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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MISSOURI,

AT THE

CALLED SESSION

OF THE

TWENTY-FIRST GENERAL ASSEMBLY.

JEFFERSON CITY:
J. P. AMENT, PUBLIC PRINTER.

1861.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MISSOURI,

AT THE CALLED SESSION, BEGUN AND HELD AT THE CITY OF JEFFERSON, ON THE SECOND DAY OF MAY, EIGHTEEN HUNDRED AND SIXTY-ONE, IN PURSUANCE OF THE PROCLAMATION OF THE GOVERNOR, ISSUED ON THE TWENTY-SECOND DAY OF APRIL LAST, IT BEING THE SECOND SESSION OF THE TWENTY-FIRST GENERAL ASSEMBLY.

PROCLAMATION.

EXECUTIVE DEPARTMENT OF MISSOURI,
JEFFERSON CITY, April 22, 1861.

I, Claiborne F. Jackson, Governor of the State of Missouri, by virtue of authority vested in me by the constitution, do hereby convene the Legislature of this State; and the Senators and Representatives of the Twenty-first session of the General Assembly, are hereby required to be and appear in their respective places, at the Capitol in the City of Jefferson, on Thursday, the 2nd day of May, A. D. 1861, for the purpose of enacting such laws and adopting such measures as may be deemed necessary and proper for the more perfect organization and equipment of the militia of this State, and to raise the money and such other means as may be required to place the State in proper attitude of defense.

In testimony whereof, I have hereunto set my hand, and caused [L. S.] to be affixed the great seal of the State. Done at the City of Jefferson this 22nd day of April, A. D., 1861.

C. F. JACKSON.

By the Governor:

B. F. MASSEY, *Secretary of State.*

Mr. McAfee, member elect from the county of Shelby, and Speaker of the House at the regular session, called the House to order at half past three o'clock, P. M., in pursuance of the foregoing proclamation.

Prayer was offered by the Rev. Mr. Ditzler.

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

Messrs. Abernethy, Abington, Arnold, Ashbaugh, Austin, Bailey, Ballou, Beall, Bennett, Bohannon, Boulware, Boyd, Briscoe, Brown, Buford, Caldwell of Ralls, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Devol, Doyle, Eads, Ellis, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Hagan, Hale, Hall, Hand, Hanna, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, McAfee, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Partridge, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Trollinger, Tutt, Vest, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, Williams of Daviess, and Williams of Hickory—85.

Absent—Messrs. Allen, Baughman, Bledsoe, Blount, Breck, Burris, Byrd, Cavender, Coste, Dale, Doehn, Dorris, Duvall, Fetters, Freeman, Freide, Gatewood, Green, Hardin, Harman, Harris of Boone, Headlee, Hathim, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Roberts of Schuyler, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, Woodside, and Wyatt.

A quorum being present,
Mr. Vest offered the following preamble and resolution:

WHEREAS, We believe that the adjournment *sine die* of the Twenty-first General Assembly of the State of Missouri, on the 28th day of March last, was a virtual dissolution of the organization thereof; therefore be it

Resolved, That the House of Representatives now proceed to the election of a Speaker, Chief Clerk, Assistant Clerk, Enrolling and Engrossing Clerks, Doorkeeper and Sergeant at-Arms, in the order in which they are named in this resolution.

Mr. Powell offered the following amendment to the resolution:
"Strike out Engrossing Clerk and Sergeant-at-Arms."
The amendment was a disagreed to.
Mr Powell then called for a division of the question, which was ordered.
The question then being on agreeing to the first part of the resolution offered by Mr. Vest, in relation to the election of Speaker,
It was decided in the affirmative by the following vote, the ayes and noes having been demanded by Mr. Riley:

AYES—Messrs. Abernethy, Arnold, Ashbaugh, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Boulware, Boyd, Breck, Brown, Caldwell of Ralls, Campbell, Conrow, Daugherty, Devol, Doyle, Eads, Ellis, Gordon of Boone, Gordon of Lafayette, Graham, Hagan, Hale, Hall, Hanna, Hardin, Harris of Montgomery, Hickox, Jennings, Johnson, Jones, Lacey, Lawson of Washington, McBride, McConnell, Moore of St. Louis, Partridge, Price, Randolph, Riley, Russell, Scholl, Sheffield, Spedden, Steele, Tutt, Vest, Walker of Cooper, Waltman, Welch of Lincoln, Williams of Daviess, and Williams of Hickory—56.

NOES—Messrs. Abington, Austin, Bohannon, Briscoe, Buford, Cloud, Crow, Cunningham, Dorris, Giddings, Graves, Hand, Harris of Marion, Hyer, Kennedy, Lawson of Platte, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Powell, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Robinson, Sexton, Shambaugh, Shultz, Swink, Trollinger, Weatherford, and Wyatt—35.

Absent—Messrs. Allen, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Deatherage, Doehn, Duvall, Fetters, Freeman, Freide, Gatewood, Green, Harman, Harris of Boone, Headlee, Lathim, McAfee, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Roberts of Schuyler, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, and Woodside.

The latter part of the resolution in relation to the election of Clerks was then agreed to.

Nominations for the office of Speaker being in order,

Mr. Rathbun nominated Hon. John McAfee.

Mr. Price nominated Mr. McIlhany; but at the request of that gentleman, withdrew his name and nominated Mr. Lacey.

Mr. Lacey refused to become a candidate;

Whereupon Mr. Price withdrew his name also.

No other nomination being made, the roll was called with the following result:

For Mr. McAfee—Messrs. Abernethy, Abington, Arnold, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Boulware, Boyd, Breck, Briscoe, Brown, Buford, Caldwell of Ralls, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Dorris, Eads, Ellis, Freide, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Hagan, Hale, Hall, Hand, Hanna, Hardin, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Partridge, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Trollinger, Tutt, Vest, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, Williams of Daviess, Williams of Hickory, and Wyatt—86.

For Mr. McIlhany—Messrs. Blount, Doyle, and McAfee—3.

For Mr. BOYD—Mr. Price—1.

For Mr. RHODES—Mr. Lawson, of Washington—1.

Absent—Same as before.

Mr. McAfee having received a majority of all the votes cast, was declared duly elected Speaker of the House of Representatives.

Mr. Sexton moved that a committee of three be appointed to wait upon the Speaker elect and conduct him to the chair;

Which motion was agreed to,

And the chairman (Mr. Conrow) appointed Messrs. Sexton, Briscoe, and McIlhany said committee, who discharged the duty assigned them;

And the oath of office having been administered to the Speaker elect by Hon. E. B. Ewing, Judge of the Supreme Court, he entered upon the discharge of his official duties as Speaker.

Nominations for Chief Clerk being in order,

Mr. Ballou nominated Thos. H. Murray, of Benton county.

