

Ross, Shelton, Short, Smith, Speights, Stewart, Wælder, Walworth, Warfield, Whitfield, Wortham and Wrede—52.

NAYS—Messrs. Caddell, Dale, Francis, Franklin, Foscue, Navarro, Redwine and Waterhouse—8.

Bill read third time, and passed.

On motion, the House adjourned till half-past nine o'clock, A. M. to-morrow.

HOUSE OF REPRESENTATIVES, }  
Thursday, Feb., 7th, 1861. }

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

Mr. Crooks, chairman of committee on Engrossed Bills, reported correctly engrossed, a bill to authorize the county courts of Upshur, Nacogdoches, Navarro, Jackson, Calhoun, El Paso, Jasper, Newton, Atascosa, Austin, Fort Bend, Madison, Hays, Blanco, San Augustine, Sabine, Grimes, Limestone, Orange, Harden, Jefferson and Leon counties, to regulate the pay of sheriffs therein in certain cases.

Mr. Stewart, chairman of committee on Finance, reported, recommending the passage of the Senate's bill to provide payment of the expenses incurred by special bearer of dispatches sent by the Governor to Washington city, with the following amendments by the committee :

Amendments : In the second line of first section, strike out, the word "mileage," and insert "\$600."

Also, strike out the fourth line in said section, and insert, "which sum shall be in full payment of all mileage, expenses and services of said bearer of dispatches."

Also, strike out the fifth and sixth lines in said section.

On motion of Mr. Stewart, the rule was suspended, report taken up and amendments adopted, and bill passed to third reading.

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

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

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

*Speaker of the House of Representatives :*

The joint committee on Enrolled Bills, have examined a bill, entitled "an act to amend the tenth section of an act supplementary of an act supplementary and amendatory of an act to regulate railroad companies in the State."

Also, an act granting and extending the time for the completion of the Washington county railroad.

Also, an act for the relief of the Trinity Valley railroad, and find the same correctly enrolled, properly signed and have this day presented the same to the Governor for his signature and approval. [Signed]

B. H. DAVIS,  
*One of the Committee.*

Mr. Crooks, chairman of committee on Engrossed Bills, reported correctly engrossed :

The bill to encourage the establishment of manufactories in the State of Texas.

The bill for the relief of Railroad companies in Texas, pending when the House adjourned, was taken up.

Mr. Duncan moved the previous question, which was seconded, but the House refused to have the main question put.

Mr. Clark, one of the committee on Engrossed Bills, reported correctly engrossed, the bill providing for stay and execution of existing judgments on debts due by contract or for damages arising from breach of contract.

Mr. Mills' amendment to bill before the House was adopted.

Mr. Henderson proposed to amend as follows :

"*Provided*, That the provisions of this bill, shall not apply to any railroad company, that has had a special bill passed at this session of the Legislature."

Mr. Dennis moved to lay the bill and amendment on the table. Carried.

Mr. Shannon introduced a bill for the relief of Cynthia Parker and Te-ish-put Parker. Read first time.

The Speaker ruled the bill out of order as it was of an individual character.

On motion of Mr. Armstrong, the bill providing for the return of field notes of surveys that have become forfeited, was taken up and read second time.

Mr. Franklin offered the following amendment :

"*Provided*, That this act shall not effect any right or interest acquired in any land, including the surveys referred to in this act, acquired prior to the passage of this act." Adopted.

On motion of Mr. Franklin the bill and amendment was re-committed to the committee on Public Lands.

Mr. Davis of B., moved to take up stay bill. Lost.

Mr. Clark moved to suspend rule, and take up bill to authorize county courts of Upshur and other counties, to pay sheriff's in certain cases. Lost.

Report from committee on Printing, recommending the passage of the bill making appropriation to pay John Marshall for certain services, was taken up, read second time and ordered to be engrossed.

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

YEAS.—Messrs. Speaker, Anderson, Armstrong, Baxter, Billingsly, Branch, Camp, Crooks, Cumby, Dale, Darnell, Dennis, Duncan, Franklin, Foscue, Hancock, Hall, Harrison of V. Z., Hubbard, Lynch, Manley, Morris, Mills, Munson, Nelson, Parker, Perry, Redgate, Redwine, Ross, Shannon, Shelton, Smith, Speights, Stewart, Wælder, Walworth, Warfield, Whitfield and Wrede—40.

