping up the discrimination heretofore made, and which, as the committee believe, has worked favorably on the industry of our country, and given *incidentally* protection to our mechanics and artisans.

These changes give no trouble or further cost in the collection.

They recommend a further reduction and mode in the specific duties, on all other than wines and spirituous liquors—sugar, coffee and salt—the first, because it is not onerous, and its operation is in favor of law and order—sugar, because it will soon be a production for exportation—coffee, because it was deemed best by the committee, as it was of such general and almost indispensable use, to reduce it more considerably than was deemed expedient on the articles included in the per centum deduction—and salt, because the whole amount is small, and the reduction would hardly be felt.

The committee find the amount of the remaining estimated imports, which pay a specific duty, amount to \$81,946, on which the bill contemplates a reduction of 10 per centum, to say, allow the duties to be estimated, as per their present respective rates, and then discount 10 per cent., so that the form and manner of reduction may leave the tariff act un-

touched in its main features, and should the exigencies of the government demand a return to it, it will only require a repeal of the present, and revival of the act of which this is an amendment, to effect the object.

These several reductions will amount to \$62,788 besides \$6,000 to be received for licenses according to the estimate, making a total of \$68,788. The committee recommend that the license money heretofore paid into the treasury of the Republic, may be given up to the several counties from which it has been collected, in the bill to be presented to the Hon. Senate, providing for the better collection of the direct taxes. The above sum taken from the amount of estimates, for the present year, as heretofore stated, would leave the revenues from all sources \$155,000, without allowing any sum for the increase of importations, by reason of decreasing the duties, which may fairly be estimated at \$10,000. The above amount after taking out the estimated ordinary expenditures for the present year, about \$84,000, would leave 71,000 dollars.

Your committee would respectfully suggest, that \$25,000 of the Exchequer bills might be continued in circulation, at the discretion of the President of the Republic, and in the event of failure of the estimated revenue, or other cause of deficit, come in aid of the appropriations. The remaining \$19,000, should it not be received from Gail Borden, Esq., would be redeemed out of the \$71,000, estimated balance, leaving \$52,000 to cover any increase of appropriation over the expenditure of last year, or deficiency as before stated in the receipts.

Your committee have included in the bill to reduce the tariff, theological books, and pig iron, as free—the first is of small amount, and would encourage a most worthy class of men, whose lives are spent in endeavoring to cultivate and improve the minds of their fellow men, by distributing these books. No duty has been received on pig iron, and no importation could be expected of this article, except for the purpose of manufacturing into castings.

The committee ask leave to report, that it is inexpedient in their opinion to repeal the tariff law, and even were it expedient, in point of principle, the situation of our finances

would not admit it to be done, without hazard of breaking down the credit of the government.

They therefore offer a bill for reducing the same, and most earnestly commend it to the favorable consideration of the Hon. the Senate.

T. PILSBURY, Chairman.

On motion on Senator Pilsbury, a joint resolution requiring the Government to relinquish its title to two lots in the town of Quintana, was taken up; read third time and passed.

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

WEDNESDAY, Jan. 8, 10 o'clock, A. M.

Senate met; roll called; a quorum not being present, the Sergeant-at-arms was despatched for absent members; returned, and a quorum present—Prayer by the Chaplain: Journals of the preceding day read and adopted.

Senator Kaufman, chairman of the committee on Foreign Relations, to whom was referred a bill to be entitled, an act for the relief of H. L. Kinney, reported the same back to the Senate, and recommended its passage.

Senator Roman, chairman of the committee on Engrossed and Enrolled bills, reported they had examined and found correctly engrossed,

A bill to be entitled, an act to incorporate the Milam University; and

A bill to be entitled, an act for the relief of Thomas Tomlinson.

Report adopted.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to provide for taking a Census of the Republic, being the special order of the day,

Senator Parker moved a call of the Senate; carried, and the Sergeant-at-arms was despatched for absent Senators,—returned; and on motion of Senator Kaufman, further call dispensed with, and bill laid on the table.

A bill to be entitled, an act to repeal 33d section of an act to raise a revenue by direct taxation; read second time, and on motion referred to committee on Finance.

A bill to be entitled, an act for establishing a standard of Weights and Measures for the Republic of Texas; bill and report of committee on the State of the Republic, laid on the table.

A bill to be entitled, an act to restore lands sold for taxes to the original owners; amendments reported by the committee on the Judiciary, adopted, and bill passed to third reading.

A bill to be entitled, an act to provide for carrying of the public mails from April 1st, 1845, to April 1st, 1846, and establishing routes and rates of postage, &c.; read second time, and referred to the committee on Post Offices and Post Roads.

A bill to be entitled, an act for the relief of the heirs of Benjamin Parker, deceased; read third time and passed.

A bill to be entitled, an act to regulate venue in certain cases; read second time and referred to the committee on the Judiciary.

A bill to be entitled, an act for the relief of depopulated counties, on its second reading,

Senator Caldwell offered the following amendment:

Insert "resident" in 1st section, third line before "citizens;" and on motion, the bill and amendment were referred to the committee on Finance.

A bill to be entitled, an act for the relief of the heirs of James Garrard, deceased; read second time, and on motion, referred to committee on Public Lands.

Joint resolution for the relief of Josiah G. Beaty and others; read second time, and referred to committee on Finance.

A bill to be entitled, an act for the relief of the heirs of Joseph English, deceased; read second time, and referred to committee on Public Lands.

Joint resolution for the relief of H. P. Bee; read second time,

and on motion, referred to a select committee, composed of Senators Parker, Roman and Caldwell.

Joint resolution for the relief of A. B. Shelby.

Senator Grimes offered an amendment, allowing a balance due Thos. Johnson for services as Judge of the first Judicial District, \$1005 33; and on motion, the bill and amendment were referred to the committee on the Judiciary.

Joint resolution for the relief of Wm. Bugg; read second time, and on motion, referred to the committee on Claims and Accounts.

A bill to be entitled, an act to incorporate the Galveston Lyceum; read second time, and on motion referred to the committee on the State of the Republic.

A bill to be entitled, an act to authorize the re-organization of Refugio and San Patricio counties; read second time, and referred to a select committee, composed of Senators Kinney, Roman and Smith.

A bill to be entitled, an act to change in part the time of holding the District Courts in the 7th Judicial District; read second time, and referred to the committee on the Judiciary.

A bill to be entitled, an act to change the name of Henry Smith and for other purposes; read second time, and passed to third reading.

A message was received from the President, through his Private Secretary, S. Z. Hoyle, transmitting a communication in writing, marked "secret."

A bill to be entitled, an act to change the name of Mary Nettle, and for other purposes; read second time, and passed to a third reading.

A bill to be entitled, an act to repeal an act incorporating the Caney Navigation Company; read second time, and on motion referred to the committee on the Judiciary.

A bill to be entitled, an act supplementary to an act entitled an act to change in part the times of holding the District Courts in the 5th and 7th Judicial Districts, approved January 27, 1844; read second time, and on motion, referred to the committee on the Judiciary.

A bill to be entitled, an act for the relief of John Morris; read third time and passed.

A bill to be entitled, an act for the appointment of Trustees in certain cases.

Amendments of the committee on the Judiciary adopted.

Senator Kaufman moved to insert "restrictions" before the

word "modification;" bill read second time and ordered to be engrossed.

A bill to be entitled, an act concerning the records and papers of county Surveyors; read second time, and on motion, referred to the committee on the Judiciary.

A bill to be entitled, an act granting to Augustus Burr the franchise of the ferry at the west end of Galveston Island; read second time, and on motion, referred to the committee on the Judiciary.

A bill to be entitled, an act for the relief of Thos. Tomlinson, deceased; read third time and passed.

A bill to be entitled, an act to incorporate the Milam University,

Senator Pattillo moved to strike out the word "Milam" wherever it occurs in the bill, and insert "Baylor;" motion carried; bill read third time and passed.

A message was received from the House of Representatives, through James H. Raymond, transmitting a bill to be entitled, an act for the relief of Martha B. Runnels and others, which originated in the Senate; also, that the House had agreed to the Senate's amendment to a bill to be entitled, an act for the appointment of two additional Notaries Public for Montgomery county, and

A joint resolution for the relief of Samuel J. Redgate; and requesting the concurrence of the Senate to

A bill to be entitled, an act for the relief of Lucy Davis.

A bill to be entitled, an act for the relief of Samuel Brooks; read second time and passed to third reading.

On motion of Senator Parker, the Senate went into secret session. The door being opened,

Senator Kaufman moved to take up the report of the committee appointed to examine and report what portion of the report of the Commissioner of the General Land Office should be printed. Motion lost.

Senator Kinney, by leave, presented the petition of Francis Hughes, praying for one league and labor of land; and on motion, referred to the committee on Military Affairs.

Senator Wright, by leave, introduced a bill to be entitled, an act regulating the issuing of Head Right Certificates, Land Warrants, and Discharges; read first time.

On motion of Senator Kinney, the Senate adjourned until tomorrow at 10 o'clock, A. M.

THURSDAY, Jan. 9, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Kaufman, one of the committee on the Judiciary, to whom was referred a joint resolution for the relief of A. B. Shelby, with the amendment proposed to the same for the benefit of Thos. Johnson, asked leave to be discharged from further consideration of the same; and they recommend the reference of the bill and accompanying amendments to the committee on Claims and Accounts.

Senator Pattillo, chairman of the committee on Post Offices and Post Roads, to whom was referred a bill to be entitled, an act to provide for carrying the mails from the 1st day of April, 1845, to the 1st day of April, 1846, and establishing routes and rates of postage, recommend the passage of the same, with the following amendment:

Strike out "Matagorda to Victoria, via Ward's Landing and Texana, and insert "Egypt to Victoria via Texana."

Senator Roman, chairman of committee on Engrossed and Enrolled bills, reported they had examined and found correctly engrossed,

A bill to be entitled, an act to authorize the appointment of Trustees in certain cases; and on motion, the report was adopted.

Senator Kinney, chairman of select committee to whom was referred a bill to be entitled, an act to authorize the re-organization of Refugio and San Patricio counties, reported the same back to the Senate and recommended its passage.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for the relief of H. L. Kinney; read second time and ordered to be engrossed.

A bill to be entitled, an act to restore lands sold for taxes to their former owners; read third time and passed.

A bill to be entitled, an act to change the name of Henry Smith and for other purposes; read third time and passed.

A bill to be entitled, an act to change the name of Mary Nettle, and for other purposes; read third time and passed.

A bill to be entitled, an act for the relief of Samuel Brooks; read third time and passed.

A bill to be entitled, an act regulating the issuing of Head Right Certificates and Duplicate Certificates, Land Warrants and Discharges; read second time, and on motion, referred to the committee on the State of the Republic.

A bill to be entitled, an act for the relief of Lucy Davis; read second time.

On motion of Senator Wright, a joint resolution for the relief of John Robinson, was taken up.

Senator Kaufman offered the following amendment:

“Provided, that said certificate in the location and survey of the same, shall not be divided, and the whole shall be located and surveyed at one place.”

Adopted; bill read second time, and ordered to be engrossed.

A bill to be entitled, an act to authorize the appointment of Trustees in certain cases; read third time and passed.

Senator Parker moved to take up the bill to provide for taking the Census of the Republic.

Motion lost.

On motion of Senator Parker, a bill to be entitled, an act to provide for carrying the mails from the 1st day of April, 1845, to the first day of April, 1846, and establishing routes and rates of postage—

Amendments of the committee adopted; bill read second time and ordered to be engrossed.

On motion of Senator Parker, the Senate adjourned until tomorrow at 10 o'clock, A. M.

FRIDAY, Jan. 10, 10 o'clock, A. M.

Senate met; roll called; quorum present: Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Parker, chairman of the select committee to which was referred a joint resolution for the relief of H. P. Bee, reported the same back to the Senate, with an amendment, as follows:

“Section 2d. Be it further resolved, That the Secretary of

the Treasury be, and he is hereby required to issue drafts to Nathaniel Amory, to the amount of twenty-four hundred and eighty-eight dollars, in sums not less than fifty dollars each, which shall be receivable for direct taxes, it being in full for the balance of his services as Secretary of Legation to the U. States;" and recommended their passage.

A message was received from the House of Representatives, by J. H. Raymond, Chief Clerk, informing the Senate of the passage of the following bills:

A bill to be entitled, a joint resolution for the relief of James W. Wauhop; read a first time.

A joint resolution for the relief of Henry F. Fisher and B. Miller; read a first time.

A bill to be entitled, an act to incorporate the town of Boston; read first time.

A joint resolution for the relief of Mary Lawson Williams; read first time.

A bill to be entitled, an act to repeal an act authorizing the holding of a District Court in two places in Red River county, and for other purposes; read a first time.

Senator Roman reported for a majority of the committee on the State of the Republic, to which was referred, a bill to be entitled an act amendatory of the several acts relative to fraudulent land certificates, and recommended its passage.

On motion of Senator McCrearey, the Senate proceeded to the

ORDERS OF THE DAY.

Joint resolution for the relief of A. B. Shelby, and report of the committee on the Judiciary; report adopted, and bill and amendments referred to committee on Claims and Accounts.

A bill to be entitled, an act to authorize the re-organization of Refugio and San Patricio counties; passed to a third reading.

A bill for the relief of Lucy Davis, on its second reading, was on motion of Senator Roman, referred to the committee on the State of the Republic.

Senator Parker, by leave, introduced a joint resolution making an appropriation for contingent printing; read a first time, rule suspended—read a second time, and ordered to be engrossed. Rule further suspended—read a third time, and passed.

Senator Greer, chairman of the committee on the State of

the Republic, to whom was referred the bill entitled an act concerning patrols, reported the following amendments, to wit :

Amend the 6th section, by striking out all after the word "be" in the second line, to the word "found" in the 4th line.

Strike out all after the word "on" in 10th section, 4th line, and insert "his place may be filled by the Captain substituting any person willing to serve."

Strike out in the 11th section all after the word "office" in 5th line, and insert "his place may be filled by the company."

Senator Roman from the committee on engrossed bills, reported that they had examined the following bills, to wit :

A bill to be entitled, an act to restore lands sold for taxes to the former owners.

A bill to be entitled, an act to provide for carrying the public mails from April 1st, 1845, to April 1st, 1846, and establishing routes and rates of postage, &c.

A bill for the relief of Samuel Brooks.

A bill to be entitled, an act for the relief of John Robinson; and find the same correctly engrossed. Adopted.

Senator Kaufman, by leave, introduced a bill to be entitled, an act amendatory to the various land laws, to establish land districts, and for other purposes ; read a first time,

A bill to be entitled, an act to provide for carrying the public mails from April 1st, 1845, to April 1st, 1846, and establishing routes and rates of postage ; read a third time and passed.

Senator Grimes, by leave, presented the petition of T. Jefferson Chambers, which was on motion, referred to the committee on Claims and Accounts.

Senator Kaufman, by leave, presented the petition of Francis M. Weathered, which was referred to the committee on Claims and Accounts.

A bill to be entitled, an act to restore lands sold for taxes to the former owners.

Senator Kaufman offered the following amendment :

Add after the word "Government" in fourth line of 2d section "specifying particularly the amount of money that he has received from each individual under the provisions of this act."

Adopted—and bill read a third time and passed.

An act for the relief of John Robinson ; read third time and passed.

A bill for the relief of H. L. Kinney ; read third time.

Senator Greer moved to refer the bill to the committee on Finance. Lost.

And the question being on the final passage, the bill was rejected.

Senator Greer moved to reconsider the rejection of the bill. Carried.

Senator Caldwell moved to refer the bill to the committee on Finance. Carried.

Senator Pilsbury, by leave, introduced a bill to be entitled an act amendatory of an act supplementary to an act to raise a revenue by impost duties, approved the fifth day of February, 1840,—approved 27th January, 1842; read a first time.

Senator Greer asked and obtained leave of absence for the Sergeant-at-arms for one day.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to confer the rights of citizenship on Early Cordray, reported, and recommended its rejection; also—

An act to incorporate the Galveston Lyceum—recommending its passage, with amendments.

Amendment—in the twelfth line strike out the word “fifty,” and insert “ten.”

Senator Roman introduced the following resolution:

Resolved, That the committee on Finance be instructed to report by bill or otherwise, upon the policy of establishing a system of Taxation, based solely on the assessed value of all property to be taxed.

Adopted.

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

SATURDAY, Jan. 11, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of preceding day read and adopted.

A message was received from his Excellency the President, by his private Secretary Mr. S. Z. Hoyle, marked “secret.”

Senator Lawrence, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act to repeal an act to incorporate the Matagorda Caney Navigation Com-

nany, reported the bill back to the Senate for their further consideration.

Senator Kaufman, from the committee on the Judiciary, to whom was referred a bill to be entitled, an act to repeal certain portions of an act concerning Conveyances, approved February 5th, 1840, recommended the passage of the bill, with the following amendment:

"Section 2. Be it further enacted, That hereafter, scrawls or seals shall be unnecessary, and every instrument shall have the same validity, whether a scrawl be annexed to the signature or not, and the distinction heretofore existing between sealed and unsealed instruments, be, and the same is hereby repealed."

Senator Kaufman, from the committee on the Judiciary, to whom was referred a bill to be entitled, an act concerning the records and papers of county Surveyors, report, that they cannot divine the object of the bill, and recommend its rejection.

Senator Kaufman, from Judiciary committee, to whom was referred a bill to be entitled, an act to regulate venue in certain cases, recommended the passage of the bill with the following amendments:

After the word "cases" in the caption, add the words "of a criminal character."

In section 2d, after the word "stand" in second line, insert the words "within the limits of a foreign Government or."

After the word "county" in third line of 2d section, add the words "of this Republic."

Add the following section:

"Section 3d. This act shall take effect from and after its passage."

Senator Kaufman, one of the committee on the Judiciary, to whom was referred a bill to be entitled, an act granting to Augustus Burr the franchise of the ferry at the west end of Galveston Island, reported a substitute and recommended its passage.

Senator Kaufman, from the committee on the Judiciary, to whom was referred a joint resolution making legitimate a certain person therein named, reported the same back to the Senate and recommended its passage, with the following additional section:

"Section 2d. Be it further enacted, That this act shall take effect from and after its passage."

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 11, 1845. }

To the Honorable K. L. Anderson,
President of the Senate:

The committee on Engrossed and Enrolled Bills, have examined an act for the relief of Martha B. Runnels and others, and find the same correctly enrolled,—the same having been signed by the President of the Senate and Speaker of the House of Representatives, and on the 10th instant presented it to his Excellency the President for approval.

R. ROMAN, Chairman.

Report adopted.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, reported, that they had examined and find correctly engrossed,

A joint resolution, making an appropriation for contingent printing.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a bill to be entitled, an act for the relief of H. L. Kinney, reported the bill with amendments, and recommend its passage.

Amend by inserting after the word "draft" in the fourth line, "on the Treasury."

Strike out all after the word "dollars" in the sixth line, and insert "in three several drafts of equal amount,—amounting in all to the sum aforesaid, payable on the first days of April, July and October next."

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a bill to be entitled, an act to amend the 4th and 5th sections of an act, approved January 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved 5th February, 1840—reported the same back to the Senate, with the following amendments, and recommend its passage.

Amend by striking out after the word "allowed" in the sixth line, and insert "to the Collector of the port of Sabine, twenty per cent. upon all monies collected and paid over to the Treasury by himself, and ten per cent. upon all amounts received by

him from deputy Collectors, in lieu of fifteen and five per cent. (as provided in the 5th section of an act to which this is an amendment,) until the fees of office and commissions amount to the sum of five hundred dollars per annum, after which the per centage shall be the same as is provided in the act aforesaid."

Strike out the "2d section."

Strike out the "3d section."

Strike out the "5th section."

"Section —. There shall hereafter be paid to inspectors not permanent, one dollar and fifty cents per diem, in lieu of two dollars, as is provided in the 4th section of the act to which this is an amendment; and this section shall have force and effect from and after its passage."

Senator Kaufman, introduced the following resolution:

Resolved by the Senate, That the committee on Public Printing be authorized to subscribe for 150 additional copies of the Texas National Register.

Rejected.

Senator Kinney, introduced the following resolution:

Resolved, That the committee on Military Affairs be instructed to enquire and report, what compensation ought to be given to John C. Baker, Henry Weeks and G. B. Pilant, for their services, on account of injuries sustained in the military service of the Republic.

Adopted.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A joint resolution for the relief of H. P. Bee—amendment of committee adopted.

Senator Lawrence offered the following amendment, which was adopted:

Insert in tenth line, after the word "States," "and also to Gen. Memucan Hunt, a draft for the sum of two hundred and twenty-eight dollars and sixty-one cents, a balance due him for services as commissioner to run the boundary line between Texas and the United States, which said sum was audited in his favor on the 10th February, 1842, and which is hereby cancelled."

Senator Caldwell moved the reference of the bill to the committee on Finance; carried.

A bill to be entitled a joint resolution for the relief of James

W. Wauhob; read a second time, and referred to committee on Public Lands.

A joint resolution for the relief of Henry F. Fisher and B. Miller; read second time, and referred to committee on the State of the Republic.

A bill to be entitled, an act to incorporate the town of Boston; read second time, and passed to third reading.

A joint resolution for the relief of Mary Lawson Williams; read second time, and referred to committee on Public Lands.

A bill to be entitled, an act to repeal an act authorizing the holding of a District Court in two places in Red River county, and for other purposes; read second time.

Senator Kaufman offered an amendment,—an additional section:

“Section —. Be it further enacted, That all acts authorizing the holding of courts at more than one place in any county; be, and the same is hereby repealed.”

Amendment adopted; bill passed to third reading.

A bill to be entitled, an act amendatory of the several acts relative to fraudulent land certificates; read second time, and passed to a third reading.

A bill to be entitled, an act to authorize the re-organization of Refugio and San Patricio counties; read a third time and passed.

On motion of Senator Parker, a bill to be entitled, an act to provide for taking the Census of the Republic; was taken up on its second reading.

Senator Roman moved a call of the House; carried.

Senators Pilsbury, Caldwell and Smith, absent.

Sergeant-at-arms was despatched for absent members. Returned.

On motion of Senator McCrearey, a further call of the Senate was suspended.

The bill read a second time.

Senator Parker moved its engrossment.

Senator Caldwell offered the following amendment:

Strike out “white males,” and insert “free male citizens.”

In second column, strike out “white females,” and insert “free female citizens;” and in place of “white population,” say “whole number of free citizens.”

Adopted.

Senator Pattillo moved a reconsideration of the vote adopting the amendment. Carried.

Senator Greer moved the previous question. Lost.

The question then occurred on Senator Caldwell's amendment.

The Ayes and Noes were called for, and stood as follows :

Ayes—Senators Caldwell, Kinney, McCrearey, Pilsbury and Roman.

Noes—Senators Greer, Kaufman, Lawrence, Munson, Parker, Pattillo and Wright.

So the amendment was lost.

On motion of Senator Kinney, the Senate adjourned until 10 o'clock, Monday morning.

MONDAY, Jan. 13, 10 o'clock A. M.

Senate met; roll called; a quorum present; prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Wright presented the petition of Syrena Guest, which, on motion, was referred to the committee on the Judiciary.

Senator Kaufman announced the death of the Hon. John W. Smith, the Senator from the district of Bexar, and offered the following resolutions :

1. *Resolved by the Senate,* That they have heard with deep and sincere regret of the death of their late colleague, the Hon. John W. Smith, Senator from Bexar county, and that in his demise the country has lost a patriot and an honest man.

2. *Resolved*, That we sympathise with the family of the deceased in this irreparable bereavement, and that the Secretary of the Senate furnish them with a copy of these resolutions.

3. *Resolved, further*, That as a mark of our deep regard for the memory of the late Hon. John W. Smith, the members and officers of this body will wear crape on their left arm for the space of thirty days.

Resolutions adopted.

Senator Greer offered the following resolutions, which were adopted :

Resolved by the Senate, That the House of Representatives be, and they are hereby respectfully requested to meet the Senate, in the Senate Chamber, to join in procession to attend the interment of Senator John W. Smith, deceased, at half past 10 o'clock.

Resolved by the Senate, That the President and heads of departments be, and they are hereby respectfully invited to meet the Senate, in the Senate Chamber, to join in the procession to attend the interment of Senator John W. Smith, deceased, at half past 10 o'clock.

On motion of Senator Kaufman, a committee was appointed to wait on the House of Representatives, and inform them of the resolution adopted by the Senate.

Senators Kaufman, Caldwell and Pilsbury were appointed said committee.

Committee retired.

Senator Kaufman, chairman of the committee, reported duty performed.

Senator Kaufman moved that Senator Kinney act as Marshal to regulate the funeral procession.

Carried.

A message was received from the House of Representatives, by James H. Raymond, Chief Clerk, informing the Senate that the House had accepted their invitation to attend at the Senate Chamber at half past 10 o'clock and join in the procession.

Senator Kinney, as Marshal, announced the following order for the funeral procession and interment :

Pall Bearers ;		Pall Bearers :
Members of the House :		Members of the Senate :
W. G. Cooke,	HEARSE.	John Caldwell,
D. C. Ogden,		Richard Roman,
W. L. Cazneau.		T. Pillsbury.
Vice President of the Republic and Chaplain ;		
Senators ;		
Officers of the Senate ;		
President of the Republic ;		
Heads of Departments and Officers ;		
Speaker of the House of Representatives and Chaplain ;		
Members of the House of Representatives ;		
Officers of H. of Representatives ;		
Foreign Ministers ;		
Chief Justice of the Republic ;		
Judges of Dist. Courts ;		
Officers of the Army and Navy ;		
Citizens.		

Prayer by the Chaplain at the grave.

Benediction.

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

TUESDAY, Jan. 14, 10 o'clock, A. M.

Senate met ; roll called ; quorum present ; prayer by the Chaplain ; journals of the preceding day was read and adopted.

Senator Lawrence presented the petition of Capt. F. B. Wright, which was referred to the committee on Naval Affairs.

Senator McCrearey presented the proceedings of a mass meeting in Austin county, in favor of annexation, which was read, and, on motion, was referred to the committee on Foreign Relations.

Senator Grimes, by leave, introduced a bill to be entitled an act to amend the several acts granting donation land to emigrants, which was read a first time.

On motion of Senator Grimes, a bill to be entitled a joint resolution for the benefit of the Captain [of Ordnance] was taken up and placed among the orders of the day.

Senator Kinney, Chairman of the committee on Military Affairs, to whom was referred the petition of Francis Hughes, and the resolution for the relief of John C. Baker, Henry Weeks, G. B. Pilant and G. W. Trigan, reported by bill for their relief, and recommend its passage. Bill read a first time.

Senator Roman, by leave, introduced a bill to be entitled an act to repeal a part of an act, approved February 5, 1842, entitled an act to amend an act entitled an act to raise a revenue by direct taxation, approved Jan. 16, 1840.

On motion of Senator Grimes, Senators Munson and Parker were added to the committee on Public Lands.

On motion of Senator Parker the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled an act to provide for taking the census of the Republic, was taken up, and, on motion of Senator Parker, made the special order of the day for to-morrow at 11 o'clock A. M.

A message from the House of Representatives was received, by Mr. James H. Raymond, Chief Clerk, transmitting the following bills, in which they ask the concurrence of the Senate, to wit:

A joint resolution for the relief of Capt. Eli Chandler and others;

A bill to be entitled an act for the creation of a mail route from the city of Galveston to the town of Liberty, and

A bill to be entitled an act for the relief of Howard, Ogden and T. A. Sully.

Senator Wright, Chairman of the committee on Claims and Accounts, to whom was referred a joint resolution for the relief of A. B. Shelby, by leave reported the same back to the Senate with the following amendments:—First amendment; to the caption after the name “Shelby” add “Thomas Johnson and others;” in first section strike out all after the word “cents” in fifth line, to the word “and” in seventh line.—Second amendment, in first section fourth line, strike out “three hundred and fifty-nine dollars and forty-six cents,”

and insert two hundred and fifty-five dollars and eighty-seven cents; the account of Thomas Johnson for nine hundred and ninety-seven dollars; and the account of the legal representatives of John M. Hansford for one thousand nine hundred and fifty-three dollars and seven cents, in full, for the pay due to the said Shelby and Johnson, as Judges of the first judicial district; and in full for the pay of said legal representatives, for the services of said John M. Hansford as Judge of the seventh judicial district. Third amendment, in eighth line, strike out the name of "Shelby" and insert "claimants." Report read, and laid on the table to come up with the orders of the day to-morrow.

An act amendatory of an act supplementary to an act entitled an act to raise a revenue by impost duties, approved the fifth of February, 1840,—approved 27th January, 1842, was read a second time and referred to select committee, consisting of Senators Pilsbury, Caldwell, Wright and Kaufman.

A bill to be entitled an act concerning patrols, with the report of the committee on the State of the Republic. Report of the committee adopted.

Mr. Kaufman moved to strike out the words "on conviction of the person so caught," and insert "for good cause shown," in sixth section. Adopted.

Senator Pilsbury offered the following amendment:—amend by "exempting the county of Brazoria from the provisions of the bill."

On motion of Senator Roman, the bill was laid on the table.

An act amendatory to the various land laws, to establish land districts and for other purposes; read a second time and referred to the committee on Public Lands.

A bill to be entitled an act to incorporate the Galveston Lyceum, with the report of the committee on the State of the Republic, was, on motion, referred to the committee on the Judiciary.

A bill to be entitled an act concerning the records and papers of county surveyors, with the unfavorable report of the Judiciary committee. Report adopted and bill rejected.

A bill to be entitled an act to repeal certain portions of an act concerning conveyances, approved February 5th, 1840, with report of Judiciary committee: report adopted.

Senator Kaufman moved to amend the amendment of the committee by inserting "except seals of office." Adopted.

Senator Grimes moved to strike out all after the word "repealed" in the 14th line of first section. Adopted.

Senator Parker moved its engrossment. Carried.

Senator Parker moved to suspend the rule. Lost.

A bill to be entitled an act to confer the rights of citizenship on Early Cordray, with report of the committee on the State of the Republic.

Senator Kaufman moved to lay the report on the table and take up the bill. Carried.

Senator Kaufman moved an amendment: "provided that he take the oath of allegiance to the Republic of Texas."—Adopted.

The ayes and noes were called on the passage of the bill to its third reading, and stood thus:

Ayes—Senators Caldwell, Kaufman, Kinney, Lawrence, McCrearey, Munson, Parker, Pattillo and Pilsbury—9.

Noes—Senators Greer, Grimes, Roman and Wright—4; so the bill passed to a third reading.

A bill to be entitled an act to repeal an act to incorporate the Matagorda Caney Navigation Company was taken up.

Senator Pilsbury moved to lay the bill on the table until the sixth February. Carried.

A bill to be entitled an act to regulate venue in certain cases. Amendments of committee adopted, and bill ordered to be engrossed.

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

3 o'clock, P. M.

Senate met; roll called, quorum present.

The Senate proceeded with the

ORDERS OF THE DAY.

A bill to be entitled an act granting to Augustus Burr the franchise of the ferry at the west end of Galveston island, with the substitute of the Judiciary committee.

On motion of Senator Pilsbury, the bill and substitute

were referred to a select committee, consisting of Senators Pilsbury, Lawrence and McCrearey.

Senator Greer, by leave, introduced a bill to be entitled an act to change the system of assessing and collecting taxes. Read first time.

Senator Greer moved a suspension of the rule,—carried: read second time and referred to a select committee, consisting of Senators Kaufman, Greer and Pattillo.

A bill entitled a joint resolution, making legitimate a certain person therein named: report of committee adopted and bill passed to a third reading.

A bill to be entitled an act to amend the fourth and fifth sections of an act approved January 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved February 5th, 1840. Amendments reported by the committee on finance adopted, and bill ordered to be engrossed.

A bill to be entitled an act for the relief of H. L. Kinney: amendments of the committee on Finance adopted, and bill passed to a third reading.

A bill to be entitled an act to incorporate the town of Boston, passed to a third reading.

A bill to be entitled an act to repeal an act authorizing the holding of a district court in two places in Red River county, and for other purposes, with amendments, was recommitted to a select committee, consisting of Senators Lawrence, Wright and Grimes.

A bill to be entitled an act amendatory of the several acts relative to fraudulent land certificates on its third reading.

Senator Kaufman moved to strike out "1847," and insert "1846." Lost.

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

Ayes—Senators Caldwell, Grimes, Kinney, Lawrence, McCrearey, Munson, Pilsbury, Roman and Wright, 9.

Noes—Greer, Kaufman, Parker and Pattillo, 4; so the bill passed.

A committee from the House of Representatives, Mr. Williamson, Chairman, requesting a conference of the committee on Public Lands of the Senate to act with a like com-

mittee of the House on a bill for the re-organization of the General Land Office.

On motion of Senator Roman, the Senate adjourned until tomorrow morning 10 o'clock, A. M.

WEDNESDAY, Jan. 15, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Senator Greer, President *pro tem.* in the chair.

Journals of the preceding day read and adopted.

Senator Munson presented the petition of Jeremiah Hood, which was, on motion, referred to the committee on Claims and Accounts.

Senator Wright presented the petition of Richard McLemore, which was, on motion, referred to the committee on Public Lands.

Senator Pilsbury, Chairman of the committee on Finance, to whom was referred the joint resolution for the payment of the drafts of Josiah G. Beaty and others, reported the same back to the Senate and recommended its passage.

Senator Pilsbury, Chairman of the committee on Finance, to whom was referred the bill for the relief of John G. Tod, reported the same back to the Senate with the following amendment: after the word "Republic" in the last line, insert "by two drafts of five hundred dollars each; one payable the first day of April, the other the first day of June next," and recommended its passage; also, the same committee reported a bill to be entitled an act for the relief of John Gregg, with the following amendment: add to the first section the following words—"and the Secretary of the Treasury is hereby authorized and required to issue a draft to the said John Gregg for the above amount, receivable for direct taxes in the county of Milam, due before the first day of January, 1845," and recommend its passage;—also, the same committee reported a bill to be entitled an act for the relief of Bertholett, Heald & Co., with the following amendment: strike out the words "receivable for duties on imports at the Custom House in Red River district," and insert

“receivable for direct taxes in the county of Red River before the first day of January, 1845,” and recommend its passage;—also, the same committee on a joint resolution for the relief of J. C. Neill, which was referred, with instructions to report as to the practicability of allowing pensions to all persons wounded or permanently disabled in the defence of the Republic, reported that in the present state of the finances of the country, it was inexpedient to allow them, and therefore recommend the rejection of the bill;—also, the same committee reported a bill to be entitled an act for the relief of depopulated counties, and recommend its passage;—also, the same committee reported a bill to be entitled an act supplementary to an act, entitled an act defining the duties of the officers of the Treasury department, approved 5th Feb., 1840,” and recommended its passage;—also, the same committee reported a bill to be entitled an act making an appropriation for the payment of the outstanding liabilities of the contingent expenses of the eighth Congress, with the following amendments: strike out “four hundred and thirty-three dollars” and insert “one hundred and three dollars, for balance due Torrey and Brothers for stationery, and twenty-four dollars to Thomas Ward, for extra pay as Sergeant-at-Arms of the Senate (pro tem.) from the fourth of December, 1843, to the 12th of the same month,” and recommended its passage.