No other nomination being made, the roll was called with the following result:

For Mr. MURRAY—Messrs. Abernethy, Abington, Arnold, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Boyd, Brieck, Briscoe, Brown, Buford, Caldwell of Ralls, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Devol, Doehn, Dorris, Doyle, Eads, Freide, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Hagan, Hale, Hall, Hand, Hanna, Hardin, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Partridge, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton. Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Trollinger, Tutt, Vest, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, Williams of Daviess, Williams of Hickory, Wyatt, and Mr. Speaker—93.

Absent—Messrs. Allen, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Deatherage, Duvall, Ellis, Fetters, Freeman, Gatewood, Green, Harman, Harris of Boone, Headlee, Lathim, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Roberts of Schuyler, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, and Woodside.

Mr. Murray having received a majority of all the votes cast, was declared duly elected Chief Clerk of the House of Representatives, came forward, was qualified by the Speaker, and entered upon the discharge of his official duties.

Nominations for Assistant Clerk being in order,

Mr. Riley nominated Mr. A. W. Anthony, of Morgan county.

No other nomination being made, the roll was called with the following result:

For Mr. ANTHONY—Messrs. Abernethy, Abington, Arnold, Ashbaugh, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Boyd, Breck, Briscoe, Brown, Buford, Caldwell of Ralls, Campbell, Cloud, Conrow, Crow, Cunningham, Devol, Doehn, Dorris, Doyle, Eads, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Hagan, Hale, Hall, Hand, Hanna, Hardin, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Partridge, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Trollinger, Tutt, Vest, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, Williams of Daviess, Williams of Hickory, Wyatt, and Mr. Speaker—90.

Absent—Messrs. Allen, Austin, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Daugherty, Deatherage, Duvall, Ellis, Fetters, Freeman, Freide, Gatewood, Green, Harman, Harris of Boone, Headlee, Lathim, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Roberts of Schuyler, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, and Woodside.

Mr. Anthony having received a majority of all the votes cast, was declared duly elected Assistant Clerk, was qualified, and entered upon the discharge of the duties of his office.

Nominations for Enrolling Clerk being in order,

Mr. Riley nominated Joseph M. Herndon, of Laclede county.

No other nomination having been made, and the roll of the House having been called, there appeared as voting

For Mr. HERNDON—Messrs. Abernethy, Abington, Arnold, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Boyd, Breck, Briscoe, Brown, Buford, Caldwell of Ralls, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Devol, Doehn, Dorris, Doyle, Eads, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Hale, Hall, Hand, Hanna, Hardin, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Partridge, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Trollinger, Tutt, Vest, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, Williams of Daviess, Williams of Hickory, Wyatt, and Mr. Speaker—90.

For Mr. FRAME—Mr. Harris of Marion—1.

Absent—Messrs. Allen, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Deatherage, Duvall, Ellis, Fetters, Freeman, Freide, Gatewood, Green, Hagan, Harman, Harris of Boone, Headlee, Lathim, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Roberts of Schuyler, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, and Woodside.

Mr. Herndon having received a majority of all the votes cast, was declared duly elected Enrolling Clerk, came forward and was qualified.

Nominations for Engrossing Clerk being in order,
Mr. Williams, of Daviess, nominated Mr. Thomas T. Frame.
Mr. Randolph nominated N. C. Claiborne.
No other nomination being made, the roll was called, when there appeared

For Mr. FRAME—Messrs. Abernethy, Arnold, Ashbaugh, Austin, Baughman, Bennett, Blount, Bohannan, Boulware, Boyd, Breck, Buford, Caldwell of Ralls, Campbell, Conrow, Crow, Devol, Eads, Giddings, Gordon of Boone, Gordon of Lafayette, Graves, Hale, Harris of Montgomery, Hickox, Jennings, Johnson, Kennedy, Lawson of Platte, Lawson of Washington, Moore of Chariton, Morgan, Price, Rathbun, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Robinson, Russell, Shambaugh, Spedden, Steele, Trollinger, Tutt, Walker of Cooper, Williams of Daviess, Williams of Hickory, and Wyatt—49.

For Mr. CLAIBORNE—Messrs. Abington, Bailey, Ballou, Beall, Bledsoe, Briscoe, Brown, Cloud, Cunningham, Daugherty, Doehn, Dorris, Doyle, Freide, Hagan, Hall, Hand, Hanna, Hardin, Harris of Marion, Hyer, Jones, Lacey, McBride, McConnell, McIlhany, Meriwether, Moore of Laclede, Moore of St. Louis, Partridge, Powell, Randolph, Rhodes, Scholl, Sexton, Sheffield, Shultz, Swink, Vest, Waltman, Weatherford, Welch of Lincoln, and Mr. Speaker—43.

Absent—Messrs. Allen, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Deatherage, Duvall, Ellis, Fetters, Freeman, Gatewood, Graham, Green, Harman, Harris of Boone, Headlee, Lathim, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Roberts of Schuyler, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, and Woodside.

Mr. Frame having received a majority of all the votes cast, was declared duly elected Engrossing Clerk, came forward and was qualified.

Nominations for Doorkeeper being in order,
Mr. Conrow nominated Col. N. Mothershead.
No other nomination being made, the roll was called with the following result:

For Mr. MOTHERSHEAD—Messrs. Abernethy, Abington, Arnold, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Boyd, Breck, Briscoe, Brown, Buford, Caldwell of

Ralls, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Devol, Dorris, Doyle, Eads, Freide, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Hagan, Hale, Hall, Hand, Hanna, Hardin, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Partridge, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Trollinger, Tutt, Vest, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, Williams of Daviess, Williams of Hickory, Wyatt, and Mr. Speaker—92.

Absent—Same as before.

Mr. Mothershead having received a majority of all the votes cast, was declared duly elected Doorkeeper, came forward, was qualified, and entered upon the discharge of the duties of his office.

Nominations for Sergeant-at-Arms being in order,
Mr. Harris, of Marion, nominated Mr. J. Y. Roberts, of Platte county.
Mr. Hagan nominated Mr. James C. Power, of Jefferson county.
No other nomination being made, the roll was called, when there appeared

For Mr. ROBERTS—Messrs. Abington, Arnold, Ashbaugh, Austin, Bailey, Baughman, Bennett, Blount, Bohannon, Boulware, Breck, Briscoe, Brown, Buford, Caldwell of Ralls, Campbell, Cloud, Crow, Doehn, Dorris, Eads, Freide, Giddings, Gordon of Boone, Gordon of Lafayette, Graves, Hall, Hand, Hanna, Harris of Marion, Hickox, Johnson, Jones, Lawson of Platte, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Robinson, Shambaugh, Sheffield, Shultz, Spedden, Steele, Tutt, Vest, Walker of Cooper, Waltman, Weatherford, Williams of Daviess, Williams of Hickory, Wyatt, and Mr. Speaker.—65.

For Mr. POWER—Messrs. Abernethy, Ballou, Beall, Bledsoe, Daugherty, Devol, Doyle, Hagan, Hardin, Harris of Montgomery, Jennings, Kennedy, Lacey, Lawson of Washington, Partridge, Riley, Russell, Scholl, Swink, Trollinger, and Welch of Lincoln.—21.

