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

Mr. Mills moved to adjourn till 10 o'clock, A.M., to-morrow.

Lost.

Mr. Hartley moved to adjourn till 7 1-2 o'clock, P.M.

On motion, of Mr. Duncan, the yeas and nays were ordered and the House refused to adjourn by the following vote:


On motion the House adjourned till 9 1-2 o'clock, A.M., to-morrow, pending Mr. Lynch's motion to lay the amendment on the table.
Court, was taken up. Read first time and passed to second reading.  
On motion the rule was suspended, bill read second time and passed to third reading.  
On motion the rule was further suspended, read third time and passed.  
Mr. Crooks, by permission, offered the following resolution:  
Resolved, That the Speaker be authorized to procure such assistance to the Enrolling and Engrossing Clerks of this House, as he may deem necessary; and that such assistants shall receive pay as other clerks of this House.  
On motion of Mr. Fosson, laid on the table.  
Mr. Billingsley presented the petition of Willis Avery. Referred to committee on Private Land Claims.  
Mr. Mills moved to suspend rule and take up the bill to change jury law. Lost.  
Mr. Darnell, chairman of committee on Federal Relations, reported a substitute for the joint resolution relative to existing affairs between the north and south, growing out of the inability of Congress to organize, and recommended its adoption.  
Mr. Lynch, one of the committee on Federal Relations, reported adversely to the memorial of the Washington National Monument Society.  
Mr. Hubbard, chairman of committee, reported asking to be discharged from further consideration of the petition of the grand jury of Hays county.  
Also, as one of the Judiciary committee, reported, recommending the passage of the bill for the relief of settlers on 11 league claims.  
Also, recommended the passage of the Senate's bill to amend 8th section of the act of February 5th, 1840, concerning conveyances.  
Also, reported, recommending the passage of the bill for the relief of Fletcher Logan.  
Also, recommended the passage of the bill to determine what lands have been forfeited; with amendments by the committee:  
Amend by adding after 5th section, "Provided that the statutes of limitations may be plead by any one holding title under such grantees, and that the general limitation acts of this State, shall apply in such cases."  
Mr. Barnard, one of the committee on Land Office, reported a bill to regulate the necessary re-surveys of land granted by the Commissioners of Texas and Henderson's Colony.
Mr. Stewart presented the petition of Benj. P. Watkins. Referred to Judiciary committee.

Also, as one of the committee on Judicial Districts, reported a substitute for the bill supplemental to the act to change the time of holding the courts in the 10th and 14th judicial districts, and recommended its passage.

Mr. McClarty, chairman of the committee on Judicial Districts, reported, recommending the passage of the bill to create the 21st judicial district.

Mr. Whitmore, one of the committee on Judiciary, reported, recommending the indefinite postponement of the Senate's bill concerning vendor's lien on real estate.

Mr. Parker, one of the committee on Private Land Claims, reported, recommending the passage of the bill for the relief of Hiram C. Ours.

Also, reported a bill for the relief of James Williams, and recommended its passage.

Mr. Mills, one of the committee on the Judiciary, reported, recommending the passage of the Senate's bill to amend the 34th section of the act to regulate proceedings in District Court, passed May 13th 1846.

Mr. Ross, one of the committee on Claims and Accounts, reported, recommending the indefinite postponement of J. W. Reed's petition.

Mr. Buckley, chairman of committee on Judiciary, reported a substitute for the bill to limit suits on judgments recovered in courts, other than those of this State, and recommended its passage.

Messrs. Whitmore, Davis of B., Stewart, Hubbard and Branch, dissenting from report.

Mr. Buckley also reported, recommending the passage of the Senate's bill for the relief of the heirs of Thomas Blanton.

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

Hon. M. D. K. Taylor,

Speaker House of Representatives:

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

An act to authorize the Commissioner of the General Land Office to issue patents upon surveys made not in the form required by law.

An act to be entitled an act for the relief of James Jennings.

