

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

YAYS—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.

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.

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

The 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 the bill making an appropriation to pay John Marshall for certain services.

Mr. Davis of B., reported as follows :

The joint committee on Enrolled Bills, have examined an act supplemental to an act for the relief of Myram Mudget, Daniel Kitchens, A. L. Spencer and E. G. Cantrell, approved Feb., 8th, 1860.

An act to reorganize the seventeenth judicial district, and define the time of holding courts therein, and

An act making an appropriation to pay for the supplies furnished the troops now on the frontier, and find the same correctly enrolled, properly signed, and have this day presented the same to the Governor for his signature and approval.

A message was received from the Senate, informing the House that the Senate had amended and passed the House's bill making an appropriation to pay minute men for services on the frontier.

Also, the Senate's bill for the relief of Angel Navarro.

Mr. Morris moved to suspend rule, and take up the Stay bill. Withdrawn.

Mr. Wælder introduced a bill supplemental to the act providing for submitting the Ordinance of secession to the people for ratification, passed at the present session of the Legislature. Read first time.

On motion of Mr. Wælder, the rule was suspended, bill read second time.

Mr. Haynes proposed to amend as follows :

"Sec.—That the Governor shall at the same time order an election to be held for delegates to a legal Convention of the people of the State. Said Convention to be composed of one delegate from each Representative District in the State, the said delegates to be elected in accordance and under the penalties of existing laws."

Ruled out of order, as not being applicable to the bill.

Mr. Haynes appealed from the decision, and the House sustained the Chair, and ordered the bill to be engrossed.

On motion of Mr. Wælder, the rule was suspended, bill read third time.

Mr. Haynes proposed to amend as follows :

"Sec.—That should a majority of votes cast on the 23rd February and returned by the 15th March, appear against the Ordinance of secession, then the said ordinance shall be null and void, as well as any action of the Convention, based upon the

result of the vote that may be returned on the second day of March."

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

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

The joint committee on Enrolled bill have examined the following bills, to-wit:

An act to provide payment of expenses incurred by special bearer of dispatches, sent by the Governor to Washington city.

Also, an act to extend the time for the survey of railroad certificates theretofore issued.

Also, an act to amend the third section of an act entitled an act to regulate the descent and distribution of intestate estates.

And a joint resolution concerning the Texas and New Orleans railroads, and find the same correctly enrolled, properly signed and have this day presented the same to the Governor for his approval and signature.

Mr. Morris moved to suspend rule and take up the Stay bill. Lost by the following vote:

Mr. Henderson calling for the yeas and nays.

YEAS—Messrs. Speaker, Armstrong, Baxter, Benevides, Billingsly, Bogart, Caddell, Camp, Craig, Cumby, Dale, Davis of B., Duncan, Edwards, Epperson, Francis, Harrison of C., Harrison of V. Z., Henry, Hubbard, Lewis of M., Morris, McKnight, Middleton, Navarro, Nelson, Norton, Parker, Pirkey, Redwine, Ross, Shannon, Speights, Taylor, Wælder, Waterhouse, Whitfield, Whitmore and Wrede—40.

NAYS—Messrs. Crooks, Darnell, Dennis, Franklin, Foscue, Hancock, Hall, Hartley, Henderson, Houghton, Lynch, Mabry, Manly, Mundine, Owens, Perry, Redgate, Shelton, Short, Smith, Stewart and Warfield—21.

Mr. Taylor introduced a bill providing for a loan of U. S. Bonds belonging to the School Fund, to railroads in eastern Texas. Read first and second times.

Mr. Taylor moved to suspend rule, and take up bill.

On motion of Mr. Henderson, referred to committee on Internal Improvements.

On motion of Mr. Hall, the House bill for pay of minute men on Frontier, with amendment by the Senate, was taken up and amendment concurred in.

On motion of Mr. Wælder, the Senate's bill for the relief of Angel Navarro, was taken up and read first time.