NAYS.—Messrs. Bogart, Caddell, Crawford, Clark, Culberson, Davis of B., Francis, Haynes, Henderson, Henry, Houghton, Lewis of R., Lewter, Mabry, Middleton, Norton, Owens, Robinson, Waterhouse and Whimore—20.

Mr. Darnell, chairman of committee on Federal Relations, reported recommending that the bill to appropriate \$50,000 for certain purposes.

The petition of sundry citizens of Montgomery county.

The joint resolution concerning the legality of the Convention, and a resolution concerning the Southern States be laid on the table.

Mr. Crooks, chairman of committee on Engrossed Bills, reported correctly engrossed :

The bill making appropriation to pay minute men for services on the frontier.

Senate's bill to amend 136 section of act pertaining to estates of deceased persons, was taken up and read first time.

House bill amendatory and supplemental of act to incorporate Memphis, El Paso and Pacific Railroad Company, approved, Feb., 4, 1856, and the act supplemental thereto, approved Feb., 4, 1856, and the act amendatory thereof, approved August 25, 1856, and act amendatory thereto, approved Feb., 10, 1858, taken up, read third time, and passed by two-third vote.

Mr. Mabry, chairman of committee on Enrolled Bills, reported as follows :

COMMITTEE ROOM, AUSTIN, }  
February 7th, 1861. }

HON. M. D. K. TAYLOR,

*Speaker of the House of Representatives :*

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

An act to amend the eighth section of an act entitled, an act to incorporate the Eastern Texas Railroad Company.

An act to change the name of the county seat of Hidalgo county.

An act prescribing the order of determining cases in the Supreme Court and

An act to amend an act entitled an act to organize and to define the powers and jurisdiction of the same, and find the same correctly enrolled, properly signed and have this day presented the same to the Governor for his approval and signature.

H. P. MABRY,

*Chairman of House Committee.*

Mr. Lewis of R., offered the following resolution :

*Resolved,* That the House of Representatives, with the consent of the Senate, adjourn on Saturday, the 9th, at 10 o'clock, to meet on the 18th of March.

Mr. Morris moved to strike out "18th of March," and insert, the first of April.

Mr. Crawford moved to lay the amendment on the table.

Message was received from the Senate informing the House, that the Senate had adopted a substitute for the House resolution on adjournment.

On motion of Mr. Dennis, the rule was suspended, the resolution was taken up and adopted by the following vote :

YEAS—Messrs. Speaker, Armstrong, Billingsly, Bogart, Branch, Caddell, Camp, Craig, Crooks, Clark, Culberson, Cumby, Dale, Darnell, Davis of B., Duncan, Franklin, Foscue, Hancock, Hall, Haynes, Henderson, Henry, Houghton, Hubbard, Lewis of M., Lewis of R., Lewter, Lynch, Mabry, Maxey, Morris, Navarro, Nelson, Norton, Owens, Perry, Redgate, Robinson, Smith, Wælder, Walworth, Warfield, Waterhouse, and Whitmore—45.

NAYS.—Messrs. Bryan, Crawford, Dennis, Dickson, Francis, Harrison of C., Harrison of V. Z. Middleton, Munson, Parker, Redwine, Ross, Speights, Shelton and Whitfield—15.

Mr. Hubbard reported as follows :

The joint committee on United States Bonds, have had the subject of their sale under consideration and a majority of said committee instruct me to report, that in the opinion of said committee, the sale of said bonds at their depreciated value in the market, would be an unnecessary sacrifice of the school fund, which is invested in said bonds now remaining in the Treasury, amounting to about \$800,000, have been set apart for the benefit and encouragement of railroads east of the Trinity River.

The committee have been advised that contracts have been made by several railroad companies in eastern Texas, based upon these United States bonds. The committee are also advised, that several of these railroad companies, are now willing to take these bonds at par and give good security therefor.

They also represent to the committee, that in the course of a few weeks or months, these companies will make application for probably about 5 or \$600,000 worth of United States bonds. The committee suggest, that although this paper may, (and doubtless will) depreciate to a low figure in the market, yet, they are of opinion, that the time will come, when they will be redeemed. All the former United States bonds are bound for their ultimate redemption, as a part of their general liabilities, and the committee suggest that from these considerations, notwithstanding the unsettled state of her national and political affairs, the emergency does not demand a sale of these bonds,

The committee are of the opinion, that if they were sold, and the proceeds placed in the Treasury, that the object contemplated by the school fund, would soon be defeated, and that their proceeds would be diverted from the channel indicated by the wisdom of preceeding legislation.