Absent—Messrs. Allen, Burris, Byrd, Caldwell of Perry, Cavender, Conrow, Coste, Cunningham, Dale, Deatherage, Duvall, Ellis, Fetters, Freeman, Gatewood, Graham, Green, Hale, Harman, Harris of Boone, Headlee, Hyer, Lathim, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Powell, Roberts of Schuyler, Sexton, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, and Woodside.

Mr. Roberts having received a majority of all the votes cast, was de-

cIared duly elected Sergeant-at-Arms, came forward, was qualified, and entered upon the discharge of his official duties.

On motion of Mr. Price,

Resolved, That Frank Clark and Charles Ludi be appointed Pages, and that they be required to do the folding for the House.

Mr. Vest moved that the House now proceed to elect a Speaker *pro tem.*

Mr. Powell moved that the House adjourn till 9 o'clock to-morrow morning;

Which motion was decided in the negative.

The question then recurring upon the motion of Mr. Vest, it was decided in the affirmative.

Nominations for Speaker *pro tem.* being in order,

Mr. Eads nominated Mr. Marcus Boyd, of Greene county.

Mr. Gordon, of Lafayette, nominated Mr. Thomas A. Harris, of Marion county.

Mr. Vest nominated Mr. McIlhany, of Audrain county.

Mr. Ashbaugh nominated Mr. Riley, of Wright county.

No other nomination being made, the roll was called with the following result:

For Mr. BOYD—Messrs. Arnold, Austin, Bennett, Boulware, Caldwell of Ralls, Campbell, Crow, Devol, Doehn, Doyle, Eads, Freide, Gordon of Boone, Hanna, Hickox, Jennings, Lawson of Washington, McConnell, McIlhany, Meriwether, Moore of St. Louis, Partridge, Price, Rathbun, Spedden, Steele, Tutt, Walker of Cooper, Williams of Daviess, and Williams of Hickory—30.

For Mr. HARRIS, of Marion—Messrs. Abernethy, Ballou, Baughman, Beall, Bledsoe, Bohannon, Briscoe, Cloud, Cunningham, Daugherty, Dorris, Gordon of Lafayette, Graham, Graves, Hagan, Hall, Hardin, Hyer, Kennedy, Moore of Chariton, Powell, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Robinson, Russell, Shambaugh, Shultz, Swink, Trollinger, and Mr. Speaker—31.

For Mr. MCILHANY—Messrs. Bailey, Breck, Brown, Conrow, Giddings, Hand, Harris of Montgomery, Lacey, Lawson of Platte, Moore of Laclede, Randolph, Scholl, Sexton, Vest, Weatherford, and Wyatt—16.

For Mr. RILEY—Messrs. Ashbaugh, Boyd, Buford, Hale, Harris of Marion, Johnson, and Rhodes.—6.

For Mr. RHODES—Mr. Riley.

Absent—Messrs. Abington, Allen, Blount, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Deatherage, Duvall, Ellis, Fetters, Freeman, Gatewood, Green, Harman, Harris of Boone, Headlee, Jones, Lathim, McBride, Maguire, Miller, Morgan, Murphy, Neill, Owens, Parcels, Peckham,

Pollard, Porter, Roberts of Schuyler, Sheffield, Stevenson, Taylor, Vance, Walker of Cedar, Waltman, Watkins, Welch of Johnson, Welch of Lincoln, White, Williams of Phelps, and Woodside.

Whole number of votes cast 84.
Necessary to a choice, 43.
Neither of the candidates having received a majority of all the votes cast, the House was about to proceed to a second ballot, when,

On motion of Mr. Randolph,
The House adjourned until 9 o'clock to-morrow morning.

FRIDAY MORNING, MAY 3, 1861.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Ditzler.

On motion of Mr. Riley, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Powell said he was authorized to withdraw the name of Mr. Riley as a candidate for Speaker *pro tem.* Mr. Riley's name was accordingly withdrawn.

Mr. Gordon, of Lafayette, withdrew the name of Maj. Thos. A. Harris, of Marion county.

Mr. Hyer re-nominated Mr. Thos. A. Harris, of Marion county.

Mr. Vest withdrew the name of Mr. McIlhany.

No other nomination being made, the Clerk proceeded to call the roll, when there appeared

For MR. BOYD—Messrs. Abington, Arnold, Ashbaugh, Bailey, Blount, Boulware, Buford, Campbell, Crow, Devol, Doehn, Doyle, Eads, Ellis, Freide, Giddings, Gordon of Boone, Gordon of Lafayette, Hale, Hanna, Harris of Marion, Harris of Montgomery, Hickox, Jennings, Johnson, Jones, Lawson of Platte, Lawson of Washington, McBride, McIlhany, Moore of St. Louis, Partridge, Price, Rathbun, Riley, Spedden, Swink, Tutt, Walker of Cooper, Welch of Lincoln, Williams of Daviess, and Williams of Hickory—42.

For MR. HARRIS, of Marion—Messrs. Abernethy, Austin, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Briscoe, Brown, Caldwell of Ralls, Cloud, Conrow, Cunningham, Daugherty, Dorris, Graham, Graves, Hagan, Hall, Hand, Hardin, Hyer, Kennedy, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Powell, Randolph, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Trollinger, Vest, Waltman, Weatherford, Wyatt, and Mr. Speaker—47.

For Mr. McIlhany—Messrs. Breck and Lacey—2.

For Mr. Riley—Mr. Boyd—1.

Absent—Messrs. Allen, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Deatherage, Duvall, Fetters, Freeman, Gatewood, Green, Harman, Harris of Boone, Headlee, Lathim, McCounell, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Roberts of Schuyler, Steele, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, White, Williams of Phelps, and Woodside.

Mr. Harris of Marion having received a majority of all the votes cast, was declared duly elected Speaker *pro tem.*, came forward and was qualified.

Mr. Harris of Marion offered the following resolution, which was adopted:

Resolved, That the Senate be informed that the House of Representatives has organized by the election of the following officers:

John McAfee, *Speaker*;
Thomas A. Harris, *Speaker pro tem.*,
Thomas H. Murray, *Chief Clerk*;
A. W. Anthony, *Assistant Clerk*;
J. N. Herndon, *Enrolling Clerk*;
Thos. T. Frame, *Engrossing Clerk*;
N. Mothershead, *Doorkeeper*;
J. Y. Roberts, *Sergeant-at-Arms*;

And are now ready to proceed to business; and that a committee of five on the part of the House, to act with a similar committee of the Senate, be appointed to wait upon the Governor and inform him that the two Houses are organized, and are now ready to receive any communication he may wish to make.

The Speaker appointed Messrs. Harris of Marion, Ballou, Lacey, Conrow, and Eads, committee on the part of the House in conformity with said resolution.