A message was received from the House of Representatives, through Mr. B. F. Hill, informing the Senate that the House had passed the following bills, and requesting the concurrence of the Senate:

A bill to be entitled an act to alter and change a mail route and for other purposes; and

A bill to be entitled an act to continue in force an act for the relief of the purchasers of lots in the city of Austin, and upon the town tract adjoining, approved January 16th, 1843.

Senator Parker, one of the committee on Public Lands, reported a bill to be entitled an act for the relief of the heirs of Joseph English, deceased, and recommended its passage.

Senator Parker, from the same committee, reported an act requiring the owners of land in the counties of Refugio, Goliad and San Patricio to cause their lines to be designated and marked, and recommended its passage.

Senator Munson, one of the committee on Public Lands to whom was referred an act for the relief of William Moffitt and others, reported the same back to the Senate, and recommended its passage.

Senator Wright, one of the committee on Public Lands, reported a bill to be entitled a joint resolution for the relief of James W. Wauhob, with the following amendments: to first section "provided that the survey of said Wauhob does not conflict with the survey or surveys of other persons, made subsequently to the rejection of said James W. Wauhob's certificate by the investigating board of land commissioners."—"Section 2, be it further enacted, that should the survey of the said James W. Wauhob conflict with the survey of others, as specified in the proviso to section first, then and in that case the said James W. Wauhob may survey the amount of land granted by this act out of any vacant and unappropriated domain of this Republic, upon which said survey the Commissioner of the General Land Office shall issue a patent," and recommended its passage.

Senator Wright, chairman of the committee on Claims and Accounts, reported a joint resolution for the relief of William M. Harrison, and recommended its passage.

Senator Wright, chairman of the committee on Claims and Accounts, reported a joint resolution for the relief of William Bugg, and recommended its passage.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred the petition of Thos. Jefferson Chambers, reported the same back to the Senate by a bill for his relief.

Senator Lawrence, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled, an act to incorporate the Galveston Lyceum, with the report of the committee on the State of the Republic, reported the same back to the Senate, and recommended its passage.

Senator Lawrence, chairman of Judiciary committee, to whom was referred the petition of Syrena Guest, reported, that the petitioner's remedy would be more properly obtained by a resort to the Judiciary; and asked leave to be discharged from a further consideration of the same.

On motion of Senator Grimes, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to provide for taking the Census of the Republic.

Senator Caldwell moved to lay the bill on the table until 3 o'clock, P. M. Carried.

Senator Lawrence, one of the committee on Public Lands, to whom was referred a joint resolution for the relief of Mary Lawson Williams, by leave, reported the same back to the Senate, and recommended its passage.

Senator Parker, one of the committee on Public Lands, to whom was referred a bill for the relief of Jerome B. Robertson, by leave, reported the same back to the Senate, with the following amendment, and recommended its passage.

In 1st section, strike out the words "Commissioner General of the Land Office," and insert "Commissioner of the General Land Office."

On motion of Senator Kaufman, the Senate concurred in the request of the House of Representatives of yesterday, and instructed the committee on Public Lands to act in concert with the like committee on the part of the House, on the bill for the re-organization of the General Land Office.

Joint resolution for the benefit of the Captain of Ordnance on its second reading, re-referred to the Finance committee.

Joint resolution for the relief of Capt. Eli Chandler and others; read a first time.

A bill to be entitled, an act for the creation of a mail route from the city of Galveston to the town of Liberty; read first time.

A bill to be entitled, an act for the relief of Howard, Ogden and T. A. Sully; read first time.

A bill to be entitled, an act to incorporate the town of Boston; read third time and passed.

A joint resolution making legitimate a certain person therein named, on its third reading, laid on the table.

A bill to be entitled, an act to confer the right of citizenship on Early Cordray: read third time and passed.

A bill to be entitled, an act for the relief of H. L. Kinney; read third time and passed.

A bill to be entitled, an act to amend the several acts

granting donation land to emigrants; read second time, and on motion, referred to committee on Public Lands.

A bill to be entitled, a joint resolution for the relief of Francis Hughes, John C. Baker, Henry Wicks, G. B. Pilant, and G. W. Treigen; read second time, and referred to the committee on Public Lands.

A joint resolution for the relief of A. B. Shelby with report of the committee on Claims and Accounts—on motion of Senator Lawrence, was referred to a select committee consisting of Senators Lawrence, Kaufman and Pilsbury.

A bill to be entitled, an act to alter and change a mail route, and for other purposes; read first time.

A bill to be entitled, an act to continue in force, an act for the relief of the purchasers of Lots in the city of Austin, and upon the Town Tract adjoining, approved January 16th, 1843; read first time.

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

3 o'clock, P. M.

Senate met; roll called; quorum present.

Senator Lawrence, chairman of the select committee to whom was referred a joint resolution for the relief of A. B. Shelby, reported an amendment as follows:

In eleventh line of 1st section, "ten" instead of "one hundred," be inserted.

On motion of Senator Lawrence, the joint resolution for the relief of A. B. Shelby was taken up—amendment of select committee adopted,—amendments of the committee on Claims and Accounts, adopted.

Senator Kaufman, moved to insert "or administratrix" to second amendment of committee on Claims and Accounts; adopted.

Bill as amended, passed to third reading.

On motion of Senator Kaufman, a bill to be entitled, an act for the relief of William Moffit and others, was taken up, read second time, and ordered to be engrossed.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
 Jan. 15, 1845. }

The committee on Engrossed and Enrolled Bills, have examined and find correctly Engrossed, the following bills:

A bill to be entitled, an act to regulate venue in certain cases of a criminal character;

A bill to be entitled, an act to amend the fourth and fifth sections of an act, approved January 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved February 5th, 1840;

A bill to be entitled, an act to repeal certain portions of an act, concerning conveyances, approved February 5th, 1840; and

A bill to be entitled, an act for the relief of H. L. Kinney.
 R. ROMAN, Chairman.

Report adopted.

A bill to provide for taking the Census, being the order of the day, it was taken up.

On motion, a call of the House was made: roll called—Senators Wright, Greer, and McCrearey, were absent. Call was withdrawn.

Senator Parker moved the engrossment of the bill.

Senator Wright moved to amend by striking out "white" and inserting "citizens:" also, strike out "population" and insert "citizens" in 1st section.

Ayes and Noes were called on the amendment, and stood thus:

Ayes—Senators Caldwell, Grimes, Kinney, Munson, Pilsbury, Roman and Wright—7.

Noes—Senators Kaufman, Lawrence, Parker and Pattillo—4.

Amendment adopted.

The Ayes and Noes being called for on the engrossment of the bill, stood as follows:

Ayes—Senators Grimes, Kaufman, Lawrence, Parker, Pattillo and Wright—6.

Noes—Senators Caldwell, Kinney, Munson, Pilsbury and Roman—5.

So the bill was ordered to be engrossed.

A bill to be entitled, an act to regulate venue in certain cases of a criminal character; read third time and passed.

A bill to be entitled, an act to repeal certain portions of an act concerning conveyances, approved Feb. 5th, 1840; read third time and passed.

A bill to be entitled, an act to amend the 4th and 5th sections of an act approved January 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved 5th February, 1840; read third time and passed.

Senator Roman, by leave, introduced a bill to be entitled, a joint resolution for the relief of M. H. Hardy; read a first time.

Senator Grimes, by leave, presented the petition and accompanying documents, of the heirs of Elisha Roberts, deceased, which were, on motion, referred to the committee on Public Lands.

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

THURSDAY, Jan. 16, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of preceding day read and adopted.

Senator Kaufman presented the petition of Berry & Mason, which on motion, was referred to the committee on Claims and Accounts.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled, an act regulating the issuing of Head-Right Certificates, Duplicate Certificates, Land Warrants and Discharges, reported an amendment to the third section as follows:

“Provided, that in no case shall an augmentation claim be surveyed in separate parcels.

Senator Caldwell presented the petition of Thomas Ward, which, on motion, was referred to the committee on Claims and Accounts.

Senator Caldwell offered the following resolution:

Resolved by the Senate, That the Secretary be and is hereby authorized to pay the funeral expenses of the Honorable John W. Smith, deceased, out of the contingent fund of the Senate.

Adopted.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for the relief of depopulated counties; passed to third reading.

A bill to be entitled, an act for the relief of John G. Tod; read second time, and ordered to be engrossed.

A joint resolution for the payment of the drafts of Josiah G. Beaty and others, passed to third reading.

A joint resolution for the relief of J. C. Neill, with the unfavorable report of the committee on Finance,

Senator Grimes moved to lay the report on the table and take up the bill.

Motion to lay the report on the table, lost.

Senator Roman moved to reconsider the vote just taken. Carried.

The report was laid on the table, and the bill taken up.

Senator Roman moved to strike out "two" before "hundred." Carried.

Senator Roman moved to fill the blank with "one."

Senator Parker moved to fill the blank with "one hundred and fifty dollars." Lost.

The question then recurred on the motion of Senator Roman to fill the blank with "one," which was carried.

The Ayes and Noes were called on the passage of the bill to a third reading, and stood as follows:

Ayes—Senators Grimes, Kaufman, Kinney, Parker and Roman—5.

Noes—Senators Caldwell, Greer, Pattillo, Pilsbury and Wright—5.

There being a tie, the President voted Aye, and declared the bill passed to a third reading, and that a vote of two-thirds was not necessary to pass the bill to a third reading.

Senator Pilsbury moved an appeal from the decision of the

President, because the bill was making an appropriation of a private character, and that by the Constitution a vote of two-thirds was necessary at every stage of voting in the bill.

Motion carried, and the appeal was taken, and the decision of the President decided to be out of order by the Senate.

On motion of Senator Grimes, the report was taken up, and the Ayes and Noes called on its adoption, and stood thus.

Ayes—Senators Caldwell, Greer, Grimes, Kaufman, Kinney, Lawrence, Parker, Pattillo, Pilsbury, Roman, Wright—11.

Noes—none.

So the report was adopted and the bill rejected.

A bill to be entitled, an act making an appropriation for the payment of the outstanding liabilities of the contingent expenses of the Eighth Congress,—report of committee on Finance adopted, and bill passed to third reading.

A bill to be entitled, an act for the relief of the heirs of Joseph English, deceased; passed to third reading.

An act requiring the owners of land in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and marked.

Senator Roman moved to refer the bill to a select committee. Carried.

Senators Roman, Kinney, Kaufman and Caldwell, were appointed said committee.

A bill to be entitled, an act supplementary to an act, entitled, an act defining the duties of the officers of the Treasury Department, approved 5th February, 1840; which was

On motion of Senator Kaufman, made the special order of the day for to-morrow.

A call of the Senate was made.

Senators Roman, Lawrence, Munson and McCrearey, absent. Sergeant-at-arms despatched—returned—call withdrawn.

A bill to be entitled, an act for the relief of Bertholett, Heald & Co.; read second time.

Senator Greer moved to strike out the words “due on the first day of January, 1845.” Carried.

Senator Wright moved to insert “and Lamar” after “Red River.” Carried.

Report as amended, adopted, and bill ordered to be engrossed.

Senator Caldwell, chairman of the select committee to whom was referred a bill to be entitled, an act to incorporate the Texas

Land Company, by leave, reported the same back to the Senate by a substitute, and submit it for their consideration.

Senator Roman, one of the committee, dissented from the foregoing report.

On motion of Senator Caldwell, 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 James H. Raymond, Chief Clerk, transmitting the following bills, and requested the concurrence of the Senate, to wit:

A bill to be entitled, an act providing for the location of the Seat of Government by the people of Texas, with amendments.

A bill to be entitled, an act making an appropriation for the payment of outstanding liabilities of the Government, incurred for Indian purposes.

A bill to be entitled, an act to form the Collectoral District of Soda Lake.

A joint resolution for the relief of the heirs of William Bryan.

A joint resolution changing the sessions of the District Court in Washington county.

A joint resolution for the relief of Jarret Menefee.

Senator Greer, one of the committee on Finance, to whom was referred a joint resolution for the relief of H. P. Bee, by leave, made the following report:

COMMITTEE ROOM, }
Jan. 16, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Finance, to which was referred a joint resolution for the relief of H. P. Bee, have had the same under consideration, and report, that they would have preferred that the Congress should have retained some control over this species of revenue; but the heavy demands, (by way of private relief,) heretofore made on the direct taxes, having placed them

beyond our control, your committee can perceive no reason why these claims should not be passed, as there appears to be justice and equity on the side of the claimants. They would therefore recommend them to the favorable consideration of the Senate, with an amendment to the caption, by adding the words "Nathaniel Amory and Memucan Hunt."

JOHN A. GREER,
One of the Committee.

A joint resolution for the relief of William Bugg, was passed to a third reading.

A bill to be entitled a joint resolution for the relief of T. Jefferson Chambers; read second time and referred to the committee on Finance.

A bill to be entitled, an act for the relief of James W. Wauhop, with the report of the committee on Public Lands.

Senator Greer moved to amend by inserting the words "previously or" before "subsequently." Carried.

Report adopted with the amendments, and bill passed to third reading.

A bill to be entitled, an act to incorporate the Galveston Lyceum, on its second reading,

Senator Kaufman offered the following amendments, to wit: Strike out "50,000." Carried.

On motion of Senator Kaufman, the blank was filled with "25,000." Also,

"Section —. Be it further enacted, That this act of incorporation shall be in force for and during the term of ten years, subject to such modifications, extensions, restrictions, and limitations, as the Legislature may from time to time provide; at the expiration of which time, the same may be renewed.

"Section 3. Be it further enacted, That the books of said Lyceum shall be free from taxation, but the balance of the property shall be regularly given in for taxation by the President of said Lyceum under oath, and a failure to do, and pay said taxes when called upon by the assessor or collector, shall work a forfeiture of this charter."

A joint resolution for the relief of Wm. M. Harrison; read second time and ordered to be engrossed.

A bill to be entitled, an act for the relief of John Gregg, with report of the committee on Finance.

Senator Kaufman moved to strike out "due before the first January, 1845." Carried.

Senator Wright moved to strike out "Milam." Carried.

Reports as amended, adopted, and bill ordered to be engrossed.

A joint resolution for the relief of Mary Lawson Williams; read second time,—rule suspended—bill read third time and passed.

A bill to be entitled, an act for the relief of Jerome B. Robertson; read second time and ordered to be engrossed.

A joint resolution for the relief of Capt. Eli Chandler and others; read a second time and referred to committee on Finance.

A bill to be entitled, an act for the creation of a mail route from the city of Galveston to the town of Liberty; read second time and referred to committee on Post Offices and Post Roads.

A bill to be entitled, an act for the relief of Howard, Ogden and T. A. Sully; read second time, and referred to committee on Claims and Accounts.

A bill to be entitled, an act to alter and change a mail route, and for other purposes; read a second time, and referred to the committee on Post Offices and Post Roads.

A bill to be entitled, an act to continue in force an act for the relief of the purchasers of Lots in the city of Austin, and upon the Town Tract adjoining, approved January 16th, 1843; read second time, and passed to a third reading.

A bill to be entitled, a joint resolution for the relief of M. H. Hardy; read second time, and referred to the committee on Claims and Accounts.

A bill to be entitled, an act providing for the location of the Seat of Government by the people of Texas.

Senator Grimes moved to lay the bill on the table until to-morrow. Lost.

First amendment of the House read.

Senator Caldwell moved that a committee be appointed to wait on the absent Senators, McCrearey and Munson, for their votes on the amendments of the House to the bill.

Senator Kaufman moved to lay the bill on the table, and make it the special order of the day for to-morrow at 11 o'clock. Carried.

Senator Roman, chairman of the committee on Engrossed and Enrolled bills, made the following report:

COMMITTEE ROOM, }
 Jan. 15, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Engrossed Bills have examined and find correctly engrossed,

An act for the relief of Wm. Moffit and others.

R. ROMAN, Chairman.

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

FRIDAY, Jan. 17, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
 Jan. 17, 1844. }

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

An act for the relief of Bertholett, Heald & Co.

A bill to be entitled, an act to provide for taking a Census of the Republic.

An act for the relief of John Gregg.

A bill to be entitled, an act for the relief of Captain John G. Tod.

A joint resolution for the relief of William M. Harrison.

Also, the amendments of the Senate to the following bills:

An act making an appropriation for the payment of the outstanding liabilities of the contingent expenses of the Eighth Congress.

An act to incorporate the Galveston Lyceum;

A joint resolution for the relief of James W. Wauhob, and

A joint resolution for the relief of A. B. Shelby.

R. ROMAN, Chairman.

Senator Pattillo, by leave, introduced a bill to be entitled, an act supplementary to the several acts regulating impost duties; read first time.

On motion of Senator Pattillo, the rule was suspended, bill read second time, and referred to the committee on the State of the Republic.

On motion of Senator Pattillo, the Senate proceeded to the

ORDERS OF THE DAY.

Special order of the day being, a bill to be entitled an act providing for the location of the Seat of Government by the people of Texas, with the amendments of the House of Representatives—

Senator Caldwell withdrew his motion of yesterday, for a committee to be appointed to wait upon the absent Senators, McCrearey and Munson, who were sick, for their votes on the several amendments of the House to the bill.

Senator Wright moved to adopt the amendments of the House of Representatives, which were taken up in the following order, to wit:

1st amendment—Strike out the whole preamble to the bill.

The Ayes and Noes were called upon the adoption of the first amendment, which stood as follows:

Ayes—Senators Caldwell, Kinney, Lawrence, Pilsbury, Roman and Wright—6.

Noes—Senators Greer, Grimes, Kaufman, Parker and Pattillo—5.

So the first amendment was adopted.

2d amendment—Strike out the words “in order to give force and efficiency to the reserved rights of the people in regard to locating the Seat of Government.”

The Ayes and Noes were called, and stood as follows:

Ayes—Senators Caldwell, Kinney, Lawrence, Pilsbury, Roman and Wright—6.

Noes—Senators Greer, Grimes, Kaufman, Parker and Pattillo—5.

So the amendment was adopted.

3d amendment—to come in as “Section 9. Be it further en-

acted, That the sum of five thousand dollars be, and is hereby appropriated, and placed under the control of the President, for the purpose of removing the Archives to the city of Austin, for defraying the contingent expenses of the several Departments, and in making preparations for the meeting of the Tenth Congress at that place; *Provided*, there shall not intervene such emergencies as are contemplated by the Constitution for the exercise of his discretion."

Senator Greer moved to amend the 3d amendment of the House by striking out all after the word "Austin," and insert "Provided, there shall cease to exist such emergencies as are contemplated by the Constitution, for the exercise of his discretion."

The Ayes and Noes were called on its adoption, and stood thus.

Ayes—Senators Greer, Grimes, Kaufman, Parker and Pattillo—5.

Noes—Senators Caldwell, Kinney, Lawrence, Pilsbury, Roman and Wright—6.

So the amendment was rejected.

Senator Kaufman offered the following amendment to the 3d amendment of the House of Representatives:

Strike out all after the word "place," and insert "Provided, that in the opinion of the Executive, no emergency exists as contemplated by the Constitution, which would render such removal inexpedient."

The Ayes and Noes were called on its adoption, and stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Parker and Pattillo—5.

Noes—Senators Caldwell, Kinney, Lawrence, Pilsbury, Roman and Wright—6.

So the amendment was rejected.

Senator Kaufman moved to add the following amendment to the amendment of the House:

"And further *Provided*, That in the opinion of the Executive, no emergency exists as contemplated by the Constitution, which would render such removal inexpedient."

Amendment rejected.

The question then recurred on the adoption of the 3d amendment of the House of Representatives.

The Ayes and Noes were called upon its adoption, and stood thus:

Ayes—Senators Caldwell, Kinney, Lawrence, Pilsbury, Roman and Wright—6.

Noes—Senators Greer, Grimes, Kaufman, Parker and Pattillo—5.

So the amendment was adopted.

A bill to be entitled, an act supplementary to an act entitled an act defining the duties of the officers of the Treasury Department, approved 5th February, 1840, being the special order of the day—

Senator Kaufman offered a substitute, as a first section, as follows:

“Be it enacted by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That when any claim or debt properly authenticated by the proper or appropriate officer, civil or military, shall be presented to the Auditor, the same may be audited; but in all cases such claims or debts shall be audited at their cash or par value; and if such accounts or claims have been made out by the claimant in rates higher than their cash value, or as if they were to be passed in Promissory notes, the same shall be reduced to the cash value of the claim or debt by the Auditor.”

Substitute adopted.

On motion of Senator Wright, the word “cash” was stricken out of the substitute.

On motion of Senator Kinney, the word “may” was stricken out, and “shall” inserted.

On motion of Senator Kaufman, the word “par” was stricken out, and “gold or silver” inserted.

The bill as amended, passed to a third reading.

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

3 o'clock, P. M.

Senate met; roll called; a quorum not being present, the Sergeant-at-arms was despatched for absent members; returned, and a quorum present.

On motion of Senator Pilsbury, the vote of yesterday, rejecting the passage of the bill for the relief of J. C. Neill, to a third reading, was reconsidered; and the bill taken up and passed to a third reading.

Joint resolution for the relief of A. B. Shelby, with amendments of the Senate; read a third time.

The Ayes and Noes being called on the final passage, stood thus :

Ayes—Senators Caldwell, Kaufman, Kinney, Lawrence, Parker, Pilsbury and Roman—7.

Noes—Senators Greer, Grimes and Pattillo,—3.

So the bill passed.

An act making an appropriation for the payment of the outstanding liabilities of the Eighth Congress, with the amendments of the Senate ; read third time and passed.

A bill to be entitled, an act to provide for taking a Census of the Republic; read third time.

The Ayes and Noes were called on the final passage of the bill and stood as follows :

Ayes—Senators Greer, Grimes, Kaufman, Lawrence, Parker and Pattillo—6.

Noes—Senators Caldwell, Kinney, Pilsbury and Roman—4.

So the bill passed.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, transmitting the following bills :

A joint resolution for the relief of John Sutherland.

A bill to be entitled, an act granting to settlers on vacant public domain, pre-emption privileges, with amendments, and

A joint resolution for the relief of the heirs of John Williams, deceased.

On motion of Senator Grimes, the joint resolution for the relief of John Sutherland, was taken up and read first time—rule suspended—read a second time, and referred to the committee on Public Lands.

On motion of Senator Grimes, the Senate adjourned until tomorrow at 10 o'clock, A. M.

SATURDAY, Jan. 18, 10 o'clock, A. M.

Senate met ; roll called ; quorum present ; Prayer by the Chaplain ; Journals of the preceding day read and adopted.

Senator Pilsbury, Chairman of the committee on Finance, to whom was referred a bill to be entitled an act for the protection of the frontier, reported that they find the bill, as

reported by the military committee, fixes the pay at twenty-four dollars per month, and the force allowed, at that rate, would amount to thirty-four thousand seven hundred and fifty dollars; add to which the rations, forage, &c., as provided in the bill, and the whole would amount to over forty thousand dollars, a sum quite too considerable in view of our finances, and to appropriate which very large amount would, in the opinion of your committee, tend to derange and break down the whole plan of defence, as from experience of the past we are justified in believing. Your committee, on due consideration, believe that one company of forty men for San Patricio and vicinity, and one company of sixty men for Bexar and vicinity under the control of Captain Hays, at the pay respectively, as is provided in the bill, and rations not to exceed six dollars per month, with ammunition and no forage, would be the largest amount your committee, in view of our finances, would feel safe in recommending to the consideration of the Honorable Senate.

All which is respectfully submitted.

T. PILSBURY, Chairman.

Senator Pilsbury, Chairman of committee on Finance, to whom was referred the joint resolution for the relief of T. Jefferson Chambers, reported the same back to the Senate, and recommended its passage.

Senator Greer, Chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled an act supplementary to the several acts regulating impost duties, reported the same back and recommended it to the favorable consideration of the Senate.

Senator Greer, Chairman of the committee on the State of the Republic, to whom was referred a joint resolution for the relief of Henry F. Fisher and B. Miller, reported that the committee not being able to come to any definite agreement in regard to said bill, had instructed him to report the same back to the Senate for its action.

Senator Parker, one of the committee on Public Lands, reported the joint resolution for the relief of John Sutherland back to the Senate, and recommended its passage.

Senator Parker, one of the committee on Public Lands, reported the bill to be entitled an act for the relief of the

heirs of Elisha Roberts, with amendment, and recommended its passage.

Amendment.—“Section 2. Be it further enacted, that this act take effect from and after its passage.”

Senator Kaufman, one of the committee on the Judiciary, to whom was referred a bill to be entitled an act to change in part the times of holding the district courts in the seventh judicial district, made a verbal report favorably.

Senator Caldwell, Chairman of the select committee to whom was referred an act amendatory of an act supplementary of an act entitled an act to raise a revenue by impost duties, approved the fifth day of February, one thousand eight hundred and forty—approved 27th January, one thousand eight hundred and forty-two,—reported the same to the Senate without amendments, and recommended its passage.

Senators Roman and Wright, from the committee on the State of the Republic, to whom was referred a bill to be entitled an act to reduce the annual compensation of certain officers of the government, reported that they approve the provisions of said bill, and respectfully advise its passage, with the following amendment: instead of “600 dollars” for Secretary of Executive, insert “700.”

On motion of Senator Roman, the Senate proceeded to the

ORDERS OF THE DAY.

Senator Kaufman, by leave, introduced a bill to be entitled an act to provide the times and place of holding the sessions of the Supreme Court of the Republic: read first time, rule suspended, and bill referred to the Judiciary committee.

A joint resolution for the relief of J. C. Neill, read third time and passed.

A bill to be entitled an act granting to settlers on vacant public domain pre-emption privileges, with the amendments of the House of Representatives, as follows:

In section second, fourth line, strike out the word “surveyed,” and insert “covered with a valid certificate.”

In section second, strike out the proviso.

In section third, tenth line, after the figures "1841" insert "or fifty cents in par funds per acre."

In section sixth, fifth line, strike out the words "in which," and insert the word "and;" in same section, strike out "six months" wherever they occur, and insert "eight months;" in same section, eighth line, strike out the word "entered" and insert "surveyed;" in same section, after the word "pre-emption," in ninth line, strike out the balance of the section and insert "and on application being made by such settler to a surveyor, to have his land surveyed to include his improvements, he shall not be compelled to furnish the surveyor with any land certificate, but he shall take an oath which may be administered to him by said surveyor, that he believes he is settled upon vacant land as contemplated in the first section of this act, upon which the survey not exceeding three hundred and twenty acres may be made, and the field notes shall be returned with the aforesaid affidavit of the settler, to the county surveyor of the county in which the land lies, who shall have the same recorded in said pre-emption books, for which services the said surveyor and county surveyor may charge the fees now allowed by law for such services, and no more; provided, that when a proper certificate may be subsequently obtained by the settler, the same may be applied to such survey, without running or making the lines anew."

In section seven, after the word "alone" in fifth line, insert "if there be no widow."

All of which amendments were adopted.

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

3 o'clock, P. M.

Senate met; roll called; quorum present.

The Senate proceeded with the orders of the day.

A joint resolution requiring the payment of the drafts of Josiah G. Beatty and others: read third time and passed.

A bill to be entitled an act to repeal a part of an act approved 5th February, 1842, entitled an act to amend an act entitled an act to raise a revenue by direct taxation, approved January 6th, 1840: read a second time and referred to committee on Finance.

A bill to be entitled an act for the relief of John G. Tod : read third time and passed.

A joint resolution for the relief of James W. Wauhop, amended by the Senate—read third time and passed.

A bill to be entitled an act for the relief of depopulated counties : read third time and passed.

A bill to be entitled an act for the relief of the heirs of Joseph English, deceased : read third time and passed.

A message was received from the House of Representatives, by James H. Raymond, Chief Clerk, transmitting the following :

A joint resolution for the relief of Capt. John C. Hays ;

A joint resolution for the relief of Sam Ricker, Jr. ;

A resolution of the House of Representatives to adjourn *sine die* on the 27th inst ;

Also, that the House had concurred in the amendments of the Senate to a bill making an appropriation for the payment of the outstanding liabilities of the eighth Congress ;

Also, to the amendments of the Senate to a joint resolution for the relief of A. B. Shelby.

A bill to be entitled an act supplementary to an act entitled an act defining the duties of the officers of the Treasury Department, approved 5th February, 1840—with amendments of the Senate : read third time and passed.

A joint resolution for the relief of Jarret Menefee : read 1st time.

A joint resolution changing the sessions of the District Court in Washington county : read 1st time.

Joint resolution for the relief of the heirs of Wm. Bryan : read 1st time.

A bill to be entitled an act to form the collectoral district of Lake Soda : read 1st time.

Joint resolution for the relief of H. P. Bee, with amendments of the Senate : read third time and passed.

A bill to be entitled an act to continue in force an act for the relief of the purchasers of lots in the city of Austin, and upon the town tract adjoining, approved 16th January, 1843 : read third time and passed.

Joint resolution for the relief of Wm. M. Harrison : read 3d time and passed.

An act for the relief of John Gregg: read 3d time and passed.

An act for the relief of Bertholett, Heald & Co.: read 3d time and passed.

Senator Kaufman, one of the committee on the Judiciary to whom was referred an act to provide the times and place of holding the sessions of the Supreme Court of the Republic, by leave, reported that they had examined the same and recommended its passage.

Senator Roman, Chairman of the committee on Engrossed and Enrolled bills, made the following report:

*To the Honorable K. L. Anderson,
President of the Senate:*

The joint committee on Enrolled Bills have examined and found correctly enrolled—

A bill to be entitled an act providing for the location of the seat of government by the people of Texas;

A joint resolution for the relief of the heirs of John Williams, deceased; the same having been signed by the Speaker of the House of Representatives, and the President of the Senate, have this day been presented to the Executive for his approval.

R. ROMAN, Chairman.

Jan. 18th, 1845.

Senator Kaufman, by leave, introduced a bill prescribing the mode of proceeding against delinquent holders and collectors of public monies: read 1st time—rule suspended, read second time and referred to committee on Finance.

Senator Wright, by leave, introduced a joint resolution making valid all surveys in the colonies previous to closing the contracts for the same: read 1st time.

Senator Roman, by leave, introduced a bill to be entitled an act requiring the Auditor to audit claims for provisions, &c., used in the service of the country since 1842: read 1st time.

Report of the committee on the Judiciary, upon the petition of Syrena Guest, read and adopted.

An act for the relief of William Moffitt and others: read 3d time and passed.

A bill to be entitled an act making an appropriation for

the payment of the outstanding liabilities of the government incurred for Indian purposes: read 1st time.

A bill to be entitled an act to incorporate the Galveston Lyceum, with amendments of the Senate: read 3d time and passed.

Joint resolution for the relief of William Bugg—on its 3d reading: referred to the Finance committee.

A bill to be entitled an act regulating the issuing of head-right certificates and duplicate certificates, land warrants and discharges—on its second reading: amendment of the committee on the State of the Republic adopted.

Senator Kaufman offered the following amendment:

To the second section add, "Provided, further, that hereafter no advertisement of any lost certificate or land scrip, or any evidence of land title, shall be required to be made for any greater length of time than thirty days:" adopted.

Senator Wright offered the following amendment:

"Section 5. *Be it further enacted*, That the Commissioner of the General Land Office be, and he is hereby required, in all cases where a location has been made of a part of the land due on any headright certificate, bounty warrant, or other order of survey, and the field notes of the survey made on such location, accompanied by the certificate, warrant, or other order of survey, shall have been returned to the General Land Office, the Commissioner shall issue to the party or parties entitled thereto, or his or their authorized agent, a certificate of the unlocated balance or remainder, setting forth in said certificate the class, number and date of the original certificate, with the name of the original grantee, the county where issued, and the quantity of land for which it was granted—and all such certificates, so issued, shall be under the seal of the General Land Office; and the Commissioner is hereby required to endorse across the face of the original certificate the date of the issuance of said certificate for the unlocated balance or remainder." Amendment adopted, and bill ordered to be engrossed.

On motion of Senator Kaufman, the joint resolution for the relief of T. Jefferson Chambers was taken up, on its second reading.

Senator Kaufman moved to fill the blank with "fifty:" carried, and bill ordered to be engrossed.

On motion, the rule was suspended—bill read third time and passed.

A joint resolution for the relief of Sam Ricker, Jr.: read 1st time.

A joint resolution for the relief of Capt. John C. Hays: read 1st time.

Resolution of the House of Representatives to adjourn *sine die* on the 27th inst.: laid on the table till Monday next.

Joint resolution for the relief of John Sutherland, on its second reading: rule suspended, read 3d time and passed.

A bill to be entitled an act to incorporate the Texas Land Company, with substitute, on its 2d reading:

Senator Kinney moved to lay the bill and substitute on the table: carried.

On motion of Senator Kaufman, a joint resolution for the relief of the heirs of Elisha Roberts, deceased, was taken up, on its second reading: report and amendment of the committee on Public Lands adopted, and bill ordered to be engrossed.

On motion, the rule was suspended, bill read a third time and passed.

A message was received from the House of Representatives, by Mr. B. F. Hill, announcing to the Senate the passage of a joint resolution for the relief of Adolphus Sterne.

On motion of Senator Wright, a bill to be entitled an act to provide the times and place of holding the sessions of the Supreme Court of the Republic, with report of the Judiciary Committee, was taken up on its second reading; and,

On motion, the rule was suspended and bill ordered to be engrossed.

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

MONDAY, Jan. 20, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain: Journals of Saturday read and adopted.

Senator Kaufman, chairman of the committee on Foreign Relations, to whom was referred the resolutions of the citizens

of the counties of Austin, Brazoria and Victoria, in favor of annexation, made a report, which was read.

Senator Pilsbury, chairman of the committee on Finance, to which was referred a bill prescribing the mode of proceeding against delinquent holders and collectors of public monies, verbally reported the bill back to the Senate, and recommended its reference to the committee on the Judiciary.