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

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

The bill to amend an act for the appointment of Pilots passed April 6, 1846, was taken up, with the report from the Judiciary committee, recommending its passage, read second time and engrossed.

On motion of Mr. Duncan, the rule was suspended, bill read third time.

Mr. Duncan proposed to amend as follows :

Strike out on third page : " all vessels are subject to pilotage under this law," and insert, " all vessels that draw five feet of water and over." Adopted and bill passed.

Mr. Billingsly chairman of committee on Claims and Accounts reported as follows :

The committee on Claims and Accounts to whom was referred a resolution, instructing them to enquire into the accounts of S. M. Swenson, for supplies furnished Col. M. T. Johnson's late regiment, with power to send for persons and papers, have had the same under consideration, and report that they have examined into the subject matter referred to them, and find by certificate of the acting Comptroller, that S. M. Swenson, delivered 57,000 rations to the proper officers of Col. M. T. Johnson's regiment, and that the accounts for the same are correct. We, therefore, respectfully ask to be discharged from further consideration of the subject. Adopted.

Senate's bill incorporating the Uvalde Irrigation Company, was taken up. Speaker ruled it out of order as being of a private nature.

On motion of Mr. Wælder, the rule refusing to act upon any private bills was suspended, and the bill read first time.

Mr. Wælder moved to suspend rule to place the bill on second reading. Carried and bill passed to a third reading.

Mr. Wælder moved further suspension of rule. Carried, and bill read third time and passed by two-third vote.

Mr. Hartley introduced a bill to provide for the sale of the U. S. Bonds belonging to the State. Ruled out of order.

Mr. Dale offered the following resolution :

Resolved, That the Chief Clerk of the House of Representatives, be allowed fifteen days after the adjournment of the present session, to index the journal and correct the proof of the same as it is printed, and the journals be retained until the assemblage of the extra session of the 18th of March, next, and to arrange the unfinished business of the present session and that he be required to transmit by mail, all documents, to which all the

members are entitled, of such matter as has been ordered to be printed for the use of the House, to be paid out of the appropriation for per diem pay of members and officers of the extra session of the eighth Legislature. Adopted.

Mr. Henry asked, and obtained leave to record his vote against Mr. Buckley's substitute for a bill reported by the committee on Federal Relations, touching our relations with the General government.

On motion of Mr. Hancock, the bill appropriating \$2,500 for payment of S. G. Haynie, J. G. Swisher and James Doyle, for services rendered in the erection of the Capitol, taken up, read first time.

Mr. Harrison of V. Z., moved to adjourn until three o'clock, P. M. Lost.

Mr. Hancock, moved to suspend rule that the bill be placed on second reading. Carried. Bill read second time and passed to third reading.

Mr. Dougherty, moved to further suspend rule. Carried. Bill read third time and passed.

On motion of Mr. Stewart, 3,000 copies of the correspondence between the Governor and the committee of the Convention were ordered to be printed.

On motion of Mr. Foscue, Mr. Shannon was added to the committee on Enrolled Bills.

On motion of Mr. Baxter, House adjourned till 4 o'clock.

4 o'clock, P. M.

House met—roll called—no quorum.

Mr. Francis moved to adjourn until 7 o'clock, A. M. tomorrow. Lost.

On motion of Mr. Hubbard, a call of the House was ordered.

Absentees. Messrs. Anderson, Barclay, Benevides, Branch, Buckley, Caddell, Camp, Crawford, Clark, Culberson, Cumby, Daniels, Davis of B., Davis of H., Dickson, Dougherty, Ellett, Flewellen, Harrison of V. Z. Henry, Hubert, Kinney, Lewis of R., Lynch, Mabry, Manly, Martin, Maverick, Maxey, McCutcheon, Mills, Mundine, Munson, Pirkey, Robinson, Ross, Taylor, Walworth and Wortham.

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

Mr. Baxter moved to suspend call. Lost.

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

7 o'clock, P. M.

House met—roll called—no quorum present.

On motion of Mr. McKnight, a call of the House was ordered.