Message from the Senate by Mr. Hough, Secretary:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has been organized by the election of the following officers:

Warwick Hough, *Secretary*;
Jno. T. Crisp, *Assistant Secretary*;
J. T. Morrison, *Enrolling Clerk*;
J. L. Tracy, *Engrossing Clerk*;
E. Fitzpatrick, *Doorkeeper*;
G. W. White, *Sergeant-at-Arms*;

And that they are now ready to proceed to business. In pursuance of Senate resolution, the President of the Senate has appointed Messrs. Churchill, Newland, and Morris, a committee, on the part of the Senate, to act in conjunction with such committee as may be appointed by the House, to wait upon the Governor and inform him that the two Houses are now

organized and ready to receive any communication he may deem it proper to transmit them.

Mr. Harris, of Marion, from the joint committee appointed to wait upon the Governor, and inform him that the two Houses were organized and were ready to receive any communication he might wish to make, reported that the committee had discharged the duty assigned them, and that the Governor had handed them a Message to present to the General Assembly.

The Message was then read.

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 3, 1861.

Gentlemen of the Senate and of the House of Representatives:

I had no reason to anticipate, when you adjourned, that circumstances would so soon arise, which would render it my imperative duty to call you together again. It is deeply to be regretted that such a step has to be taken at a season of the year when time is so precious, and the loss of it, in your private affairs, must occasion such serious inconvenience. I am confident, however, that you have not reluctantly responded to the call, and that the objects for which you have assembled can be promptly and unanimously accomplished in a very few days. Since your adjournment, events affecting the peace and safety of the country, have been transpiring almost with the rapidity of thought, and of a nature well calculated to awaken, in the bosom of every patriot, the most gloomy apprehensions. Manifestations from every quarter, and of a character neither to be overlooked or disregarded, indicate but too plainly that our whole country, its Constitution and laws, are in imminent danger of disorder and destruction.

Our Federal Constitution, the bond of union of a once united and happy people, was framed by the delegates of distinct and separate States, and severally ratified by them in their sovereign capacity as States. This Constitution emanated from men who were guided by intelligence and patriotism, and taught by the lessons of experience and history, and whose minds were illuminated by the lights of philosophy and wisdom. Its object was to establish equality and justice between the States, and to insure domestic tranquillity within them. Had the same spirit of justice and patriotism, which animated the men who devised it, guided the people of the free States in the proper observance of its obligations to the present hour, we would now have a united, prosperous and happy Union, instead of a distracted and broken Confederacy. There has been no necessary conflict of interests between the North and the South, the East and the West. Varieties of climate, locality and products involved, it is true, contrasting, but not conflicting organizations of labor, and social structures, animated by different but not adverse principles. But the progress of fanaticism, sectionalism and cupidity in the Northern States, for the last quarter of a century, has, with accumulating force, culminated in the triumph of a purely sectional faction, which under the forms, but in violation of the principles of the Constitution, threatens to destroy the sovereignty of the States, and practically convert the government of the United States into an overshadowing consolidated despotism. The present Executive of the United States seems to regard the States, in their relation to the Federal Government, as similar to those which counties bear to State sovereignties. A perversion so monstrous and so dangerous, all wise and reflecting men foresaw must

end in a dissolution of the Confederacy, and that result has not taken us by surprise. Prior to the inauguration of President Lincoln seven States had seceded; they united with each other under a new Constitution; elected their officers, organized armies, instituted judicial tribunals, and asserted all the powers rightfully belonging to sovereign States. To this they were impelled by well founded apprehensons of imminent danger to all their vital interests, and by a consciousness that every thing dear to them was directly menaced by the predominance of a faction avowedly hostile to their very existence as communities. For calamities so deplorable the people of Missouri cannot be reproached. They have preserved with scrupulous fidelity their attachment to the Constitution and the Union. They have asked for nothing which was not their right. They have done nothing in derogation of the rights of others. They have patiently submitted to many and great injuries for the sake of peace. They have ever counseled concord and fraternity. Their statute books have not been defaced by enactments in contravention of the Constitution, and the laws made in pursuance thereof. They have been slow to believe that designs destructive of their rights and interests could be entertained by the Administration of Mr. Lincoln. They refused to see in his inaugural any purpose of introducing the horrors of civil war. They have cordially united in every effort of the people of the Border States to effect such a compromise as would secure the rights and honor of all, restore fraternal feeling, reconstitute the Union, and impart new vigor to the Constitution. Their counsels and their rights have been alike unheeded. The old Confederacy is broken; a new one has been organized by a portion of the States; and President Lincoln, by his proclamation calling out a force of seventy-five thousand men to subdue the seceded States, has threatened a destructive war between the States.

On the 15th day of April, I received a dispatch from the Secretary of War, calling on me to furnish the government at Washington with four regiments to aid in the prosecution of the civil war about to be inaugurated. I am sure I but gave uttrance to the universal heart of our people when I replied, that Missouri would not furnish one man to assist in such a war. The action of the President is evidently unconstitutional and illegal, and will only tend to still further alienate the people of the free and slaveholding States in their opinions and sentiments. In confirmation of this opinion it is sufficient to say that the power to coerce a State, by the Federal Union, was proposed in the Convention that framed the Constitution in several different forms, and rejected; and it is an insult to the common sense of the people to assert, that a war upon individuals, acting under the authority of a State, and by virtue of its commission, or in obedience to its government, is not a war upon the State. The President, it appears, has not only discovered the power in the *government* to make war on the States, but has assumed that the *Executive Department* can initiate that war. Neither Washington, nor Jefferson, nor Jackson ever for one moment imagined that they were clothed with such a despotic power as this. On the contrary, we have been taught by the following language in the farewell address of General Jackson, that the harmony and permanency of the Union could only be perpetuated by such a policy as would command the love and confidence of the people of the several States. He said: "But the constition cannot be maintained, nor the Union preserved, in opposition to public feeling, by the mere exertion of the coercive powers confided to the government. The foundations must be laid in the affections of the people; in the

security it gives to life, liberty, character and property *in every quarter of the country*; and in the fraternal attachments which the citizens of the several States bear to one another, as members of one political family, mutually contributing to promote the happiness of each other." We have also been warned by John Quincy Adams, that the permanency of the Union rested not in the coercive powers of the Federal Government, but in the love and affections of the people. His opinions were expressed in regard to the perpetuity of the government, in the following strong and truthful language: "The indissoluble link of Union between the people of the several States of the Confederate Nation, is, after all, not in the *right*, but in the *heart*. If the day should ever come, (may heaven avert it,) when the affections of the people of these States shall be alienated from each other; when the fraternal spirit shall give way to cold indifference, or collisions of interest shall fester into hatred, the bands of political association will not long hold together parties no longer attached by the magnetism of conciliated interests and kindly sympathies; and far better will it be for the people of the *disunited* States to part in friendship from each other, than to be held together by constraint."