Senator Greer, chairman of the committee on the State of the Republic, to which was referred a joint resolution for the relief of Henry Castro and T. Jaussaud, reported, that they are unable to come to any satisfactory agreement, upon said resolution. They therefore return the same back to the Senate for their consideration and action.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 20, 1845. }

To the Honorable K. L. Anderson,
President of the Senate:

The committee on Engrossed Bills, beg leave to report:— That they have examined and find correctly engrossed, the amendments of the Senate to the following bills:

A bill to be entitled, an act supplementary to the act entitled an act defining the duties of the officers of the Treasury Department, approved Feb. 5th, 1840.

A bill to be entitled, an act to provide the times and places of holding the sessions of the Supreme Court of the Republic.

A bill to be entitled, an act regulating the issuing of Head-Right Certificates, Land Warrants, and Discharges.

A bill to be entitled, an act for the relief of Jerome B. Robertson.

A joint resolution for the relief of J. C. Neill, and

A joint resolution for the relief of H. P. Bee and others.

R. ROMAN, Chairman.

Report adopted.

Senator Kaufman, from the select committee, to whom was referred a bill to be entitled, an act to change the system of assessing and collecting taxes, reported the same, with amendments, and recommended its passage.

Amendments: At the end of section 1st, "Provided, that the said Collector shall be a resident citizen of the county for which

he is to act; and further provided, that if no competent citizen of the county will accept of the appointment, then, and in that case, any citizen of the Republic may be appointed."

After the word "tract" in section 5th, sixth line, insert "or where a grant has not issued in the name of the individual to whom the certificate or scrip was issued, on which the survey is made."

In section 5th, strike out the words "freeholder of his county."

Senator Parker, one of the committee on Public Lands, to whom was referred the petition of Charles B. Stewart, assignee of John Tom, reported a bill for the relief of Charles B. Stewart, and recommended its passage.

Bill read a first time.

Senator Parker, from the committee on Public Lands, to whom was referred a bill to be entitled an act to amend the several acts granting donation land to emigrants, recommended the passage of the same, with the following amendment:

Add to the bill the words "and that this act take effect from and after its passage."

Senator Parker, from the committee on Public Lands, to whom was referred a bill to be entitled, an act to repeal a part of an act approved 5th February, 1842, entitled, an act to amend an act to raise a revenue by direct taxation, approved January 16th, 1840,—reported the same to the Senate for its action.

Senator Lawrence, chairman of Judiciary committee, to whom was referred a bill to be entitled, an act to repeal an act authorizing the holding of a District Court in two places in Red River county, and for other purposes, with the amendment of the Senate, reported the same, and recommended its passage.

Senator Kinney, by leave, introduced the following resolution:

Resolved by the Senate, That the President be requested to communicate to the Senate, such of the correspondence between this Government and all other Governments, touching the subject of annexation to the United States, and the independence of Texas, as in his opinion may be without prejudice to the public interest.

Adopted.

Senator Roman, by leave, introduced the following resolution:

Resolved, That the President be, and he is hereby respect-

fully requested, to lay before the Senate, copies of all the late correspondence between this Government and the Chargé d'Affaires of the United States, on the subject of the annexation of Texas to the United States of America, if in his opinion not incompatible to the public interest.

Senator Lawrence, by leave, introduced a bill to be entitled an act to regulate the time of holding the District Court for Liberty county, and for other purposes; read first time—rule suspended—read second time, and referred to the committee on the Judiciary.

Senator McCrearey, by leave, introduced a bill to be entitled, an act relating to security of costs in the District Courts; read first time.

Senator Pilsbury, by leave, introduced a bill to be entitled an act relative to tonnage duties; read first time—rule suspended; read second time, and referred to committee on Finance.

ORDERS OF THE DAY.

Resolution of the House of Representatives to adjourn *sine die* on the 27th inst., on motion of Senator Wright, laid on the table.

A bill to be entitled, an act to reduce the annual compensation of certain officers of Government—amendments reported by the committee on the State of the Republic, adopted.

Bill read by sections.

Senators Pilsbury moved to insert in eighth line of first section, after the word "dollars" the word "each." Carried.

Senator Greer moved to strike out, after "Secretary of the Senate," the words "seven," and insert "five." Carried.

Senators Grimes moved to strike out all after the words "Secretary of State" in 2d section.

The Ayes and Noes were called on the adoption of the amendment, and stood as follows:

Ayes—Senators Grimes, Kaufman, Kinney, Lawrence, McCrearey, Munson and Wright—7.

Noes—Senators Caldwell, Greer, Parker, Pilsbury and Roman—5.

So the amendment was adopted.

Senator Kaufman moved to strike out the word "the" before "Chief Clerk" in section 4th, and insert "a." Carried.

On motion, the bill was ordered to be engrossed.

A bill to be entitled, an act for the protection of the Frontier, on its second reading, with report of committee on Finance—

On motion, the report was laid on the table.

On motion of Senator Kaufman, the bill was read by sections.

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

3 o'clock, P. M.

Senate met; roll called, quorum present.

The bill for the protection of the Frontier, being under consideration, Senator Roman offered an amendment:

Strike out all after the word "counties" in sixth line, 1st section, and insert "three detachments, each to be commanded by a 2d Lieutenant, and to consist of thirteen men." Adopted.

Senator Munson offered an amendment:

In section 2d, strike out the enacting clause, and to the word "for" in the second line, and add the remainder of the section to the first section of this bill. Adopted.

Senator Kaufman offered an amendment:

Strike out "\$24" and insert "\$20." Adopted.

Senator Kaufman moved to strike out "contingencies" in section 3d. Adopted.

Senator Pilsbury, moved to strike out "\$40,000" in section 3d. Ayes and Noes called for stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Parker, Pilsbury and Wright—6.

Noes—Senators Caldwell, Kinney, Lawrence, McCrearey, Munson and Roman—6.

There being a tie, the Vice President voted in the negative. So the motion was lost.

Senator Caldwell moved to strike out "40" and insert "30" before the word "men" in 1st section. Carried.

Senator Caldwell moved to strike out "20" and insert "15" before the word "men" for Travis, Goliad and Refugio. Carried.

Senator Kaufman moved to strike out "Fannin" in 1st section. Carried.

Senator Kaufman moved to strike out "13" for Robertson and Milam counties. Carried; and on motion, the blank was filled with "10."

Senator Kaufman moved to strike out "or more companies" in section 5th. Carried.

Senator Pilsbury moved to add "one company of 40 men." Carried.

Senator Pilsbury moved to add, after "40 men," "with one Lieutenant." Carried.

Senator Pilsbury moved to strike out the 6th section. Carried.

Senator Kaufman moved to amend the 5th section: after the word "cause," add "the sums necessary for the pay, subsistence, forage, transportation and ammunition of the said Company, to be paid over quarterly to the said H. L. Kinney, to be disbursed by him, and the sum of fifteen thousand dollars is hereby appropriated for that purpose. Carried.

Senator Kaufman moved to strike out the 7th and 8th sections. Adopted.

Senator Greer moved to strike out "transportation" in section 2d and section 6th. Adopted.

Senator Greer moved to add "one Captain" before "one Lieutenant," in section 5th. Adopted.

Senator Greer moved to lay the bill on the table, to be engrossed with the amendments, for the further consideration of the Senate.

Senator Greer moved to take up the bill to be entitled, an act supplementary to the several acts regulating impost duties—on its second reading—

On motion of Senator Greer, the words "neat cattle" in 10th line, was stricken out; also, the words "and paid" in the third line. Bill read second time, and ordered to be engrossed,—rule suspended; bill read third time and passed.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 20, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Engrossed Bills, have examined and find correctly engrossed: The bill to be entitled, a joint resolution for the relief of T. J. Chambers; and a bill to be entitled, an act to reduce the annual compensation of certain officers of the Government.

R. ROMAN, Chairman.

Senator Parker, from the committee on Public Lands, to whom was referred the petition of Helena Nelson, reported a joint resolution for her relief; read first time.

On motion of Senator Caldwell, the bill for the relief of Henry F. Fisher, was taken up, on its second reading.

Senator Greer moved to amend: In section 2d, last line, strike out "repealed," and insert "so changed and amended as to give until the first of March, 1846, to introduce the one-third of the number of emigrants. Provided, nothing herein shall be so construed as to relieve the said contractors from introducing the number required, by the first of March, 1845, as provided in the first part of said conditions."

Adopted.

Senator Greer offered the following amendment:

In 1st section, twelfth line, strike out the word "sixth," and insert "twelfth."

The Ayes and Noes were called for and stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Parker, Roman and Wright—6.

Noes—Senators Caldwell, Kinney, Lawrence, McCrearey and Munson—5.

Amendment adopted.

Senator Greer moved to strike out in 3d section, 5th line, all after the word "hereby," and insert "altered and amended, so as to relieve one-sixth of said emigrants from settling upon their lands, and to exempt all of said emigrants from cultivating fifteen acres of land, but in lieu thereof, they shall cultivate five acres of land."

The Ayes and Noes called for, and stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Parker, Roman and Wright—6.

Noes—Senators Caldwell, Kinney, Lawrence, McCrearey, Munson and Pilsbury—6.

There being a tie, the President of the Senate voted in the affirmative, and the amendment was adopted.

Senator Kaufman moved to strike out "Laws," and insert in 4th section, fourth line, "parts of laws." Adopted.

The question being on the engrossment of the amendments, the Ayes and Noes were called for, and stood thus:

Ayes—Senators Caldwell, Grimes, Kinney, Lawrence, McCrearey, Munson, Pilsbury and Wright—8.

Noes—Senators Greer, Kaufman, Parker and Roman—4.

So the bill was passed to a third reading, and ordered to be engrossed.

On motion of Senator Wright, the joint resolution making valid all surveys in colonies previous to closing the contracts of the same; read second time, and ordered to be engrossed,—rule suspended—read third time and passed.

Senator Caldwell, by leave, presented the petition of A. W. Lucket; which was, on motion, referred to the committee on Claims and Accounts.

On motion of Senator Kaufman, a bill to be entitled, an act to provide the times and place of holding the sessions of the Supreme Court of the Republic; was taken up,—the Ayes and Noes being called on the final passage of the bill, stood thus:

Ayes—Senators Caldwell, Greer, Kaufman, Kinney, Lawrence, McCrearey, Parker, Pilsbury, Roman and Wright—10.

Noes—Senators Grimes and Munson—2.

So the bill passed.

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

TUESDAY, Jan. 21, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of preceding day read and adopted.

A message was received from his Excellency the President, through Col. Jos. C. Eldridge, transmitting a communication in writing.

Senator Kinney presented the memorial of Aug. Williams, praying the payment of monies expended on behalf of the Government; and on motion, the same was referred to the committee on Military Affairs.

Senator Parker, one of the committee on Public Lands, to whom was referred a joint resolution for the relief of Francis Hughes, John C. Baker and others, reported the same back to the Senate, and recommended its passage.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report:

COMMITTEE ROOM, }
 Jan. 21, 1845. }

*To the Honorable K. L. Anderson,
 President of the Senate:*

The committee on Engrossed Bills have examined and find correctly engrossed the following bills:

A bill to be entitled, an act supplementary to the several acts regulating impost duties;

Joint resolution making valid all surveys in colonies previous to closing the contracts for the same;

And the amendments of the Senate to a joint resolution for the relief of Henry F. Fisher and B. Miller.

R. ROMAN, Chairman.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred the petition of Berry & Mason, reported, that the committee found no evidence of the validity of the claims as asked in the petition, and beg leave to be discharged from further consideration of the same. Also, to whom was referred—

A bill to be entitled, an act for the relief of Lucy Davis; reported the same back to the Senate for action thereon, and asked to be discharged from further consideration of the same.

Also, the petition of John Peter Schatzell, reported that, in the opinion of the committee, the funds advanced by said Schatzell, were to individuals and on individual security, and not for the use of the two hundred and eighty men who had been under command of Col. Wm. S. Fisher, and were captured at the siege of Mier; therefore asked leave to be discharged from the further consideration of the same.

Also, the petition of Thomas Ward, reported, that the committee had no evidence of any claim upon which they could act, and asked leave to be discharged from further consideration of the same.

Also, a joint resolution for the relief of M. H. Hardy, reported the same back to the Senate, and recommended its passage.

Senator Munson, one of the committee on Claims and Accounts, to whom was referred a bill to be entitled, an act for the relief of Howard & Ogden, and T. A. Sully, reported the same back to the Senate, and recommended its indefinite postponement.

Also, the petition of A. W. Lucket, reported a joint resolution for his relief and recommended its passage.

Senator Kaufman introduced a bill to be entitled, an act to provide for issuing patents on valid claims to assignees, where the assignments are legally authenticated; read first time—rule suspended—read second time—rule further suspended; read a third time and passed.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, transmitting the following bills, which had passed the House, and requesting the concurrence of the Senate to the same.

A joint resolution for the relief of the heirs of Daniel R. Jackson.

A joint resolution for the relief of Mary Chase.

A bill to be entitled, an act to repeal in part and amend an act repealing in part, and amending, an act entitled an act for the corporation of the city of Galveston, approved February 5th, 1844.

A bill to be entitled, an act to authorize Levi A. McLaughlin to establish a ferry.

On motion of Senator Kaufman, the communication from His Excellency the President, was taken up and read.

EXECUTIVE DEPARTMENT,)
Washington, January 21, 1845.)

To the Honorable the Senate: *

In compliance with a resolution of the Honorable Senate, dated January 20th, I have the honor to submit the accompanying communication and documents, from the Department, which comprise "all the late correspondence between this Government and the Chargé d'Affairs of the United States, on the subject of the annexation of Texas to the United States of America."

ANSON JONES.

On motion of Senator Kaufman, the communication and accompanying documents were referred to the committee on Foreign Relations, and the report of said committee made on the 20th inst. re-committed.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A joint resolution for the relief of Adolphus Sterne; read first time—rule suspended—read second time, and referred to committee on Claims and Accounts.

A bill to be entitled, an act to reduce the annual compensation of certain officers of Government—on its third reading, on motion of Senator Roman, recommitted to the committee on the State of the Republic.

Joint resolution for the relief of Sam Ricker, jun.; read second time, and referred to the committee on Claims and Accounts.

Joint resolution for the relief of Capt. J. C. Hays; read second time, and referred to committee on Claims and Accounts.

Senator Caldwell moved to reconsider the vote of to-day, passing to a third reading the bill for the relief of H. F. Fisher and B. Miller; carried, and bill placed with the orders of the day.

A bill to be entitled, an act to change in part the times of holding the District Courts in the 7th Judicial District.

Senator Wright offered the following amendments:

Insert the words "the second" before "Monday" in fourth line, 1st section. Also, strike out the words "one week" in the sixth line of the 1st section, and insert "two weeks."

Adopted, and bill passed to a third reading.

Senator Kaufman, by leave, introduced a bill to be entitled, an act amendatory of an act to provide for the establishment and maintenance of peace and to regulate friendly intercourse with the Indians; read first time—rule suspended—read second time, and on motion referred to the committee on the Judiciary, with instructions to enquire into the propriety of repealing that portion of the same law, which authorizes a prosecution to be instituted in any county of the Republic against an individual for the violation of its provisions.

Senator McCrearey, by leave, introduced the following resolution:

Resolved, That the committee on the State of the Republic, be instructed to enquire into the expediency of amending the *Constitution* of the Republic of Texas, so as to provide that Congress shall meet biennially, instead of annually. Adopted.

Senator Kaufman, by leave, introduced a bill to be entitled, an act regulating appeals in criminal cases; read first time.

A bill to be entitled, an act authorizing the survey of the public domain; read second time, and referred to the committee on Public Lands.

A bill to be entitled, an act amendatory of an act supplementary to an act entitled, an act to raise a revenue by impost duties, approved 5th February, 1840,—approved 27th Jan., 1842, on its second reading—on motion of Senator Greer, the bill was made the special order of the day for to-morrow.

On motion of Senator Roman, the bill to be entitled, an act to provide for the protection of the frontier, was taken up.

Senator Kaufman moved to strike out "1st and 2d" before the word "Lieutenant" wherever it occurs in the bill. Carried.

Senator Munson moved to strike out "1st Lieutenant \$40," in fifteenth line of 1st section. Carried.

Senator Roman moved to strike out "\$30," before "Lieutenant," in fifteenth line, 1st section, and insert "\$35." Lost.

Senator Wright moved to strike out all after the word "person" in twelfth line, 1st section, to the word "whose" in thirteenth line, 1st section.

The Ayes and Noes were called for on the motion to strike out, and stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Pilsbury and Wright—5.

Noes—Senators Caldwell, Kinney, Lawrence, McCrearey, Munson, Parker and Roman—7.

So the Senate refused to strike out.

Senator Munson offered the following amendment:

In 2d section, eighth line, strike out the word "who" and insert "each commander of a detachment shall be the disbursing officer for the same, and shall be competent to make his return to the Secretary of War and Marine and." Adopted.

Senator Munson offered the following amendment:

In section 2d, tenth line, strike out "\$10,000" and insert "\$3,000." Adopted.

Senator Parker offered the following as an additional section:

"Be it further enacted, That the Auditor is hereby required to audit the accounts of H. L. Kinney, for the amount due for the pay and other contingent expenses of the company now in service at Corpus Christi, under the order of the President, from the 28th November, 1844, until the 28th January, 1845; and that the Secretary of the Treasury pay over the aforesaid amount to said Kinney, which sum shall be deducted from the

appropriation in this act for the protection of Corpus Christi." Adopted.

Senator Caldwell moved to reconsider the vote of yesterday, refusing to strike out "\$40,000" in the bill. Carried.

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

3 o'clock, P. M.

Senate met; roll called; quorum present.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 21, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Engrossed Bills, have examined a bill to be entitled an act to provide for issuing patents on valid claims to assignees, where the assignments are legally authenticated, and find the same correctly engrossed.

R. ROMAN, Chairman.

Adopted.

The bill to provide for the protection of the Frontier, being under consideration,

Senator Pilsbury moved to lay the bill on the table. Lost.

Senator Caldwell moved to fill the blank with "\$30,000."— Carried.

Senator Pilsbury offered the following amendment in section 4th:

Strike out "Henry L. Kinney," and insert "the President is hereby authorized and required to appoint some competent person to." Rejected.

Senator Kaufman moved to insert in 6th section, second line, after "shall" the word "never," and after the word "receive" in same line, strike out the word "no" and insert "any." Adopted.

Senator Kaufman offered an additional section:

"Section —. Be it further enacted, That should any circumstances transpire that might render unnecessary the longer continuance in service of any portion of the forces herein authorized to be raised, the President is hereby authorized to disband the same." Adopted, and bill ordered to be engrossed; rule suspended—

The Ayes and Noes being called on the passage of the bill stood thus:

Ayes—Senators Caldwell, Kaufman, Kinney, Lawrence, McCrearey, Munson, Parker, Roman and Wright—9.

Noes—Senators Greer, Grimes and Pilsbury—3.

So the bill passed.

On motion, the Senate went into secret session—doors closed. Doors being opened—

Senator Roman moved a reconsideration of the vote on the adoption of the amendment to the third section of the bill for the relief of H. F. Fisher and B. Miller.

Senator Caldwell moved to lay the motion on the table. Carried.

Senator Pilsbury, chairman of committee on Finance, to whom was referred a joint resolution for the relief of the Captain of Ordnance, reported the same back to the Senate for their action.

Also, to whom was referred a bill to be entitled, an act to amend an act to raise a revenue by direct taxation, reported the same back to the Senate for their action.

Also, the petition of the citizens of Huntsville,—reported the same back for the action of the Senate.

On motion of Senator Kinney, the joint resolution for the relief of Henry Castro and T. Jaussaud, was taken up, and passed to a third reading.

Senator Kaufman moved to lay all relief bills now, with the orders of the day, on the table, and take up all bills of a general character. Lost.

A bill to be entitled, an act for the relief of Jerome B. Robertson; read third time and passed.

A bill to be entitled, an act requiring the Auditor to audit claims for provisions, &c., used in the service of the country since 1842; read second time, and referred to committee on Finance.

A bill to be entitled, an act regulating the issuing of Head Right Certificates, and Duplicate Certificates, Land Warrants and Discharges; read third time and passed.

A bill to be entitled, an act making an appropriation for the outstanding liabilities of the Government on account of Indian purposes; read second time, and referred to the committee on Finance.

A joint resolution for the relief of Jarret Menefee; read second time, and referred to committee on Claims and Accounts.

A joint resolution changing the sessions of the District Courts in Washington county; read second time, and passed to third reading.

A joint resolution for the relief of the heirs of Wm. Bryan; read second time, and on motion, laid on the table.

A bill to be entitled, an act to form the Collectoral District of Soda Lake; read second time, and passed to third reading.

A bill to be entitled, an act to amend the several acts granting donation land to emigrants, on second reading—

Senator Caldwell moved to lay the bill on the table. Lost.

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

On motion of Senator McCrearey, the joint resolution making legitimate certain persons therein named, was taken up—read third time and passed.

A joint resolution for the relief of Helena Nelson; read second time, and ordered to be engrossed.

A bill to be entitled, an act relating to security of costs in the District Courts; read second time, and referred to Judiciary committee.

A bill to be entitled, an act for the relief of Charles B. Stewart, assignee of John Tom, on second reading—

Senator Lawrence offered the following amendment:

“Provided the certificate for a half third be cancelled.” Carried.

Bill read second time, and ordered to be engrossed.

A bill to be entitled, an act to change the system of assessing and collecting taxes; read second time and ordered to be engrossed.

Senator Lawrence, chairman of committee on the Judiciary, to whom was referred the joint resolution for the relief of William Bugg, by leave, reported the same back to the Senate and recommended its passage.

A joint resolution for the relief of the heirs of James Garrard, deceased, read second time, and passed to third reading.

A bill to be entitled, an act to authorize Levi A. McLaughlin, to establish a ferry; read first time.

A bill to be entitled, an act to repeal in part and amend an act repealing in part, and amending an act, entitled an act for the incorporation of the city of Galveston; read first time.

A joint resolution for the relief of Mary Chase; read first time.

A joint resolution for the relief of the heirs of Daniel R. Jackson, deceased; read first time.

A bill to be entitled, an act to repeal an act authorizing the holding of a District Court in two places in Red River county, and for other purposes; read second time, and passed to third reading.

A joint resolution for the relief of Henry F. Fisher and B. Miller, on its second reading—

Senator Caldwell moved to add the following amendment to the amendments of the Senate, in 2d section:

At the end of the third line, before the word "provided," in fourth line, add "and if the said Fisher and Miller should fail to introduce the whole number of emigrants contracted for by them, (on the first day of March, 1846, agreeably to the provisions of this act,) they shall be entitled to receive a compensation *pro rata* for the number actually introduced."

Adopted.

On motion, the bill was laid on the table.

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

WEDNESDAY, Jan. 22, 10 o'clock, A. M.

Senate met; roll called; a quorum present; prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Kaufman, Chairman of the committee on Foreign Relations, to whom was referred the communication of his Excellency the President and accompanying documents, together with the report of said committee which was recommended, made the following report:

COMMITTEE ROOM, }
Jan. 20, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Foreign Relations, to whom were referred the resolutions adopted by the people of Brazoria and Austin counties, in mass meetings assembled, and the me-

morial of the citizens of the county of Victoria, all expressive of a lively interest in favor of the annexation of Texas to the United States; and urging upon this Congress to use all just and honorable means to consummate that desirable event, have given to the subject that calm consideration which its vital importance demands.

Although your committee are, unanimously, of the opinion that the time has not yet arrived when action, on the part of the Government of Texas, would be either appropriate or availing; and that such action should first be had by the Government of the United States; yet, fully impressed with the all-absorbing interest of this question, and willing to cherish those noble impulses which animate the bosoms of a patriotic people, and a decent regard for their feelings, and a becoming requital of their confidence, demand of us a free and frank expression of our sentiments.

The annexation of Texas to the United States, already emphatically *willed* by the *people* of both countries, will, when consummated, be among the most interesting events recorded in the annals of history. It will stand without a parallel in political changes! It is true that the chronicles of nations are full of the change of governments, of the extension of empire, of the partition of the weaker among stronger powers; but this will be the first instance where a free, sovereign and independent people will have merged their government in another, by their own free will and consent! Other nations have lost their separate and independent existence, but they have fallen before the bloody car of conquest; and have been appropriated as the successful spoils of ambition. They have only changed masters; and, in too many instances, have had substituted a more intolerable despotism than that which preceded it.

But here, how different will be the change; and how incomparably different must be its results! Our weakness will become strength; our danger, safety; and desolation of heart will be supplanted by the smiles of joy. In this change, there will be no compulsion—no force—no rapacity—no desire for aggrandizement; nothing more nor less than the stern determination peculiar to, and characteristic of, freemen, to extend the *area* of rational liberty; to render more durable republican institutions, and to perpetuate the glory

of the American name. And who would not exult in the appellation of an American Citizen? What country is there, contiguous to the United States, that would not rejoice to share the benefits, the privileges and protection of that Government? In the days of the formation of the Federal Constitution, there were those who opposed its adoption, but it was because they could not foresee its operation.— Their efforts failed; their prophecies have long since been falsified; and they are looked upon, now, as deluded, although many of them were honest *cavillers*. The experiment has worked well. Man is capable of self-government. The United States have proved it to a demonstration, and upon an extended scale.

North Carolina and Rhode Island, for a while, refused to sanction that Constitution. They soon saw their error, and entered into that great compact of states. And should not Texas do the same? Would it not be infinitely better for her to form one of the sisterhood of American states; to have a general government willing and able to protect her, and regulate matters of general concern, with her local legislature to provide for her domestic interests and safety? Ought she to refuse to partake of the advantages of a union formed by the wisdom, valor and patriotism of the best men the world ever saw, consolidated and strengthened by the lapse of seventy years, and consecrated to *Permanency* by the name of WASHINGTON? Would not her incorporation, into that union, be preferable to the tardy, uncertain and hazardous experiment of building up a new government, burthened with a heavy debt, and possessed of peculiar domestic institutions, which invite the improper interference and misplaced philanthropy of the world? Ought the restoration of the mutilated purchase of Louisiana to be longer delayed, when Providence, by a peculiar and most extraordinary series of events, seems to have pointed out the easy means of frustrating the designs of men—or at least their bad counsels? The imbecility of Spain, the alternate anarchy and despotism of Mexico, the daring attempt of Santa Anna to destroy the constitution of the country, the resistance and bravery of the people of Texas, the carnage and capture of San Jacinto, and the enlightened judgment of the people of the United States, have all admirably conspired to bring about that re-

storation. "What God hath joined together, let no man put asunder!" Texas is a part of the great valley of the Mississippi. Her people are the same as those of the United States; and although separated, for a while, from her natural allies, the time is at hand when the error will be remedied, and the "lost pleiad" return again to its native sky.

While your committee feel the highest gratification at the numerous public manifestations of interest in favor of annexation, they are not ignorant of the fact, that there are some persons in this country who have raised their voice in opposition to this measure—some from honest and praiseworthy motives, and others from considerations of the most selfish and reprehensible character. No human institutions are perfect; and there is no government which may not, at times, create sectional or partial dissatisfaction. And should, under the proposed change, any dissatisfaction be produced, in this country, by the action of the United States' Government, it may be expected that this latter class of opponents to annexation will claim credit for their foresight and sagacity, as evinced in their present opposition, and will seek popular favor as a compensation for their independence of thought and action; while, at the same time, they *secretly* desire the protection, the safety, the wealth, the happiness—and, indeed, the innumerable blessings which must inevitably follow our incorporation into the American Union.

The friends of this measure are frequently asked their reasons for being in favor of it. They are told that they are about to sacrifice their nationality, and to endanger the best interests of the country. Your committee will endeavor to give some of the reasons, and to answer some of the objections. They believe that a stable and uniform policy, unmarked by fickleness, should be pursued by every government. The people of Texas, at the date of the adoption of their Constitution, by a voice nearly unanimous, for reasons satisfactory to themselves, decided in favor of annexation. The patriots who struggled through a sanguinary, yet short and glorious revolution, who *signed* their independence on the second of March, 1836, and *fifty* days thereafter, *sealed* and *delivered* it on the ever memorable field of San Jacinto, on the following September, declared in favor of this measure. The first Congress that met, under our Constitution,

warmly seconded the voice of the people, as expressed at the ballot box ; and Gen. Memucan Hunt, as our minister to the United States, presented this interesting question to that Government, with an ability and zeal corresponding with their wishes. No longer ago than the last year, did the Congress, the Executive, and the whole people of the country, express their most unequivocal desire for the consummation of this measure. During all this time, while the people of Texas clung to this policy "with an eye that never winked, and a wing that never tired," their hopes were deferred by the *politicians* of the United States. And now, when the *people* themselves have taken the matter in hand, and, "like the lion that shakes the dew-drops from his mane," have shaken off the politicians who dared oppose the extension of her free institutions ; when the North has united with the South, to vindicate the propriety of the greatest measure of American policy ever originated or conceived by any of her statesmen ; when our long cherished wishes are on the eve of realization, would it not betray the most childish fickleness, on our part, to change ? Would it not evince the greatest ingratitude to our friends who espoused our cause, and staked their political hopes on the issue ? The people of Texas are made of sterner stuff. They have taken their position, and they will maintain it, regardless of the efforts made to induce a change.

While an adherence to this policy would vindicate us, at least, from the charge of indecision and inconstancy of purpose, in the opinion of your committee, it would eminently conduce to our best interests. The people have not adopted this policy, and adhered to it "through evil and through good report," without good and sufficient reasons. They are generally correct in the perception of their own good ; and were fully capable of judging, without waiting for the new-born discoveries of those who pretend to be the peculiar keepers of their best interests. Let us examine some of the causes that have produced and perpetuated so great a unanimity of feeling in favor of annexation.

The object of government, as declared by our Constitution, is "to establish justice, insure domestic tranquillity, and to provide for the common defence and general welfare ;" "or," as the Declaration of Independence has it, "to protect the lives, liberty and property of the people." The ideas of in-

dependent nationality, and the imaginary glory arising therefrom, sink into insignificance, when compared with these great objects of all governments. And can there be any serious or rational doubts as to whether those ends of government would be better subserved by our annexation to the United States, than by our remaining separate and independent? Independence is not always a blessing. Dependence is frequently appropriate, beneficial and comely. The youthful daughter is dependent upon her mother; and while the proprieties of life are thus observed, mutual blessings and advantages are interchanged. And such, seems to your committee, to be the tender and confidential tie and relationship which should exist between Texas and the United States. Nations cannot be built up in a day, or a year. It takes many to insure and to effect the great objects for which governments are instituted among men.

It is generally admitted, that there is no government on earth, where rational liberty and the rights of man, combined with protection of all that men hold dear, are enjoyed to so great an extent as in the United States. England comes perhaps next; but entails and primogeniture, an hereditary monarchy, an established clergy, and privileged nobility, are sacrifices too great to be made by free-born republicans, for all the protection to the life and property (not liberty) secured by her institutions. And can it be possible that we would madly refuse to enjoy the privileges afforded by the most free and greatest nation of the earth? that we would put aside, when proffered, the protecting shield of the United States Government? Texas is unable to give adequate protection to her widely extended frontier. Her treasures go to swell the revenues of the United States, while no protection is given in return. Eastern Texas pays the same tariff to the United States, in proportion to the population, as any State in the Union, and impediments are thrown in the way of the export of her cotton, while none of those revenues are expended for their benefit, or that of the people of Texas. We allude not to Eastern Texas, when we speak of the want of protection, but to the bleeding and desolated West. Ask the brave and adventurous pioneer, who is entitled to sympathy of every government, whether protection is extended to him, and he will point perhaps to his once happy family

made desolate by the scalping-knife of the savage, or to his humble cabin made bare of the comforts and even necessities of life, by his unfeeling enemies. Embarrassed by a debt of seven millions of dollars, Texas is not able to pay more than her current expenditures. She is unable to interpose the strong arm of military power, to arrest the stealthy step of the murderous savage or the predatory Mexican. Life and property are at the mercy of vengeance and cupidity, and mourning and sorrow reign, where, under the proposed change, they would be no more. Will then a discordant voice be raised against extending this efficient protection around and about the whole country? Will not the East, who live in comparative security, come to the aid of their suffering brethren of the West, and give their strong and controlling voice in favor of the only measure that will give them real, substantial and adequate protection?

Your committee are gratified to be able to express their conviction that they will, and with a unanimity that will drown the feeble voice of opposition.

It is not only the Indian against whom the West wants protection. The Mexicans will never cease to harrass or maraud on our western frontier, until a strong government takes the place of the weak. Santa Anna, the murderer at the Alamo, the traitor at Goliad, and the infamous instigator of the late Woll Proclamation against Texas, has been hurled from the guilty seat of his power, by an indignant people, because, among other reasons, he had not done enough against Texas. England was incapable, with a promise on our part, of five millions of dollars in case of success, to secure our independence, and it is very questionable whether such a result could ever obtain the sanction of that tumultuous, revolutionary and anarchical people. Even if the temporary head of that government were to yield to the policy of peace with Texas, he would no doubt be immediately displaced by a nation whose distinguishing trait is a pretended regard for their honor; or if that failed, the hopes of plunder from the unprotected West, would continue to allure to her soil predatory bands from that ungoverned and ungovernable people.

Your committee do not mean to be understood to say, that Texas is incapable of sustaining her independence, or of re-

elling successfully the assaults of her national enemy. The experience of the past has conclusively demonstrated the reverse. But the predatory mode of carrying on the war, pursued by our enemy, which has elicited the disapprobation of the civilized powers of the earth, is calculated seriously to cripple this country, to exhaust her resources, and greatly to retard the fulfilment of that destiny, which the powerful protection afforded by the government of the United States would so rapidly enable her to accomplish.

Annexation will remove all those dangers and difficulties. The star-spangled banner displayed on the Rio Grande, as when unfurled in the city of Mexico, it quelled the ragings of a mob, will strike terror into the heart of the Mexican marauder; and the Indian will respect a power which he has long since learned he cannot successfully oppose. Population and wealth will flow into every portion of our country—into the West as well as the East. The busy hum of industry will be heard where now reigns the silence of solitude, and the jocund laugh of civilization will take the place of the war-whoop of the savage. Millions of the revenue of the United States will be expended within our limits; capital which now shuns, will seek our shores, stimulating and enervating every species of enterprise. Property of every kind will be immensely raised in value, our rivers will be enlivened by the noisy steamboat; towns and villages will spring up as if by magic, and the commerce of our citizens will whiten the deep with her sails. And where is now our commerce? where is that navy? where is that protection which is as necessary on the deep as on the land? Our merchant vessels may go forth, but on the great highway of nations, they are alone and *friendless*, unprotected from the insults of the arrogant, or the rapacity of the mercenary! Annexation will afford incalculable benefit to our commerce, by putting it under the protection of that banner which floats in conscious dignity and triumph on every sea. A nation without commerce can never be great, and commerce will die without protection.