Mr. McKnight moved to adjourn till half past 6 o'clock, tomorrow. Lost.

Quorum appearing. A message was received from the Senate informing the House, that the Senate had passed a substitute for House bill authorizing issuance of Treasury warrants receivable for taxes and all government dues.

Also, had amended and passed House bill amendatory and supplemental of act to incorporate the Memphis, El Paso and Pacific Railroad Company, approved Feb., 4, 1856, and the act supplemental thereto, approved Feb., 4, 1856, and the act amendatory thereto, approved Aug., 25, 1856, and act amendatory thereto approved Feb., 10, 1856.

Also, had passed bill for relief of John A. Cummings.

Mr. Dougherty offered the following resolution :

Resolved, That Joseph Mangum be directed by the Speaker, to take charge and care of the Hall of Representatives during the recess, and that he be allowed one dollar per day for such service out of the contingent fund of this House. Adopted.

On motion of Mr. Dennis, the rule was suspended, and the Senate's substitute for the House bill authorizing issuance of Treasury warrants, receivable for taxes and all government dues, was taken up.

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

Mr. Nelson moved to further suspend rule. Carried. Bill read third time and passed.

On motion of Mr. Morris, the House bill amendatory of the several acts incorporating the Memphis and El Paso Railroad Company, with amendments by the Senate, was taken up.

The joint committee on Enrolled Bills, reported as follows :

The joint committee on Enrolled Bills, have examined an act to provide for the submitting the Ordinance of secession to the vote of the people.

An act to incorporate the Uvalde Irrigation Company, and

An act appropriating the sum of two thousand five hundred dollars for the payment of S. G. Haynie, Jas. G. Swisher and Jas. Doyle, and find the same correctly enrolled, properly signed and the same have this day been presented to the Governor for his signature and approval.

[Mr. Henderson in the Chair.]

The question recurring on the adoption of the amendment, House adopted the amendment by the following vote :

Mr. Hall calling for the yeas and nays.

YEAS—Messrs. Speaker, Armstrong, Baxter, Benevides, Caddell, Craig, Crooks, Clark, Cumby, Dale, Duncan, Edwards, Epperson, Foscue, Harrison of C., Henderson, Houghton, Hubbard, Lewter, Manly, Morris, Navarro, Norton, Parker, Redgate, Redwine, Ross, Shelton, Wælder, Warfield, Waterhouse and Wrede—33.

NAVS—Messrs. Billingsly, Bogart, Bryan, Camp, Darnell, Dennis, Dougherty, Francis, Franklin, Hall, Hartley, Haynes, Henry, Lewis of M., McKnight, Middleton, Mundine, Nelson, Owens, Perry, Shannon, Short, Smith, Speights, Taylor, Walworth, Whitfield and Whitmore—27.

Mr. Dennis made the following point of order :

That the House had refused to concur in the Senate amendment, as two-thirds had not voted to concur, and that it required a two-third vote to pass a bill.

The Chair decided against the point.

Mr. Franklin appealed from the decision of the Chair. The House sustained the Chair, and declared the bill passed.

Mr. Lewter moved a reconsideration of the vote, agreeing to the Senate amendment.

On motion of Mr. Manly, the motion to reconsider was laid on the table.

Mr. Shannon, one of the committee on Enrolled Bills, reported correctly enrolled, properly signed and presented for approval by the Governor, a bill supplemental to an act for the appointment of pilots, passed April 7th, 1846. Report accepted.

On motion the House adjourned until 7 o'clock, A. M., tomorrow.

HOUSE OF REPRESENTATIVES, }
Saturday, February 9, 1861. }

The House met pursuant to adjournment—roll called—no quorum Journal of yesterday read.

Mr. Hubbard, one of the committee on Enrolled Bills, reported correctly enrolled and properly signed :

Bill for the relief of the Memphis and El Paso Railroad Company and all other Railroad Companies.

Also, the bill to provide for funding the public debt, contracted for the protection of the frontier.