But the lessons of wisdom taught by the older and purer statesmen of the country seem to be unheeded by the present Administration. Its policy is rapidly tending to revolution; and, unless speedily arrested, will end in ruin and disaster to the hitherto prosperous and happy people of the American Continent. The great and patriotic State of Virginia, after having failed in all her efforts to re-adjust the Union, has at last yielded in despair, and seceded from the old Federal Union. North Carolina, Tennessee and Arkansas, it is believed, will rapidly follow in the footsteps of Virginia; and Kentucky is profoundly moved in this great question. Our interests and our sympathies are identical with those of the slaveholding States, and necessarily unite our destiny with theirs. The similarity of our social and political institutions; our industrial interests; our sympathies, habits and tastes; our common origin and territorial contiguity, all concur in pointing out our duty in regard to the separation which is now taking place between the States of the old Federal Union. In the meantime, it is, in my judgment, indispensable to our safety that we should emulate the policy of all the other States in arming our people, and placing the State in a proper attitude for defense. The Militia Law should be revised and rendered more efficient. A good system of drill and discipline should also be adopted, in order to place ourselves in a position where our rights can be defended by strong arms and willing hearts.

Missouri has, at this time, no war to prosecute. It is not her policy to make aggressions on any State or people; but in the present state of the country, she would be faithless to her honor, and recreant in her duty, were she to hesitate a moment in making the most ample preparation for the protection of her people against the aggression of all assailants.

I, therefore, respectfully recommend the appropriation of a sufficient sum of money to place the State, at the earliest practicable moment, in a complete state of defense.

In conclusion, premit me to appeal to you, and through you, to the whole people of the State, to whom we are responsible, to do nothing imprudently or precipitately. We, gentlemen, have a most solemn duty to perform. Let us, then, calmly reason one with another; avoid all passion and all tendency to tumult and disorder; obey implicitly the law and the constitut-

ed authorities, and endeavor, ultimately, to unite all our citizens in cordial co-operation, for the preservation of our honor, the security of our property, and the performance of all those high duties imposed upon us by our obligations to our families, our country, and our God.

Respectfully,

C. F. JACKSON.

On motion of Mr. Riley,

Five thousand copies of the Governor's Message were ordered to be printed for the use of the House.

On motion of Mr. Harris, of Marion,

The rules and orders for the government of the first session of the Twenty-first General Asssembly were adopted as the rules and orders of this House until otherwise ordered.

The Speaker announced that the several committees of the first session of this General Assembly, would stand as the committees for this session. Vacancies in said committees would be filled hereafter.

Mr. Vest moved that the House go into secret session for the purpose of considering the Governor's Message and the state of the country.

After debate,

The motion was agreed to by the following vote, the ayes and noes having been demanded by Mr. Price:

AYES—Messrs. Abernethy, Arnold, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Boulware, Breck, Briscoe, Brown. Buford, Caldwell of Ralls. Campbell, Cloud, Conrow. Crow, Cunningham; Daugherty, Devol, Dorris, Ellis, Giddings, Graham, Hagan, Hale, Hall, Hand, Hanna, Hardin, Harris of Marion, Harris of Montgomery, Hickox, Hver, Jennings, Johnson, Jones, Kennedy, Lacey, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Powell, Randolph, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh. Sheffield, Shultz, Spedden, Swink, Trollinger, Tutt, Vest, Weatherford, Williams of Daviess, Williams of Hickory, Wyatt, and Mr. Speaker.—73

NOES—Messrs. Abington, Blount, Boyd, Doehn, Doyle, Eads, Friede, Gordon of Boone, Lawson of Platte, Lawson of Washington, Moore of St. Louis, Partridge, Price, Riley, Steele, Walker of Cooper, and Waltman—17.

Absent—Messrs. Allen, Burris, Byrd, Caldwell of Perry, Cavender, Coste, Dale, Deatherage, Duvall, Fetters, Freeman, Gatewood, Gordon of Lafayette, Graves, Green, Harman, Harris of Boone, Headlee, Lathim, Maguire, Miller, Murphy, Neill, Owens, Parcels, Peckham, Pollard, Porter, Rathbun, Roberts of Schuyler, Stevenson, Taylor, Vance, Walker of Cedar, Watkins, Welch of Johnson, Welch of Lincoln, White, Williams of Phelps, and Woodside.

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AUDITOR'S OFFICE,
JEFFERSON CITY, Missouri, May 3, 1861.

To the Speaker of the House of Representatives
of the State of Missouri:

SIR: It is made my duty by the laws of this State to submit to the General Assembly the financial condition and wants of the treasury to meet the expenses of the State Government. I beg leave, therefore, at the earliest moment after your being convened, to call the attention of the General Assembly to such appropriations as are needed to carry on the Government.

An appropriation is asked for the pay of the General Assembly and the contingent expenses thereof, the amounts heretofore appropriated, on the 14th day of January, 1861, having been exhausted. There was under that act the sum of seventy-five thousand dollars appropriated, together with the unexpended balance of four thousand one hundred and fifty-two and 62-100 dollars for the pay of the General Assembly for the two years ending in the year 1862. That whole amount has been expended, and the sum of ten thousand four hundred and fifteen dollars and twenty cents *overdrawn*. There was appropriated under same act thirty thousand dollars, together with the sum of nine thousand five hundred and six 78-100 dollars, the unexpended balance of the former appropriation, the whole of which sums have been expended, and the sum of three hundred and eighty-two and 77-100 dollars overdrawn on that fund. As these two appropriations have been exhausted, no warrant can be drawn by the Auditor for the pay of members of the Legislature (now in session) until an additional appropriation is made by the present General Assembly. An appropriation should be made sufficient to cover the warrants overdrawn, and the amount necessary to pay the present General Assembly. An appropriation is asked for the general contingent fund of two thousand dollars, as that fund will be exhausted before the end of the present fiscal year. An appropriation for the printing of the laws and journals of fifteen thousand dollars, and for copying the laws and journals eight thousand dollars, as the Twenty-first General Assembly made no appropriation for said purposes, and the unexpended balance of the last fiscal years are nearly exhausted, and the laws not yet printed. Some claims will soon be presented for payment against those two last mentioned funds, and no appropriation made to pay them. These deficiencies should be immediately provided for, and appropriations made.

I would respectfully suggest to your consideration the necessity of curtailing the passage of relief acts for Collectors, granting extension of time, or draining money out of the Treasury by special appropriations, or we will soon have an empty Treasury. No such special laws should be enacted unless there is an absolute necessity for it. The resources of the State should be carefully husbanded so as to enable the State to meet the absolute demands of our wants in these times of peril.

Very respectfully, your ob't serv't,
WILLIAM S. MOSELEY,
Auditor Public Accounts.

On motion of Mr. Riley, the above communication was referred to the committee on Ways and Means.

Mr. Price offered the following resolution:

Resolved, That the Doorkeeper be and is hereby instructed to buy postage stamps and place them upon letters written by members of this House, and upon documents authorized to be printed by the present session of the Legislature, to be paid out of the contingent fund of the House.