These are a very few of the practical and substantial benefits that will result from this measure, and as to the change of our nationality, your committee conceive of no prouder distinction than that of American citizens. A large majority

of the people of Texas are natives of the American Union. Her sons, aided by some chivalric spirits who came into being here, and others who traversed the Atlantic, to seek in the *new* world an asylum from the oppressions of the *old*, fought our battles of independence. Her manners and customs, her language and religion, are ours; her laws and institutions are similar to ours. Her soil is the home of our relatives, and the repository of the bones of our ancestors; and the return of Texas to that Union from which she was cast, without her consent, will be hailed with that generous cordiality which these circumstances are so well calculated to inspire.

In addition to these benefits that must inevitably flow to the whole country from annexation, there are other controlling inducements to that measure arising from the character of our institutions. Should all prospect of annexation be cut off, immigration would be seriously checked from the United States. Those who have lived under free institutions, and enjoyed all the blessings of peace, would hesitate to remove to a country where as ample protection is not afforded. Our immigration would come principally from the Governments of Europe. The colonization system which has commenced under the late law authorizing that system, has given an impetus to immigration from that quarter, which will gather strength as time advances, and has already commenced the formation of a nucleus around which will gather in a few years, numbers, that will control by their suffrages, the voice of the American portion of our population. The nations of Europe will encourage emigration, not only to relieve them of their surplus population, but also to establish an influence here, which will evince itself in the policy of this Government. Commercial treaties will be formed with those Governments which will increase that species of immigration, and more effectually stop it from the United States. Much of the European population will be doubtless composed of honest and valuable citizens. Your committee would by no means be understood to cast any reflections upon that portion of our population, or to make invidious distinctions between those on whom the Texian banner should impress the character of unity and friendship. The insinuation would be unjust and ungenerous. If your committee were disposed to

particularize, they could mention the names of some gallant spirits of European origin, who manfully bared their bosoms in defence of Texian liberty, whose blood stained the soil of Goliad, and whose voices mingled in the spirit-stirring cry of victory on the plains of San Jacinto. But after conceding to them all that valor, industry and honesty can claim, it must still be admitted, that they will continue to retain those feelings of partiality for their native country and its form of Government, which are natural to all men, which were instilled into their minds in infancy, and which are endeared to them by the recollection of their native homes, and their absent kindred. These feelings constitute a second nature, and it is impossible to eradicate them. Indeed they constitute the strength and durability of all nations. Six months will entitle them to all the privileges of citizenship; and even should that time be extended, the consequences would be only delayed. And what would probably be some of these consequences? If not a radical change of our form of Government, at least an important alteration in the character of our institutions, and a growing tendency to subvert the pure principles of republicanism. The contiguity to the United States of a Government swayed by European influence, would be productive of consequences of the most disastrous character. The commanding position of Texas with regard to the Gulf, its long line of eastern frontier adjoining the United States—the rivers which rise in Texas, and run through the United States—the mutual claims which would be set up to their navigation, and the retaliatory legislation which would take place, would seriously disturb the harmony and tranquillity of both countries. Irritations and heartburnings, bloodshed and war would follow; and it is much to be feared that, in the conflict, the American Union, itself, would perish, and the enemies of constitutional liberty triumph. Where, then, would be the hopes of the patriot? “In the deep bosom of the ocean buried.”

In the event of annexation, all these evil consequences would be prevented. Citizens from every portion of the U. States would flock to our country; and that increase of immigration, together with the five years naturalization laws of the United States, would secure the ascendancy of the American population, in the state councils. And the annexation of

Texas would eminently contribute to the permanence of the American Union, independent of the immense addition to its wealth, strength, commerce, and security from foreign influence. Texas would form an iron band, which would hold the Union together. It would equalize political power. It would harmonize conflicting interests. It would render more difficult oppressive combinations. Look at the immense amount of land, in Texas, peculiarly adapted to the growth of sugar. Every man who would engage in that occupation, would be the fastest friend to the Union; if for no other reason, because it would eminently, and particularly, contribute to his pecuniary interests. But Texas, extending from the sunny climes of the South, to the cold regions of the North, affords a field for the raising of all kinds of agricultural products; and her natural facilities would encourage every species of mechanical enterprize. Every variety of occupation would receive protection and encouragement; industry would be rewarded, and the scene would be changed to one of life and activity.

Where is the old settler—where is there any individual, who has endured, for a while, the suspense, danger, and uncertainty of our position, and who has felt, from experience, the want of the strong arm of government, that would not cling to that Union as the sheet anchor of his dearest hopes? People of the United States may talk, sometimes, lightly, of their union, but they only know its benefits by *enjoyment*, while we *feel them* from *deprivation*. And your committee may here be permitted to remark, that the wonderful unanimity of sentiment always entertained by the people of this country, in favor of annexation, by those who have *enjoyed*, and have been deprived of the benefits of that Union, is the *sincerest* compliment to that Government, which has ever been paid to any, by an enlightened people. While Ireland is seeking to be more independent of England, and more removed from her control, the hearts of a free people beat with feelings of loyalty and gratitude towards the great Mother of Republics.

Your committee are highly gratified, to be able to lay before the Senate, and the country, the late correspondence between President Jones and the Hon. A. J. Donelson, Chargé d'Affaires of the United States, on the subject of

annexation, which explains the attitude of his Excellency, in regard to this all-absorbing question.

All of which is respectfully submitted.

DAVID S. KAUFMAN,
Chairman.

CORRESPONDENCE.

WASHINGTON, Texas, }
December 10th, 1844. }

To the Honorable Ebenezer Allen,

Acting Secretary of State, of Texas:

SIR,—The undersigned had the honor to submit for the information of the Government of Texas, on the 6th inst., copies of the correspondence between the Minister of the United States at Mexico and that Government, growing out of the views taken by the President of the United States, of the renewal of the war upon Texas, and the mode of conducting it, as declared by Mexico in the orders of Gen. Woll on the 20th June last, and the previous decree of the Provisional President, dated the 17th June, 1843. His object was to give this Government full information on a subject of such vital importance to the interests of Texas; and particularly to show in what manner the President of the United States met the responsibility involved in the Treaty of Annexation, as a measure to which Mexico had no right to object. And he is happy to acknowledge the receipt of the Hon. Mr. Jones' note, expressing the satisfaction felt by this Government at the course pursued by the President of the United States.

Nothing has been omitted within the Constitutional power of the Executive of the United States, to guard the interests of Texas from injury, resulting from the acceptance by her of the invitation which led to the Treaty of Annexation. Appeals have been made to the reason of Mexico, to desist from the prosecution of the war: and finally the most solemn protest against her right to punish Texas for acts, for which the United States are responsible, has been presented to her, accompanied by strong indications of what may be expected from an offended people, should she, in disregard of these

admonitions, carry into execution the purposes of the decree and orders referred to.

The Government of Texas has, also, seen that the President of the United States has avowed as frankly, to other powers, the considerations which led to the treaty of annexation. Believing that the reasons for the measure are solid, not only as they apply to Texas and the United States, but the other nations of the earth, there has been no motive, or wish, for their concealment. It has been treated, from the beginning to the present period, as a measure called for by the common good—extending, it is true, the territorial limits of the United States, but not in the spirit of unworthy ambition or aggrandizement, or as a disturbing cause in the general peace of the world, or even the special interest of Mexico herself. On the contrary, the measure was adopted as one of peace, necessarily growing out of the physical features of the territory of Texas, and the character of her population; and equally important as one of security to Mexico, by removing all apprehension respecting the future agitation of the question of boundary.

But it is not the intention of the undersigned to state at large, on this occasion, the views taken by his Government, of the question of annexation, as one foreign to Texas and the United States. He adverts to them, only for the purpose of introducing the observations promised in his note of the 6th inst.; and which relate to the question as now confined to these two countries. If Mexico, under a mistaken sense of her duty and true policy, chooses to consider the United States as an aggressor, because of their acknowledgment of the independence of Texas, and the exercise of the right to treat with her for territory, she cannot expect a more satisfactory explanation than has been already given; and, in no event, can it be supposed that she can induce the U. States to abandon the measure of annexation.

But while the United States are thus innocently incurring a liability to the hostile action of Mexico, their Executive Government reasonably conclude, and confidently expect, that Texas herself, will maintain her connection with the cause of annexation—so far, at least, as not to consider it lost or abandoned, on account of the late action of the Senate of the United States upon it.

The undersigned doubts not, that he has fully satisfied this Government, that the measure of annexation, which is still pending before the Congress of the United States, has been strengthened by the recent elections in those States. Considering it therefore, as relieved from the temporary causes which were instrumental in its defeat; and considering, also, the confidence with which its friends may rely upon the increased strength it will gain, from its intrinsic merit, the more it is examined, and the more thoroughly its bearing on the true interests of Texas and the United States, is understood, it may be safely assumed, that it is destined to a speedy consummation, so far as the action of the United States can accomplish it. A result, so much in accordance with the early wish of Texas, and deferred by causes which, now inoperative, have ceased to be remembered with feelings of unkindness, by her citizens, cannot but be hailed with joy, by all who have sympathized with their sufferings in a noble struggle for independence.

This reference to the result of the recent elections in the United States, not made without a just sense of the impropriety, as a general rule, of introducing them to the notice of foreign governments, who have no right to take cognizance of them, has been dictated, in this case, by the peculiar relation of the parties to the question of annexation. Without the co-operation and sanction of the Government and people of Texas, the measure cannot be consummated; and hence, it is important that no mistaken view of the influences necessary to action in either country, should prevail. The rejection of the treaty by the Senate of the United States, was calculated to create the belief, here, that the measure had been lost; and it was natural that this Government, acting for the best interests of the Republic, should be looking to the alternative measures called for, by the abandonment of all hope of its incorporation into the American Union. To correct this erroneous inference, the undersigned has been authorized to allude to the failure of the treaty, as affording no evidence of the abandonment of the measure, by the Government of the United States, and to the public sentiment as developed by the canvass for the Presidency, as justifying the confident belief already expressed, that if the mea-

sure is to be defeated, it will be for the want of the necessary support from Texas herself.

In this state of the question then, it cannot be necessary for the undersigned to dwell upon the anxiety of his Government, that Texas should maintain the position consistent with its ultimate success. If the disappointment of her wishes thus long has been productive of injury, as it doubtless has, in retarding the settlement and developement of the resources of her country, she is sustained by the prospect of greater ultimate good to flow from annexation. Her sacrifices in this respect, great as they are, will be soon compensated, it is trusted, not only by corresponding benefits in wealth and independence, (the consequence of incorporation into the Union) but by those higher moral benefits which will result from her increasing claim on the gratitude of the millions who will hereafter review her conduct, and profit by her valor and patriotism; and, above all, by that magnanimity which has enabled her to rise superior to the resentment naturally produced by the apparent insensibility of her kindred, in the mother land, to her past appeals.

The magnitude of the interests at stake; the sincere conviction, that the correct action of the two governments upon them, at this time, is all important to the success of the republican system; and that the views of his government, which have been so fully and unreservedly laid before this, are wise, honorable, and just, have induced the undersigned to make these observations. He has done so upon the assumption, that Texas is still desirous of annexation, and will not abandon it while there is a hope of effecting it, within a reasonable period, on terms of justice and honor to her citizens. He has not, therefore, felt that it was proper to notice the objections which are sometimes made to it, as being a measure of exclusive self-interest to the United States, because this would imply a want of respect for the judgment of the citizens of Texas, who have so long, and with so much unanimity, sustained it.

The undersigned looks at the question of annexation, as he believes it to be, one of mutual, equal, and vital benefit and safety to both Republics; and that Texas, in perceiving its true character as such, and with so much more unanimity than has heretofore been manifested by the United States,

has only availed herself of the better opportunity she has enjoyed, of testing the realities which sustain the position. He knows that the United States seek no aggrandizement, by the acquisition of territory, at the expense of the rights of other nations; and that the incorporation of Texas into their Union, is but a restoration of what should never have been taken from it, since it is as inseparable from them in its geography, as it is in the social and political ties of its inhabitants, and their connection with the preservation of the great principle of popular governments. This restoration, as far as it has advanced, has been, fortunately, attended by no circumstances to give color to the charge, that the United States secretly promoted the colonization of Texas, for the purpose of severing a province from Mexico. The gallant General who commanded at San Jacinto, and every citizen soldier who shares, with him, the glory of the revolution, will bear witness that this charge, against the United States, is entirely groundless. If Mexico, therefore, has lost Texas, she must blame herself alone, and the free and gallant spirit which her citizens brought from their mother land. If the United States gain Texas, it will be because that same free spirit, by a law of destiny, naturally returns to a congenial association, to be sheltered under the flag of a common union, and to live secure; while it exerts its proportional agency in extending the blessings of civil and religious liberty.

The undersigned has the honor to be,

With sentiments of great respect,

Your very obedient servant,

A. J. DONELSON.

DEPARTMENT OF STATE, }
Washington, 13th Dec., 1844. }

HON. A. J. DONELSON,

Chargé d'Affaires of the U. States, &c.,

SIR,—The undersigned, Attorney General of the Republic of Texas, charged, *ad interim*, with the direction of the Department of State, has the honor to acknowledge the receipt of the note which Mr. Donelson, Chargé d'Affaires, &c., did

him the honor to address to him, under date of the 10th inst., communicating information as to the measures adopted by the President of the U. States, to guard the interests of Texas against injuries likely to result from the renewal of the war upon Texas, by Mexico, on account of the acceptance of the proposition for annexation, made by the U. States, and the avowed mode of conducting that war, as detailed in the orders of Gen. Woll, and the previous decree of the Provisional President; also, communicating the views and suggestions of Mr. D., on the important question of annexation; and expressing the desire and expectation of the Executive of his Government, that Texas will continue to "maintain her connection with the cause of annexation, so far, at least, as not to consider it lost, or abandoned, on account of the late action of the Senate of the United States upon it."

The undersigned is directed, by the President, to assure Mr. Donelson, in reply, that the existing relations between the United States and Texas, so far as the subject of annexation is concerned, will not be affected by any opposing or unfavorable action on the part of the Executive of the latter. But, in receiving this assurance, Mr. Donelson cannot but perceive that the result, in relation to annexation, may depend upon causes over which the President can exert little or no control. Although the popular wish and feeling of Texas, have heretofore been frankly and warmly expressed, by her citizens, in favor of the measure, yet Mr. D. cannot have failed to perceive that the strength and ardor of that wish has been necessarily, in some degree, diminished by the delay and apparent defeat of the measure, by the rejection of the late treaty, by the Senate of the United State.— Still, as the measure, in the opinion of Mr. Donelson, is not lost, but destined to a speedy consummation, so far as the action of the United States can effect it, the undersigned trusts that the doubts and disappointment experienced by the people of Texas, necessarily occasioned by the circumstances alluded to, will not have ripened into a general or insurmountable opposition to the measure, before the consummation so confidently anticipated by Mr. D.

The undersigned is instructed, by the President, to express his unqualified admiration of the elevated spirit of philanthropy, pervading the communication of Mr. Donelson; and

of the active friendship manifested by the President of the United States, towards this Government, in his solemn protest and measures of opposition against the barbarous mode in which Mexico has avowed her intention to prosecute the war upon Texas.

The undersigned avails himself of the occasion, to renew to Mr. Donelson, the assurances of the distinguished consideration with which he has the honor to be

His most faithful and obedient servant,

EBEN'R ALLEN.

The report was unanimously adopted.

On motion of Senator McCrearey, five hundred copies of the report and accompanying documents were ordered to be printed.

Senator Lawrence, Chairman of the committee on the Judiciary to whom was referred a bill to be entitled an act to amend the several acts granting donation land to immigrants, reported the same back to the Senate, with the following amendment, and recommended its passage :

In section second, fourth line, strike out the words "or otherwise ;"

Also, a bill to be entitled an act to alter the time of holding the district court in Liberty county, and for other purposes, reported the same back to the Senate, with the following amendment, and recommend its passage :

Strike out "second," and insert "first" in fourth line of the first section ;

Also, a bill to be entitled an act relating to security of costs in the district courts, reported the same back to the Senate, and recommend its passage ;

Also, a bill to be entitled an act amendatory of an act to provide for the establishment and maintenance of peace, and to regulate friendly intercourse with the Indians, approved Jan. 14, 1843, with instructions, &c., reported the same back to the Senate, and recommend the passage of the bill with the following amendments :

Insert the words "or possessor" after the word "owner" in 11th line of section third ;

Also, add the following section :

"Section 4. *Be it further enacted*, That so much of the 14th section of the above recited act, approved Jan. 14th,

1842, as provides that any person violating the provisions of said section shall be liable therefor to indictment in any county of the Republic; also, the proviso in eighteenth section of the same act, be, and the same are hereby repealed."

Senator Wright, Chairman of the committee on Claims and Accounts to whom was referred a joint resolution for the relief of Adolphus Sterne, reported the same back to the Senate and asked to be discharged from further consideration of the same;

Also, a joint resolution for the relief of Sam Ricker, Jr., reported the same back to the Senate, and recommended its passage;

Also, a joint resolution for the relief of Jarret Menefee, reported that in the opinion of the committee, the financial condition of the country at this time will not admit of further relief in the premises, and asked to be discharged from further consideration of the same.

Senator Roman, Chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 22, 1845. }

*To the Honorable K. L. Anderson,
President of the Senate:*

The joint committee on Enrolled Bills have examined and find correctly enrolled, the following bill:

A bill to be entitled an act granting to settlers on vacant public domain pre-emption privileges, and the same having been signed by the Speaker of the House of Representatives and the President of the Senate, was this day presented to the Executive for his approval.

R. ROMAN, Chairman.

Senator Roman, Chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 22, 1845. }

*To the Honorable K. L. Anderson,
President of the Senate:*

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

A bill to be entitled an act for the protection of the frontier;
 Joint resolution for the relief of Helena Nelson;

A bill to be entitled an act for the relief of Charles B. Stewart, assignee of John Tom;

Also, the amendments to a joint resolution making legitimate a certain person therein named.

R. ROMAN, Chairman.

On motion of Senator McCrearey, the Senate proceeded to the

ORDERS OF THE DAY.

On motion of Senator McCreary, a bill to be entitled an act for the relief of the heirs of Wm. Bryan, deceased, laid on the table yesterday, was taken up and placed with the orders of the day.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a bill to be entitled an act requiring the auditor to audit the claims for provisions, &c., used in the service of the country since 1842, by leave, reported a substitute for the original bill, and recommended its passage: substitute read.

Senator Pilsbury, by leave, introduced a bill to be entitled an act to defray the expenses of the contingent printing of the ninth congress: read first time, rule suspended, read second time and ordered to be engrossed; rule further suspended, read third time and passed.

A bill to be entitled an act supplementary to an act entitled an act to raise a revenue by impost duties, approved the fifth day of February one thousand eight hundred and forty, approved 27th January, 1842, being the special order of the day—

Senator Greer moved to strike out in the fourth line from the word "collected" to the word "the" in the seventh line. Ayes and noes being called for on striking out, stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Parker and Pattillo, 5.

Noes—Senators Caldwell, Kinney, Lawrence, McCrearey, Munson, Pilsbury, Roman and Wright, 8: so the motion was lost.

Senator Greer moved to strike out the word "fifteen" in eighth line of the section.

Ayes and noes being called for on the motion to strike out, stood thus :

Ayes—Senators Greer, Grimes, Kaufman, Kinney, Munson, Parker and Pattillo, 7.

Noes—Senators Caldwell, Lawrence, McCrearey, Pilsbury, Roman and Wright, 6 : so the motion was carried.

Senator Greer moved to strike out the words “sugar and salt” from the second section of the bill.

Ayes and noes being called for on the motion to strike out, stood thus :

Ayes—Senators Greer, Grimes, McCrearey, Parker, Roman and Wright, 6.

Noes—Senators Caldwell, Kaufman, Kinney, Lawrence, Munson, Pattillo and Pilsbury, 7 : so the motion was lost.

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

3 o'clock, P. M.

Senate met ; roll called , quorum present.

The bill regulating impost duties being under consideration—

Senator Greer moved to strike out the third section of the bill.

Ayes and noes called for on the motion, stood thus :

Ayes—Senators Greer, Grimes, Munson, Pattillo and Roman, 5.

Noes—Senators Caldwell, Kinney, Lawrence, McCrearey, Pilsbury and Wright, 6 : so the Senate refused to strike out the section.

Senator Greer moved to strike out the word “theological,” and insert “all” before the word “books” in the third section.

Ayes and noes called for, stood thus :

Ayes—Senators Greer, Grimes, Pattillo and Roman, 4.

Noes—Senators Caldwell, Kaufman, Kinney, Lawrence, McCrearey, Munson, Pilsbury and Wright, 8 : so the Senate refused to strike out.

Senator Greer moved to strike out the word “pig” before the word “iron,” in third section : lost.

Question on the engrossment of the bill—ayes and noes called for, stood thus :

Ayes—Senators Caldwell, Lawrence, McCrearey, Pilsbury, Roman and Wright, 6.

Noes—Senators Greer, Grimes, Kaufman, Kinney, Munson and Pattillo, 6: there being a tie, the President voted in the affirmative, so the bill was ordered to be engrossed.

Senator Kinney, chairman of the committee on Military Affairs, to whom was referred the petition of Augustus Williams, reported a bill for his relief and recommended its passage: bill read first time.

Senator Caldwell moved to take up the joint resolution for the relief of Henry F. Fisher and B. Miller: carried.

Senator Caldwell moved a re-consideration of the vote of yesterday adopting the amendment to the third section of the bill: carried.

The question on the adoption of the amendment, just re-considered, was put and the amendment rejected.

Senator Caldwell offered the following amendment: in third section, seventh line, between the words "resided" and "within" and insert "and cultivate a portion of land within the colony."

Senator Kaufman moved to amend the amendment by striking out the words "a portion," and insert "four acres:" lost.

Ayes and noes being called for on the adoption of the amendment as offered by Senator Caldwell, stood thus:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Munson, Pattillo and Pilsbury, 7.

Noes—Senators Greer, Grimes, Kaufman, Parker and Wright, 5: so the amendment was adopted.

Senator Caldwell moved the passage of the bill to its third reading.

Ayes and noes being called for, stood thus:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Munson, Pattillo and Pilsbury, 7.

Noes—Senators Greer, Grimes, Kaufman, Parker and Wright, 5: so the bill passed to a third reading.

Joint resolution for the relief of Henry Castro and T. Jausaud: read third time.

Ayes and noes called for, on the final passage of the bill, stood thus:

Ayes—Senators Caldwell, Greer, Grimes, Kinney, McCrearey, Munson Pattillo and Pilsbury, 8.

Noes—Senators Kaufman, Parker and Wright, 3: so the bill passed.

Joint resolution for the relief of A. W. Lockett: read second time and ordered to be engrossed.

Report of the committee on Claims and Accounts, recommending the rejection of the petition of John Peter Schatzell: adopted.

On motion of Senator Wright, leave was granted to withdraw the petition and accompanying documents.

Report of the committee on Claims and Accounts, on the petition of Berry & Mason: laid on the table.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, informing the Senate that the House had agreed to their amendments to

A bill to incorporate the Galveston Lyceum;

A joint resolution for the relief of James W. Wauhop;

A bill supplementary to an act defining the duties of the officers of the Treasury Department; and

A bill for the relief of H. P. Bee;

Also, that the House had passed the following bills, and requested the concurrence of the Senate to the same.

Joint resolution for the relief of L. S. Hargous, of the city of Vera Cruz, and others;

Joint resolution for the relief of Basil Dearborn;

Joint resolution for the relief of Jeremiah Latham;

A bill to be entitled an act to incorporate the Brazos Canal Company;

A bill to be entitled an act for the relief of Milton Hicks;

A bill prescribing the routine of military duty, and for other purposes;

A bill to be entitled an act supplementary to an act to establish the eastern boundary line of Rusk county, and for other purposes;

A bill to be entitled an act to establish and incorporate the Victoria College;

A bill to be entitled an act to establish and incorporate the Houston College;

A bill to be entitled an act to charter the Nacogdoches University;

A bill for the benefit of DeKalb College ;

Also, a bill which originated in the Senate, entitled an act to incorporate the town of Huntsville.

A bill to be entitled an act for the relief of Lucy Davis.

Senator Caldwell moved to strike out all after the word "Davis," in seventh line, to the word "and" in tenth line : carried, and bill passed to a third reading.

A bill to be entitled an act for the relief of the heirs of James Garrard, deceased : read third time and passed.

Senator Kaufman, one of the committee on the Judiciary, to whom was referred a bill to be entitled an act supplementary to an act entitled an act to change in part the times of holding the district courts in the fifth and seventh judicial districts, approved Jan. 27th, 1844, reported the same back to the Senate and recommended its passage.

On motion of Senator Kaufman, the resolution of the House of Representatives to adjourn, *sine die*, on the 27th inst. was taken up, and

On motion of Senator Grimes, the resolution was laid on the table.

A bill to be entitled an act for the relief of Howard and Ogden and T. A. Sully—report of the committee on Claims and Accounts, recommending the indefinite postponement of the bill : adopted.

A joint resolution for the relief of the Captain of Ordnance, on its second reading—

Question on the engrossment of the bill, was put and lost : so the bill was rejected.

A bill to be entitled an act to repeal a part of an act approved 5th February, 1842, entitled an act to raise a revenue by direct taxation, approved Jan. 16th, 1840—on its second reading.

Ayes and noes called for on the engrossment of the bill, stood thus :

Ayes—Senators Caldwell, Greer, Grimes, Lawrence, McCrearey, Pilsbury and Roman, 7.

Noes—Senators Kaufman, Munson, Parker, Pattillo and Wright, 5 : so the bill was ordered to be engrossed.

Joint resolution for the relief of M. H. Hardy, on its second reading—

Question on the engrossment of the bill was put and lost .
so the bill was rejected.

A bill to be entitled an act to form the collectoral district of Soda Lake.

Senator Kaufman offered the following amendment : after the word " office " in third line, fourth section, insert " and this act shall take effect from and after its passage, so far as the same relates to the appointment of the collector herein provided for "—adopted : bill read third time and passed.

Joint resolution changing the sessions of the district court in Washington county : read third time and passed.

Joint resolution for the relief of Francis Hughes and others, was, on motion, laid on the table.

A bill to be entitled an act regulating appeals in criminal cases.

Senator Roman moved its reference to the committee on the Judiciary : lost.

Senator Kaufman moved the engrossment of the bill—lost : so the bill was rejected.

Senator Grimes introduced a bill to be entitled an act to regulate license tax, and to provide for the prompt collection of the same : read first time.

Joint resolution for the relief of William Bugg : passed to a third reading.

A bill to be entitled an act to repeal in part and amend an act repealing in part and amending an act entitled an act for the incorporation of the city of Galveston, approved 5th February, 1844 : read second time.

Report of the Finance committee on the petition of the citizens of Huntsville, unfavorable : report adopted.

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

THURSDAY, Jan. 23, 10 o'clock, A. M.

Senate met ; roll called ; quorum present ; Prayer by the Chaplain ; Journals of preceding day read and adopted.

A committee from the House of Representatives, through their chairman, Hon. Tod Robinson, informed the Senate of the

demise of the Hon. Gustavus A. Parker, Representative from the county of Fort Bend; also, that the House had appointed a committee of five, to make suitable arrangements for the burial, and requesting the appointment of a like committee on the part of the Senate, and that the House had adjourned to attend the funeral ceremonies.

Senator McCrearey offered the following resolutions :

Resolved, That the Senate have just heard with deep regret, of the death of the late Honorable Gustavus A. Parker, a member of the House of Representatives, from the county of Fort Bend.

Resolved, That a committee of three be appointed to act in concert with the like committee of the House, to make suitable arrangements for the burial of the said deceased.

Resolved, That the members and officers of the Senate, will wear crape on their left arms for the space of thirty days, as a testimonial of their regard for the memory of the Hon. G. A. Parker, and of their sincere sorrow on account of his demise.

Resolved, That the Senate now stand adjourned to meet at the time appointed by the committee of arrangements to attend the funeral in a body, and that the Secretary of the Senate furnish the widow of the deceased with a copy of these resolutions :

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, transmitting the following bills which had passed the House, and requesting the concurrence of the Senate to the same.

A joint resolution for the relief of Horatio McHanks.

A joint resolution for the relief of Geo. W. Miller ;

A bill for the relief of Abel Morgan ;

A bill to be entitled, an act authorizing G. H. Harrison and Ann C. Harrison to manumit a certain slave.

A bill for the relief of Isabella T. Scott.

A bill to be entitled, an act supplementary to an act creating the county of Rusk, approved 16th January, 1843, and amendatory to an act supplementary to the former, approved January 3, 1844.

A bill to be entitled, an act to allow a defendant to plead a partial failure of consideration.

A bill to be entitled, an act supplementary to an act to open and establish a national road, approved 5th February, 1844.

A bill to be entitled, an act for the benefit of jurors.

A bill to be entitled, an act to prevent administrators, execu-

tors, &c., from or trading for any debt against the estate of their testators, intestates, and for other purposes.

A bill to be entitled, an act supplementary to the several acts relative to direct taxation.

A bill to be entitled, an act to provide for the issuance of patents to assignees.

A bill to be entitled, an act to repeal an act entitled, an act to authorize the President to issue Exchequer bills, and to declare what shall be receivable in payment of taxes, and duties on imposts, approved January 19th, 1842.

Also, that the House had amended a bill from the Senate, to be entitled an act to provide for carrying the public mails from April 1st, 1845, to April 1st, 1846, and establishing routes and rates of postage, &c.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report :

COMMITTEE ROOM, }
Jan. 23, 1845. }

*To the Honorable K. L. Anderson,
President of the Senate:*

The committee on Engrossed Bills have examined and find correctly engrossed, the following bills, to wit :

A bill to be entitled, an act amendatory of an act supplementary to an act, entitled an act to raise a revenue by impost duties, approved 5th February, 1840,—approved 27th January, 1842.

A bill to be entitled, an act to repeal a part of an act approved 5th February, 1842, entitled an act to raise a revenue by direct taxation, approved January 16th, 1840.

A bill to be entitled, an act to defray the expenses of the contingent printing of the 9th Congress.

A bill to be entitled, an act to change the system of assessing and collecting taxes.

The amendments of the Senate to a bill to be entitled an act to repeal an act to authorize the holding of a District Court in two places in Red River county, and for other purposes.

The amendments of the Senate to a bill to be entitled, an act to change in part the time of holding the District Courts in the 7th Judicial District.

A joint resolution for the relief of A. W. Lockett, and the

amendments of the Senate to a bill to be entitled, an act to form the Collectoral District of Soda Lake.

R. ROMAN, Chairman.

Report adopted.

Senator Munson, one of the committee on Claims & Accounts, to whom was referred a joint resolution for the relief of Captain J. C. Hays, reported unfavorably to the resolution, and asked to be discharged from further consideration of the same.

Senator Caldwell, by leave, introduced a bill to be entitled, an act for the relief of John Hamilton; read a first time—rule suspended—read second time.

Senator Parker moved to insert "Commissioner of the General Land Office" in lieu of "Commissioner General of the Land Office." Carried; bill ordered to be engrossed—rule further suspended; read third time and passed.

The President announced Senators McCrearey, Greer and Lawrence, as the committee to act with a like committee of the House to attend to the funeral ceremonies of the Hon. G. A. Parker, deceased.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a bill to be entitled, an act to repeal the 23d section of an act to raise a revenue by direct taxation, reported the same back to the Senate and recommended its passage.

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

3 o'clock, P. M.

Senate met; roll called; there not being a quorum, the Senate adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, Jan. 24, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

A message was received from the President through his Private Secretary S. Z. Hoyle, transmitting a communication in writing, marked "secret."

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 24, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Engrossed Bills have examined and find correctly engrossed the following bills, to wit:

A bill for the relief of John Hamilton; and the amendments of the Senate to a bill for the relief of Henry F. Fisher and B. Miller.

R. ROMAN, Chairman.

Senator Grimes introduced a bill to be entitled, an act to amend an act organizing the Inferior Courts, and defining the powers and jurisdiction of the same, passed 20th December, 1836—and to repeal in part an act organizing Justices' Courts, &c., &c., passed 20th December, 1836; read first time.

Senator Wright introduced a joint resolution to establish the limits of the Mercer Colony; read first time—rule suspended—read second time, and ordered to be engrossed,—rule further suspended,—and on motion of Senator Pilsbury, laid on the table.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a joint resolution for the relief of Eli Chandler and others, reported the same back to the Senate, and recommended its passage.

Also, a bill to be entitled an act relative to tonnage duties, reported the same back to the Senate, and recommended its passage.

Also, a resolution of the Senate, instructing the committee on Finance to report by bill or otherwise, upon the policy of establishing a system of taxation based solely on the assessed value of all property taxed—reported: that the late period of the session at which the resolution was adopted, does not leave it in the power of the committee to bestow upon the subject the consideration which its importance demands at their hands.—The committee are fully satisfied of the justice and expediency of the principle, of its intrinsic value as a basis of assessment of the direct taxes; but for want of the necessary time to perfect the details of such a bill, asked to be discharged from further consideration of the subject.

Also, a bill to be entitled an act defining in part the duty of Assessors of direct taxes, and amending a portion of the law to raise a revenue by direct taxation—reported: that in consequence of a general law covering the same ground, being in the progress of passage, the committee return the same to the Senate for its action.

Also, a bill to be entitled an act supplementary to an act to raise a revenue by direct taxation, approved February 5th, 1842—reported the same back to the Senate for their action.

Also, a joint resolution providing for the admission of theological books into the Republic, free of impost duties—reported the bill back to the Senate, and recommended it to their favorable consideration.

The select committee, Senator Pilsbury chairman, to whom was referred a bill to be entitled an act granting to Augustus Burr the franchise of the ferry at the west end of Galveston Island, reported the following amendments to the bill, and recommend its passage:

Strike out in the 1st section, the word "ten" after the word "of" in the fifth line, and insert "five."

