

JOURNALS

OF THE

HOUSE OF REPRESENTATIVES

OF THE

FIRST LEGISLATURE

OF THE

STATE OF TEXAS.

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CLARKSVILLE

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1848.

The election of Speaker, being next in order,
 Mr. Gray nominated Wm. E. Crump,
 Mr. Gilham " E. T. Branch,
 Mr. Durham " J. W. Rose.
 There being no other nomination,
 On motion of Mr. Clark, Messrs. McCulloch and Keenan
 were appointed Tellers.
 The votes being counted, it appeared that,
 Wm. E. Crump received 27 votes,
 E. T. Branch " 8 "
 J. W. Rose " 7 "

Mr. Crump, having received a majority of all the votes, was declared duly elected Speaker of the House of Representatives, and was conducted to the Chair by the Hon. S. W. Perkins and B. F. Tankersly.

The Speaker then arose, and addressed the House in a few chaste and appropriate remarks.

HOUSE OF REPRESENTATIVES, }
 CITY OF AUSTIN, TUESDAY, }
 March, 3d., 1846. }

The House met, pursuant to adjournment.

The roll was called, and, a quorum being present:

The House proceeded to business.

The Journal of the preceding day was read and adopted.

The Speaker announced to the House, the receipt of further returns of the election for Lieutenant Governor, of the State of Texas.

Mr. Brown moved that the returns be referred to the Joint committee of Investigation.

On motion of Mr. Durham, the Election Returns were laid, upon the table, until to-morrow, eleven o'clock.

On motion of Mr. Willie, Mr. Dupree was granted leave of absence, for two weeks.

On motion of Mr. Williams, the Speaker of the House of Representatives, was granted leave of absence, until monday week.

On motion of Mr. Burroughs, the House went into an election, for Speaker *pro tem*.

Mr. Ryburn nominated Mr. Bourland.

Mr. Charlton nominated Mr. Brown.

Messrs. Burroughs, Sadler and Eddy, were appointed Tellers, and,

The House proceeded to vote, by ballot.

On counting out the votes, it appeared that,

Mr. Brown had received	32 votes; and,
Mr. Bourland had received	23 votes.
Blank	1 vote

Mr. Brown, having received a majority of all the votes, was declared, duly and constitutionally, elected Speaker *pro tem*.

Messrs. Tankersly, Smith of Rusk and Russell, were appoin-

ted, to wait upon the Speaker *pro tem*, and conduct him to the Chair.

THREE O'CLOCK P. M.

The House met, pursuant to adjournment.

The roll was called, and a quorum being present,

The House proceeded to business.

On motion of Mr. Clark, the following resignation, tendered by the Honorable John Brown, Speaker *pro tem.* of the House of Representatives, was accepted:

HOUSE OF REPRESENTATIVES }
March the 9th, 1846. }

To the Honorable,

*Members of the House of Representatives
of the Legislature of the State of Texas:*

Circumstances having transpired, which render it necessary that I should resign my position, as Speaker of your body; and I beg leave to be excused from a further discharge of that duty.

I adopt this course, as I fear that *any other*, would be productive of *errors*, for which we might be left without *remedy*.

[Signed]

JOHN BROWN.

Mr. Sublett then moved that the House go into an election of a Speaker *pro tem*.

On motion of Mr. Swift, the motion of Mr. Sublett was amended, by striking out the words "*pro tem*."

Mr. Gray offered the following Preamble and Resolution:

Whereas, On the _____ day of _____ the House of Representatives, by request, granted leave of absence to the Hon. Wm. E. Crump, then a member, and the Speaker of the House; and,

Whereas, On the same day, the House proceeded to elect a Speaker, *pro tem*, when the Hon. John Brown was elected; and,

Whereas, Difficulties have arisen, in consequence of the action of this House, in the premises, which was hasty and *premature*; and,

Whereas, On reconsideration of the matter, the House is advised, and believes, that the office of Speaker was *vacated*, by the action of this House, in granting the leave of absence; and that the election of the Hon. John Brown, constituted him *Speaker* of the House; and,

Whereas, The said office is now vacant, by resignation of the Hon. John Brown; therefore

Resolved, That the House, not intending to injure the feelings, and without any *personal* view, whatever, do now proceed to elect a Speaker, in place of the Hon. John Brown, resigned.

The yeas and nays were called, on the adoption of the Preamble and Resolution, and stood as follows:

Yeas. Messrs. Adams, Barry, Branch, Bourland, Brown, Burroughs, Cazenau, Clark, Cronican, Dickson, Durham, Echols, Edwards of San Augustine, Eddy, Erath, Gray, Holland, Jones, McCown, McFarland, Miller, Muckleroy, Mullens, Noble, Ogden, Pattillo, Perry, Sadler, Savage, Smith of Rusk and Swift,—33.