The resolution was, on motion of Mr. Conrow, laid on the table, by the following vote, the ayes and noes having been demanded by Mr. Riley:

AYES—Messrs. Abernethy, Abington, Allen, Arnold, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Breck, Brown, Buford, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Conrow, Coste, Crow, Cunningham, Daugherty, Deatherage, Devol, Doehn, Dorris, Eads, Ellis, Fetters, Freide, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Green, Hagan, Hale, Hall, Hand, Hanna, Hardin, Harman, Harris of Boone, Harris of Montgomery, Headlee, Hickox, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lipscomb, McBride, McConnell, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Parcels, Partridge, Porter, Powell, Price, Randolph, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Trollinger, Tutt, Vest, Walker of Cedar, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Lincoln, Williams of Daviess, Williams of Hickory, Williams of Phelps, and Mr. Speaker—98.

NOES—Messrs. Ashbaugh, Austin, Boyd, Briscoe, Doyle, Lawson of Washington, Riley, and Stevenson—8.

Absent—Messrs. Burris, Cavender, Dale, Duvall, Freeman, Gatewood, Harris of Marion, Hyer, Lathim, McIlhany, Maguire, Miller, Murphy, Neill, Owens, Peckham, Pollard, Rathbun, Roberts of Schuyler, Taylor, Vance, Welch of Johnson, White, Woodside, and Wyatt.

Message from the Senate by Mr. Hough, Secretary:

Mr. SPEAKER—I am instructed by the Senate to inform the House of Represeutatives that the following joint resolution has passed the Senate:

Resolved by the Senate, the House of Representatives concurring therein, That the joint rules for the government of both Houses of the General Assembly at the last session, be adopted for the present session.

Mr. Boyd moved that the secret session be now dissolved;

Which motion was decided in the negative by the following vote, the ayes and noes having been demanded by Mr. Sexton:

AYES—Messrs. Abington, Arnold, Bailey, Blount, Boulware, Boyd, Burris, Caldwell of Ralls, Coste, Devol, Doehn, Doyle, Eads, Ellis, Fetters, Freide, Giddings, Gordon of Boone, Hanna, Harris of Boone, Harris of Montgomery, Headlee, Hickox, Jennings, Jones, Lacey, Lawson of Platte, Lawson of Washington, Lipscomb, Moore of St. Louis, Partridge, Price, Riley, Spedden, Steele, Stevenson, Swink, Tutt, Walker of Cooper, and Williams of Daviess—40.

NOES—Messrs. Abernethy, Ashbaugh, Austin, Ballou, Baughman,

Beall, Bennett, Bledsoe, Bohannon, Breck, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Deatherage, Gordon of Lafayette, Graham, Graves, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Hyer, Johnson, Kennedy, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miiler, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Trollinger, Vest, Walker of Cedar, Watkins, Weatherford, Welch of Lincoln, Williams of Hickory, and Williams of Phelps—67.

Absent—Messrs. Allen, Cavender, Dale, Duvall, Freeman, Gatewood, Harris of Marion, Lathim, Maguire, Miller, Murphy, Neill, Owens, Peckham, Pollard, Roberts of Schuyler, Taylor, Vance, Waltman, Welch of Johnson, White, Woodside, Wyatt, and Mr. Speaker.

On motion of Mr. Ballou,
Leave was granted to the committee on the Militia to sit during the session of the House.

On motion of Mr. Vest, the committee on Apportionment was increased to thirteen members.

Mr. Dorris introduced a bill entitled
An act concerning the apportionment of the revenue for school purposes;
Which was read a first time;
When Mr. Stevenson objected to a second reading.
The question then being, Shall the bill be rejected? it was decided in the negative by the following vote, the ayes and noes having been demanded by Mr. Stevenson:

AYES—Messrs. Allen, Blount, Boyd, Buford, Burris, Boyd, Caldwell of Ralls, Campbell, Coste, Cunningham, Devol, Doehn, Fetters, Freide, Green, Hale, Hand, Hanna, Harman, Headlee, Jennings, Johnson, Jones, Lawson of Washington, McBride, McConnell, Moore of St. Louis, Parcels, Partridge, Price, Richardson of Miller, Riley, Sheffield, Spedden, Steele, Stevenson, Swink, Waltman, Williams of Daviess, and Williams of Hickory—40.

NOES—Messrs. Abernethy, Abington, Arnold, Austin, Bailey, Baughman, Beall, Bennett, Bledsoe, Bohannon, Boulware, Breck, Briscoe, Brown, Caldwell of Perry, Cloud, Conrow, Crow, Daugherty, Deatherage, Dorris, Eads, Ellis, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Hall, Hardin, Harris of Boone, Harris of Montgomery, Hickox, Hyer, Kennedy, Lacey, Lipscomb, McIlhany, Meriwether, Morgan, Porter, Powell, Randolph, Rhodes, Richardson of Linn, Roberts of Buchanan, Robinson, Russell, Scholl, Sexton, Shambaugh, Shultz, Trollinger, Tutt, Vest, Walker of Cedar, Walker of Cooper, Watkins, Weatherford, Welch of Lincoln, Williams of Phelps, and Mr. Speaker—61.

Absent—Messrs. Ashbaugh, Ballou, Cavender, Dale, Doyle, Duvall,

Gatewood, Graves, Hagan, Harris of Marion, Lathim, Lawson of Platte, Maguire, Miller, Moore of Chariton, Moore of Laclede, Murphy, Neill, Owens, Peckham, Pollard, Rathbun, Roberts of Schuyler, Taylor, Vance, Welch of Johnson, White, Woodside, and Wyatt.

The bill was then read a second time, and on motion of Mr. Dorris, referred to the committee on Ways and Means.

On motion of Mr. Watkins, the Senate joint resolution adopting the joint rules of the last session of the Legislature, for the government of both Houses, was taken up, read a first time, rule suspended, read a second and third time, and passed.

Mr. Rathbun, from the select committee, to which was referred a bill to authorize Lafayette county to issue bonds for certain purposes, reported the same back to the House, and recommended its passage.

After debate, on motion of Mr. McIlhany, the bill was referred to the committee on Militia.

In accordance with a resolution heretofore adopted increasing the committees on Ways and Means and Militia, to thirteen members each, the Speaker appointed Messrs. Lipscomb, Vest, McIlhany, Conrow, and Walker of Cedar, on the committee on Ways and Means, and Messrs. Freeman, Lacey, Randolph, Shambaugh, and Beall, on the committee on Militia.

On motion of Mr. Riley,
The House adjourned till Monday morning, 9 o'clock.

MONDAY MORNING, MAY 6, 1861.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Ditzler.

The Speaker ordered the gallery cleared, and the doors closed; after which the journal of last Saturday's proceedings was read and approved.

Mr. G. M. B. Maughs, member elect from the county of Jackson, *vice* N. C. Claiborne, resigned, came forward, presented his credentials, was qualified, and took his seat.

The Speaker appointed Mr. Rathbun on the committee on Militia; Mr. Maguire to the committee on Printing; and Messrs. Maughs and Swink to the committee of Ways and Means.

On motion,
Leave was granted to the committee on Ways and Means to sit during the sessions of the House.

On motion of Walker, of Cedar,
Leave of absence was granted to Mr. Dorriss.