A bill making a further appropriation for furnishing the Governor's Mansion; and find the same correctly enrolled, properly
signed, and have this day been presented to the Governor for his approval and signature.

Mr. Edwards, one of the committee on Private Land Claims, reported a bill for the relief Antonio D. Kellar, and recommended its passage. Bill read first time.

A message was received from the Senate, informing the House that the Senate had passed the House's bill to extend the provisions of the act to provide for the incorporation of towns and cities, to the towns of Jasper, in Jasper county; Danville, in Montgomery county; and Mt. Enterprise, in Rusk county.

Mr. Dennis, chairman of committee on State Affairs, reported, recommending the passage of the bill to relinquish nine-tenths of State tax to Navarro county, &c.

Mr. Pirkey, one of the committee on Judiciary, reported, recommending the passage of the bill to incorporate the Texas Mutual Insurance Company; with amendments by the committee.

Amend by substituting several sections.

Also, reported, recommending the passage of the Senate's joint resolution proposing amendments to the Constitution.

On motion of Mr. Owens, the bill defining the boundary lines between Williamson and Travis counties, was taken up and referred to committee on Counties and County Boundaries.

Mr. Wortham, one of the committee on Printing, reported a substitute for the bill providing for publication of the general laws of the State in the newspapers thereof.

Mr. Crooks, chairman of committee on Engrossed Bills, reported as follows:

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

- A bill for the relief of legal representatives of Calvin Gage, deceased.
- Also, a bill for the relief of Peter B. Norton.
- Also, a bill to validate bounty land certificate No. 4059.
- Also, a bill to be entitled an act for the relief of James H. Brown.
- Also, a bill to incorporate the town of Meridian, in Bosque county, in this State.
- Also, a bill to legalize the marriage between Wm. Davis and Sarah James.
- Also, a bill to legalize the marriage of William H. Slain and Margaret Slain, residents of Bosque county.
- Also, a bill for the relief of Louis Bouillet and Hetty O. Kohlman.
Also, a bill for the relief of the heirs of Willis Edison, dec'd.
Also, a bill for the relief of A. H. Smith.

THOS. J. CROOKS.

Mr. Lewis of R., introduced a bill to provide for the disposition of runaway slaves. Read first time and referred to committee on State Affairs.

Mr. Daniels introduced a bill to amend the 2d section of an act entitled an act to indemnify the owners for the loss of slaves executed for capital offences, approved January 24th, 1852.—Read first time and referred to committee on State Affairs.

Mr. Darnell introduced a bill providing for the redemption of lands and town lots sold at forced sale under execution. Read first time, and on motion of Mr. Darnell, made the special order of the day for to-morrow week, 20th inst.

Mr. Stewart introduced a bill to amend the 24th section of an act to organize the District Courts, and to define their powers and jurisdictions, approved May 11th, 1846. Read first time and referred to Judiciary committee.

Also, a bill to authorize the county surveyor of Gonzales county to transcribe the records of his office. Read first time and referred to Judiciary committee.

Mr. Warfield introduced a bill supplemental to, and amendatory of the act pertaining to deceased persons. Read first time and referred to committee on Probate Laws.

Mr. Townes introduced a bill to amend act to license attorneys. Read first time and referred to Judiciary committee.

Mr. Epperson introduced a bill to ascertain whether the people desired to call a convention to frame a new Constitution.—Read first time.

Mr. Norton offered the following resolution:
Resolved, That the committee on Printing be instructed to inquire and report, why it is that we have not received the corrected copy of the census tables that were ordered to be printed several weeks ago, and which are needed in consideration of the apportionment bill.

Adopted.

ORDERS OF THE DAY.

Bill to make appropriation to pay expenses incurred by Capt. Tobin's Company, taken up and amendments by committee concurred in.

Senate's bill to amend the 4th section of the act to regulate the practice of attorneys and counsellors at law, with amendments by the House, which the Senate refused to concur in, was taken up. Read, and on motion of Mr. Buckley, the amend-
ments adhered to, and Messrs. Buckley, Henderson, Mills, Dougherty and Lewis of M., appointed a committee of Conference.