Nays. Messrs. Gilliam, Gooch, Hudson, Irion, Keenan, Mabry, McClarty, McCulloch, McNeill, Milican, Pease, Perkins, Railey, Rayner, Redgate, Rose, Russell, Ryburn, Stewart, Smith of Harris, Sublett, Tankersly, Truitt, White Williams and Willie—26.

So the Preamble and Resolution were adopted.

On motion of Mr. Durham, the House proceeded to the election of a Speaker.

Mr. Miller nominated Mr. Branch.

Mr. Durham nominated Mr. Clark.

Messrs. Perkins, Ogden and Swift, were appointed *tellers* and,

The House proceeded to vote, by ballot.

On counting out the votes, it appeared that

Mr. Branch received	31 votes;
“ Clark “	21 “ and
“ Blank “	1 “

Mr. Branch, having received a majority of all the votes, was declared, duly and constitutionally, elected Speaker of the House of Representatives, of the Legislature of the State of Texas.

Messrs. Miller and Perkins were appointed to wait upon the Speaker elect, and conduct him to the Chair.

The said committee then proceeded to perform the duty assigned them.

Whereupon, the Speaker, elect, arose and delivered the following address:

*Gentlemen of the
House of Representatives:*

The duties of the station to which your partiality has called me, places me, certainly, in no enviable position: I am called upon, Gentlemen, by a vote of this House, to fill an office which, in the opinion of many, is already *occupied* by another. No member of this House, regrets more sincerely than I do, the *necessity* which has occurred, at this time, of electing another Speaker. A majority of the House, however, after mature consideration, have thought it necessary. In whatever embarrassments I may find myself placed, by this diversity of opinion, I do not feel the less *grateful*, for the honor you have been pleased to confer upon me—An honor the more esteemed, coming, as it does, from those with whom I have been, for some time associated.

All I can promise, in return for your confidence, is, by a strict attention to the rules which you have adopted for your government, and an application of them to the business of the House, to endeavor, in some measure, to deserve it.

The House again proceeded to business.

HOUSE OF REPRESENTATIVES,
 CITY OF AUSTIN, MONDAY,
 March, 16th, 1846.

The House met, pursuant to adjournment.

The roll was called, and the following members answered to their names:

Messrs. Speaker, Adams, Barry, Bourland, Burroughs, Charlton, Clark, Cronican, Dickson, Dupree, Durham, Echols, Edwards of San Augustine, Eddy, Erath, Gray, Gillett, Gilliam, Gooch, Holland, Hudson, Irion, Keenan, McClarty, McCown, McFarland, McNeill, Miller, Milican, Mullens, Noble, Pattillo, Pease, Perkins, Perry, Rayner, Redgate, Rose, Russell, Ryburn, Sadler, Savage, Stewart, Smith of Rusk, Sublett, Tankersly, Truit, and Williams.

A quorum being present, the House proceeded to business.

The Journal of Saturday the fifteenth instant, was read and adopted.

The Hon. Edward T. Branch, having declined the honor of longer acting as Speaker of the House of Representatives, addressed the House as follows:

*Gentlemen of the
 House of Representatives:*

The Hon. Wm. E. Crump, the first Speaker elect of this

House, I learn, has arrived in Austin. This gentleman left here on the — ultimo, upon leave of absence for two weeks, with the understanding, both on his part and upon that of the House, that upon his return, he should again resume the Speaker's chair. The House, for reasons spread upon the journals, have deemed it necessary to elect another Speaker, which resulted in the choice of myself.

Justice, gentlemen, to the Hon. Wm. E. Crump, and respect to the opinions of those who differed in opinion with the action of a majority, upon the necessity of electing another Speaker, during the absence of Mr. Crump, induce me to tender to the House my resignation of the office of Speaker, and respectfully request its acceptance.

When I reflect, gentlemen, upon the peculiar circumstances under which I assumed the duties of this chair, consequent upon the diversity of opinion, already referred to, I cannot too highly appreciate the courtesy and respect, with which I have been treated by every member of this House; and if it has been my good fortune to discharge the duties of this chair, during the short period I have had the honor to fill it, in a manner satisfactory to all, it can only be attributed to the support and assistance I have received at your hands.

On motion of Mr. McClarty, the resignation of the Speaker was accepted.

On further motion, the House proceeded to the election of a Speaker, to fill the vacancy, occasioned by the resignation of the Hon. E. T. Branch.

On motion of Mr. Brown, the Chair appointed Messrs. Durham, Perkins, and McClarty, Tellers.