Strike out the 2d section, and substitute the following:

"Section 2d. The authority having jurisdiction over ferries, shall have the right to fix the rate of tolls from time to time, as may seem to them just and equitable; and the power to withdraw the franchise, when in their opinion any abuse or neglect may arise."

On motion of Senator Roman, the Senate went into secret session—doors closed. The doors being opened—

The select committee, Senator Roman chairman, to whom was referred a bill to be entitled, an act requiring the owners of lands in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and marked, have examined the same, and being unable to agree, reported the same back to the Senate, and asked to be discharged from its further consideration.

On motion of Senator Caldwell, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to provide for carrying the mails of the Republic from the first day of April, 1845, to the first day of April, 1846, and to establish rates of postage, mail routes, &c.

On motion of Senator Kaufman, the amendments of the House of Representatives to the bill, were read separately for the action of the Senate, and the following amendments were concurred in :

In route from Fanthorp's to Huntsville, after the word "Rusk" insert "Jacob Shannon's."

In route from Nacogdoches to Marshall, after the word "Henderson" add "Hiram Walker's."

In route from Austin to Columbus, strike out the word "and" after "Miller's," and after the word "La Grange" insert "and Frail's on Cummings' Creek."

In route from Houston to Liberty, strike out all of said route, and insert "from Galveston to Swartwout via Chambersia and Liberty."

After route from Matagorda to Port Caballo, insert "from Port Labaca to Gonzales via Victoria and Cuero."

In route from San Augustine to Marshall, insert "Hilliard's" after "Shelbyville."

In route from Huntsville to Jasper, after "Hooker's," insert "Ratcliff's."

In route from Point Bolivar to Pattillo's, before "Beaumont" insert "David Garner's."

In route from Boston to Fulton, insert "via Mooreville."

Insert in route from Montgomery to Houston, "via Jacob Craft's on Spring Creek."

In route from Independence to Franklin, transpose, and place "Caldwell" before "Dilliard's."

Additional section: "Sec. —. Be it further enacted, That from and after the passage of this act, a post office shall be established at Corpus Christi, and the Post-master at Galveston shall, (when an opportunity may occur,) forward the mail to Corpus Christi, by water; and there shall be collected as postage on all letters so forwarded, five cents, in addition to the postage which should have accrued at the port of Galveston.

And the following amendments of the House to the bill, were rejected .

In route from Nacogdoches to Marshall, strike out "Vannoy's" and insert "Wm. Wooten's."

In route from Columbus to Matagorda, after the word "via" insert "George Thatcher's;" after the word "Preston," strike out "Caney."

In route from "Matagorda to Galveston," after the word "via" insert "Caney, John Sweeney's, Columbia, Brazoria."

In section 2d, strike out all after the word "whatsoever" at the end of the third line, and add, "unless they shall show good and sufficient cause for failure or failures."

"Section —. Be it further enacted, That a mail route is hereby established from Beaumont, in the county of Jefferson, to Jasper in the county of Jasper, by way of Grant's Bluffs; and a mail shall be carried on this route once in two weeks.

A joint resolution for the relief of A. W. Lockett; read third time and passed.

A message was received from the House of Representatives through Jas. H. Raymond, Chief Clerk, transmitting the following bills which had passed the House, and requesting the concurrence of the Senate to the same.

A joint resolution for the relief of Chas. B. Snow;

A joint resolution for the relief of Charles Power;

A joint resolution for the relief of Alexander Somervell;

A joint resolution for the relief of James Morgan;

Also, that the House had reconsidered the vote, and refused to concur in the amendments of the Senate to a joint resolution for the relief of J. C. Neill.

A bill to be entitled, an act to repeal a part of an act, approved 5th February, 1842, entitled an act to raise a revenue by direct taxation, approved January 16th, 1840, on its second reading—on motion, laid on the table.

A bill to be entitled, an act to change the system of assessing and collecting taxes; on motion, made the special order of the day for 3 o'clock.

A bill to be entitled, an act amendatory of an act supplementary to an act, entitled an act to raise a revenue by impost duties, approved 5th day of February, 1840—approved 27th January, 1842.

On motion of Senator Kaufman, Senator Parker was excused from attendance in the Senate.

Senator Kaufman moved a call of the Senate. Carried, and Sergeant-at arms despatched for absent Senators.

Senator McCrearey moved a suspension of the call. Lost.

Sergeant-at-arms returned with absent Senators.

On motion, further call suspended.

Senator Pattillo moved to fill the blank in the 1st section, with "first day of March eighteen hundred and forty-six."

The Ayes and Noes called for, and stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Kinney, Munson, and Pattillo—6.

Noes—Senators Caldwell, Lawrence, McCrearey, Pilsbury, Roman and Wright—6.

There being a tie, the President of the Senate voted in the affirmative, so the motion was carried.

Senator Kaufman offered the following amendment:

Strike out "hereafter" in sixth line, and insert "thereafter."

Adopted.

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

Ayes—Senators Caldwell, Greer, Grimes, Kaufman, Kinney, Lawrence, McCrearey, Munson, Pattillo, Pilsbury, Roman and Wright—12.

So the bill passed.

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

3 o'clock, P. M.

Senate met; roll called; quorum present.

Senator Lawrence, by leave, introduced a joint resolution explanatory of an appropriation, made by an act making appropriations for the support of the Government for the year 1842, approved 3d February, 1842; read first time—rule suspended—read second time, and referred to committee on Finance.

Senator Munson, by leave, introduced a bill to be entitled, an act for the relief of Calvin Bowles, D. Dawson and others; read first time—rule suspended—read second time, and referred to committee on Claims and Accounts.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 24, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Engrossed Bills, have examined and find correctly engrossed the following bill, to wit:

A joint resolution to establish the limits of the Mercer Colony.

R. ROMAN, Chairman.

On motion of Senator Kinney, a joint resolution for the relief of Francis Hughes and others, was taken up and placed with the orders of the day.

A bill to be entitled, an act to change the system of assessing and collecting taxes, being the special order of the day for 3 o'clock; read third time and passed.

A message was received from the House of Representatives through Jas. H. Raymond, Chief Clerk, transmitting a bill to be entitled an act making an appropriation for the support of the Government for the year 1845. Also, that the House had passed a bill which originated in the Senate, for the protection of the frontier, with amendments.

On motion of Senator Kaufman, the bill making an appropriation for the support of the Government for the year 1845, was taken up, and read first time.

On motion of Senator Kaufman, a joint resolution for the relief of J. C. Neill, was taken up, and on motion, a committee of conference was appointed on said bill.

Senators Kaufman, Caldwell and Lawrence, were appointed said committee, to act with a like committee requested on part of the House.

On motion of Senator Kinney, a bill to be entitled, an act for the protection of the frontier, with the amendments of the House, was taken up.

In section 1st, after the word "private," strike out "\$20" and insert "\$24." Ayes and Noes were called for on the concurrence of the amendment, and stood thus:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey and Roman—5.

Noes—Senators Greer, Grimes, Kaufman, Munson, Pattillo, Pilsbury and Wright—7.

So the Senate refused to concur.

Second amendment.—In same section, after the words "forage and subsistence," insert "horse-shoeing and medicines."

The Ayes and Noes were called for and stood thus:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey and Roman—5.

Noes—Senators Greer, Grimes, Kaufman, Munson, Pattillo, Pilsbury and Wright—7.

So the Senate refused to concur.

Third amendment.—Same section, after the word "Lieutenant," strike out "\$30" and insert "\$40."

Ayes and Noes were called for and stood thus:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey and Roman—5.

Noes—Senators Greer, Grimes, Kaufman, Munson, Pattillo, Pilsbury and Wright—7.

So the Senate refused to concur.

Fourth amendment.—In section 2d, after the words “forage and ammunition,” insert the words “horse-shoeing and medicines.”

Question on the concurrence was put and lost. So the Senate refused to concur.

Joint resolution for the relief of Capt. J. C. Hays, and the report of committee on Claims and Accounts—on motion of Senator Lawrence, the report was laid on the table, and the bill referred to a select committee consisting of Senators Lawrence, Caldwell and Pilsbury.

Senator Pilsbury, by leave, introduced a bill to be entitled, an act relating to pilotage of vessels entering the port of Brazos; read first time—rule suspended—read second time, and ordered to be engrossed,—rule further suspended; read third time and passed.

On motion of Senator Kinney, a joint resolution for the relief of Henry F. Fisher and B. Miller, was taken up.

The Ayes and Noes were called for on the final passage of the bill and stood as follows:

Ayes—Senators Caldwell, Kinney, Lawrence, McCrearey, Munson, Pattillo and Pilsbury—7.

Noes—Senators Greer, Grimes, Kaufman, Roman and Wright—5. So the bill passed.

A bill to be entitled, an act for the relief of Augustus Williams; report of the committee adopted, and bill ordered to be engrossed.

A bill to be entitled, an act supplementary to an act entitled an act to change in part the times of holding the District Courts in the 5th Judicial District, approved Jan. 27th, 1844; passed to third reading.

A bill to be entitled, an act requiring the Auditor to audit claims for provisions, &c., used in the service of the country since 1842; report of committee on Finance recommending substitute, read, and bill and substitute laid on the table.

A bill to be entitled, an act to amend the several acts granting donations of lands to emigrants; amendments of the Judiciary committee adopted, and bill ordered to be engrossed.

A joint resolution for the relief of Wm. Bugg; read third time and passed.

A bill to be entitled, an act for the relief of Lucy Davis; read third time and passed.

A bill to be entitled, an act to authorize Levi A. McLaughlin to establish a ferry; read second time.

Senator Grimes moved to strike out the word "exclusive" in the first section of the bill. Carried.

On motion of Senator Greer, the bill was laid on the table until the first of March next.

A joint resolution for the relief of Mary Chase; read second time, and referred to the committee on Claims and Accounts.

A joint resolution for the relief of Daniel R. Jackson; read second time and referred to the committee on Claims and Accounts.

A joint resolution for the relief of the heirs of Wm. Bryan; passed to a third reading.

A joint resolution for the relief of Sam Ricker, jun.,—on second reading—

Senator Greer offered the following amendment:

Insert after the word "sums" and before the word "as" in 3d section, "not less than \$50."

Adopted, and bill passed to third reading.

On motion of Senator Munson, a bill to be entitled an act to incorporate the Texas Land Company, was taken up—and report of select committee recommending a substitute for the original bill.

Senator Caldwell offered the following amendment:

Strike out all after the word "provided" in the 2d section.

Adopted.

On motion of Senator Greer, the bill was made the special order of the day for 3 o'clock to-morrow.

A bill to be entitled, an act to change in part the times of holding the District Courts in the 7th Judicial District; read third time and passed.

A bill to be entitled, an act to repeal an act authorizing the holding of a District Court in two places in Red River county and for other purposes; read third time and passed.

A bill to be entitled, an act amendatory of an act to provide for the establishment and maintenance of peace, and to regulate friendly intercourse with the Indians, approved 14th January, 1843,—amendments as reported by the Judiciary committee,

adopted, and bill ordered to be engrossed—rule suspended—read third time and passed.

A bill to be entitled, an act to repeal in part and amend an act repealing in part, and amending an act, entitled an act for the incorporation of the city of Galveston, approved February 5th, 1844; read third time and passed.

Joint resolution for the relief of Francis Hughes and others; read second time.

Senator Greer moved to insert the name of Henry W. Augustine, in the bill. Carried, and bill ordered to be engrossed.

Senator Roman moved to suspend the rule. Lost.

Joint resolution for the relief of Adolphus Sterne; passed to third reading.

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

7 o'clock, P. M.

Senate met; roll called; a quorum present.

A bill to be entitled, an act relating to the security of costs in District Courts; read a second time, and ordered to be engrossed.

A bill to be entitled, an act to alter the time of holding the District Court in Liberty county, and for other purposes—on its second reading—on motion of Senator Lawrence, laid on the table.

A bill to be entitled, an act for the relief of Charles B. Stewart, assignee of John Tom, read third time and passed.

A joint resolution for the relief of Helena Nelson; read third time and passed.

A bill to be entitled, an act supplementary to an act creating the county of Rusk; approved 16th January, 1843, and amendatory to an act supplementary to the former, approved 3d January, 1844; read first time—rule suspended—read second time and referred to committee on the Judiciary.

A bill to be entitled, an act to allow a defendant to plead a partial failure of consideration; read first time.

A bill to be entitled, an act supplementary to an act to open and establish a National Road, approved 5th February, 1844; read a first time.

A bill to be entitled, an act for the benefit of jurors; read first time.

A bill to be entitled, an act to prevent administrators, execu-

tors, &c., from, or trading for any debt against the estate of their testators, intestates, and for other purposes; read first time.

A bill to be entitled, an act supplementary to the several acts relative to direct taxation; read first time.

A bill to be entitled, an act to provide for the issuance of patents to assignees; read first time.

A bill to be entitled, an act to repeal an act entitled an act to authorize the President to issue Exchequer Bills, and to declare what shall be received in payment of taxes, and duties on imports, approved January 19th, 1842; read first time.

Joint resolution for the relief of Horatio M'Hanks; read first time.

A joint resolution for the relief of George W., Charles, and A. H. Sevier; read first time.

A joint resolution for the relief of George W. Miller; read first time.

A bill for the relief of Abel Morgan; read first time.

A bill for the relief of Isabella T. Scott; read first time.

A bill to be entitled, an act authorizing G. H. Harrison and Ann C. Harrison to manumit a certain slave; read first time.

A bill for the benefit of De Kalb College; read first time.

A bill to be entitled, an act to regulate license tax, and to provide for the prompt collection of the same; read first time—rule suspended—read second time and referred to the committee on the State of the Republic.

A message from the House of Representatives, through Mr. Benj. F. Hill, transmitting a bill to be entitled an act re-organizing the General Land Office.

A bill to be entitled, an act to amend an act, entitled, an act to incorporate the Brazos Canal Company; read first time—rule suspended—read second time; rule further suspended—read third time and passed.

A bill to be entitled, an act to charter the Nacogdoches University; read first time.

A bill to be entitled, an act to establish and incorporate Houston College; read first time.

A bill to be entitled, an act to establish and incorporate Victoria College; read first time.

A bill to be entitled, an act supplementary to an act, to establish the eastern boundary line of Rusk county, and for other purposes; read first time—rule suspended; read second time,

and referred to a select committee consisting of Senators Kaufman, Caldwell and Greer.

A bill prescribing the routine of military duty, and for other purposes; read first time.

A bill to be entitled, an act for the relief of Milton Hicks; read first time—rule suspended; read second time, and referred to a select committee consisting of Senators Pilsbury, Lawrence and Pattillo.

A joint resolution for the relief of Jeremiah Latham; read first time—rule suspended; read second time, and referred to committee on Public Lands.

Joint resolution for the relief of Basil Dearborn; read first time.

A joint resolution for the relief of L. S. Hargous of the city of Vera Cruz, and others; read first time—rule suspended; read second time and referred to committee on Finance.

A joint resolution for the relief of Jarrett Menefee—on its second reading, Senator Greer moved to strike out the words “from ten to” in seventh line, 1st section.

The Ayes and Noes being called for on the amendment, stood as follows:

Ayes—Senators Greer, Grimes, Kaufman, Pattillo, Pilsbury and Roman—6.

Noes—Senators Caldwell, Kinney, Lawrence, Munson and Wright—5.

So the amendment was adopted.

Senator Kaufman moved to add after the word “dollars” in seventh line, “and one draft of ten dollars.”

Adopted—and bill passed to third reading.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled, an act to reduce the annual compensation of certain officers of Government, by leave, reported the same back to the Senate, with the following amendments:

In section 1st, sixth line, strike out all after the word “dollars” to the words “Chargé d’Affaires” in the eleventh line; and after the word “outfit” in twelfth line, to the words “Chief Clerk” in fifteenth line.

A joint resolution for the relief of Charles B. Snow; read first time—rule suspended; read second time.

Senator Caldwell offered the following two sections as an amendment to the bill:

“Section 2. Be it further resolved, That as Lieut. Charles B.

Snow of the Navy, has been tried by a general Court Martial ordered by a joint resolution, approved 5th February, 1844, and the said Court did *not* find him guilty of the charges preferred against him,—that the acquittal of the said Lieut. Snow be, and is hereby *confirmed*, and that the Secretary of War and Marine be, and is hereby ordered to notify him of the same; and that the said Lieut. Snow be, and is hereby considered as standing fair on the rolls at the War and Marine Department.

Section 3. Be it further resolved, That this joint resolution take effect from and after its passage."

On motion, the bill with amendments, were referred to committee on Naval Affairs.

A joint resolution for the relief of Charles Power, read first time; rule suspended—read second time, and referred to committee on Claims and Accounts.

A joint resolution for the relief of Alexander Somervell; read first time—rule suspended—read second time, and referred to committee on Claims and Accounts.

A joint resolution for the relief of James Morgan; read first time—rule suspended; read second time and referred to committee on Claims and Accounts.

A bill to be entitled, an act re-organizing the General Land Office; read first time.

On motion of Senator Greer, the Senate adjourned until tomorrow at 10 o'clock, A. M.

SATURDAY, Jan. 25, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of preceding day read and adopted.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, transmitting the following bills which had passed the House, and requesting the concurrence of the Senate to the same.

A joint resolution for the relief of the Mier Prisoners and others;

A bill to be entitled, an act establishing a mail route therein named;

A joint resolution for the relief of Wm. Lakey;

A bill to be entitled, an act amendatory of an act to establish the Marshall University;

A joint resolution for the relief of C. B. Acklin and C. R. Perry;

A bill to be entitled, an act establishing a certain mail route, and attaching the same to a certain other route;

A bill to be entitled, an act for the appointment of Patrols;

A bill to be entitled, an act for the relief of Frank S. Early;

Joint resolution for the relief of Michael Fox and others;

A bill to be entitled, an act to change in part the time of holding the District Court in the 5th Judicial District;

A bill to be entitled, an act for the incorporation of the Rusk County Academy;

A bill for making an appropriation for the payment of a claim of Messrs. Rawdon, Wright, Hatch & Edson, for engraving;

A bill for the relief of Samuel B. Giles;

A bill supplementary to an act in relation to Common Schools and Academies, and to provide for securing the lands formerly appropriated for the purposes of Education, approved Feb. 5th, 1840—supplementary to an act appropriating certain lands for the establishment of a General System of Education, approved 26th January, 1839;

A bill to be entitled, an act for the incorporation of the town of Paris, the county seat of Lamar county.

A bill to be entitled, an act to incorporate the Matagorda University;

And that the House had passed the following bills, which originated in the Senate:

An act for the relief of Samuel Brooks;

An act to incorporate the town of Huntsville, &c.;

Joint resolution for the relief of H. L. Kinney.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a joint resolution explanatory of an act making appropriations for the support of the Government for the year 1842, approved 3d February, 1842, reported the same back to the Senate for their action.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled an act to regulate license tax, and to provide for the prompt collection of the same, reported the same back to the Senate with the following amendments:

Fill the blanks as follows:—

On Theatricals, &c.	\$50 00
“ Museums, &c.	10 00
“ Wholesale Merchants,	50 00
“ Retail do.	25 00
“ Merchants selling Wines and Liquors, &c.,	20 00
“ Retailers of Liquors, &c.	50 00
“ Billiard Tables, &c.	50 00
“ Nine or Ten Pin Alleys,	25 00
“ Inn or Tavern, in any incorporated city or town,	} 15 00
“ Public Boarding Houses, &c.,	
“ Resturant or Eating House,	10 00
“ Real Estate Agent or Broker,	15 00
“ Money Broker,	20 00
“ Auctioneer,	25 00
“ Hawker and Pedlar,	15 00

Senator Roman, one of the committee, gave notice that he dissented from a portion of the report.

Senator Wright, chairman of the committee on Public Lands, to whom was referred a joint resolution for the relief of Jeremiah Latham, reported the same back to the Senate, and recommended its passage.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred a joint resolution for the relief of Alexander Somervell, reported, and recommended the passage of the same.

Also, to whom was referred an act for the relief of Calvin Bowles, D. Dawson and others, reported the same back to the Senate, and recommended its passage.

Also, to whom was referred a joint resolution for the relief of Jas. Morgan, reported the same back to the Senate, and recommended its passage.

Senator Lawrence, chairman of the Judiciary committee, to whom was referred an act supplementary to an act creating the county of Rusk, approved 16th January, 1843, amendatory to the act supplementary to the former act, approved January 3d, 1843, reported the bill back to the Senate with the following amendments:

Strike out from the word “or” in ninth line, 2d section, to the word “among” in tenth line of same section.

In tenth line, 2d section, strike out the word “there” and insert “shall.”

Senator Lawrence, one of the committee on Naval Affairs, to whom was referred a joint resolution for the relief of C. B. Snow, reported the same back to the Senate and recommended the passage of the bill, with the following amendments:

Add after the word "1844" "and that a sum sufficient to pay the same, is hereby appropriated."

Add "the 2d and 3d sections herewith submitted."

Senator Lawrence, chairman of select committee to whom was referred a joint resolution for the relief of J. C. Hays, reported the same back to the Senate, and recommended its passage.

Senator Pilsbury, chairman of the select committee to whom was referred a bill to be entitled, an act for the relief of Milton Hicks, reported, that the committee have it in evidence, that Milton Hicks came into the country in May, 1835, that he was permanently disabled at the battle of Velasco. That battle, brilliant and decisive as it was, being the harbinger of, rather than the revolution itself, did not, in the eye of the *law*, permit the Board of Travelling Commissioners to confirm the certificate, herewith presented, of the permanent Board.

Hicks was one of those men who were always found at the post of danger. Disabled, he subsequently, in company with thirteen others, fought for nearly two days, two hundred Indians and Mexicans. This gallant band, nearly every man of which had been in many battles of our country, left traces that the fight had continued until every one was slain, except one woman and her child, and but for defending whom, they could easily have retreated.

The bodies of these heroic men were found, "face to the foe, and back to the field." The glory won by their bravery, is a legacy to the country—tears and sorrow the inheritance of their surviving relatives and friends.

The committee respectfully leave the action upon the subject to the Honorable Senate.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 14, 1845. }

To the Honorable K. L. Anderson,

President of the Senate:

The committee on Engrossed Bills have examined and find correctly engrossed the following bills:

A bill to be entitled, an act for the relief of Augustus Williams;

A bill to be entitled, an act to amend the several acts granting donations of land to emigrants;

A bill to be entitled, an act relating to security for costs in the District Courts;

A bill to be entitled, an act relating to pilotage of vessels entering the port of Brazos;

A joint resolution for the relief of Francis Hughes, John C. Baker, Henry Wicks, G. B. Pilant, G. W. Treigen and Henry W. Augustine, who were permanently disabled in the service of the country,—and

A bill to be entitled, an act supplementary to an act to provide for the establishment and maintenance of peace, and to regulate friendly intercourse with the Indians, approved January 14th, 1843.

R. ROMAN, Chairman.

Report adopted.

Senator Greer moved a suspension of the 45th Rule of the Senate, so as to reconsider the vote adopting the report of the committee on Claims and Accounts, on the joint resolution for the relief of Howard & Ogden and T. A. Sully. Carried, and the rule suspended for to-day only.

Senator Greer moved a reconsideration of the vote adopting said report. Carried,—and

On motion, the report was laid on the table, and the Secretary was instructed to ask permission of the House to withdraw the bill for the further consideration of the Senate.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred a joint resolution for the relief of the heirs of Daniel R. Jackson, reported the same back to the Senate, and recommended its passage.

On motion of Senator Wright, a joint resolution relating to the Mercer Colony, was placed with the orders of the day.

Senator Greer moved to take up the resolution of the House to adjourn *sine die*.

Senator Kaufman moved a call of the Senate. Carried.

On motion, further call suspended.

Senator Lawrence offered the following as a substitute for the resolution from the House.

Resolved, with the concurrence of the House of Representatives, the present Congress will close its annual session on Thursday the 30th day of the present month.

Senator Grimes moved to amend, by striking out "Thursday the 30th of the present month," and insert "Saturday the first day of February." Lost.

And on motion, the substitute as offered by Senator Lawrence, was adopted.

Senator Caldwell, by leave, introduced a bill to be entitled, an act to repeal the 5th section of an act establishing the method of trying the right of property levied upon by execution, approved 5th February, 1840; read first time—rule suspended—read second time and ordered to be engrossed; rule further suspended—read third time and passed.

Senator Greer moved to take up the bill making appropriations for the support of Government for the year 1845. Carried,—bill read second time, and referred to the committee on Finance.

On motion of Senator Munson, a bill to be entitled, an act to repeal a certain act therein named, was taken up, on its 2d reading—

On motion, bill ordered to be engrossed; rule suspended—bill read third time and passed.

On motion, the Senate proceeded to the

ORDERS OF THE DAY.

Joint resolution for the relief of Francis Hughes and others; read third time and passed.

Joint resolution, relating to the Mercer Colony; read third time and passed.

Joint resolution for the relief of T. J. Chambers, with amendment of the House, striking out "fifty" and inserting "ten."

The Ayes and Noes being called for on the concurrence of the Senate, stood thus:

Ayes—Senators Caldwell, Kinney, Munson and Wright—4.

Noes—Senators Greer, Grimes, Lawrence, Pattillo, Pilsbury and Roman—6.

So the Senate refused to concur in the amendment.

A bill to be entitled, an act requiring owners of lands in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and marked; read second time.

Senator Kaufman moved to strike out the words "and claiming" in the fourth line of 1st section. Carried.

Senator Kaufman offered the following amendment:

Insert at the end of the 1st section, "Provided, that nothing

herein authorized to be done, shall validate titles not otherwise valid."

Adopted—and bill ordered to be engrossed—rule suspended—

Ayes and Noes called for on the final passage of the bill, and stood thus:

Ayes—Senators Caldwell, Greer, Grimes, Kaufman, Kinney, Lawrence, Munson and Wright—8.

Noes—Senators Pattillo, Pilsbury and Roman—3.

Joint resolution for the relief of the heirs of William Bryan; read third time and passed.

A committee from the House of Representatives, Honorable Tod Robinson chairman, informing the Senate that the House had passed a resolution, to go into an election for Judge of the 6th Judicial District, on Tuesday the 28th inst., and requesting the concurrence of the Senate to the same.

The President of the Senate announced that the Senate were in possession of the bill, entitled a joint resolution for the relief of Howard & Ogden and T. A. Sully.

On motion of Senator Greer, the bill was taken up and referred to a select committee.

Senators Greer, Caldwell and Pilsbury, were appointed said committee.

A bill to be entitled, an act relating to security for costs in the District Courts; read third time and passed.

A bill to be entitled, an act to amend the several acts granting donation lands to emigrants—on its third and final reading—

On motion of Senator Wright, the bill was indefinitely postponed.

A bill to be entitled an act for the relief of Augustus Williams; read third time and passed.

On motion of Senator Lawrence, 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 James H. Raymond, Chief Clerk, transmitting the following bills, which had passed the House.

A bill to be entitled, an act to authorize the appointment of Trustees in certain cases.

A bill to be entitled, an act to incorporate the Baylor University.

A bill to be entitled an act to authorize the Commissioner of the General Land Office to issue patents in certain cases.

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

A bill to be entitled, an act for the relief of Capt. John G. Tod.

A bill to be entitled, an act for the relief of John Gregg.

A bill to be entitled an act for the relief of John Trussell. All of which, originated in the Senate.

Also, that the House had passed the following bills, and requested the concurrence of the Senate to the same:

A bill to be entitled, an act to authorize the erection of a Light House on Galveston Island.

A bill to be entitled, an act to re-organize the Board of County Commissioners for the several counties of the Republic.

A bill to be entitled, an act to establish a Light House at Paso Caballo.

Joint resolution to provide for the organization of Goliad county.

A bill to be entitled, an act for the better security of Customs.

Joint resolution for the relief of Robert Pace.

Joint resolution for the relief of Simpson Halloway.

Joint resolution for the relief of B. J. Thompson.

Also, that the House had appointed a committee of conference, on the bill to provide for the protection of the Frontier, and on the joint resolution for the relief of J. C. Neill, and requested the appointment of a like committee on the part of the Senate.

Senator Kaufman, chairman of select committee to whom was referred a bill to be entitled, an act supplementary to an act, to establish the eastern boundary line of Rusk county, and for other purposes, reported the same back to the Senate with the following amendments, and recommended its passage:

Strike out in the 1st section, all after the word "North" in

tenth line, and insert "to the Sabine river, which said line as herein provided for, shall be and is hereby declared the Eastern Boundary Line of the said county of Rusk, any thing in the act to which this is a supplement to the contrary notwithstanding."

Senator Kaufman moved to take up the bill and report.—
Lost.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred a joint resolution for the relief of Charles Power, reported the same back to the Senate, and recommended its favorable consideration.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report:

COMMITTEE ROOM, }
Jan. 25, 1845. }

To the Honorable K. L. Anderson,
President of the Senate:

The committee on Engrossed Bills have examined and find correctly engrossed, the following bills, to wit:

A bill to be entitled, an act to repeal a certain act therein named; and a bill to be entitled an act requiring owners of lands in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and marked.

R. ROMAN, Chairman.

The special order of the day for 3 o'clock, being a bill to be entitled an act to incorporate the Texas Land Company,

On motion of Senator Kaufman, laid on the table.

Senator Caldwell moved that a committee of conference be appointed on the bill to provide for the protection of the Frontier. Carried.

Senators Wright, Greer and Munson, were appointed said committee.

Joint resolution for the relief of Jarett Menefee; read third time and passed.

A bill to be entitled, an act supplementary to an act, entitled an act to change in part the times of holding the District Courts in the 5th and 7th Judicial Districts, approved Jan. 27, 1844; read third time and passed.

A bill to be entitled, an act to reduce the annual compen-

sation of certain officers of the Government; the amendments of the committee on the State of the Republic, rejected—and bill ordered to be engrossed.

A joint resolution for the relief of Isabella T. Scott; read second time, and passed to third reading.

Joint resolution for the relief of Sam Ricker, jun.; read third time and passed.

Joint resolution for the relief of Adolphus Sterne: read third time and passed.

A bill to be entitled, an act to amend an act organizing the Inferior Courts, and defining the powers and jurisdiction of the same, passed 20th December, 1836; and to repeal in part an act organizing Justices Courts, &c., passed 20th December, 1836; read second time.

Senator Kaufman offered the following amendment:

“Provided, that not more than two Commissioners shall be selected out of the same Captain’s Beat.”

Strike out “October” and insert “September” in seventh line, section 2d.

At the end of section —, add “and that the first election for Commissioners, shall take place on the first Monday of September, 1845.” Adopted.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a bill to be entitled an act making an appropriation for the payment of the outstanding liabilities of the Government incurred for Indian purposes, reported the same back to the Senate and recommended its passage.

A bill to be entitled, an act to reorganize the Land Office, and the report of the joint committee of both Houses,

On motion of Senator Greer, the report was laid on the table, and the bill made the special order of the day for 11 o’clock on Monday.

A bill to be entitled, an act relative to tonnage duties—on its second reading—ordered to be engrossed; rule suspended—read third time and passed.

A bill to be entitled, an act granting to Augustus Burr the franchise of the ferry at the west end of Galveston Island; amendments as reported by select committee adopted, and bill passed to third reading.

Report of the committee on Finance, upon the resolutions instructing said committee, adopted.

A bill to be entitled, an act amendatory of the several acts relative to taxation—on its second reading—on motion of Senator Greer, recommitted to a select committee, consisting of Senators Greer, Grimes and Pattillo.

A bill to be entitled, an act to authorize the admission of theological books free of duty—on its second reading—on motion of Senator Greer, laid on the table.

Senator Greer moved that the Senate stand adjourned until Monday at 9 o'clock, A. M. Lost.

Senator Kaufman moved to adjourn until half past 6 o'clock this evening. Lost.

On motion of Senator Caldwell, the Senate adjourned until Monday at 9 o'clock A. M.

MONDAY, Jan. 27, 10 o'clock A. M.

Senate met; roll called; quorum present; prayer by the Chaplain; journals of the preceding day was read and adopted.

Senator Lawrence presented the memorial of the citizens of Galveston: read, and, on motion of Senator Pattillo, laid on the table.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a joint resolution for the relief of L. S. Hargous, of the city of Vera Cruz, and others, reported the same back to the Senate and recommended its passage, with the following amendments:

Strike out after "drafts," in the second section, fourth line, "upon the Custom House at Galveston;" also, strike out all after the word "cents" in ninth line, second section;

Also, a joint resolution for the relief of Alexander Somervell—reported the same back to the Senate and recommended its passage.

Senator Roman, Chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
 Jan. 27, 1845. }

To the Honorable K. L. Anderson,
 President of the Senate :

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

A bill to be entitled an act to repeal the third section of an act establishing the method of trying the right of property levied upon by execution, approved 3d February, 1840 ;

A bill to be entitled an act to reduce the annual compensation of certain officers of the government ;

A bill to be entitled an act to amend an act organizing the inferior courts and defining the powers and jurisdiction of the same—passed 20th December, 1836, and to repeal in part an act organizing justices courts, &c., passed 20th December, 1836 ; and

A bill to be entitled an act relative to tonnage duties.

R. ROMAN, Chairman.

Senator Roman, Chairman of the select committee to whom was referred a bill to be entitled an act to amend an act incorporating the town of Bastrop, reported the same back to the Senate, and recommended its passage with the following amendment :

Strike out all the first section after the words “to said town,” in fifth line.

Senator Grimes, Chairman of select committee to whom was referred a bill to be entitled an act supplementary to the several acts relative to direct taxation, reported the bill back to the Senate and recommended its passage, with the following amendments :

In the first section, fourth line, strike out all after the word “collected” to “A” in seventh line.

After fourth section, add “provided that persons residing without this Republic who shall have, or may become the owners of neat cattle by heirship, shall be compelled to pay at the rate of one cent per head ;”

In section fifth, first line, strike out from the word “the”

to the word "of," in the second line, so as to read "the county or commissioners' court;"

After fifth section, add "and that the county taxes hereafter levied shall be payable in gold and silver, or Exchequer Bills only, or such county liabilities of the respective counties as the county or commissioners' court may direct—each county or commissioners' court shall have the privilege of giving a preference to one species of claims over another, and if the counties are so heavily involved as to render it impossible to pay its current expenditures, and its existing debt, the latter may be postponed at the discretion of the county or commissioners' court: drafts issued by the Government receivable for direct taxes, shall not be receivable for county taxes."

Senator Kaufman, Chairman of the select committee to whom was referred a bill to be entitled an act to repeal in part an act to amend the existing laws in relation to proceedings in courts of probate, reported the same back to the Senate, and recommended a substitute for the original bill.