The following named Senate's bills were taken up, read first time and disposed of as indicated:

Bill to re-organize the 16th judicial district, and to define time of holding courts therein. Referred to committee on Judicial Districts.

Bill to incorporate the Guadalupe Male and Female College. Referred to committee on Education.

Bill to authorize and require the Commissioner of the General Land Office to patent surveys made by virtue of certain Peter's Colony augmentation certificates. Referred to committee on Public Lands.

Bill supplementary to the act to provide for the registry of deeds and other instruments of writing. Referred to committee on Judiciary.

Bill for the relief of heirs of Caldwell Carson. Referred to committee on Private Land Claims.

Bill amendatory of the act to incorporate the town of Waco, in McLennan county, approved August 29th, 1856. Referred to committee on State Affairs.

Bill to amend the act to incorporate the Columbus, San Antonio and Rio Grande Rail Road Company, passed February 16th, 1858. Referred to committee on Internal Improvements.

Bill to incorporate the McKenzie Male and Female College. Referred to committee on Education.

Bill for the relief of E. G. Spencer and A. L. Cantwell. Referred to committee on Private Land Claims.

Bill to incorporate the Mystic Club, at Woodville, Tyler county. Referred to committee on State Affairs.

Mr. Kinnery moved to suspend rule and take up the bill to incorporate Western Texas Rail Road Company. Lost.

The following named House bills were taken up:

Bill to change south boundary line of Smith county. Read third time and passed.

Bill to authorize the formation of county and town agricultural associations. Read third time and passed.

The bill supplemental to an act for the relief of pre-emption settlers and their assigns, under the act of 22d Jan., '45, 7th Feb'y, '53, and 13th Feb'y, '54, and actual settlers in the Mississippi and Pacific Rail Road Reservation, with the message of his Excellency, the Governor, as follows, retoing the same, was taken up:
EXECUTIVE DEPARTMENT,} 
AUSTIN, TEXAS, January 9th, 1860.} 

Gentlemen of the Senate:

I herewith return to your honorable body, a bill which originated therein, entitled "an act supplementary to and amendatory of an act, entitled an act to provide relief for pre-emption settlers and their associates, under the act of 22d Jan. 1849, the act of 7th Feb'y, 1853, and the act of the 13th Feb'y, 1854, and actual settlers in the Mississippi and Pacific Rail Road Reservation."

The Executive in declining his assent to this bill, would state that his objections are solely confined to the 2d section of the act, which reads as follows:

Section 2d. That the Commissioner of the General Land Office is hereby required to issue patents to all assignees who are entitled to pre-emption under the act of 13th Feb'y, '54, entitled an act donating 160 acres of land to settlers on the public domain; Provided, said assignees shall return to the General Land Office their pre-emption certificates, proving that he or she, and those under whom they claim, have resided on said pre-emption for three years continuously, from the date of taking said pre-emption, and have otherwise complied with the act granting said donation.

Considering the misfortunes which have attended a large portion of our pre-emption settlers, arising from failure on part of the government to afford them protection from the Indians, and those acts of Providence which have deprived them of the benefits of good crops, I think they are justly entitled to relief; but that relief should be confined to those who have acquired pre-emption rights under the laws cited in the caption of the act. The second section extends these rights to individuals who have, up to January 1st, 1860, lived but two years on the public domain, and allows them now to come in and perfect a pre-emption. Had the bill so confined the relief granted, that only those who have now completed their term of occupancy would be benefited, it would have met my approval. To allow persons who will, on the 1st day of January, 1861, have resided on said pre-emption for three years continuously, from the date of taking said pre-emption, will not, in my opinion, be in accordance with the pre-emption laws or sound policy. It will furnish room for fraud and misconstruction. The proof should be required that the residence of three years was prior to the expiration of the time provided by the act under which the pre-emption was taken, and not prior to the 1st day of January, 1861.