Message from the Senate by Mr. Crisp, Assisistant Secretary:
Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that bills of the following titles have been introduced into the Senate and passed:
An act to create a special military fund for the Governor;
An act in relation to the volunteer militia of Missouri;
An act legalizing the organizatien of the Callaway Dragoon Company.

Mr. Price moved to dissolve the secret session;
Which motion was decided in the negative by the following vote, the ayes and noes having been demanded by Mr. Price:

AYES—Messrs. Blount, Boulware, Boyd, Breck, Burris, Caldwell of Ralls, Coste, Devol, Doehn, Doyle, Duvall, Friede, Giddings, Gordon of Boone, Gordon of Lafayette, Harris of Boone, Headlee, Jennings, Johnson, Jones, Lawson of Platte, Lawson of Washington, Lipscomb, Maguire, Moore of St. Louis, Partridge, Price, Spedden, Steele, Stevenson, Swink, Tutt, Walker of Cooper, Welch of Johnson, and Williams of Daviess—36.

NOES—Messrs. Abernethy, Abington, Allen, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Campbell, Cloud, Conrow, Crow, Cunningham, Dale, Daugherty, Deatherage, Fetters, Freeman, Gatewood, Graham, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Marion, Harris of Montgomery, Kennedy, Lacey, Maughs, McBride, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Neill, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Miller, Roberts of Buchanan, Robinson, Russell, Scholl, Shambaugh, Sheffield, Shultz, Taylor, Trollinger, Vance, Walker of Cedar, Watkins, Weatherford, Welch of Lincoln, White, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—74.

Absent—Messrs. Arnold, Cavender, Eads, Ellis, Graves, Hickox, Hyer, Latham, Miller, Murphy, Owens, Parcels, Peckham, Pollard, Richardson of Linn, Roberts of Schuyler, Sexton, Vest, Waltman, and Woodside.

On motion of Mr. Roberts, of Buchanan, Senate bill entitled
An act to create a special military fund for the use of the Governor,
Was taken up and read a first time.
Mr. Riley objected to a second reading.
The question then being, Shall the bill be rejected? it was decided in the negative by the following vote, the ayes and noes having beeu demanded by Mr. Stevenson:

AYES—Messrs. Boyd, Coste, Devol, Doehn, Doyle, Freide, Headlee, Jennings, Johnson, Moore of St. Louis, and Stevenson—11.

NOES—Abernethy, Abington, Arnold, Austin, Bailey, Baughman, Bennett, Bledsoe, Blount, Bohannon, Boulware, Breck, Briscoe, Brown, Buford, Burris, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Crow, Dale, Daugherty, Deatherage, Duvall, Ellis, Fetters, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Green, Hale, Hall, Hand, Hardin, Harman, Harris of Montgomery, Hyer, Jones, Kennedy, McBride, McConnell, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Neill, Porter, Powell, Price, Rhodes, Richardson of Miller, Riley, Roberts of Buchanan, Russell, Scholl, Sheffield, Shultz, Spedden, Steele, Taylor, Trollinger, Tutt, Vance, Waltman, Watkins, Weatherford, Welch of Johnson, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—76.

Absent—Messrs. Allen, Cavender, Hanna, Hickox, Lathim, Lawson of Washington, Maguire, Miller, Murphy, Owens, Parcels, Peckham, Pollard, Richardson of Linn, Roberts of Schuyler, Sexton, Walker of Cooper, and Woodside.

Absent on leave—Messrs. Ashbaugh, Ballou, Beall, Dorris, Cloud, Conrow, Cunningham, Eads, Freeman, Gatewood, Graves, Hagan, Harris of Boone, Harris of Marion, Lacey, Lawson of Platte, Lipscomb, Maughs, McIlhany, Partridge, Randolph, Rathbun, Robinson, Shambaugh, Swink, Vest, and Walker of Cedar.

The bill was then read a second time, and referred to the committee on Ways and Means.

Mr. Gordon, of Boone, offered the following resolution:

Resolved by the Senate and House of Representatives, That the members of the two Houses shall be at full liberty to freely communicate to each other in secrecy, the proceedings of their respective bodies, done in secret session; and during the secret sessions, the members of each House shall be entitled to enter the respective Houses.

The resolution was read a first time, when

Mr. McConnell moved to lay it on the table;

Which motion was decided in the negative.

The resolution was then read a second time, and adopted.

Mr. Powell offered the following resolution:

Resolved, That Charles Ludi be admitted to this House, and sworn to keep the secrets of the House, as page, and that Frank Clark be discharged.

On motion of Mr. Roberts of Buchanan,

The House adjourned till 2 o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

The Speaker ordered the gallery cleared and the door closed.

The House then resumed the consideration of the resolution offered by Mr. Powell,and pending when the House adjourned.

Mr. Price offered the following substitute for said resolution:

Resolved, That from this date, Frank Clark and Charles Ludi, pages for this House, be discharged.

On motion of Mr. Cloud, the consideration of the resolution and substitute was passed over informally.

Mr. Cloud, from the committee on Ways and Means, to which had been referred Senate bill entitled

An act to create a special military fund for the use of the Governor,

Reported the same back to the House and recommended its passage.

The bill was then read a third time, when Mr. Harman offered the following amendment:

Amend by way of ryder, by adding new section:

SEC.— And it shall be the duty of the Governor to make out and keep a correct statement of all money expended under this act, and for what purpose expended,and file the same with the Auditor of Public Accounts.

The amendment was read a first time, rule suspended, read a second and third time, and disagreed to.

Mr. Riley then offered the following:

Amend by way of ryder:

And that the Governor apply the money so appropriated to the purchase of powder and arms for the defense of the State;

Which was read a first time, rule suspended, read a second and third time, and disagreed to.

Mr. Price offered the following:

Amend by way of rider:

That the Governor be and is hereby required to report to the next Legislature of this State in what manner and for what purpose the amount appropriated by this act was paid, giving the items therefor.

Mr. Hyer moved the previous question, which was seconded; and the question, Shall the main question be now put? decided in the affirmative.

The amendment was then read a first time, rule suspended, read a second and third time, and disagreed to by the following vote, the ayes and noes having been demanded by Mr. Price:

AYES—Messrs. Allen, Bledsoe, Blount, Boulware, Boyd, Byrd, Coste, Doehn, Doyle, Ellis, Fetters, Friede, Gordon of Boone, Hale, Harman, Headlee, Jennings, Johnson, Lawson of Washington, Maguire, Moore of St. Louis, Price, Riley, Steele, and Williams of Daviess—25.

NOES—Messrs. Abernethy, Arnold, Austin, Bailey, Baughman, Bennett, Bohannon, Breck, Briscoe, Brown, Buford, Caldwell of Perry, Cald-

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An act authorizing the County Court of Saline county to issue bonds for purposes of defense;

Which was read a first time, rule suspended, read a second time, and referred to the committee on Militia.

Message from the Senate, by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that House joint resolution concerning secret sessions has passed the Senate.

Bills of the following titles have been introduced into the Senate:

An act to repeal an act entitled an act to amend an act entitled an act to establish Justices' Courts, and to regulate proceedings therein, approved March 7, 1861;

An act prohibiting certain persons from holding office in the State of Missouri.