Senator Pattillo offered the following resolution:

Resolved, That the Senate concur with the House of Representatives to go into the election of judge of the sixth judicial district on Tuesday the 28th inst., at 11 o'clock, and that a committee be appointed to communicate the same to the Hon. House of Representatives: adopted.

Senators Pattillo and Wright were appointed said committee.

Senator Kaufman, one of the committee to whom was referred a bill to be entitled an act prescribing the mode of proceedings against delinquent collectors and holders of public monies, reported the same back to the Senate and recommended its passage.

Senator Lawrence moved to re-consider the vote refusing to concur in the amendments of the House to a joint resolution for the relief of T. Jefferson Chambers: carried, and the motion to re-consider was laid on the table.

The Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled an act granting to Augustus Burr the franchise of the ferry at the west end of Galveston island: read third time and passed.

Joint resolution for the relief of Isabella T. Scott : read third time and passed.

A bill to be entitled an act making an appropriation for the payment of the outstanding liabilities of the Government, incurred for Indian purposes : passed to a third reading.

A bill to be entitled an act supplementary to an act to raise a revenue by direct taxation : read second time and ordered to be engrossed—rule suspended, read third time and passed.

A message was received from the House of Representatives, through Ja's H. Raymond, Chief Clerk, transmitting the following bills :

A bill to be entitled an act for the relief of John Hamilton ;
Joint resolution making valid all surveys in colonies previous to closing the contracts for the same ;

A bill to be entitled an act to defray the expenses of the contingent printing of the ninth Congress, which originated in the Senate ;

Also, the House had passed, with amendments, a joint resolution to establish the limits of the Mercer colony ;

Also, that the House adhered to their amendments, and had appointed a committee of conference on the bill to be entitled an act to provide for carrying the public mails from the first of April, 1845, to the first of April, 1846, and establishing mail routes, &c., and request the appointment of a like committee on the part of the Senate.

Senators Pattillo, Roman, McCrearey and Pilsbury were appointed said committee.

Joint resolution for the relief of Capt. Eli Chandler and others—on report of committee on Finance—

Senator Munson offered the following amendment :
In second section, fifth line, strike out all after the word "diem," and add, "agreeably to the muster-roll of said spies, which shall be returned by Capt. George B. Erath to the War Department, and approved by said Department :"
adopted, bill read third time and passed.

A bill to be entitled an act defining in part the duties of Assessor of direct taxes, and amending a portion of the law to raise a revenue by direct taxation : on its second reading—

On motion of Senator Pilsbury, laid on the table.

A bill to be entitled an act to regulate license tax, and to

provide for the prompt collection of the same—on report of the committee on the State of the Republic—

Senator Roman moved to strike out “\$20,” as the license on “merchants, selling wines, liquors, &c.,” and insert “\$50:” lost.

Senator Roman moved to strike out “\$50,” as the license on “retailers of liquors,” &c., and insert “\$100:” lost.

Senator McCreary moved to strike out “\$50,” and insert “\$75:” lost.

And the amendments, as recommended by the committee on the State of the Republic, adopted.

Senator Roman offered the following amendment:

Insert, after the word “enacted,” fifth section, first line, “that, from and after the passage of this act, no license tax shall be levied for the use of this Republic:” adopted.

Senator McCreary offered the following amendment:

At the end of first section insert “provided that this license tax shall not be levied on any inn, tavern, or public boarding house in any incorporated town, whose white inhabitants are less than three hundred:” adopted, and bill ordered to be engrossed—rule suspended, bill read third time and passed.

A message was received from the House of Representatives, through Ja’s H. Raymond, Chief Clerk, transmitting the following bills, which had passed the House, and requesting the concurrence of the Senate in the same:

A bill to be entitled an act making Navy Scrip receivable for government dues that had accrued prior to Feb., 1842;

A bill to be entitled an act for the relief of Emanuel Clements;

A bill to be entitled an act for the better security of customs;

A bill to be entitled an act to incorporate the Galveston Guards, city of Galveston;

A bill to entitled an act to endow the Wesleyan College of San Augustine;

Joint resolution for the relief of Leander Westcott, administrator of Lewis Williams;

Joint resolution amending the Constitution;

A bill to be entitled an act to create a body corporate and politic by the name of the Galveston Chamber of Commerce;

A bill to be entitled an act to repeal in part and amend

the 14th section of an act to raise a revenue by direct taxation, approved January 10th, 1844 ;

Also, that the House had passed a bill to be entitled an act to incorporate the Grand Lodge of the Republic of Texas, and other subordinate lodges—being a substitute for the Senate's bill to incorporate the Orphans' Friend Lodge, No. 17;

And a bill to be entitled an act explanatory to the 36th section of the General Land Law, passed Dec. 14th, 1836, as a substitute for the Senate's bill, entitled a joint resolution legalizing the instructions of John P. Borden, late Commissioner of the General Land Office, in regard to government dues on land.

A message was received from the House of Representatives, through Ja's H. Raymond, Chief Clerk, informing the Senate that the House had amended the joint resolution of the Senate to adjourn *sine die*. Strike out "Thursday, the 30th day of the present month," and insert "Monday, the 3d day of February next."

And had passed a bill entitled an act to re-organize the board of county commissioners of the several counties of the Republic.

Senator Wright, chairman of the committee of conference on the part of the Senate, appointed on the bill to be entitled an act for the protection of the frontier, reported that they have agreed to recommend that the House recede from the first and third amendments ; and that the Senate adopt the second amendment, with the following proviso : " Provided, the same shall not exceed ten dollars per month for each person," and to adopt the fourth amendment.

All of which is respectfully submitted, and the concurrence of the two Houses recommended.

On motion of Senator Greer, the report was adopted.

The special order of the day being the bill to re-organize the General Land Office—on its second reading—

Senator Pattillo offered the following amendment, as a substitute for second section :

" Be it further enacted, That there shall be, and is hereby established an office to be styled a Surveyor General's Office, which shall be separate and distinct from the General Land Office : " rejected.

Senator Greer moved to strike out in section second, sixth

line, "by and with the advice and consent of the Senate:" adopted.

Senator Greer moved to strike out "by and with the advice and consent of the Senate" in tenth section: adopted.

Senator Kaufman offered the following amendment:

In section 18th strike out the words, "and that this act take effect and be in force from and after its passage:" adopted.

On motion of Senator Lawrence, the Senate adjourned until half past two o'clock P. M.

Half-past two o'clock, P. M.

Senate met; roll called; a quorum present.

The bill re-organizing the General Land Office being under consideration—

Senator Kaufman offered the following amendment:

"That this act shall take effect from and after the 25th day of March next, except so much as relates to the appointment of a Surveyor-General and Commissioner of Patents, which shall take effect from and after the passage of this act:" adopted.

Senator Wright offered the following amendment:

"Provided, that nothing herein contained, shall be so construed as to prevent the officers contemplated in this act, from the discharge of the duties appertaining to their offices as soon as they may be commissioned." Rejected.

Senator Kaufman moved to strike out the words "laws and" in 18th section. Carried, and bill passed to third reading.

Senator Lawrence, by leave, introduced a joint resolution for the relief of the heirs of Wm. Bryan, deceased; read first time.

Senator Greer, one of the committee of Finance, to whom was referred a bill to be entitled an act making appropriations for the support of Government, reported the same back to the Senate, with the following amendments:

Insert after Chargé d'Affaires, "nine thousand dollars for full pay of salary, outfit and contingents; and any law or parts of laws heretofore in force allowing an outfit to foreign ministers, are hereby repealed."

In paragraph for navy, strike out "eight" in first line, and insert "five."

On motion of Senator Greer, the bill and report were taken up, and the amendment as reported by the committee adopted.

Senator Pattillo offered the following amendment:

After the paragraph for contingent expenses of the War Department, insert "for compensation of Captain of Ordnance, six hundred dollars."

Adopted, and bill passed to third reading.

Substitute of the House to the joint resolution legalizing the instructions of John P. Borden, late Commissioner of the Gen. Land Office, in regard to Government dues on land;

On motion of Senator Kaufman, the substitute was adopted.

Senator Roman, Chairman of committee of conference on the joint resolution for the relief of J. C. Neill, reported that they have agreed to strike out "one hundred" and insert "two hundred." Also, to strike out the "1st day of January" and insert the "10th day of February, 1845;" and respectfully recommend the adoption of the same by the Senate.

On motion, the report was adopted.

Substitute of the House of Representatives to a bill to be entitled, an act to incorporate the Orphans' Friend Lodge No. 17; on motion, the substitute was adopted.

Joint resolution to establish the limits of the Mercer Colony, with the amendment of the House of Representatives—

Add to 1st section "and until said work shall be completed, all surveys made by individuals within said Colony, upon any genuine certificate or Land Warrant, shall be valid."

Question on the adoption of the amendment was put, and lost.

A bill to be entitled, an act to reduce the annual compensation of certain officers of the Government, was, on motion of Senator Caldwell, laid on the table.

On motion of Senator Greer, the bills from the House of Representatives on their first reading, were taken up.

A bill to be entitled, an act to reorganize the Board of County Commissioners for the several counties of the Republic; read first time—rule suspended—read second time, and referred to a select committee consisting of Senators Grimes, Pilsbury and Kaufman.

A bill to be entitled an act to establish a light-house at the port of Paso Caballo: read first time—rule suspended, read second time, and referred to the committee on Naval Affairs.

A bill to be entitled an act to endow the Wesleyan College at San Augustine: read first time—rule suspended, read second time.

Senator Grimes offered the following amendment:

“Be it further enacted, That the Washington Academy be entitled to the benefits of the above act:” rejected, and the bill passed to a third reading.

A bill to be entitled an act to authorize the erection of a light-house at Galveston island: read first time—rule suspended, read second time and referred to the committee on Naval Affairs.

Senator Kaufman; by leave, introduced a bill to be entitled an act to provide for the revision of the civil laws, and for the formation of a criminal code: rule suspended and read second time.

Senator Kaufman offered the following amendment: “as compensation for said services”—adopted.

Senator Caldwell moved the reference of the bill to the committee on the Judiciary: lost, and bill ordered to be engrossed.

A joint resolution to provide for the organization of Goliad county: read first time—rule suspended, read second time—rule further suspended, read third time and passed.

A bill to be entitled an act for the better security of customs: read first time—rule suspended, read second time—rule further suspended, bill read a third time and passed.

Joint resolution for the relief of Robert Pace: read first time—rule suspended, read second time and passed to a third reading.

Joint resolution for the relief of Leander Westcott: read first time.

Joint resolution for the relief of B. J. Thompson: read first time.

Joint resolution to continue in force an act approved February 4th, 1844: read first time—rule suspended, read second time and referred to committee on the State of the Republic.

Senator Kaufman moved to take up the resolution and the amendment of the House, to adjourn *sine die*: carried.

On motion, the Senate concurred in the amendment.

A bill to be entitled an act making Navy Scrip receivable for dues to the Government, that accrued prior to the first of February, 1842: read first time—rule suspended, read second time and referred to the committee on Finance.

A bill to be entitled an act for the relief of Emanuel Clemens: read first time.

A bill to be entitled an act to incorporate the Galveston Guards, Galveston city: read first time.

A bill to be entitled an act to establish a certain mail route therein named: read first time—rule suspended, read second time and referred to a select committee, consisting of Senators Pattillo, Roman, McCrearey and Pilsbury.

A bill to be entitled an act to establish the Marshall University: read first time—rule suspended, read second time and passed to a third reading.

Joint resolution for the relief of C. B. Acklin and C. R. Perry: read first time.

A bill to be entitled an act to establish a certain mail route, and attaching the same to a certain other route: read first time—rule suspended, read second time and referred to a select committee, consisting of Senators Pattillo, Roman, McCrearey and Pilsbury.

A bill to be entitled an act for the appointment of patrols: read first time.

A bill to be entitled an act for the relief of Frank S. Early: read first time.

Joint resolution for the relief of Michael Fox and others: read first time.

On motion of Senator Caldwell, a joint resolution for the relief of Milton Hicks was taken up on its second reading,

Senator Kaufman moved to strike out the preamble: carried, and bill passed to a third reading.

Joint resolution for the relief of Lewis Williams: read first time.

A bill making an appropriation for the payment of the claim of Rawdon, Wright, Hatch and Edson, for engraving: read first time.

On motion of Senator Caldwell, the Senate adjourned until to-morrow 9 o'clock, A. M.

TUESDAY, Jan. 28, 10 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

A message was received from the House of Representatives through Jas. H. Raymond, Chief Clerk, transmitting the following bills:

A joint resolution for the relief of Francis Hughes and others.

A bill to be entitled, an act making the Secretary of the Senate an annual officer.

A bill to be entitled, an act for the relief of Jerome B. Robertson.

A bill to be entitled, an act for the relief of Augustus Williams.

Joint resolution for the relief of Alexander Stephenson.

A bill to be entitled, an act for the relief of the heirs of Thos. R. Townsend, deceased.

All of which, having originated in the Senate, had passed the House of Representatives.

Also, that the House had passed a bill to be entitled, an act to incorporate the Texas Cotton and Woollen Manufacturing Company, and request the concurrence of the Senate to the same.

Senator Pattillo, chairman of committee appointed to wait upon the House of Representatives, and notify them that the Senate had concurred in the resolution to go into the election of Judge of the 6th Judicial District, reported duty performed.

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a bill to be entitled, an act making Navy Scrip receivable for dues to the Government, that accrued prior to the first day of February, 1842, reported the same back to the Senate, and recommended its passage, with the following amendment:

Strike out the "2d section."

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a joint resolution for the relief of the minute men raised under an act approved Feb. 4th, 1841, reported, that a majority of the committee recommend the passage of the bill.

Senator Grimes, chairman of select committee to whom was referred a bill to be entitled an act to reorganize the Board of

County Commissioners for the several counties of the Republic, reported: that as the Senate have passed a bill for the same purposes, with somewhat similar provisions, which renders the passage of this bill unnecessary, and would therefore recommend the rejection of the bill.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 28, 1845. }

*To the Honorable K. L. Anderson,
President of the Senate:*

The committee on Engrossed and Enrolled Bills, have examined and find correctly engrossed the following bills, to wit:

A bill to be entitled, an act to provide for a revision of the Civil Laws, and for the formation of a Criminal Code; and

A bill to be entitled, an act to regulate license tax, and to provide for the prompt collection of the same.

R. ROMAN, Chairman.

Report adopted.

Senator Pattillo, chairman of the committee of conference on the part of the Senate, to whom was referred a bill to be entitled an act to provide for carrying the public mails from April the 1st, 1845, to April 1st, 1846, and establishing routes and rates of postage, &c., made the following report:

That in route No. 2, the Senate recedes; in route No. 4, the House recedes; in route No. 5, the House recedes in part, and adopts the following:

Strike out "Matagorda and Brazoria," and insert "Columbia" in place of "Matagorda;"

That in routes No. 14 and 16, the House recedes; and recommend the adoption of the bill.

On motion of Senator Kaufman, the report was adopted.

Senator Pattillo, chairman of select committee to whom was referred a bill to be entitled an act establishing a mail route therein named, reported the same back to the Senate, and recommended its passage.

Also, to whom was referred a bill to be entitled, an act establishing a certain mail route, and attaching the same to a certain other route, reported the same back to the Senate, and recommended the passage of the same.

Senator Wright offered the following resolution:

Resolved, That the Senate will not receive any new business after this time, and that we will not attend to any business on Monday except the usual matter of adjournment.

Adopted.

On motion of Senator Wright, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act to create a body corporate and politic by the name of the Galveston Chamber of Commerce; read first time; rule suspended—read second time, and referred to committee on the State of the Republic.

Joint resolution amending the Constitution; read first time—rule suspended—read second time, and referred to the committee on the Judiciary.

A bill to be entitled, an act to repeal in part and to amend the 14th section of an act to raise a public revenue by direct taxation, approved Jan. 16th, A. D. 1840; read first time.

Joint resolution for the relief of the Mier Prisoners and others; read first time.

A bill to be entitled, an act to change in part the time of holding the District Courts in the 5th Judicial District; read first time.

On motion of Senator Grimes, the Senate proceeded to the Representative Hall for the purpose of going into an election for Judge of the 6th Judicial District.

Senator Pattillo nominated M. P. Norton,—and C. W. Buckley, William Lawrence and R. T. Smyth, were nominated by members of the House.

The Senate proceeded to vote, and those voting for M. P. Norton were, Senators Greer, Grimes, Kaufman, Munson, Parker, Pattillo and Wright—7.

And those voting for William Lawrence, were, Senators Caldwell, McCrearey, Pilsbury and Roman—4.

The Speaker of the House announced, that neither candidate having received a majority of the votes on joint ballot, there was no election; and the Senate proceeded to a second ballot, when those voting for M. P. Norton were Senators Greer, Grimes, Kaufman, Munson, Parker, Pattillo and Wright—7. Those voting for William Lawrence, were Senators Caldwell, McCrearey, Pilsbury and Roman—4.

The Speaker announced, that there was yet no election, neither candidate having received a majority on joint ballot.

On motion of Senator Caldwell, the Senate returned to their chamber—roll called—quorum present.

A message was received from the President through his Private Secretary S. Z. Hoyle, transmitting the following communication in writing, and accompanying documents:

EXECUTIVE DEPARTMENT,)
Washington, January 28, 1845.)

To the Honorable the Senate:

In compliance with a resolution of the Senate, adopted on the 20th inst., the Executive herewith transmits a communication from the Honorable Secretary of State, *ad interim*, with accompanying documents.

ANSON JONES.

Senator Kaufman moved to adjourn until half past two o'clock. Lost.

On motion of Senator Greer, the accompanying documents were read.

On motion of Senator Kaufman, the communication and accompanying documents were laid on the table, and the committee on contingent printing instructed to enquire and report what the cost will be to print said documents in the National Register.

On motion of Senator Pattillo, 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 for the incorporation of Rusk County Academy; read first time—rule suspended—read second time, and referred to committee on the State of the Republic.

A bill to be entitled, an act for the incorporation of the town of Henderson, in the county of Rusk; read first time—rule suspended—read second time, and referred to the committee on the State of the Republic.

A joint resolution for the relief of William Lakey; read first time—rule suspended—read second time, and referred to the committee on Public Lands—with instructions to examine and report on the claim of Robert K. Goodloe, asking for land, for participation in the battle of San Jacinto.

A bill supplementary to an act in relation to Common Schools and Academies, and to provide for securing the lands formerly appropriated, for the purposes of Education, approved February 5th, 1840, supplementary to an act appropriating certain lands for the establishment of a General System of Education, approved 26th January, 1839; read first time.

A bill to be entitled, an act to incorporate the Matagorda University; read first time—rule suspended—read second time and referred to the committee on the State of the Republic.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, informing the Senate that the House had adopted the report of the committee of conference on the bill to provide for carrying the public mails from the first April, 1845, to the 1st April, 1846, and establishing routes and rates of postage.

Also, that the House had passed a bill to be entitled, an act relative to tonnage duties, which originated in the Senate.

Also, that the House had passed the following bills:

A joint resolution for the relief of Thomas Cox.

Joint resolution for the relief of Post Captain E. W. Moore.

A bill to be entitled, an act to allow Thomas Robinson to adopt a certain child therein named.

A joint resolution for the relief of Susan Parker and Mrs. J. W. Smith.

A joint resolution for the relief of surgeon T. P. Anderson and others.

A joint resolution for the relief of William Bryan.

Joint resolution authorizing the President to appoint two Notaries Public, and request the concurrence of the Senate to the same.

A bill to be entitled, an act to incorporate the town of Paris, in the county of Lamar; read first time.

A bill for the encouragement of learning, &c.; read first time.

Senator Wright moved to take up the bill to be entitled, an act to re-organize the General Land Office. Lost.

A bill for the relief of S. B. Giles; read first time.

An act to incorporate the Texas Cotton and Woollen Manufacturing Company; read first time—rule suspended—read second time, and referred to the committee on Finance.

Joint resolution for the relief of Thomas Cox; read first time.

Joint resolution for the relief of Post Captain E. W. Moore; read first time.

A bill to be entitled, an act to allow Thomas Robinson to adopt a certain child therein named; read first time—rule suspended—read second time; rule further suspended—read third time and passed.

A joint resolution for the relief of Susan Parker and Mrs. John W. Smith; read first time.

A joint resolution for the relief of surgeon T. P. Anderson and others; read first time.

Joint resolution for the relief of William Bryan; read first time.

Joint resolution authorizing the President to appoint two Notaries Public; read first time.

Joint resolution for the relief of Charles B. Snow—amendments of the committee on Naval Affairs, adopted.

Senator Kaufman moved to strike out all after the word "same" in latter part of 2d section.

Carried—and bill passed to third reading.

Joint resolution for the relief of Charles Power—on second reading—

Senator Kaufman moved to strike out all after the word "sums" to the word "which" in 2d section, and insert "not less than \$50." Carried; rule suspended—read third time and passed.

A bill to be entitled, an act to provide for the issuance of Patents to assignees; read second time.

Senator Kaufman offered the following amendments:

In section 1st, fifth line, strike out the word "to" and insert before the word "assignees" the words "in the name of the."—Adopted.

In section 1st, strike out the word "claim" and insert "chain." Adopted.

After the word "transfer" in 1st section, insert "or obligation for title."

Adopted, and bill passed to third reading.

Joint resolution for the relief of the heirs of Daniel R. Jackson, passed to third reading.

On motion of Senator Pattillo, a bill to be entitled, an act to establish a mail route therein named, and attaching the same to a certain other route; and a bill to be entitled an act to establish a certain mail route therein named, were taken up.

A bill to be entitled, an act to establish a mail route, and attaching the same to a certain other route—report of select committee adopted—rule suspended; read third time and passed.

A bill to be entitled, an act to establish a certain mail route therein named—report of select committee adopted; rule suspended—read third time and passed.

Senator Greer moved to take up a Bill to be entitled, an act making an appropriation for the support of Government for the year 1845. Carried.

A bill to be entitled, an act making an appropriation for support of Government for the year 1845—on third reading—Senator Greer offered the following amendment:

In section 1st, eleventh line, add "For pay of Secretary of the Senate, during the recess of Congress, seven hundred dollars." Adopted.

Senator Kaufman offered the following amendment:

Strike out "\$45,000" for Protection of the Frontier. Adopted; bill read third time and passed.

Joint resolution explanatory of an act making appropriations for support of Government for the year 1842, approved 3d February, 1842.

Senator Kaufman offered the following amendment:

After the word "cents," in section 1st, add "out of any moneys in the Treasury not otherwise appropriated." Adopted, and bill passed to third reading.

Joint resolution for the relief of Basil Dearborn; read second time, and referred to the committee on the State of the Republic.

A bill to be entitled, an act making an appropriation for the payment of the outstanding liabilities of the Government, incurred for Indian purposes; read third time and passed.

A bill to be entitled, an act for the relief of L. S. Hargous, of the city of Vera Cruz, and others,—report of the committee on Finance, recommending amendments, adopted, and bill passed to third reading.

A joint resolution for the relief of Capt. J. C. Hays,—report of select committee adopted, and bill passed to third reading.

On motion of Senator Greer, the Senate adjourned until tomorrow at 9 o'clock, A. M.

WEDNESDAY, Jan. 29, 9 o'clock, A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Journals of preceding day read and adopted.

Senator Pattillo, chairman of the committee on Post Offices and Post Roads, made the following report:

The committee on Post Offices and Post Roads, to whom was referred sundry bills and joint resolutions for regulating the mails, mail routes, postages, &c., ask leave to return the same, and be discharged from their further consideration—a general bill having passed both Houses regulating the Post Office Department.

G. A. PATTILLO, Chairman.

Senator Roman, chairman of the joint committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 29, 1845. }

*To the Honorable K. L. Anderson,
President of the Senate:*

The joint committee on Enrolled Bills have examined and find correctly enrolled the following bills:

An act for the relief of Capt. John G. Tod.

An act to incorporate the Baylor University.

An act to authorize the appointment of Trustees in certain cases.

An act for the relief of John Trussell.

An act to authorize and require the Commissioner of the General Land Office to issue Patents in certain cases.

An act for the relief of William Moffitt and others.

An act for the relief of Samuel Brooks.

An act to incorporate the town of Huntsville.

An act supplementary to the several acts regulating impost duties.

An act for the relief of John Gregg.

An act for the relief of H. L. Kinney.

An act for the relief of John Hamilton.

An act to defray the expenses of the contingent printing of the 9th Congress.

An act making valid all surveys in Colonies previous to closing the contracts for the same.

An act to incorporate the Grand Lodge of the Republic of Texas and subordinate Lodges.

An act explanatory of the 36th section of the General Land Law, passed 14th December, 1837.

An act for the Protection of the Frontier.

The same having been signed by the Speaker of the House

of Representatives and the President of the Senate, have this day been submitted to the Executive for his approval.

R. ROMAN, Chairman.

Adopted.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill for the incorporation of the Rusk county Academy, reported the same back to the Senate, and recommended that the "fifteenth section" of the bill be stricken out.

Also, a bill to create a body politic and corporate, by the name of the Galveston Chamber of Commerce, reported the same back to the Senate, and recommended its passage.

Also, a bill for the incorporation of the town of Henderson, in the county of Rusk, reported the same back to the Senate, with the following amendment :

In section 4th, after the word "freeholder," insert the words "or householder ;" and recommend the passage of the bill.

Senator Grimes moved a suspension of the rule which prevented any new business being introduced. Carried.

Senator Grimes, by leave, introduced a bill to be entitled, an act to change the time of holding the Courts in the 6th Judicial District; read first time—rule suspended—read second time, and ordered to be engrossed; rule further suspended—read third time and passed.

A message was received from the House of Representatives, transmitting the following bill :

A bill amendatory of the several acts regulating the sales of the estates of deceased persons and minor heirs, which had passed the House, and requesting the concurrence of the Senate to the same.

Also, had passed the following bill, which originated in the Senate, with an amendment.

A bill to be entitled, an act requiring the owners of lands in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and marked.

Amendments of the House.—Strike out "Goliad" wherever it occurs in the bill.

Also, had refused to pass the following bills, which originated in the Senate.

A bill to be entitled, an act for the relief of Abram Skidmore; and

A bill to be entitled, an act allowing mileage to Sheriffs, Coroners and Constables.

On motion, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to be entitled, an act for the re-organization of the General Land Office.

Senator Greer moved to fill the blank after Surveyor General with "\$1200." Adopted.

For Commissioner of Patents, "\$1200." Adopted.

For Chief Clerk, "\$750." Adopted.

For Translator, "\$800." Adopted.

Senator Kaufman offered the following amendment:

Section —. Be it further enacted, That the amounts appropriated in the General Appropriation Bill for 1845, shall be applied to pay the officers contemplated by this act; and if the same should not be sufficient, the additional necessary amount, be, and the same is hereby appropriated."

Adopted.

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

Ayes—Senators Caldwell, Lawrence, McCrearey, Pattillo, Pilsbury, Roman and Wright—7.

Noes—Senators Greer, Grimes, Kaufman and Munson—4.

So the bill passed.

Senator Greer, chairman in behalf of the majority of the committee on the State of the Republic, to whom was referred an act to incorporate the Matagorda University, reported the same back to the Senate, with the following amendments:

In 8th section, third line, after the word "taxes," insert "for five years."

Strike out the 9th section, and add the following additional section:

"Section —. Be it further enacted, That this charter shall remain and be in force twenty years, subject to renewal by the Congress of the Republic."

Senator Pilsbury, chairman of the committee on Finance, to whom was referred a bill to be entitled, an act to incorporate the Texas Cotton and Woollen Manufacturing Company, reported the same back to the Senate for their action.

Senator Wright, chairman of the committee on Public Lands,

to whom was referred a bill to be entitled a joint resolution for the relief of Wm. Lakey, reported the same back to the Senate, with the following amendment :

“Section 2. Be it further enacted, That the Secretary of War and Marine issue to Robert R. Goodloe a Donation Certificate for six hundred and forty acres of land, on account of his having participated in the battle of San Jacinto, in accordance with the laws on this subject.”

Senator Lawrence moved to suspend the rule prohibiting any new business. Lost.

Senator McCrearey, chairman of the committee on Naval Affairs, to whom was referred a bill to be entitled, an act to authorize the erection of a Light House on Galveston Island, reported the same back to the Senate, and recommended its passage.

Senator Roman moved to place with the orders of the day, a bill to be entitled an act to reduce the annual compensation of certain officers of the Government. Carried.

An act supplementary to an act creating the county of Rusk, approved 16th January, 1843, and amendatory to an act supplementary to the former, approved January 3d, 1844—recommitted to the committee on the Judiciary.

On motion of Senator Kaufman, a bill to be entitled an act prescribing the mode of proceedings against delinquent holders and collectors of public moneys, was taken up.

A bill to be entitled, an act prescribing the mode of proceedings against delinquent holders and collectors of public moneys—on its second reading—ordered to be engrossed—rule suspended—read third time and passed.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report :

COMMITTEE ROOM, }
Jan. 29, 1845. }

To the Honorable K. L. Anderson,
President of the Senate :

The committee on Engrossed and Enrolled Bills have examined and find correctly engrossed, a bill to be entitled, an act to change the time of holding the Courts in the 6th Judicial District.

R. ROMAN, Chairman.

Adopted.

A message was received from the House of Representatives, transmitting the following bills:

A bill to be entitled, an act to provide for the National defence by organizing the Militia.

A bill to be entitled, an act creating the college of Eastern Texas.

Joint resolution admitting Ice free of duty into all the ports of this Republic.

A bill to be entitled, an act to regulate mills and millers.

A bill to be entitled, an act to define more perfectly the Jurisdiction of District Courts.

Joint resolution for the relief of W. B. Goodman.

Joint resolution for the relief of Robert Steel.

Joint resolution for the relief of Arthur Swift and S. Cummings.

Which had passed the House, and requesting the concurrence of the Senate to the same.

An act for the relief of D. Dawson, Calvin Bowles and others, ordered to be engrossed—rule suspended—read third time and rejected.

A bill to be entitled, an act for the revision of the Civil Laws, and for the formation of a Criminal Code; read third time and passed.

Joint resolution for the relief of the Mier Prisoners and others; read second time, and referred to the committee on Finance.

Senator Parker moved to take up a bill to be entitled, an act to charter the Nacogdoches University. Carried.

A bill to be entitled, an act to charter the Nacogdoches University; read second time, and referred to the committee on the State of the Republic.

Joint resolution for the relief of L. S. Hargous, of the city of Vera Cruz, and others.

Senator Caldwell offered the following amendment:

Insert after the word "cents" in 2d section, ninth line, "and a sufficient sum of money is hereby appropriated to satisfy said drafts." Adopted.

The Ayes and Noes being called for on the final passage of the bill, stood thus:

Ayes—Senators Caldwell, Greer, Kaufman, Lawrence, Parker, Pilsbury, Roman and Wright—8.

Noes—Senators Grimes, McCrearey, Munson and Pattillo—4. So the bill passed.

Senator McCrearey, chairman of the committee on Naval Affairs, to whom was referred a bill to be entitled, an act to establish a Light House at Paso Caballo, reported the same back to the Senate, and recommended its passage.

Joint resolution for the relief of Capt. John C. Hays; read third time and passed.

A bill to be entitled, an act to repeal an act entitled, an act to authorize the President to issue Exchequer Bills, and to declare what shall be received in payment of taxes, and duties on imports, approved January 19, 1842; read second time and referred to committee on Finance.

A bill to be entitled, an act supplementary to the several acts relative to direct taxation—on report of select committee, amendments of the committee adopted.

Senator Kaufman offered the following amendment:

Insert "may hereafter accrue" after the word "claims" in — section, — line. Adopted.

On motion of Senator Caldwell, 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 supplementary to the several acts relative to direct taxation, being under consideration,—

Senator Kaufman moved to strike out the 5th section of the bill. Lost.

Ayes and Noes were called for on passing the bill to a third reading, and stood thus:

Ayes—Senators Caldwell, Greer, Grimes, McCrearey, Munson, Parker, Pattillo, Pilsbury and Roman—9.

Noes—Senators Kaufman and Wright—2.

Carried; rule suspended—read third time and passed.

On motion of Senator Caldwell, a bill to be entitled an act to incorporate the Texas Cotton and Woollen Manufacturing Company, was taken up.

A bill to be entitled, an act to incorporate the Texas Cotton and Woollen Manufacturing Company,—

Senator Kaufman offered the following amendment:

At the end of the 7th section, add "and that the right is hereby reserved to the Legislature to repeal this section whenever it may deem it expedient so to do."

Rejected.

Senator Pilsbury offered the following amendment :

Insert in 7th section, 5th line, "machinery for." Adopted.

Senator Pilsbury offered the following amendment :

In section 7th, fifth line, after the word "and," "shall give bond with good and sufficient security, to the collector of the customs, payable in one year: provided, satisfactory proof is not given, that the articles so introduced have been used, in conformity with the provisions of the bill."

Adopted.

Senator Greer moved to strike out the 7th section of the bill.

The Ayes and Noes were called for on striking out—

Senator Lawrence moved that a committee be appointed to wait upon the Senator from San Patricio and receive his vote. Carried.

Senators Caldwell and McCrearey were appointed said committee.

Ayes—Senators Greer, Grimes, Kaufman, McCrearey, Parker, Pattillo and Roman—7.

Noes—Senators Caldwell, Lawrence, Munson, Pattillo and Wright. Senator Caldwell reported that Senator Kinney voted No—6.

So the section was stricken out

Senator Greer offered the following amendment:

Strike out "thirty" and insert "twenty" in 9th section. Lost, and bill passed to third reading.

A message was received from the House of Representatives through Jas. H. Raymond, Chief Clerk, transmitting the following bills which had passed the House :

A bill to be entitled, an act supplementary to an act defining the jurisdiction and powers of the District Courts, approved Dec. 22, 1836.

A bill to be entitled, an act for the benefit of the citizens of the Republic of Texas.

A joint resolution for the relief of John Karner.

A joint resolution for the relief of Edward Teal.

A joint resolution for the relief of E. McLean.

A bill to be entitled, an act encouraging the digesting of the Laws of the Republic of Texas.

A joint resolution for the relief of D. G. Burnett and M. B. Lamar.

A bill to authorize the transportation of Goods coastwise.

A bill to be entitled, an act to extend the power of Constables, and request the concurrence of the Senate to the same.

