The report from committee on Judiciary, recommending the passage of the bill to relieve A. E. Benham, daughter of J. J. Benham, from the disability of minority was taken up. Bill read second time.

Mr. Craig moved to adjourn till 9 o'clock, A. M., to-morrow.

Lost.

On motion, the House adjourned till 10 o'clock, A. M., to-morrow. Pending the bill.

HOUSE OF REPRESENTATIVES,

THURSDAY, December 1st, 1859,

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

Mr. Burnaud presented the petition of M. M. Kenney, surveyor of Goliad district. Referred to committee on Land Office.

Mr. Munson presented the petition of Gilbert Wynne. Referred to committee on Private Land Claims.

Mr. Townes presented the petition of S. M. Swenson and John M. Swisher. Referred to committee on Private Land Claims.

Mr. Lewter, one of the committee on Private Land Claims, reported, recommending the passage of the bill for the relief of Andrew Mason, assignee of Robert H. Andrews.

Mr. Harrison of Van Zandt, one of the committee on Private Land Claims, reported, recommending the passage of the bill for the relief of Louisa Bonillet and Hetty Kahlman.

Mr. Shannon, chairman of committee on Private Land Claims, reported, recommending the passage of the bill to validate bounty warrant No 4059.

Also, reported, recommending the passage of the bill for the relief of the heirs of Addison Litton.

Mr. Walworth, one of the committee on Private Land Claims, reported, asking that the resolution requiring that all evidence of claims referred to committee on Private Land Claims shall be taken by interrogatories, &c., be referred to committee on the Judiciary.

Mr. Parker, one of the committee on Private Land Claims, reported, recommending the passage of the bill for the relief of the heirs of Bluford Glass, dec'd, and recommended its passage.

Bill read first time.

A message was received from the Senate informing the House that the Senate had passed the joint resolution, originating in
the House, for the relief of four clerks in the Comptroller's office, and also, had passed a bill for the relief of Joseph Turner.

Mr. Craig, chairman of committee on Roads, Bridges and Ferries, reported, recommending the passage of the bill to incorporate the Pecos Bridge Company.

Also, reported, recommending the passage of the bill to incorporate the Horse Head Crossing of the Pecos Bridge Company.

Mr. Fossum, chairman of the committee on Internal Improvements, reported, recommending the passage of the bill to amend the 20th section of an act to incorporate the Memphis, El Paso and Pacific Railroad Company.

Mr. Hubbard, chairman of a select committee, reported, recommending the passage of the Senate's bill to authorize and require the clerk of the district court of Cherokee county to apportion the causes on the docket of said court, with the amendments by the committee:

**AMENDMENTS.**

Strike out the word "clerk" wherever it occurs and insert "clerks;" strike out the word "court" and insert "courts;" strike out the word "county" and insert "counties;" after the word "Cherokee" in second line of caption insert "Smith and Anderson;" in 1st section, 3rd line, after "Cherokee" insert "Smith and Anderson."

Mr. Maverick, one of the committee on Internal Improvements, reported, recommending the passage of the bill to revive and continue in force and supplemental to and amendatory of an act to incorporate the San Antonio and Mexican Gulf Railroad Company, approved September 5th, 1850, and the several supplemental and amendatory acts concerning said Railroad, approved November 14th, 1857.

Mr. Navarro, chairman on part of the House, of a Joint committee, reported a bill to perfect land claims of colonists in Castro's colony, and for the settlement of all classes of claims for said colony, and recommended its passage. Bill read first time.

Mr. Dennis, chairman of committee on State Affairs, reported, recommending the passage of the bill to incorporate the Jefferson Insurance Company, with amendments by the committee:

Amend by adding to the end of 4th section "Provided that no stockholder who has failed to pay any installment upon his stock which has been called for, shall be permitted to vote at any meeting of the stockholders."

Mr. Henderson, one of the committee on Claims and Accounts, made a majority report, reporting a bill for the relief of A. H.
Cook, and recommended its passage. Bill read first time.
Messrs. Ross and Norton submitted a minority report, recommending the rejection of the bill.
Mr. Haynes introduced a joint resolution to amend the State constitution. Read first time and referred to committee on Education.
Mr. Francis offered the following preamble and resolution:

WHEREAS, Owing to the fact that the House has refused to take enormous quantities of the city papers at the public expense (as has heretofore been the custom,) there is understood to be a combination of the city papers with a determination on their part to publish none of the proceedings of this House, while in consideration of the fact that the Senate has ordered ten copies of each of the city weeklies, for each member of that body, they have determined to publish the proceedings of that body in full. And,
WHEREAS, The people, whose money raised by taxation must foot this extravagance, have as much interest in the proceedings of their 90 Representatives as in their 33 Senators; and, WHEREAS, The money which is to pay for these papers can only be drawn from the Treasury by an appropriation in which this House must concur, such proceedings on the part of said newspapers being manifestly an intentional disrespect of this House, therefore

Resolved, 1. That the two copies each of the papers taken by this House for each member be and the same are hereby discontinued.

Resolved, 2. That this House will not vote an appropriation to pay for any newspaper taken by either House of the Legislature or any member thereof, after this date. Referred to committee on Retrenchment and Reform.