SAM HOUSTON.
On motion of Mr. Short, the bill and message was referred to committee on Judiciary by the following vote, the yeas and nays being ordered on motion of Mr. Culberson:


The apportionment bill, with Mr. Duncan's proposed amendment, was taken up.

Mr. Lynch moved to lay the amendment on the table. Lost the following vote, the yeas and nays being ordered on motion of Mr. Duncan:


The question recurring on the adoption of the amendment, the House refused to adopt it by the following vote—Mr. Duncan ordering the yeas and nays:


NAYS—Messrs. Speaker, Anderson, Bogart, Bryan, Buckley,

Mr. Lewis of R., proposed to amend as follows:

53. Strike out Robertson, and insert Milam. Read Burison and Milam—1.

55. Strike out Travis, and insert Robertson and Brazos.

56. Strike out one, and insert two. Read Travis and Williamson—2.

57. Strike out the whole.

37. Strike out Brazos.

Mr. Perry moved to reconsider the vote rejecting Mr. McKnight's amendment yesterday.

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


The call of the House having been made to get a full vote on the motion to reconsider, the House proceeded to act on the amendment of Mr. Lewis of R., which was laid on the table by the following vote, the yeas and nays being ordered on motion of Mr. Lewis of R.:


Mr. Norton proposed to amend as follows:

Amend the Senatorial Districts Nos. 33, 21, 20, 13, 12 and 10, to read as follows:

Mr. Mabry, chairman of committee on Enrolled Bills, reported correctly enrolled, properly signed and presented for Executive approval, a bill appropriating ten thousand dollars, or so much thereof as may be necessary, to pay the expenses of Capt. Tobin's command. Report accepted.

Mr. McCutchan moved to adjourn till 10 o'clock, to-morrow. Lost by the following vote, (it requiring a two-thirds vote to adjourn,) the yeas and nays being ordered on motion of Mr. Duncan:


And, on motion, the House adjourned till 7 o'clock, P. M.; this evening.

7 o'clock, P. M.

House met pursuant to adjournment—roll called—quorum present.

Mr. Townes, chairman on part of the House, of joint committee on Public Grounds and Buildings, reported a bill to create the Board of Commissioners of Public Grounds and Buildings, and recommended its passage. Bill read first time.

Also, reported a bill to amend an act to define the duties of the Secretary of State, passed May 5th, 1846.

Mr. Townes moved to suspend rule and take up bill. Lost.

Also, reported a bill making an appropriation for repairing the Capitol and other public buildings. Read first time.

Mr. Townes moved to suspend rule and take up bill. Lost.

Mr. Nelson moved to suspend rule and take up the appropriation bill. Lost by the following vote, the yeas and nays being ordered on motion of Mr. Duncan:

YEAS—Messrs. Speaker, Bogart, Branch, Buckley, Camp, Craig, Crooks, Clark, Culberson, Cumby, Dale, Darnell, Dennis,


Bill for the relief of A. F. Smith taken up, read third time and passed.

On motion of Mr. Davis of H., the rule was suspended and the bill for the relief of Wm. Drake was taken up, read second time and ordered to be engrossed.

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

On motion of Mr. Benevides, the rule was suspended and the bill to authorize the corporation of Laredo to dispose of certain lands, with report from committee recommending amendments, was taken up, the amendments adopted, bill read second time and ordered to be engrossed.

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

On motion of Mr. Parker, the rule was suspended and the bill for the relief of Wm. Rice, et. al., was taken up.

Mr. Shannon moved to strike out so much of the bill as proposes to legalize the headright certificates of Rice & Hailey.—Adopted, bill read second time and ordered to be engrossed.

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

On motion of Mr. Wulder, the rule was suspended and the bill to incorporate the German-English School of San Antonio taken up.

Mr. Parker proposed to amend by striking out that portion donating land. Rejected, and the bill ordered to be engrossed.