Senator Greer, chairman of the committee on the State of the Republic, to whom was referred a bill to be entitled, an act to charter the Nacogdoches University, by leave, reported the same back to the Senate, with the following amendments :

In section 13, add the words "five years."

In 19th section, strike out "640 acres" and insert "one league." In same section, after the word "University," insert "with the consent of the corporation of Nacogdoches."

Senator Parker, chairman of the committee on Contingent Printing, reported, that Messrs. Miller & Cushney would print all of the correspondence between the Department of State and Capt. Elliott, for thirty dollars.

On motion of Senator Kaufman, the proposition was accepted by the Senate.

A bill to be entitled an act to repeal in part an act to amend the existing laws in relation to proceedings in Courts of Probate.

Substitute as reported by select committee, adopted.

Senator Wright moved to strike out "six" and insert "twelve" before "months" in 4th section.

Carried, and bill ordered to be engrossed,—rule suspended—read third time and passed.

Senator Roman moved to take up a bill to be entitled, an act to repeal a part of an act approved 5th February, 1842, entitled an act to raise a revenue by direct taxation, approved January 16, 1840. Carried.

A bill to be entitled, an act to repeal a part of an act, approved 5th Feb., 1842, entitled an act to raise a revenue by direct taxation, approved 16th Jan., 1840—

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

Ayes—Senators Caldwell, Greer, Grimes, Kaufman, Lawrence, McCrearey, Pilsbury and Roman—8.

Noes—Senators Munson, Parker, Pattillo and Wright—4.

So the bill passed.

Senator Kaufman moved to reconsider the vote of yesterday, passing to third reading a joint resolution explanatory of an act making an appropriation for support of the Government for the year 1842, approved 3d Feb., 1842. Carried.

Senator Kaufman moved to strike out the amendment adopted yesterday, which reads "out of any monies in the treasury not otherwise appropriated : " carried.

Senator Kaufman moved to insert after the word "cents," in first section, "payable one half in six months, and the other half in nine months:" adopted, and bill ordered to be engrossed—rule suspended, read third time and passed.

A bill to be entitled an act to amend the act incorporating the town of Bastrop: amendments as reported by select committee adopted, and bill ordered to be engrossed—rule suspended, read third time and passed.

A bill to be entitled an act supplementary to an act to establish the eastern boundary line of Rusk county, and for other purposes: report of select committee recommending amendments.

Ayes and noes called for on the adoption, stood thus:

Ayes—Senators Caldwell, Kaufman, McCrearey, Pattillo and Wright, 5.

Noes—Senators Greer, Grimes, Lawrence, Munson, Parker, Pilsbury and Roman, 7: so the report and amendments were rejected and bill passed to a third reading.

A bill to endow the Wesleyan College of San Augustine, on its third and final reading.

Ayes and noes called for, stood thus:

Ayes—Senators Caldwell, McCrearey, Munson and Wright, 4.

Noes—Senators Greer, Grimes, Kaufman, Lawrence, Parker, Pattillo, Pilsbury and Roman, 8: so the bill was rejected.

A bill to be entitled an act amendatory of an act to establish the Marshall University: read third time and passed.

On motion of Senator Grimes, the Senate adjourned until to-morrow, half-past 9 o'clock, A. M.

THURSDAY, Jan. 30, half-past 9 o'clock A. M.

Senate met; roll called; quorum present; Prayer by the Chaplain; Senator Greer, President *pro tem.* in the chair.

Journals of the preceding day read and adopted.

A message was received from the House of Representatives, through Ja's H. Raymond, Chief Clerk, transmitting—

A bill to be entitled an act to change the time of holding

the courts in the sixth judicial district—which originated in the Senate and had passed the House ;

Also, had rejected the Senate's bill to be entitled an act to provide for taking the census of the Republic ;

Also, that the House had disagreed to the third amendment of the Senate, striking out "eight thousand," and inserting "five thousand," for the appropriation for the navy, in the bill to be entitled an act making an appropriation for the support of the Government for the year 1845.

A committee from the House of Representatives appeared and informed the Senate, through their chairman, Hon. John S. Ford, that the House had passed a resolution to go into an election for judge of the sixth judicial district on Saturday next at three o'clock P. M., and request the concurrence of the Senate to the same.

Senator Pilsbury, chairman of the committee on Finance to whom was referred a bill to be entitled an act to repeal an act entitled an act to authorize the President to issue Exchequer Bills, and to declare what shall be received in payment of taxes and duties on imports, approved Jan. 19, 1842, reported the bill back to the Senate, and recommended its passage ;

Also, to whom was referred a joint resolution for the relief of the Mier prisoners and others, having duly considered the same, a majority of the committee recommend the rejection of the bill.

Senator Lawrence, chairman of the Judiciary committee, to whom was referred an act supplementary to an act creating the county of Rusk, approved 16th Jan., 1843, and amendatory to an act supplementary to the former, approved Jan. 3d, 1840, reported the same back to the Senate, with the following amendments :

Strike out from the word "performed," in ninth line of first section, to the word "among," in tenth line of same section ;

In tenth line, first section, strike out the word "there," and insert "shall."

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report :

COMMITTEE ROOM, }
 Jan. 30, 1845. }

*To the Honorable K. L. Anderson,
 President of the Senate:*

The committee on Engrossed and Enrolled Bills, have examined and find correctly engrossed the following bills, to wit:

A bill to be entitled an act prescribing the mode of proceedings against delinquent holders and collectors of public monies, and the amendments of the Senate to a bill for the re-organization of the General Land Office.

A joint resolution explanatory of an appropriation made by an act making appropriations for the support of the Government for the year 1842; and

A bill to be entitled an act incorporating the town of Bastrop.

R. ROMAN, Chairman.

Report adopted.

Senator Roman, chairman of joint committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, }
 Jan. 30, 1845. }

*To the Honorable K. L. Anderson,
 President of the Senate:*

The joint committee on Enrolled Bills have examined and find correctly enrolled, the following bills:

An act for the relief of Augustus Williams;

An act to incorporate the town of Huntsville;

An act to make the Secretary of the Senate an annual officer;

Joint resolution for the relief of Francis Hughes, John C. Baker, Henry Wicks, G. B. Pilant, G. W. Trieghen and Henry W. Augustine, who were permanently disabled in the service of the country;

Joint resolution for the relief of Alexander Stephenson;

An act for the relief of Jerome B. Robertson;

An act for the relief of the heirs of Thomas R. Townsend, deceased;

An act to incorporate the Grand Lodge of the Republic of Texas, and other subordinate lodges;

An act to provide for carrying the public mails from April 1st, 1845, to April 1st, 1846, and establishing routes, rates of postage, &c., and the same having been signed by the Speaker of the House of Representatives and the President of the Senate, were this day presented to the Executive for his approval.

R. ROMAN, Chairman.

Report adopted.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred a joint resolution for the relief of Mary Chase, reported that the committee find the claim to be a just one against the Government; but it is among a class of claims that it would be impossible for Government to pay at this time: therefore, your committee, beg leave to be discharged from a further consideration of the same.

Senator Roman offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to employ an assistant to the Engrossing and Enrolling Clerk for the remainder of the session, who shall receive pay at the same rate as the secretary and clerks of the Senate: adopted.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

Joint resolution for the relief of James Morgan.

Senator Kaufman offered the following amendment:

Strike out "such sums as he may require," and insert "sums not less than \$50:" adopted.

Senator Patillo moved to strike out "or license," in first section: carried, and bill passed to a third reading.

A bill to be entitled an act making an appropriation for the support of Government for the year 1845—the House having refused to concur in the third amendment of the Senate, striking out "\$8,000," and inserting "\$5,000," appropriated for the navy.

On motion of Senator Kaufman, the Senate receded from their amendment.

Joint resolution for the relief of the minute men, raised under an act approved Feb. 4, 1841.

Senator Kaufman moved to lay the report of the committee on the table : lost.

On motion, the report was adopted.

Ayes and noes were called for on passing the bill to its third reading and stood thus :

Ayes—Senators Caldwell, Kinney, Lawrence, Munson and Wright, 5.

Noes—Senators Greer, Grimes, Kaufman, McCrearey, Parker, Pattillo and Pillsbury, 7 : so the bill was rejected.

Senator Lawrence moved to re-consider the vote rejecting the amendment of the House to a joint resolution for the relief of T. Jefferson Chambers : lost.

A bill to be entitled an act making Navy Scrip receivable for dues to the Government that accrued prior to the first of February, 1842—on its second reading : report of the Finance committee, with amendments, adopted, and bill passed to a third reading.

Joint resolution for the relief of Jeremiah Latham : report of committee on Public Lands adopted, and bill passed to a third reading.

Joint resolution for the relief of Alexander Somervell : report of Finance committee adopted, and bill passed to a third reading.

Joint resolution for the relief of Milton Hicks—on its third reading—

Senator Pillsbury moved to strike out “the said” before “Milton,” in first section : carried.

Senator Pillsbury offered the following amendment :

Strike out the words “said certificate” in last line, first section, and insert “his headright certificate, No. 718, issued by the board of land commissioners for Brazoria county :” adopted.

Ayes and noes called for on the final passage, stood thus :

Ayes—Senators Caldwell, Lawrence, Pattillo and Pillsbury, 4.

Noes—Senators Greer, Grimes, Kaufman, McCrearey, Munson, Parker, Roman and Wright, 8 : so the bill was rejected.

Senator Kaufman offered the following resolution :

Resolved, That all bills of a general character shall have

precedence over bills of a private or local character, and shall be first disposed of by the Senate.

Ayes and noes called for on the adoption of the resolution, stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Munson, Parker, Pattillo and Roman, 7.

Noes—Senators Caldwell, Lawrence, McCrearey, Pilsbury and Wright, 5: so the resolution was adopted.

A message was received from the House of Representatives, through Ja's H. Raymond, Chief Clerk, transmitting the following bills which had passed the House:

A bill to be entitled an act incorporating the Trinity University;

A bill to be entitled an act for the improvement of the navigation of the Angelina and Snow rivers, and request the concurrence of the Senate to the same;

Also, that the House had concurred in the amendments of the Senate to a bill for the re-organization of the General Land Office, and to the amendments of the Senate to a joint resolution for the relief of L. S. Hargous of the city of Vera Cruz and others.

A bill to be entitled an act to provide for the issuance of patents to assignees.

Ayes and noes called for on the final passage of the bill, stood thus:

Ayes—Senators Caldwell, Greer, Grimes, Kaufman, Lawrence, McCrearey, Munson, Parker, Pattillo, Pilsbury and Roman, 11.

No—Senator Wright, 1; so the bill passed.

A bill to be entitled an act to establish the eastern boundary line of Rusk county: read a third time and passed.

A bill to be entitled an act to change in part the time of holding the district court in the fifth judicial district: read second time and referred to the committee on the Judiciary.

Senator Kaufman, one of the committee to whom was referred the joint resolution amending the Constitution, reported the same back to the Senate and recommended its passage.

On motion of Senator Caldwell, the joint resolution was taken up.

Joint resolution amending the Constitution passed to its third reading.

A bill to be entitled an act to prevent administrators, executors, &c., from purchasing or trading for any debt against the estate of their testators, intestates, and for other purposes: read second time, and referred to the committee on the Judiciary.

A bill to be entitled an act to re-organize the board of county commissioners for the several counties of the Republic—report of the committee, recommending the rejection of the bill, adopted.

A bill to be entitled an act to authorize the President to appoint two notaries public, passed to a third reading—rule suspended, read third time and passed.

A bill to be entitled an act for the benefit of jurors: read second time.

Senator Greer moved to lay the bill on the table.

Ayes and noes were called for, and stood thus:

Ayes—Senators Greer, Grimes, McCrearey, Munson, Pattillo, Pilsbury, Roman and Wright, 7.

Noes—Senators, Kaufman, Lawrence and Parker, 3: so the bill was laid on the table.

A bill to be entitled an act to repeal in part and to amend the 14th section of an act to raise a revenue by direct taxation, approved January 16th, 1840: read second time, and referred to a select committee consisting of Senators Grimes, Kaufman and Wright.

On motion of Senator Munson, the Senate adjourned until half-past two o'clock P. M.

Half past 2 o'clock, P. M.

Senate met; roll called, quorum present.

A bill for the benefit of De Kalb College, passed to a third reading.

On motion of Senator Caldwell, the joint resolution for the relief of Charles B. Snow was taken up, read third time and passed.

Senator McCrearey presented the petition of Thomas J. Green and Wm. Ryan, in favor of Francis M. Dimond, U. S. Consul at Vera Cruz, which was referred to the committee on Public Lands.

Senator Roman, chairman of committee on Engrossed Bills, made the following report:

COMMITTEE ROOM, }
 Jan. 30, 1845. }

*To the Honorable K. L. Anderson,
 President of the Senate:*

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

The amendment of the Senate to a bill to be entitled an act supplementary to the several acts relative to direct taxation; and

A bill to be entitled an act to amend and alter the laws relating to probate laws, and the settlement of successions;

And, also, the amendments of the Senate to a joint resolution for the relief of James Morgan;

Also, to a bill to be entitled an act making Navy Scrip receivable for dues to the Government that accrued prior to the first of February, 1842;

And, also, to a bill to be entitled an act to provide for the issuance of patents to assignees.

R. ROMAN, Chairman.

A bill to be entitled an act to establish and incorporate the Victoria College: read second time and referred to the committee on the State of the Republic.

A bill to be entitled an act to incorporate the Houston College: read second time, and referred to the committee on the State of the Republic.

A bill to be entitled an act to charter the Nacogdoches University—

First amendment of the committee on the State of the Republic adopted.

Second amendment, Senator Parker moved to amend by striking out "one league," and inserting "one fourth of a league:" adopted.

Third amendment adopted.

Senator Kaufman moved to insert after the word "banking," in 20th section, second line, the words "or any other."

Senator Grimes moved to strike out "50" in 17th section, second line: adopted.

Senator Parker moved to fill the blank with "30: lost.

Senator Kaufman moved to fill the blank with "20:" carried, and the bill passed to a third reading.

On motion of Senator Caldwell, the vote of yesterday passing to a third reading the bill to incorporate the Texas Cotton and Woollen Manufacturing Company was re-considered.

On motion of Senator Caldwell, the bill was taken up.

On motion of Senator Caldwell, the vote of yesterday striking out the seventh section was re-considered.

Senator Pilsbury moved to amend by striking out after the word "machinery" in second line, seventh section, to the word "and," in fifth line, and to insert before the word "keeping" in same line, "machinery for:" adopted.

Senator Kaufman moved to strike out in seventh section the words "the encouragement of said company:" adopted.

Senator Pilsbury moved to strike out "articles," and insert "machinery" in seventh section: adopted.

Senator Kaufman offered the following proviso to the 7th section: "Provided, that the right is hereby reserved to the legislature to repeal this section whenever it may deem it expedient to do so:" adopted.

Senator Caldwell moved to amend the proviso, by inserting after the word "that" the words "after two years:" adopted and bill passed to a third reading.

Senator Munson moved to suspend the rule: lost.

A bill to be entitled an act for the incorporation of the town of Henderson, in the county of Rusk—amendments of the committee adopted.

Senator Kaufman offered the following amendment: "that the eastern boundary line of Rusk be the same as it was previous to the first of December, 1844:" lost, and bill passed to a third reading—rule suspended, read third time and passed.

A bill to be entitled an act to incorporate the Matagorda University—on report of the committee on the State of the Republic, recommending amendments.

First amendment adopted.

Second amendment, striking out the ninth section of the bill,

Ayes and noes were called for and stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Lawrence, Munson and Pattillo, 6.

Noes—Senators Caldwell, Kinney, McCrearey, Parker, Pilsbury, Roman and Wright, 7: so the Senate refused to strike out the section as recommended by the committee.

Senator Caldwell offered the following amendment :

“ Sec. —. Be it further enacted, That the same amount of land shall be allowed to all the other counties in this Republic, which have not heretofore received the same for the endowment of an academy therein.

Ayes and noes were called for, and stood thus :

Ayes—Senators Caldwell, Greer, Grimes, Munson, Pattillo, Pilsbury and Wright, 7.

Noes—Senators Kaufman, Lawrence, McCrearey, Parker and Roman, 5 : so the amendment was adopted.

Senator Roman moved a re-consideration of the vote rejecting the amendment to strike out ninth section : carried.

Senator Roman moved to adopt the amendment of the committee striking out ninth section : carried.

Senator Pilsbury moved to reconsider the vote adopting the amendment offered by Senator Caldwell : carried.

Senator Caldwell, by leave, withdrew the amendment, and bill passed to a third reading.

A bill to be entitled an act to provide for the national defence, by organizing the militia : read first time—rule suspended and read second time.

Senator McCrearey moved the indefinite postponement of the bill.

Ayes and noes were called for and stood thus :

Ayes—Senators McCrearey, Pattillo and Pilsbury, 3.

Noes—Senators Caldwell, Greer, Grimes, Kaufman, Lawrence, Munson, Parker, Roman and Wright, 9 : so the Senate refused to indefinitely postpone.

On motion of Senator Kaufman, the bill was referred to a select committee.

Senators Kaufman, Roman and Caldwell were appointed said committee.

Senator Roman moved to take up a bill to be entitled an act to reduce the annual compensation of certain officers of the Government, and for other purposes : Lost.

On motion of Senator Roman, the Senate adjourned until to-morrow half-past 9 o'clock, A. M.

FRIDAY, January 31, Half
past 9 o'clock, A. M.

Senate met; Senator Greer President *pro tem.* in the chair; roll called; quorum present; Prayer by the Chaplain; Journals of the preceding day read and adopted.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report:

COMMITTEE ROOM, }
Jan. 31, 1845. }

*To the Honorable J. A. Greer,
President of the Senate pro tem.:*

The committee on Engrossed Bills have examined and find correctly engrossed, the amendments of the Senate to a bill to be entitled an act to charter the Nacogdoches University; also, to an act to incorporate the Texas Cotton and Woollen Manufacturing Company; and to a bill to be entitled an act to incorporate the Matagorda University.

R. ROMAN, Chairman.

Report adopted.

On motion of Senator Lawrence, the bill to be entitled an act to incorporate the Texas Cotton and Woollen Manufacturing Company, was taken up.

A bill to be entitled, an act to incorporate the Texas Cotton and Woollen Manufacturing Company, on its third and final reading—

Senator Wright moved to reconsider the vote of yesterday, passing the bill to a third reading. Carried.

Senator Kaufman offered the following amendment to the bill:

“Section —. Be it further enacted, That a refusal or failure of the company hereby created, to give in correctly its property for taxation, or a departure from the objects of its creation, or an exercise of any powers or privileges not herein expressly authorized, shall work a forfeiture of this charter.”

Adopted.

Question on passing the bill to a third reading—the Ayes and Noes being called for, stood thus:

Ayes—Senators Caldwell, Kaufman, Kinney, Lawrence, McCrearey, Munson, Pilsbury and Wright—8.

Noes—Senators Greer, Grimes, Parker, Pattillo and Roman—5.

So the bill passed to a third reading.

Senator Pilsbury moved to suspend the rule, and place the bill on its third and final reading.

The Ayes and Noes were called for and stood thus :

Ayes—Senators Caldwell, Kaufman, Kinney, Lawrence, Munson, Pilsbury and Wright—7.

Noes—Senators, Greer, Grimes, McCrearey, Parker, Pattillo and Roman—6.

It requiring two-thirds to suspend a rule, the motion was lost.

A bill to be entitled, an act requiring the owners of lands in the counties of Refugio, Goliad and San Patricio, to cause their lines to be designated and marked, with the amendment of the House of Representatives, striking out the word "Goliad" wherever it occurs in the bill.

On motion of Senator Kinney, the Senate concurred in the amendment.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, transmitting the following :

A bill to be entitled, an act providing for and regulating arbitrations and references.

A bill to be entitled, an act to regulate license tax, and to provide for the prompt collection of the same, which originated in the Senate, and had passed the House with amendments.

Also, had passed the following bills :

A bill to be entitled an act, to amend an act incorporating the town of Bastrop.

A bill to be entitled an act to amend an act organizing the Inferior Courts, and defining the powers and jurisdiction of the same, passed 20th Dec., 1836, and to repeal in part an act organizing Justices' Courts, &c., passed 20th Dec., 1836.

Joint resolution for the relief of A. W. Lockett.

A joint resolution explanatory of an appropriation made by an act making appropriations for the year 1842, approved 3d February, 1842—which originated in the Senate.

Also, the following bills which had passed the House, and requesting the concurrence of the Senate to the same :

A bill to be entitled, an act to authorize the Auditor to settle the accounts of Hugh S. Hope, sheriff of Harrison county, and Jerry Hood, sheriff of Milam county.

Joint resolution for the relief of R. S. Neighbors.

A bill to be entitled, an act supplementary to an act to incorporate the Texas Trading and Mining Company.

A joint resolution for the relief of Thomas and Benoni Middleton.

Senator Lawrence offered the following resolution :

Resolved by the Senate, That the Secretary, Clerks, Sergeant-at-arms and Doorkeeper, be allowed a sufficient sum to be paid out of the contingent fund of the Ninth Congress, in addition to pay now allowed by law, so that their pay will amount to five dollars per day.

Senator Kaufman offered the following as a substitute :

Resolved by the Senate, That the per diem pay of the Secretary of the Senate, Clerks, Sergeant-at-arms, and Doorkeeper, be raised one dollar per day each, to be paid out of the contingent fund of the 9th Congress.

Adopted.

Question on the passage of the resolution—

The Ayes and Noes were called for and stood thus :

Ayes—Senators Caldwell, Kaufman, Kinney, Lawrence, Munson, Pilsbury and Wright—7.

Noes—Senators Greer, Grimes, McCrearey, Parker, Pattillo and Roman—6.

So the resolution was adopted.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, transmitting—

A bill to be entitled, an act supplementary to an act to provide for the protection of the frontier, which had passed the House, and requested the concurrence of the Senate to the same.

Also, the following bills, which originated in the Senate .

An act for the relief of Bertholett, Heald & Co.

An act for the relief of Thomas Tomlinson.

An act for the relief of John Robinson.

A joint resolution for the relief of Helena Nelson.

Also, had passed a substitute to the Senate's bill to be entitled, an act amendatory of an act supplementary to an act to raise a revenue by impost duties, approved 5th February, 1840; approved 27th January, 1841.

Also, recedes from their amendments to a joint resolution for the relief of T. Jefferson Chambers; and also recedes from their amendment to a joint resolution to establish the limits of the Mercer Colony.

Senator Kinney moved to take up a bill to be entitled, an act supplementary to an act entitled, an act to provide for the protection of the Frontier. Carried.

A bill to be entitled, an act supplementary to an act, entitled, an act for the protection of the Frontier; read first time—rule suspended—read second time, and passed to third reading; rule further suspended—read third time and passed.

Senator Kaufman moved to suspend the rule prohibiting any new business being introduced, so as to permit him to introduce a bill.

The Ayes and Noes being called for stood as follows:

Ayes—Senators Caldwell, Kaufman, Lawrence and Pattillo—4.

Noes—Senators Greer, Grimes, McCrearey, Munson, Parker, Pilsbury, Roman and Wright—8.

So the Senate refused to suspend the rule.

Senator Parker moved to suspend the rule prohibiting any new business being introduced, so as to permit him to introduce a bill. Carried.

Senator Parker, by leave, introduced a joint resolution requiring the county Surveyor of Houston county, to transcribe the archives of his office—read first time—rule suspended—read second time.

Senator Wright moved to adjourn until 3 o'clock, P. M.—Lost.

On motion of Senator Parker, the bill was referred to a select committee.

Senators Parker, Pattillo and Grimes, were appointed said committee.

Senator Grimes, chairman of select committee, to whom was referred a bill to be entitled, an act to repeal in part and amend the 14th section of an act to raise a revenue by direct taxation, approved 16th January, 1840, by leave, reported:—that they recommended the striking out of the 2d section; and that as the committee could not agree upon the provisions of the 1st section, they therefore asked leave to return the bill to the Senate for their action.

Senator Parker moved to take up the bill to be entitled, an act to charter the Nacogdoches University. Carried.

On motion of Senator Kinney, 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 charter the Nacogdoches University ; read third time and passed.

Senator Kinney moved to suspend the rule prohibiting any new business being introduced. * Lost.

A bill to be entitled, an act providing for and regulating arbitrations and references—returned from the House of Representatives with amendments,

On motion of Senator Kaufman, the amendments were concurred in.

A bill to be entitled, an act to regulate license tax, and to provide for the prompt collection of the same—returned from the House with amendments.

On motion, the amendments were concurred in.

Substitute of the House to a bill to be entitled, an act amendatory of an act supplementary to an act to raise a revenue by impost duties, approved 5th February, 1840—approved 27th January, 1842.

Senator Kaufman moved to strike out "ten" and insert "fifteen" in last line of 2d section of the substitute.

The Ayes and Noes being called for stood thus :

Ayes—Senators Greer, Grimes, Kaufman, Kinney, Munson, Parker and Pattillo—7.

Noes—Senators Lawrence, McCrearey, Pilsbury, Roman and Wright—5.

So the motion was carried.

Senator Kaufman, moved to strike out "nine" and insert "twelve."

The Ayes and Noes being called for, stood thus :

Ayes—Senators Greer, Grimes, Kaufman, Munson, Parker, and Pattillo—6.

Noes—Senators Kinney, Lawrence, McCrearey, Pilsbury, Roman and Wright—6.

There being a tie, the motion was lost.

Senator Kaufman moved to strike out "ten" and insert "fifteen," wherever it occurs in the 3d section.

Ayes and Noes being called for, stood thus :

Ayes—Senators Greer, Grimes, Kaufman, Kinney, Munson, Parker, Pattillo and Wright—8.

Noes—Senators Lawrence, McCrearey, Pilsbury and Roman—4.

So the motion was carried.

Senator Kaufman moved to insert "wines and" in last line, 3d section. Carried.

Question on the adoption of the substitute, as amended by the Senate—Ayes and Noes being called for stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Kinney, Lawrence, McCrearey, Munson, Parker, Pattillo, Pilsbury, Roman and Wright—12.

Noes—0.

So the substitute was adopted.

Senator Wright moved to take up a bill to be entitled an act supplementary to an act to open and establish a National Road, approved 5th February, 1844; bill read second time, and passed to third reading.

A bill for the benefit of De Kalb College; read third time and passed.

A bill to be entitled, an act to incorporate the Matagorda University; read third time and passed.

Senator Pilsbury moved that the Senate accept the invitation of the House to go into an election for Judge for the 6th Judicial District on Saturday at 3 o'clock, P. M.

Senator Grimes moved to lay the motion on the table.

Ayes and Noes were called for and stood thus:

Senator Lawrence was excused from voting.

Ayes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

Noes—Senators Kinney, McCrearey, Pilsbury, Roman and Wright—5.

Carried.

A bill to be entitled, an act making Navy Scrip receivable for Government dues prior to first February, 1842; read third time and passed.

Senator Kaufman moved that all bills on third and final reading, be first disposed of. Carried.

Joint resolution amending the Constitution—on motion of Senator Kaufman, made the special order of the day for 10 o'clock to-morrow.

Senator Lawrence offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to approve the accounts of Joseph Waples and Jas. F. Johnson, for services rendered in the Senate during the present session.

prior to the 30th January, and that the same be paid out of the appropriation for the contingent expenses of the 9th Congress.

Ayes and Noes being called for, stood thus :

Ayes—Senators Greer, Kinney, Lawrence, McCrearey, Munson, Pilsbury and Roman—7.

Noes—Senators Grimes, Kaufman, Parker, Pattillo and Wright—5.

Adopted.

Senator Kinney moved to take up a joint resolution for the relief of the Mier Prisoners and others. Carried.

Joint resolution for the relief of the Mier Prisoners and others—on report of committee on Finance, recommending its rejection—

The Ayes and Noes being called for on the adoption of the report, stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Munson, Parker and Pattillo—6.

Noes—Senators Kinney, Lawrence, McCrearey, Pilsbury and Roman—5.

So the report was adopted.

A bill to be entitled, an act supplementary to an act creating the county of Rusk, approved January 3, 1844—on report of committee on the Judiciary—

First amendment rejected; second amendment adopted, and bill passed to third reading,—rule suspended—read third time and passed.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Jan. 31, 1845. }

To the Honorable J. A. Greer,

President pro tem. of the Senate:

The committee on Engrossed and Enrolled Bills have examined and find correctly engrossed, the amendments of the Senate to a bill to be entitled an act amendatory of an act supplementary to an act, entitled an act to raise a revenue by impost duties, approved 5th Feb., 1840—approved 27th January, 1842.

R. ROMAN, Chairman.

Report adopted.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, transmitting the following bills :

A bill to be entitled, an act to amend the 4th and 5th sections of an act, approved January 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved February 5th, 1840—which originated in the Senate and had passed the House of Representatives.

Also, a joint resolution to establish a Hospital at Galveston—and requesting the concurrence of the Senate to the same.

A bill to be entitled, an act to authorize the Auditor to settle the accounts of Hugh S. Hope, Sheriff of Harrison county, and Jerry Hood, Sheriff of Milam county; read first time—rule suspended—read second time, and referred to committee on Claims and Accounts.

A joint resolution for the relief of A. Somervell; read third time and passed.

Joint resolution for the relief of Jeremiah Latham; read third time and passed.

Joint resolution for the relief of James Morgan; read third time and passed.

Joint resolution for the relief of Robert Pace; laid on the table.

A bill to be entitled, an act to repeal an act, entitled an act to authorize the President to issue Exchequer Bills, and to declare what shall be received in payment of taxes and duties on imports, approved January 19th, 1842.

Senator Kaufman moved to strike out the words "license tax" in fifth line, 3d section. Carried.

Senator Kaufman moved to strike out the 5th section of the bill. Carried.

Senator Kaufman moved to strike out the 6th section of the bill. Carried, and bill passed to its third reading.

Joint resolution for the relief of Daniel R. Jackson; read third time and passed.

A joint resolution for the relief of William Lakey—report of committee on Public Lands, recommending the following amendments :

"Section 2. Be it further enacted, That the Secretary of War and Marine issue to Robert R. Goodloe, a Donation Certificate for six hundred and forty acres of land, on account of his having participated in the battle of San Jacinto, in accordance with the laws on this subject."

Adopted,—rule further suspended; bill read third time and passed.

Senator Parker, chairman of select committee to whom was referred a joint resolution requiring the county Surveyor of Houston county to transcribe the archives of his office, by leave, reported a substitute for the original bill, and recommended its passage.

Report adopted, and bill ordered to be engrossed; rule further suspended; bill read third time and passed.

Senator Kaufman, chairman of select committee to whom was referred a bill, to be entitled an act to provide for the national defence by organizing the militia, by leave, reported the following amendments, and recommended the passage of the bill:

In section 1st, strike out "twenty days" and insert "three months." In section 1st, strike out the words "a sufficient bayonet and belt, six flints, knapsack and cartridge box, with twenty-four suitable ball cartridges." After the word "shot-gun," strike out the words "knapsack, shot-pouch, powder horn, fifty balls suitable to the calibre of his gun, and half a pound of powder." Strike out all after the word "same" in 1st section, in fifth from the last line.

In section 3d, strike out the words "four years" and insert "three years."

At the end of section sixteenth, add, "provided that the pay of the said Adjutant General, shall be dependent on the fines and penalties provided for by this act, and shall only be paid in the event of a sufficiency of such fines to meet said demand."

In section 20th, strike out all of the same to the word "that" in fourth line of said section.

In section 22d, strike out "six months," and insert "three months;" also, strike out "three months" and insert "one month."

Senator Kaufman moved to suspend the rule which requires motions for reconsideration to be made on the following day.—Carried; and

On motion of Senator Kaufman, the vote reconsidering the act for the relief of Calvin Bowles, D. Dawson and others, was reconsidered, and the bill was taken up.

Senator Kaufman moved to strike out the words "and subject to a future appropriation of Congress" in first section.

Carried.

Bill read third time and passed.

A bill for the relief of Abel Morgan; read second time, and passed to third reading.

Joint resolution for the relief of Edward Teal; read first time; rule suspended—read second time; rule further suspended,—read third time and passed.

Senator Parker offered the following resolution:

Resolved by the Senate, That the Rev. William Tryon be allowed three dollars per diem, as Chaplain of the Senate of the 7th Congress, and that he be paid out of the contingent fund of the 9th Congress.

Ayes and Noes called for, and stood thus:

Ayes—Senators Greer, Parker, Pattillo, Pilsbury and Wright—5.

Noes—Senators Kaufman, Kinney, Lawrence, McCrearey, Munson and Roman—6.

So the resolution was rejected.

On motion of Senator Munson, the Senate adjourned until to morrow at 9 o'clock, A. M.

SATURDAY, Feb. 1, 9 o'clock, A. M.

Senate met; roll called; quorum present; Senator Greer President *pro tem.*, in the chair; Prayer by the Chaplain; Journals of the preceding day read and adopted.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, transmitting the following, which had passed the House, and requesting the concurrence of the Senate to the same:

A joint resolution for the appointment of a Commissioner for certain purposes.

Joint resolution for the relief of the heirs of Philip Potter.

A joint resolution for the relief of G. Elley.

A joint resolution for the relief of the heirs of Patsey Lewis, deceased.

Senator Pilsbury informed the Senate, that the Honorable Samuel H. Luckie, Senator elect from the district of Bexar, was present.

Senator Luckie appeared, presented his credentials, took the oath prescribed by the Constitution and his seat.

On motion of Senator Pilsbury, the credentials were referred to the committee on Privileges and Elections.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report:

COMMITTEE ROOM, }
Feb. 1, 1845. }

To the Honorable J. A. Greer,

President pro tem., of the Senate :

The committee on Engrossed Bills, have examined and find correctly engrossed, a joint resolution authorizing the County Courts to cause the field-notes in the county Surveyors' offices, to be transcribed into a well bound book; and also, the amendments of the Senate to a bill to be entitled, an act to repeal an act to authorize the President to issue Exchequer bills, and to declare what shall be received in payment of taxes and duties on imports—approved January 7th, 1842.

R. ROMAN, Chairman.

Report adopted.

Senator Kinney, moved to take up the motion to go into the election of Judge of the 6th Judicial District, which was laid on the table yesterday. Carried.

Motion taken up and adopted.

Senator McCrearey moved that a committee be appointed to inform the House that the Senate accept their invitation to go into an election for Judge of the 6th Judicial District this day, at 3 o'clock. Carried.

Senators McCrearey and Kinney were appointed said committee.

Returned—and reported duty performed.