Mr. Davis of Hays, offered the following resolution:

Resolved, That the report of the Directors, Superintendent and Agent of the Texas Penitentiary, and that portion of the Governor's message that relates to the Penitentiary, be referred to the committee on Penitentiary with instructions to report upon the expediency of branching the Penitentiary, and that they report by bill or otherwise. Adopted.

Mr. Camp offered the following resolution:

Resolved, That the committee on the Judiciary be instructed to enquire into the necessity and expediency of passing a law requiring persons or companies of persons to advertise stolen property captured by them from the Indians, before the same
can be disposed of by rule, and report by bill or otherwise. Adopted.

On motion of Mr. Francis the vote referring the resolution relative to the newspapers to committee on Retrenchment and Reform, was reconsidered and the resolution taken up.

Mr. Parker moved to refer it to committee on Printing. Lost.

Mr. Davis of Hays, moved to reconsider the vote refusing to refer to committee on Printing. Lost.

Mr. Martin offered the following substitute:

Resolved, That this House instruct the committee on Printing to contract with the publishers of the State Gazette for two more copies of their daily paper in addition to the two numbers now taken for each member of this House, and also, eight additional copies of the tri-weekly Intelligencer, conditioned that both these papers publish the proceedings of this House.

On motion of Mr. Henderson substitute laid on the table by the following vote:


Mr. Craig offered the following substitute:

Resolved, That the Printing committee be instructed to contract with the editors of the daily State Gazette and tri-weekly Intelligencer for 10 copies each of said papers, provided the cost of same does not exceed the prices of regular subscribers, and provided also, that said papers shall contain the proceedings of this House.

On motion of Mr. Henderson the substitute was rejected.

On motion of Mr. McKnight the previous question ordered, which being the rejection or adoption of the preamble and resolutions.

On motion of Mr. Foscue a division of the question was
ordered. The first question being upon the adoption of the preamble the House refused to adopt it by the following vote:

**YEAS—**Messrs. Barnard, Flewellen and Manly.—3.


The question then recurring upon the adoption of the 1st resolution, it was adopted by the following vote:


**NAYS—**Messrs. Speaker, Barclay, Baxter, Branch, Bryan, Caddell, Craig, Culberson, Darnell, Davis of Bastrop, Dennis, Dougherty, Hall, Harrison of Van Zandt, Hartley, Lynch, Maxey, McClarty, Middleton, Mills, Mundine, Parker, Robinson, Wadler, Walworth, Warfield, Wortham and Wrede.—28.

The question then being upon the adoption of the 2nd resolution the House refused to adopt it by the following vote:


**NAYS—**Messrs. Speaker, Anderson, Armstrong, Barclay, Baxter, Bogart, Branch, Bryan, Buckley, Caddell, Craig, Crawford,

Mr. Henderson moved a reconsideration of all the votes taken upon the several questions contained in the preamble and resolutions. Lost.

Mr. Franklin offered the following resolution:
Resolved, That the committee on Printing be instructed to ascertain for what sum they can have printed — copies of the daily proceedings of the House for each member, and in connection with said copies, what copies of the entire journals can be printed and furnished for distribution. Adopted.

Mr. Haynes offered the following resolution:
Resolved, That the committee to investigate the public printing enquire whether the public printing has been executed according to law, from the year 1853 to the present time, with power to call for persons and papers and that they report to this House as soon as practicable. [Mr. Norton in the Chair.] Adopted by the following vote:


While the foregoing vote was being taken Mr. Haynes moved a call of the House.

The Speaker ruled the motion out of order.

[The Speaker resumed the Chair.]

Mr. Haynes appealed from the decision and the Speaker was sustained by the following vote:

NAYS—Messrs. Baxter, Benevides, Branch, Clark, Darnell, Davis of Hays, Dickson, Duncan, Haynes, Henderson, Lewis of Robertson, Mabry, Maverick, McCutcheon, McKnight, Mundine, Navarro, Redgate, Robinson, Taylor, Townes, Whitfield and Whitmore.—23.

Mr. Crooks, chairman of committee on Engrossed Bills, reported correctly engrossed the bill to incorporate the Houston Hook and Ladder Company No. 1, and Liberty Fire Company No. 2, of the city of Houston.

Mr. Mabry, chairman, on part of the House, of committee on Enrolled Bills, reported correctly enrolled and properly signed the bill to empower the Mayor, Aldermen and citizens of the city of Galveston to issue bonds for the construction of a bridge from the Island of Galveston to the main land in aid of the Galveston, Houston and Henderson Railroad, and to validate the bonds by them issued or to be issued for such purpose, and to impose a special tax to pay the interest on said bonds and to provide a fund to meet said bonds when due.

Also, the joint resolution for the relief of 4 clerks in the Comptroller's office, and that they had been presented to the Governor for his approval and signature.

Mr. Dougherty moved to reconsider the vote sustaining the decision of the Speaker.

On motion of Mr. Henderson laid on the table.

Mr. Daniels, one of the committee on Private Land Claims, by permission, reported, recommending the passage of the bill for the relief of James Jennings.

On motion, the House adjourned till 10 o'clock, A. M., tomorrow.