Mr. Buckley moved to reconsider the vote rejecting Mr. Parker’s amendment. Lost, and on motion of Mr. Henderson, the vote engrossing the bill was reconsidered.

Mr. Lewis of R., proposed to amend by adding: “and that Port Sullivan Institute, in Milam county, Wheelock Academy, in Robertson county, be entitled to the same privileges.” Rejected.
Mr. Mabry proposed to amend by adding: "provided that said certificate for land shall not issue till said corporation shall have constructed a building for the use of said institution, worth at least $3,000.

Mr. Henderson offered the following as a substitute:
Strike out the donation of one league of land. Adopted, and the bill ordered to be engrossed.

On motion of Mr. Weilter, the rule was suspended, bill read third time and passed by a two-thirds vote.

Mr. Francis moved to suspend rule and take up bill No. 216. Lost.

Bill to incorporate Rock Ford Bridge Company taken up, read third time and passed by two-thirds vote.

Bill to incorporate East Fork Bridge Company taken up.

Mr. Bogart moved to strike out that portion charging foot passengers. Adopted, and bill read third time and passed by two-thirds vote.

Bill to authorize Caleb Wilson to practice law in this State taken up.

Mr. Nelson proposed to amend by adding the names of James W. Pope and Fletcher Logan. Adopted, bill read third time and passed.

Bill to incorporate Sulphur and White Oak Bridge Plank Road Company taken up, read third time and passed by two-thirds vote.

Bill to validate bounty land certificate No. 4059 taken up, read third time and passed.

Bill to relieve Q. K. Gibson from disability of minority taken up, read third time and passed.

Bill for the relief of James H. Brown taken up, read third time and passed.

Bill to incorporate Meridian, in Bosque county, taken up, read third time and passed.

Bill for the relief of Louis Bouillet and Hetty O. Kohlman taken up, read third time and passed.

Bill for the relief of the heirs of Willis Eddon, dec'd, taken up, read third time and passed.

Bill for the relief of Alexander-Miller taken up, read third time and passed.

Bill for the protection of game on Galveston Island.

Mr. Foscue proposed to amend by inserting "or partridges" after "quail" wherever it occurs. Adopted, bill read third time and passed.

Bill to relieve disability of minority from Thomas A. Rodriguez taken up, read third time and passed.
Bill for the relief of legal representative of Calvin Gage, dec'd, taken up, read third time and passed.

Bill for the relief of Peter B. Norton taken up, read third time.

Mr. Edwards proposed to amend by striking out the proviso. Rejected, and the bill passed.

Bill for the relief of Charles Lockhart and John Welch taken up, read second time.

Mr. Esque proposed to amend by inserting Thomas Rieves' certificate for one-third league. Rejected, and the bill passed.

On motion, the House adjourned till 12 o'clock, A. M., tomorrow.

---

House of Representatives,

Friday, January 13th, 1860

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

On motion of Mr. Norton, the rule was suspended, and the bill to amend an act to define the duties of the Secretary of State, passed May 9th, 1846, was taken up, read second time and ordered to be engrossed.

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

Mr. Short proposed to amend by striking out "Secretary of State" and inserting "Librarian of the Supreme Court."

Mr. Buckley moved to recommit the bill to committee on Public Grounds and Buildings. Rejected.

On motion of Mr. Henderson, the amendment laid on table.

Mr. Norton proposed to amend by adding, "that the Librarian shall remain in the Library and keep it open during the session of the Legislature from the hours of 8 A. M. till 4 P. M."

A message was received from the Senate, informing the House that the Senate had passed "a bill to incorporate Franklin College," "a bill to incorporate Prairie Leon Female Institute located at Prairie Leon," and "a bill to authorize and require the county courts of the several counties of the State of Texas to furnish the surveyors of their respective counties with books of record."

Mr. Nelson moved to commit the bill to a select committee of five.

Mr. Henderson moved to recommit it to committee on Public Grounds and Buildings. Lost.