They, therefore, recommend that the bill referred to them be laid on the table, and the committee discharged.

R. B. HUBBARD,

*Chairman on part of House.*

E. E. LOTT,

*On part of Senate.*

Mr. Stewart, chairman of committee on Finance, reported, recommending passage of the bill to appropriate money to pay minute men for services on the frontier with amendments :

Amend, third line first section, strike out "two," and insert, "one."

Mr. Mills introduced a bill to appropriate \$50,000 for purposes therein named. Read first and second time and referred to committee on Federal Relations.

On motion of Mr. Darnell, the bill to appropriate money to pay minute men for services on the frontier, with amendments by the committee, taken up and amendments adopted. Bill read second time and ordered to be engrossed.

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

On motion of Mr. Dickson, rule suspended, and Senate's bill to prescribe the order of determining cases in the Supreme Court, taken up.

Mr. Dennis proposed to amend as follows :

In the last, first section, strike out, "two of the judges only," and insert, "the court."

[Mr. Shelton in the Chair.]

Mr. Franklin offered the following as a substitute for the amendment :

"That nothing in this act shall prevent the courts from setting apart particular days for deciding cases, when delay has been, or may be suggested, and they are hereby required to set apart such days during the term, as may be necessary to decide such cases."

Mr. Lynch moved to lay the amendment and substitute on the table.

Mr. Dennis called for a division on the question.

The question then being on laying the substitute on the table the same was put and carried by the following vote :

Mr. Franklin calling for the yeas and nays.

YEAS—Messrs. Speaker, Anderson, Baxter Billingsly, Buckley, Caddell, Craig, Crawford, Clark, Culberson, Cumby, Dale, Dennis, Dickson, Duncan, Francis, Foscue, Hall, Harrison of C., Lewis of M., Lewis of R, Lewter, Lynch, Mabry, Manly, Morris, Middleton, Mills, Norton, Parker, Perry, Redwine, Robinson, Shannon, Smith, Stewart, Walworth, Waterhouse, Whitfield, and Wortham—40.

NAYS—Messrs. Branch, Bryan, Crooks, Davis of H., Epperson, Franklin, Hartley, Haynes, Henry, Houghton, Mundine, Munson, Nelson, Owens, Pirkey, Redgate, Shelton, Speights, Wælder, and Whitmore.—20.

The question recurring on laying the amendment on the table.

Mr. Henderson called for the yeas and nays and the amendment was tabled by the following vote :

YEAS—Messrs. Armstrong, Billingsly, Craig, Culberson, Cumby, Dale, Davis of H., Dickson, Duncan, Francis, Hancock, Hall, Harrison of C., Henderson, Lewis of M., Lewis of R., Lewter, Lynch, Maxey, Morris, Middleton, Perry, Redgate, Redwine, Robinson, Ross, Shannon, Stewart, Walworth, Waterhouse and Whitfield—31.

NAYS—Messrs. Speaker, Baxter, Bogart, Branch, Bryan, Buckley, Caddell, Crooks, Clark, Dennis, Epperson, Franklin, Foscue, Hartley, Haynes, Henry, Houghton, Manly, Mundine, Munson, Nelson, Owens, Parker, Pirkey, Shelton, Smith, Speights, Wælder, Whitmore and Wortham—30.

Mr. Franklin moved to strike out all after "cases," in first line, section second.

On motion of Mr. Lynch, the main question was ordered and the bill passed.

Mr. Lewis of M., offered the following resolution :

*Resolved*, That there be printed for the use of this House, 1,000 copies of the proceedings of the Convention, which met in this place on the 28th ult., and adjourned on the 4th instant. Adopted.

Message was received from the Senate, informing the House that the Senate had concurred in the report of committee of conference on bill to require Comptroller and Treasurer to receive treasury warrants in payment of certain land dues.

Also, had passed bill to extend time for the survey of railroad certificates heretofore issued.

Also, had amended and passed bill amending act to organize Justices' courts and to define powers and jurisdiction of the same, approved March 20, 1848.