Senator Lawrence moved to take up the bill to be entitled, an act to incorporate the Texas Cotton and Woollen Manufacturing Company.

Carried.

A bill to be entitled, an act to incorporate the Texas Cotton and Woollen Manufacturing Company—on its third and final reading—

Senator Pattillo moved that a committee be appointed to wait upon the Honorable Isaac Parker, and receive his vote,

Carried, and

Senators Pattillo and Lawrence were appointed said committee.

Returned—and reported duty performed.

The Ayes and Noes called for and stood thus:

Ayes—Senators Kinney, Kaufman, Lawrence, Luckie, Munson, Pilsbury and Wright—7.

Noes—Senators Greer, Grimes, McCrearey, Parker, Pattillo and Roman—6.

So the bill passed.

A message was received from the House of Representatives through Jas. H. Raymond, Chief Clerk, transmitting

A bill to be entitled, an act supplementary to an act entitled an act to raise a revenue by impost duties, approved Feb. 5th, 1840—approved January 27th, 1842, with the amendments of the Senate, which the House had concurred in.

Also, had amended the Senate's bill to be entitled, an act to provide for a revision of the Civil Laws, and for the formation of a Criminal Code.

Also, had passed a joint resolution for the relief of the Wesleyan College, and request the concurrence of the Senate to the same.

Joint resolution amending the Constitution.

ARTICLE I.

Section 1st. The Supreme Court of the Republic, shall consist of a Chief Justice and two Associate Justices, who shall be elected by the Congress on joint ballot of both Houses, and shall hold their offices for the term of six years.

Section 2d. When a vacancy shall occur in the office of Chief or Associate Justices of the Supreme Court, during the recess of Congress, the President of the Republic shall fill the same by appointment until the next session of the Congress.

ARTICLE II.

That the 6th section of the general provisions of the Constitution, is hereby so amended, as to give to Congress the power to pass Naturalization Laws.

The bill being on its third and final reading,—

The Ayes and Noes were called for, and stood thus:

Ayes—Senators Grimes, Kinney, Kaufman, Lawrence, McCrearey, Pilsbury, Roman and Wright—8.

Noes—Senators Greer, Luckie, Munson and Pattillo—4.

So the bill passed.

A bill to be entitled, an act to repeal an act entitled an act to authorize the President to issue Exchequer bills, and to declare what shall be received in payment of taxes and duties on imposts, approved January 19th, 1842—on its third and final reading—

The Ayes and Noes were called for and stood thus:

Ayes—Senators Greer, Grimes, Kinney, Kaufman, Luckie, McCrearey, Munson, Pattillo, Pilsbury, Wright and Roman—11.

Noes—0. So the bill passed.

Senator Wright moved to take up a joint resolution for the appointment of a Commissioner for a certain purpose.

Carried.

Joint resolution for the appointment of a Commissioner for a certain purpose; read first time—rule suspended; read second time.

Senator Pattillo moved the reference of the bill to the committee on the Judiciary.

Ayes and Noes called for on the reference, stood thus:

Ayes—Senators Greer, Grimes, Kaufman, Luckie, McCrearey, Munson, Pattillo, Pilsbury and Roman—9.

Noes—Senators Kinney, Lawrence and Wright—3.

So the bill was referred.

A bill to be entitled, an act to provide for the revision of the Civil Laws and for the formation of a Criminal Code—amendment of the House of Representatives, after the word “Departments” in 2d section, insert “during the year 1845”—adopted.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred a joint resolution authorizing the Auditor to settle the accounts of Hugh S. Hope, Sheriff of Harrison county, reported the same back to the Senate, and recommended its passage, with the following amendment:

In section 2d, third line, after the word “county,” insert “and those of M. H. Hardy of Victoria county, for carrying the mail in the years 1841 and 1842.”

On motion, the bill was taken up.

A bill to be entitled, an act to authorize the Auditor to settle the accounts of Hugh S. Hope, Sheriff of Harrison county—report and amendments adopted; bill passed to third reading—rule suspended—read third time.

The Ayes and Noes being called for, stood thus:

Ayes—Senators Kinney, Kaufman, Luckie, Munson, Pattillo, Pilsbury, Roman and Wright—8.

Noes—Senators Greer, Grimes and McCrearey—3.

So the bill passed.

A bill to be entitled, an act to amend the fourth and fifth sections of an act, approved January 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved February 5th, 1840, with amendment of the House, inserting "Soda Lake" before Red River.

On motion, the amendment was concurred in.

A bill to be entitled, an act to repeal in part and amend the 14th section of an act to raise a public revenue by direct taxation, approved 16th January, 1840—report of select committee adopted, and bill passed to third reading; rule suspended—read third time.

Ayes and Noes being called for, stood thus:

Ayes—Senators Greer, Grimes, Kinney, Luckie, McCrearey, Munson, Pattillo, Pilsbury, Roman and Wright—10.

Noes—Senator Kaufman—1.

So the bill passed.

A joint resolution for the relief of Susan Parker and Mrs. John W. Smith; read second time—rule suspended; read third time and passed.

A bill to be entitled, an act to extend the power and jurisdiction of Constables; read first time—rule suspended; read second time.

Senator Kaufman offered the following amendment:

After the word "process," in 1st section, fifth line, insert "issued by a Justice of the Peace." Adopted.

Senator Grimes moved the reference of the bill to a select committee. Lost.

And bill passed to third reading; rule further suspended—read third time and passed.

Senator Roman, chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Feb. 1, 1845. }

To the Honorable J. A. Greer,

President pro tem. of the Senate:

The committee on Engrossed Bills have examined and find correctly engrossed, the amendments of the Senate to a bill to

be entitled an act to authorize the Auditor to settle the accounts of Hugh S. Hope, Sheriff of Harrison county.

R. ROMAN, Chairman.

Report adopted.

Senator Pattillo moved to reconsider the vote of yesterday, rejecting the joint resolution for the relief of the Mier Prisoners and others. Carried.

On motion, the bill was taken up.

Senator Kaufman moved to strike out the 3d section of the bill. Carried.

Senator ——— moved to strike out the 4th section of the bill. Lost.

Senator Wright offered the following amendment at the end of 4th section :

Add, "also, the men under the command of Col. Jacob Snively, in 1843, on a tour of duty on the Northern boundary of this Republic, in accordance with the muster roll of said Division." Adopted.

Senator Roman, moved to reconsider the vote adopting the amendment. Lost.

Senator Kaufman offered the following amendment :

Strike out the words "in accordance with the pay of Rangers," in second section, and insert "in accordance with the provisions of law for similar services, or in accordance with the promises of Government."

Adopted.

Senator Pattillo moved to adjourn until half past 2 o'clock. Lost.

Senator Kaufman moved to adjourn until 2 o'clock, P. M.—Carried.

2 o'clock, P. M.

Senate met; roll called; quorum present.

A bill for the relief of Abel Morgan; read third time and passed.

A bill for the encouragement of learning, &c.; read first time; rule suspended—read second time and referred to the committee on the Judiciary.

Senator Kaufman, one of the committee on the Judiciary, to whom was referred a joint resolution for the appointment of a Commissioner for a certain purpose, reported the same back to the Senate for their action.

On motion of Senator Wright, the resolution was taken up.
Joint resolution for the appointment of a Commissioner for a certain purpose—on second reading—

Question on passing to third reading—

Ayes and Noes were called for and stood thus:

Ayes—Senators Kinney, Luckie, Munson and Wright—4.

Noes—Senators Greer, Grimes, Kaufman, McCrearey, Pattillo, Pilsbury and Roman—7.

So the bill was rejected.

Joint resolution for the relief of Wm. Bryan; read second time, and passed to third reading.

A bill to be entitled, an act for the incorporation of Rusk county Academy—on report of the committee on the State of the Republic, striking out the 5th section—

Report adopted, and bill passed to third reading; rule suspended—read third time, and passed.

A bill to be entitled, an act to change in part the time of holding the Courts in the 5th Judicial District—passed to third reading; rule suspended—read third time and passed.

On motion of Senator Pattillo, a joint resolution for the relief of Wm. Bryan, was taken up.

Joint resolution for the relief of Wm. Bryan, on its third reading—

On motion of Senator Roman, recommitted to the committee on Claims and Accounts.

Senator Wright, from the committee on the State of the Republic, to whom was referred a bill to be entitled an act to establish and incorporate the Victoria College, reported the same back to the Senate, and recommended its passage, with the following amendment:

Strike out the 15th and 16th sections of the bill, and at the end of the 12th section, after the word "tax," insert "for the term of five years."

Also, to whom was referred a bill to be entitled an act to incorporate Houston College, and recommended its passage, with the following amendment:

Strike out 17th and 18th sections of the bill, and at the end of the 14th section, after the word "tax," insert "for the term of five years."

On motion of Senator Grimes, the bill to be entitled, an act to incorporate Houston College, was taken up.

Report of the committee on the State of the Republic adopted, and bill passed to third reading.

On motion of Senator Roman, the bill to establish and incorporate Victoria College, was taken up.

Report of the committee on the State of the Republic, adopted, and bill passed to third reading.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, transmitting the following bills :

A bill for the relief of Calvin Bowles, D. Dawson and others, which originated in the Senate and had passed the House ; and

A joint resolution for the relief of José Antonio Navarro ; and request the concurrence of the Senate to the same.

A message was received from the House of Representatives, through James H. Raymond, Chief Clerk, informing the Senate that the House had postponed the election of Judge for the 6th Judicial District, and requesting the concurrence of the Senate.

Senate concurred.

Senator Munson moved to take up a bill to be entitled, an act supplementary to an act entitled, an act to incorporate the Texas Trading, Mining and Emigrating Company. Carried.

A bill to be entitled, an act supplementary to an act, entitled an act to incorporate the Texas Trading, Mining and Emigrating Company ; read first time ; rule suspended—read second time.

Senator Kaufman offered the following amendment :

Strike out "thirty years," and insert "as long as the act is in force to which this is a supplement."

Adopted.

After the word "subscriptions," add "for said Company."

Adopted.

Add "Provided, that no further rights or privileges are granted by this Act, than are granted by the act to which this is a supplement."

Adopted—and bill passed to third reading ; rule further suspended—read third time and passed.

Senator Wright moved to take up a bill to be entitled, an act to incorporate the town of Paris in Lamar county.

Carried.

A bill to be entitled, an act to incorporate the town of Paris, in Lamar county ; read second time—rule suspended ; read third time and passed.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report :

COMMITTEE ROOM, }
Feb. 1, 1845. }

To the Honorable J. A. Greer,

President of the Senate pro tem.:

The committee on Engrossed and Enrolled Bills have examined and find correctly engrossed, the amendments of the Senate to an act for the incorporation of Rusk County Academy; also, to a joint resolution for the relief of George W., Charles and A. H. Sevier.

R. ROMAN, Chairman.

Report adopted.

Senator Munson moved to take up the joint resolution for the relief of Geo. W., Charles and A. H. Sevier.

Carried.

A joint resolution for the relief of Geo. W., Charles and A. H. Sevier—on second reading—

Senator Kaufman offered the following amendment:

In 1st section, strike out "is hereby" and insert "may be transferred by the District Court."

Adopted—rule suspended; read third time and passed.

Senator Kinney moved to take up a joint resolution for the relief C. B. Acklin and C. R. Perry.

Carried.

Joint resolution for the relief of C. B. Acklin and C. R. Perry; read second time, and passed to third reading; rule suspended; read third time and passed.

Senator Luckie moved to take up a joint resolution for the relief of G. Elley. Carried.

Joint resolution for the relief of G. Elley; read first time—rule suspended; read second time and passed to 3d reading—rule further suspended; read third time and passed.

Senator Kaufman moved to take up a bill to be entitled, an act supplementary to an act entitled an act to define the powers and jurisdiction of the District Courts, &c.

Carried.

A bill to be entitled, an act supplementary to an act, entitled an act to define the powers and jurisdiction of the District Courts, approved 22d Dec., 1836; read first time—rule suspended—read second time and passed to third reading—rule further suspended; read third time and passed.

Senator Kinney moved to take up a joint resolution for the relief of E. McLean.

Carried.

A joint resolution for the relief of E. McLean; read first time; rule suspended—read second time, and referred to committee on Claims and Accounts.

On motion, leave was granted to T. Jefferson Chambers and Messrs. Cruger & Moore, to withdraw their papers.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, informing the Senate that the House had concurred in the amendments of the Senate, to

A bill to charter the Nacogdoches University.

Joint resolution for the relief of James Lakey.

Joint resolution for the relief of James Morgan.

A bill to incorporate the Matagorda University.

A bill to provide for the issuance of Patents to assignees.

A bill making Navy Scrip receivable for dues to the Government that accrued prior to the first February, 1842.

A bill supplementary to an act creating the county of Rusk, approved 16th Jan., 1843, and amendatory to an act, supplementary to the former, approved January 3, 1844.

A joint resolution for the relief of José Antonio Navarro; read first time; rule suspended; read second time; rule further suspended—read third time and passed.

A bill to be entitled, an act for the improvement of the Angelina and Snow rivers; read first time—rule suspended—and referred to a select committee, consisting of Senators Pattillo, Kaufman and Wright.

A bill to be entitled, an act supplementary to an act, to open and establish a National Road, approved 5th February, 1844; read third time and passed.

Senator Munson moved to take up a joint resolution for the relief of Robert Pace.

Carried.

A joint resolution for the relief of Robert Pace; read third time and rejected.

A joint resolution for the relief of A. Swift and S. Cummings; read first time—rule suspended; read second time and referred to the committee on Claims and Accounts.

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

MONDAY, Feb. 3, 10 o'clock, A. M.

Senate met; Hon. John A. Greer, President of the Senate *pro tem.*, in the chair; roll called; quorum present; Prayer by the Chaplain; Journals of Saturday read and adopted.

Senator Roman, chairman of committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Feb. 3, 1845. }

To the Honorable J. A. Greer,

President of the Senate pro tem.:

The committee on Engrossed and Enrolled Bills, have examined the amendments of the Senate to the following bills, and find them correctly engrossed:

A bill to be entitled, an act supplementary to an act to incorporate the Texas Trading and Mining Company.

A bill to be entitled, an act to establish and incorporate the Victoria College.

A bill to be entitled, an act to establish and incorporate the Houston College.

A joint resolution for the relief of the Mier Prisoners and others.

R. ROMAN, Chairman.

Adopted.

Senator Roman, from the joint committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Feb. 3, 1845. }

To the Honorable J. A. Greer,

President of the Senate pro tem.:

The joint committee on Enrolled Bills have examined and find correctly enrolled the following bills:

A joint resolution for the relief of T. Jefferson Chambers.

A joint resolution for the relief of A. W. Lockett.

A joint resolution to establish the limits of the Mercer contract.

An act to amend an act organizing the Inferior Courts, and

defining the powers and jurisdiction of the same, passed 20th Dec., 1836, and to repeal in part an act organizing Justices' Courts, &c., passed 20th Dec., 1836.

An act requiring the owners of land in the counties of Refugio and San Patricio, to cause their lines to be designated and marked.

An act to regulate license tax, and to provide for the prompt collection of the same.

An act for the relief of Bertholett, Heald & Co., and an act providing for and regulating arbitrations and references.

And the same having been signed by the Speaker of the House of Representatives and the President *pro tem.* of the Senate, were, on the first instant, presented to his Excellency the President for his approval.

R. ROMAN, Chairman.

Senator Wright, chairman of the committee on Claims and Accounts, to whom was referred the joint resolution for the relief of Arthur Swift and S. Cummings, reported the same back to the Senate with the following amendments, and recommended its passage.

First amendment—In section 1st, strike out from the word "the" in the third line, to the word "the" in the fourth line, and insert "County Commissioners' Courts of the counties of Travis and Bexar, or either of them, be, and they are hereby authorized to audit and pay out of any moneys in the County Treasurers' offices of said counties."

Second amendment—In section 2d, strike out from the word "Resolved" in the first line, to the word "that" in the third line.

Same committee, to whom was referred the joint resolution for the relief of Wm. Bryan, reported the same back to the Senate, and recommended its passage,

Same committee, to whom was referred the joint resolution for the relief of E. McLean, reported favorably thereon, and recommended its passage.

Senator Munson, chairman of the committee on Privileges and Elections, to whom was referred the credentials of the Hon. Samuel H. Luckie, Senator elect from Bexar county, reported him duly and constitutionally elected Senator of Bexar county, to fill the unexpired term of the Hon. J. W. Smith, deceased.

Senator Wright, by leave, introduced the following resolution:

Resolved, That seventy-five copies of the contract with Charles Fenton Mercer, for the Colonization of a large tract of country on the waters of the Brazos, Trinity, Red River, and Sabine rivers, and of the several acts referred to therein, as the authority on which it was made, be printed for the use of the members of the Senate.

The Ayes and Noes were called for on its adoption, and stood thus:

Ayes—Senators Kaufman, Kinney, Lawrence, Luckie, McCrearey, Munson, Parker, Pattillo, Pilsbury, Roman and Wright—10.

Noes—Senators Greer and Grimes—2.

Senator Kaufman, by leave, introduced a bill to be entitled an act to extend the Franking privilege to certain persons therein named; read first time—rule suspended; read second time, and ordered to be engrossed; passed to third reading—rule further suspended—bill read third time and passed.

Senator Munson, by leave, introduced a resolution:

Resolved, That with the concurrence of the Honorable the House of Representatives, both Houses of Congress will go into an election of a Judge of the sixth Judicial District, this evening, at 3 o'clock, and that a committee be appointed to invite the House of Representatives to meet the Senate at the Senate Chamber for that purpose, at the hour above named.

Senator Kaufman offered the following amendment:

Strike out all after the word "appointed" and insert "that a committee be appointed to inform the House of the same."

Resolution as amended, adopted.

Senators Munson and Kaufman, were appointed said committee.

Committee returned, and reported duty performed.

A committee from the House of Representatives, Hon. W. H. Bourland chairman, informed the Senate that the House had passed a resolution to go into the election of a Judge for the 6th Judicial District at 12 o'clock, m., this day.

Senator Roman, from the joint committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Feb. 3, 1845. }

To the Honorable J. A. Greer,
President of the Senate pro tem.:

The joint committee on Enrolled Bills, have examined, and find correctly enrolled the following bills:

An act amendatory of an act, supplementary to an act, entitled an act to raise a revenue by impost duties, approved Feb. 3d, 1842.

An act to provide for the revision of the Civil Laws, and for the formation of a Criminal Code.

An act for the relief of Calvin Boales, D. Dawson and others

An act to amend the 4th and 5th sections of an act approved January 27th, 1842, which act was supplementary to an act to raise a revenue by impost duties, approved 5th Feb., 1840.

And an act to change the time of holding Courts in the 6th Judicial District.

The same having been signed by the Speaker of the House of Representatives, and President *pro tem.* of the Senate, were this day presented to his Excellency the President, for his approval.

R. ROMAN, Chairman.

A message was received from the House of Representatives, through Jas. H. Raymond, Chief Clerk, transmitting

A bill to be entitled, an act to provide the times and place of holding the Supreme Court of the Republic, with an amendment.

A joint resolution to establish a Hospital at Galveston; read a first time; rule suspended—read second time and passed to third reading; rule further suspended—bill read third time and passed.

A bill to be entitled, an act to authorize the transportation of goods coastwise; read first time.

The Ayes and Noes were called for on suspending the rule, and stood thus:

Ayes—Senators Kaufman, Kinney, Lawrence, Luckie, Munson, Pilsbury, Roman and Wright—8.

Noes—Senators Greer, Grimes, McCrearey, and Pattillo—4.

So the rule was suspended; and bill read second time.

Senator Grimes moved to refer the bill to the committee on Finance. Lost.

Rule further suspended; read third time.

The Ayes and Noes being called for on the final passage of the bill, stood thus :

Ayes—Senators Kaufman, Kinney, Lawrence, Luckie, Munson, Pilsbury, Roman and Wright—8.

Noes—Senators Greer, Grimes, McCrearey and Pattillo—4.
So the bill passed.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report :

COMMITTEE ROOM, }
Feb. 3, 1845. }

To the Honorable J. A. Greer,

President of the Senate pro tem.:

The committee on Engrossed Bills, have examined and find correctly engrossed,

A bill to be entitled, an act to extend the Franking privilege to certain persons therein named.

R. ROMAN, Chairman.

Report adopted.

A bill to be entitled, an act to provide the times and place of holding the sessions of the Supreme Court of the Republic.

Amendments of the House concurred in.

A message was received from the House of Representatives through James H. Raymond, Chief Clerk, transmitting the following bills :

A bill to be entitled an act to extend the franking privilege to certain persons therein named, with amendments of the House ;

A bill to be entitled an act to change the system of assessing and collecting taxes, with a substitute for the original bill ;

A bill to be entitled an act amendatory of an act to provide for the establishment and maintenance of peace, and to regulate friendly intercourse with the Indians, approved 14th Jan., 1843, with amendments of the House.

A message was received from the President, through S. Z. Hoyle, Private Secretary, transmitting a communication in writing, marked "*secret.*"

A bill to be entitled an act to authorize the erection of a lighthouse on Galveston island : passed to third reading—rule suspended, read third time and passed.

A bill to be entitled an act to extend the franking privilege

to certain persons therein named—amendments of the House concurred in.

A bill to be entitled an act amendatory of an act to provide for the establishment and maintenance of peace, and to regulate friendly intercourse with the Indians, approved 14th Jan., 1843—amendments of the House concurred in.

Senator Munson, by leave, introduced a bill making an appropriation for the payment of the claim of Messrs. Rawdon, Wright, Hatch and Edson: read first time—rule suspended and read second time.

Senator Grimes moved its reference to the committee on Claims and Accounts: lost, and bill ordered to be engrossed—rule further suspended, read third time and passed.

Joint resolution admitting ice free of duty into all ports of this Republic: read first time—rule suspended, read second time—rule further suspended.

Ayes and noes called for on the final passage of the bill, stood thus:

Ayes—Senators Kaufman, Kinney, Lawrence, Pattillo, Pilsbury, Roman and Wright, 7.

Noes—Senators Greer, Grimes, Luckie, McCrearey and Munson, 5: so the bill passed.

On motion, the Senate went into secret session.

Doors being opened—

Senator Pilsbury, chairman of the committee on Finance, returned to the Senate sundry papers and documents, and reported that the passage of certain bills at the present session rendered any further action on them unnecessary.

A committee from the House, S. L. Jones, chairman, appeared and informed the Senate, that the House had accepted the invitation of the Senate to go into an election of judge for the sixth judicial district at 3 o'clock.

A bill to be entitled an act to establish a lighthouse at Paso Caballo: passed to a third reading—rule suspended, read third time and passed.

On motion of Senator Grimes, the Senate adjourned until half-past two o'clock P. M.

Half-past two o'clock, P. M.

Senate met; no quorum; Sergeant-at-Arms despatched for absent Senators; returned—quorum present.

Senator Kaufman, chairman of Judiciary committee, asked

leave to report, verbally, on a bill for the encouragement of learning, &c., and recommending its passage.

A message from the House of Representatives, through James H. Raymond, Chief Clerk, reporting that the House had passed a bill making an appropriation for the payment of the claim of Rawdon, Wright, Hatch and Edson.

On motion of Senator Pattillo, the Senate proceeded to the House of Representatives to go into the election of judge of the sixth judicial district.

Senator Pattillo nominated Mr. M. P. Norton; Messrs. Lawrence, Buckley and Scurry were nominated by the House.

Those voting for Mr. M. P. Norton, were—Senators Greer, Grimes, Kaufman, Luckie, McCrearey, Munson and Pattillo, 7.

Those voting for Mr. Lawrence, were Senators Kinney, Pilsbury and Roman—3.

Senator Wright voted in favor of Mr. Buckley.

The Speaker of the House of Representatives announced that no one of the candidates had received a majority of all the votes—and

The Senate proceeded to a second vote.

When Mr. Norton received the votes of Senators Greer, Grimes, Kaufman, Luckie, McCrearey, Munson and Pattillo—7.

Those voting for Mr. Lawrence, were, Senators Kinney, Pilsbury and Roman—3.

Senator Wright voted for Mr. Scurry.

The Speaker of the House of Representatives announced that Mr. M. P. Norton had received a majority of all the votes of the two Houses of Congress, and declared him duly and constitutionally elected Judge of the 6th Judicial District.

The Senate then retired to the Senate Chamber,—the roll being called—a quorum present.

The joint resolution for the relief of E. McLean, with report of the committee on Claims and Accounts—

Report adopted—bill passed to third reading: rule suspended—bill read third time and passed.

Senator Roman, from the joint committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Feb. 3, 1845. }

To the Honorable J. A. Greer,

President of the Senate *pro tem.*:

The joint committee on Enrolled Bills, have examined and find correctly enrolled the following bills:

An act to provide the times and place of holding the sessions of the Supreme Court of the Republic.

An act to extend the Franking Privilege to certain persons therein named—and

A bill entitled an act amendatory of an act, to provide for the establishment and maintenance of peace, and to regulate friendly intercourse with the Indians, approved 14th January, 1843.

And the same having been signed by the Speaker of the House of Representatives, and President *pro tem.* of the Senate, was this day presented to His Excellency the President, for his approval.

R. ROMAN, Chairman.

A message was received from his Excellency, the President, through his Private Secretary, Mr. S. Z. Hoyle, with a veto on a joint resolution for the relief of John G. Tod, which originated in the Senate.

A joint resolution for the relief of Post Captain E. W. Moore; passed to third reading.

Ayes and noes called for on the suspension of the rule, and stood thus:

Ayes—Senators Kaufman, Kinney, Lawrence, Luckie, Pattillo and Wright—6.

Noes—Senators Greer, Grimes, McCrearey and Munson—4.

So the motion to suspend was lost.

Joint resolution for the relief of David G. Burnett and others—read first time; and on motion to suspend the rule—

Ayes and noes called for, stood thus:

Ayes—Senators Kinney, Lawrence and Wright—3.

Noes—Senators Greer, Grimes, Kaufman, Luckie, McCrearey, Munson and Pattillo—7.

So the Senate refused to suspend the rule.

A bill to be entitled an act to create a body corporate and politic, by the name of the Galveston Chamber of Commerce; passed to third reading—rule suspended—bill read third time and passed.

A bill to be entitled an act to incorporate the Galveston Guards; passed to third reading—rule suspended; bill read third time and passed.

Senator Lawrence moved to take up a joint resolution for the relief of surgeon T. F. Anderson. Lost.

Joint resolution for the relief of the Mier Prisoners and others; read third time and passed.

Senator Roman moved to take up a bill for the encouragement of learning, &c. Lost.

On motion of Senator Kaufman, the joint resolution for the relief of John G. Tod, with the veto message of the President, was taken up, which was read as follows:

EXECUTIVE DEPARTMENT, }
Washington, February 3, 1845. }

To the Honorable the Senate:

The Executive feels constrained from motives of policy, as well as justice, to return the bill "for the relief of Capt. John G. Tod" to the House in which it originated, without his approval.

The grounds upon which the claim appears to be predicated, are, first, the *discount* to which the notes of the Government, paid to the claimant in the settlement of his *personal* account for services as Navy Agent in the year 1840, were then subject in the market; and, that he was *excluded* from the benefits of the appropriation of last year, for part pay of the officers of the Navy.

As to the first reason assigned, the executive conceives that all officers, Military and Naval, who have been connected with the Government, with perhaps a few special exceptions, are, upon the same principle, entitled to like relief, inasmuch as they have severally received precisely the same character of paper at its face, for their services—so far as the Government had the ability to pay them. Very many who were at that time in the service, particularly the Navy, still hold unsettled balances against the Republic, which she

has hitherto been unable to liquidate; while the beneficiary of the bill, so far as the Executive can ascertain, received the full sum to which he was entitled under the law; and claims the amount specified in the bill as a *premium* on the current value of the paper in which he was paid.

The circumstances mentioned in the preamble of the bill, of his having been excluded from the last year's appropriation, would imply that he was justly entitled to a participation in its benefits; but a very slight examination will show, that it gives no additional force to the claim. It is true, that he was excluded, and so were all other persons, excepting *only* those who were in the service during the period embraced in the provisions of the bill. The amount appropriated was required to be paid *pro rata* to those who had been in the service in the years 1842 and '3, for which services no pay had been previously appropriated. Capt. Tod did not happen to be of the number, and was therefore excluded, as were also very many others who had been paid off and left the service prior to the date from which the pay was to be computed under the provisions of the said law.—

He was excluded, not from any omission or defect in the law, but necessarily for the reason above given.

Many of the late officers of the Navy,—nay nearly all of them, still hold claims for services rendered prior to the year 1842, as well as subsequently; whether any pay was due Capt. Tod, at the date of his going out of office, the Executive has not the means of ascertaining certainly; but if so, he will assuredly be entitled to the benefits of any future provision which the Government may find it expedient to adopt for the liquidation or adjustment of these claims. No exceptions should be made in favor of one to the exclusion of others equally meritorious.

But there are other reasons of more imperative importance than those already mentioned, which influence the Executive in his present action. He alludes to the want of means at the disposition of the Government to meet the current and necessary expenditures for supporting its different departments, protecting the frontier properly, meeting the various liabilities for which appropriations have already been made at the present session, and paying this and the various other bills for private relief, now before him for his action, amount-

ing to many thousands of dollars, and proposed to be done from the impost duties alone, the revenues from other sources having been entirely exhausted by appropriations for private relief. Were he to sanction this bill, and withhold his sanction from the others, all of which he deems of equal merit at least with the present, he might subject himself to the charge of partiality, if not injustice; and were he to sign all, the effect would be to cripple the Government, as well as to impair its credit.

ANSON JONES.

Question on passing the bill over the veto of the President—
Ayes and Noes being called for, stood thus :

Ayes—Senators Greer, McCrearey and Wright—3.

Noes—Senators Grimes, Kaufman, Kinney, Luckie, Munson, Pattillo and Roman —7.

So the Senate refused to pass the bill.

Senator Kaufman moved that a committee be appointed to act with a like committee of the House, to wait upon the President, and inform him that the Senate will adjourn *sine die* at nine o'clock to-night. Carried.

Senators Kaufman and Luckie were appointed said committee.

Senator Roman, chairman of the committee on Engrossed Bills, made the following report :

COMMITTEE ROOM, }
Feb. 3, 1845. }

To the Honorable J. A. Greer,

President pro tem. of the Senate:

The committee on Engrossed Bills, have examined and find correctly engrossed, the amendments of the Senate to the joint resolution for the relief of the Mier Prisoners and others.

R. ROMAN, Chairman.

Adopted.

Senator Kaufman offered the following resolution :

Resolved, That the Secretary of the Senate be authorized to pay to W. W. Massie, the sum of seventy-five dollars, out of the contingent fund of Congress, for the use of the room furnished by him for the Senate of the ninth Congress.

Adopted.

Joint resolution for the relief of Wm. Bryan, with report of committee on Claims and Accounts,—report adopted, and joint resolution passed to third reading; rule suspended—joint resolution read third time and passed.

Senator McCrearey moved to reconsider the vote refusing to suspend the rule on the joint resolution for the relief of Post Captain E. W. Moore.

Senator Kaufman moved a call of the House. Carried.

On motion of Senator Grimes, the Senate adjourned until 8 o'clock, P. M.

8 o'clock, P. M.

Senate met; roll called; a quorum present.

A message was received from the House of Representatives, through Ja's H. Raymond, Chief Clerk, transmitting the following bills, which had passed the House, and requesting the concurrence of the Senate in the same:

A joint resolution for the relief of certain officers of the Civil list;

A joint resolution for the relief of J. F. Brown;

A joint resolution to abolish the office of Superintendent of Indian Affairs; also, had passed

A joint resolution authorizing the county Courts to cause the field-notes in the county Surveyor's office to be transcribed in a well bound book; also, that they had indefinitely postponed

A bill to be entitled, an act for the relief of the heirs of Elisha Roberts.

The joint resolution to abolish the office of Superintendent of Indian Affairs; read first time—rule suspended—read second time and passed to third reading; joint resolution read third time and passed.

Senator Roman, chairman of the committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Feb. 3, 1845. }

*To the Honorable J. A. Greer,
President pro tem. of the Senate:*

The committee on Enrolled Bills, have examined and find correctly enrolled, an act making an appropriation for the pay-

ment of a claim of Rawdon, Wright, Hatch and Edson, for engraving,—the same having been signed by the Speaker of the House of Representatives and President *pro tem.* of the Senate, was this day presented to His Excellency the President for approval.

R. ROMAN, Chairman.

Adopted.

A bill to be entitled, an act for the encouragement of Learning, &c., &c., with verbal favorable report of the committee, passed to third reading; rule suspended—bill read third time and passed.

Senator Kinney moved to take up a joint resolution for the relief of certain officers of the Civil list. Carried; and joint resolution read first time—rule suspended; read second time—rule further suspended.

Question on the final passage—Ayes and Noes being called for, stood thus:

Ayes—Senators Kaufman, Kinney, Lawrence, Luckie, Pattillo and Wright—6.

Noes—Senators Greer, Grimes, McCrearey, Munson and Roman—5.

So the bill passed.

A bill for the relief of J. F. Brown; read first time—rule suspended; read second time—rule further suspended; bill read third time and passed.

Senator Kaufman, chairman of committee appointed to wait on the President and inform him that the two Houses of Congress would adjourn *sine die* at 9 o'clock this evening, reported duty performed, and that the President returned his thanks to the Honorable Senate, and stated that he had no further communications to make, &c.

Senator Kinney asked and obtained leave to withdraw the papers and documents in the case of Morgan O'Brien and others.

Senator Roman, chairman of the committee on Enrolled Bills, made the following report:

COMMITTEE ROOM, }
Feb. 3, 1845. }

To the Honorable J. A. Greer,

President *pro tem.* of the Senate:

The committee on Enrolled Bills, have examined and find correctly enrolled a joint resolution authorizing the county

Courts to cause the field-notes in the county-Surveyor's office, to be transcribed in a well bound book; and that the same had been signed by the Speaker of the House of Representatives, and President *pro tem.* of the Senate, and was this day presented to his Excellency the President for approval.

R. ROMAN, Chairman.

Adopted.

On motion of Senator Roman, the Journals of the day were read preparatory to an adjournment *sine die.*

Senator Kaufman offered the following resolution :

Resolved, That the thanks of the Senate be tendered to the Hon. K. L. Anderson, President of the Senate, for the able, dignified, and impartial manner with which he has discharged the duties of the Chair.

Adopted.

On motion of Senator Kaufman, the Senate adjourned *sine die.*