Mr. Crump, being put in nomination by Mr. Gray, and there being no other nomination, the House proceeded to vote by ballot.

On counting out the votes, it appeared that

Mr. Crump	received	42	votes.
" Branch	"	14	"
" Clark	"	1	"
" Gooch	"	1	"

Mr. Crump, having received a majority of all the votes given, was declared duly and constitutionally elected Speaker of the House of Representatives of the Legislature of Texas.

On motion of Mr. Gray, a committee was appointed to wait upon the Hon. Wm. E. Crump, the Speaker elect, and conduct him to the chair.

Mr. Pease offered the following resolution:

Resolved, That the thanks of this House are hereby tendered to the Hon. E. T. Branch, for the able and impartial manner in which he has discharged the duties of the office of Speaker.

Resolution read, and unanimously adopted.

A message was received from the Senate, informing the House of the passage of a bill to be entitled, "An act to protect religious denominations, in the peaceable enjoyment of their own mode of Divine Worship."

The House was also informed, that the Senate had concurred in the amendments of the House, to a bill to be entitled, "An act creating the county of Leon."

And a bill to be entitled, "An act creating the county of Grayson."

Mr. Williams offered the following resolution :

Resolved, by this House, That we proceed to the election of a Reporter, at four o'clock this afternoon.

The Honorable Wm. E. Crump was ushered into the Representative Hall, by the committee appointed for that purpose, and conducted to the Speaker's chair; after which, he arose and addressed the House in a few chaste and pertinent remarks.

Mr. Crump tendered his resignation as Speaker of the House of Representatives, and

On motion of Mr. Howard, the Resignation of the Speaker was accepted, and

On motion of Mr. Howard the House proceeded to the election of Speaker, to fill the vacancy occasioned by the resignation of the Hon. Wm. E. Crump.

Nominations being in order

Mr. Echols, nominated,	:	:	:	:	:	:	:	:	Mr. Brown,
" Keenan,	"	:	:	:	:	:	:	:	" Bourland,
" Rayner,	"	:	:	:	:	:	:	:	" White,
" Barry,	"	:	:	:	:	:	:	:	" Perkins,
" Echols,	"	:	:	:	:	:	:	:	" Clark,

Messrs. Brown, White, Perkins and Clark, asked to be excused from being put in nomination; the House so excused them.

Mr. Bourland only, being in nomination, the House proceeded to vote by ballot.

On counting out the votes, it appeared that

Mr. Bourland, received,	:	:	:	:	:	:	:	:	48 votes,
" Echols,	"	:	:	:	:	:	:	:	1 vote,
" Darnell,	"	:	:	:	:	:	:	:	1 "
" Tankersly,	"	:	:	:	:	:	:	:	2 "
" Smith,	"	:	:	:	:	:	:	:	1 "
" Blank,	"	:	:	:	:	:	:	:	2 "

Mr. Bourland having received a majority of all the votes was announced by the Chair duly and Constitutionally elected, Speaker of the House of Representatives, of the State of Texas.

Mr. Willie offered the following Resolution:

Resolved, That the thanks of the House are due to the Hon. Wm. E. Crump, for the dignified, able and impartial manner in which he has discharged the duties of his office, as Speaker of the House of Representatives.

On motion of Keenan the Resolution was adopted.

On motion of Mr. Burroughs, the Speaker elected, was conducted to the Chair, by Messrs. Burroughs and Brown.

Mr. Speaker, made a few, and appropriate remarks.

On motion of Burroughs, the House adjourned until half after two o'clock.

Mr. Bourland tendered his resignation, as Speaker of the House, which

On motion of Mr. McClarty, was accepted.

On motion of Mr. Tankersly, the House proceeded to the election of a Speaker for the remainder of the Session.

Mr. Rayner, nominated Mr. Perkins.

Mr. Burroughs, nominated Mr. Brown.

Mr. Miller, nominated Mr. Clark.

The Chair appointed Messrs Jones, Charlton, and Edwards of San Augustine, Tellers.

Messrs. Brown, and Clark, having declined the nomination.

The House proceeded to vote by ballot, and upon counting out the votes, it appeared that:

Mr. Perkins had received 42 votes.

" Brown	"	"	1	"
" Clark	"	"	2	"
" Gooch	"	"	1	"
" Howard	"	"	1	"
Blank	"	"	1	"

Mr. Perkins, having received a majority of all the votes given, was declared duly elected Speaker of the House of Representatives for the remainder of the session.

On motion of Mr. Dupree, a committee was appointed to conduct the Speaker to the chair.

The Chair appointed Messrs. Dupree, and Gilliam, said committee.

The Speaker elect, was conducted to the chair, and after making a few appropriate remarks took his seat.