On motion of Mr. Bogart, Senate's bill supplemental to bill for relief of Myram Mudgett and others, was taken up, and read first time.

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

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

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

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

*Speaker of the House of Representatives :*

The joint committee on Enrolled Bills have examined an act to extend the time for the return of pre-emption field notes.

And, an act for the relief of the Southern Pacific Railroad Company, and find the same correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval.

B. H. DAVIS,

*One of the Committee.*

House bill to encourage the establishment of manufactories in the State of Texas, was taken up and read second time.

Mr. Dougherty moved to insert :

"Or for maunfactory of gun powder." Adopted and bill ordered to be engrossed.

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

On motion of Mr. Henderson, Senate's bill to extend time for survey of railroad certificates, heretofore issued, was taken up, and read first time.

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

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

On motion of Mr. Cumby the House bill to amend act to organize Justices' courts, and to define the powers and jurisdiction of the same, approved March 20, 1848, with amendments by the Senate, was taken up, and amendments concurred in.

Mr. Mills introduced a bill to make appropriation to pay mileage and per diem of members of the Convention. Read first time and referred to Judiciary committee.

Mr. Nelson introduced a joint resolution, concerning the Texas and New Orleans Railroad Company. Read first and second times.

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

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

Senate's joint resolution to suspend the Geological survey, was taken up, and read first time.

Report from committee on Internal Improvements, recommending passage of Senate's bill for relief of railroad companies in Texas, with amendments by the committee, (Messrs. Ross and Foscue dissenting) was taken up, and amendments adopted.

Mr. Mills proposed to amend the bill as follows :

"And further provided, that the provisions of this act shall not apply to the Texas Central Railroad Company."

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

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### 3 O'CLOCK, P. M.

House met—roll called—no quorum present.

Mr. Mills moved to adjourn until 7 o'clock, P. M. Lost.

Quorum appearing.

Senate's bill to reorganize the 8th and 20th Judicial District, and to define the time of holding courts therein, taken up, and read third time.

Mr. Shelton moved to postpone till 25th March, next. Lost and bill passed by the following vote :

YEAS—Messrs. Speaker, Anderson, Baxter, Benevides, Billingsly, Branch, Bryan, Camp, Craig, Clark, Culberson, Cumby Dale, Darnell, Dennis, Edwards, Francis, Hancock, Hall, Harrison of C., Henderson, Henry, Houghton, Lewter, Lynch, Ma-

bry, Manly, Maxey, Morris, Mndine, Nelson, Norton, Owens, Parker, Pirkey, Robinson, Shannon, Short, Speights, Stewart, Waterhouse, Whitfield, Whitmore and Wrede—44.

*NAYS*—Messrs. Armstrong, Caddell, Crawford, Crooks, Dickson, Duncan, Franklin, Foscue, Harrison of V. Z., Middleton, Perry, Redgate, Redwine, Ross, Shelton, Warfield and Wortham—17.

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

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7 O'CLOCK, P. M.

House met—roll called—quorum present.

Mr. Lewis of R., moved to reconsider the vote on the bill for the issuance of Treasury warrants in certain cases.

A message was received from the Senate, informing the House that the Senate had passed the House's bill to amend the third section of an act entitled an act to regulate the descent and distribution of intestate estates, approved March 14, 1848.

Also, the House's joint resolution, concerning the Texas and New Orleans Railroad, and

Also, the Senate's bill appropriating the sum of \$25,000 for the payment of S. G. Haynie, James G. Swisher and James Doyle for services rendered, as commissioners and superintendent of the building of the capitol.

Mr. Foscue moved to postpone the reconsideration of the vote until 10 o'clock, to-morrow morning. Carried.

Mr. Henry offered the following resolution :

*Resolved*, Whereas, the signs of the times, seem to portend the fact, that Texas may sever her connection with the United States ; Therefore be it resolved by this House, that in case of that event, and in parting with the United States, we consider the provisions of the constitution of the United States, ample and sufficient to protect the life, liberty and happiness of every American citizen.

[Mr. Morris in the Chair.]

On motion the House adjourned, till half past 9 o'clock, A. M., to-morrow.

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HOUSE OF REPRESENTATIVES, }  
Friday, Feb., 8th, 1861. }

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