On motion of Mr. Moore, of Laclede, Senate bill entitled

An act in relation to the volunteer militia of Missouri,

Was taken up, read a first time, rule suspended, read a second and third time, and passed by the following vote, the ayes and noes having been demanded by Mr. Stevenson:

AYES—Messrs. Abernethy, Abington, Allen, Arnold, Austin, Bailey, Baughman, Bennett, Bledsoe, Blount, Bohannon, Boulware, Briscoe, Brown, Buford, Burris, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Crow, Dale, Daugherty, Deatherage, Devol, Fetters, Giddings, Gordon of Lafayette, Graham, Green, Hale, Hall, Hand, Hardin, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, McBride, Maguire, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Neill, Parcels, Porter, Powell, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Russell, Scholl, Sexton, Sheffield, Shultz, Spedden, Steele, Taylor, Trollinger, Tutt, Vance, Waltman, Watkins, Weatherford, White, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—74.

NOES—Messrs. Boyd, Coste, Doehn, Doyle, Harman, Moore of St. Louis, Price, Riley, Stevenson, and Williams of Daviess—10.

Absent—Messrs. Breck, Cavender, Duvall, Ellis, Gordon of Boone, Hagan, Hanna, Headlee, Lathim, Lawson of Washington, Miller, Murphy, Owens, Peckham, Pollard, Roberts of Schuyler, Walker of Cooper, Welch of Johnson, Welch of Lincoln, and Woodside.

Absent on leave—Same as before.

Paired off—Mr. Freide with Mr. Dorris.

On motion of Mr. Harman,
The House adjourned till 9 o'clock to-morrow morning.

TUESDAY MORNING, MAY 7, 1861.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Ditzler.

The Speaker ordered the galleries cleared and the door closed;
After which, the journal of yesterday's proceedings was read and approved.

On motion of Mr. Briscoe,
Leave of absence was granted to Messrs. Trollinger and Dale.

Mr. Gordon, of Lafayette, asked leave to introduce a bill;
Which was not granted.

Mr. White offered the following:

WHEREAS, The President of the United States has inaugurated a wicked, cruel, and unconstitutional war against the Confederate States, under the pretense of executing the laws and suppressing an insurrection, when, in truth, we are of the opinion that it is his real intention to array the non-slaveholding States against the slaveholding States for the purpose of overthrowing the institutions of the South; and whereas, it is a high duty we owe ourselves and our posterity to protect our institutions and defend our rights under the constitution by all legitimate means within our power; and whereas, recent developments in the Northern States show the people of those States intend to prosecute the war, which has been so wantonly commenced, with a vigor and a relentless spirit unpardonable in a people who profess to be governed by the principles of the christian religion; and we believe it is a duty we owe ourselves and the cause of humanity to withhold all means within our power which could be used in the prosecution of that vile war, and that we ought to employ all our available means for the defense of the people of our own State; therefore,

Resolved by the General Assembly of the State of Missouri, That this State will not pay any interest on any bond which has been issued by the State for any purpose whatever, which is held, or may be held, by any person or persons who reside in a non-slaveholding State, or which is held, or may be held, by any company, corporation or body politic located in such State, until the war which has been waged by the President of the United States against the Confederate States has been terminated, and the independence of those States is acknowledged by the government of the United States.

Be it further resolved, That any money which has been, or may be, collected by virtue of any law of this State to pay such interest, shall be appropriated to arm and sustain the militia of this State for self-defense, under such rules and regulations as may be prescribed by this General Assembly.

Be it further resolved, That this State will issue its bonds for four

and-a-half millions of dollars, to bear interest at the rate of ——— per cent., redeemable in ——— years, and will dispose of the same and appropriate the proceeds thereof, together with the common school fund, under such rules and regulations as this General Assembly may prescribe, to arm and support the militia of this State for the purpose aforesaid.

On motion of Mr. Waltman,
The resolutions were referred to the Committee of Ways and Means.

On motion of Mr. Powell,
The House resumed the consideration of the resolution offered on yesterday by Mr. Powell, in relation to discharging the pages, &c., and for which a substitute was pending, offered by Mr. Price.
On motion of Mr. Roberts, of Buchanan,
The substitute was laid on the table.
Mr. Moore, of St. Louis, moved to lay the resolution on the table;
Which motion was decided in the negative.
Mr. Price offered the following substitute for the resolution:
Resolved, That Charles Ludi be employed one day, or more, if required, to fold the Governor's Message, when ready.

Mr. Burris moved to lay the resolution and substitute on the table.
Mr. Powell called for a division of the question;
Which was ordered.
The question then being on laying the substitute on the table, it was decided in the affirmative by the following vote, the ayes and noes having been demanded by Mr. Price:

AYES—Messrs. Abernethy, Abington, Allen, Arnold, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Boulware, Breck, Briscoe, Brown, Buford, Burris, Byrd, Caldwell of Ralls, Campbell, Daugherty, Deatherage, Duvall, Ellis, Fetters, Freeman, Freide, Gatewood, Gordon of Boone, Gordon of Lafayette, Graham, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Montgomery, Headlee, Hickox, Jennings, Johnson, Jones, Kennedy, Lacey, McBride, Maguire, Merriwether, Moore of Laclede, Morgan, Neill, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Taylor, Tutt, Vance, Walker of Cedar, Waltman, Watkins, Weatherford, Welch of Johnson, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, and Wyatt—86.

NOES—Messrs. Blount, Boyd, Coste, Devel, Doehn, Lawson of Washington, McConnell, Moore of St. Louis, Price, and Stevenson—10.

Absent—Messrs. Caldwell of Perry, Cavender, Crow, Doyle, Giddings, Hanna, Hyer, Lathim, Miller, Moore of Chariton, Murphy, Owens, Peckham, Pollard, Roberts of Schuyler, Walker of Cooper, Woodside, and Mr. Speaker.

Absent on leave—Messrs. Cloud, Conrow, Cunningham, Dorris, Eads,

Graves, Harris of Boone, Harris of Marion, Lawson of Platte, Lipscomb, Maughs, McIlhany, Partridge, Robinson, Swink, Trollinger, and Vest.

The motion to lay the resolution on the table was then agreed to.

Mr. Williams, of Phelps, asked leave to introduce a bill in relation to Phelps county;

Which motion for leave was not granted.

Mr. Hagan offered the following joint resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the Governor is hereby authorized and empowered to cause to be enrolled and mustered into the service of the State, for the period of one year, unless sooner discharged by the proper authority, not exceeding five companies of infantry of one hundred men each, to be armed and equipped at the expense of the State, for the protection of the public property.

The resolution was read a first time, rule suspended, read a second time.

Mr. Burris moved its reference to the committee on Militia;

Which motion was decided in the negative.

The resolution was then adopted.

Mr. Rathbun gave notice that on to-morrow, or soon thereafter, he would introduce a bill entitled

An act to establish a military institute.

Mr. Randolph asked leave to introduce a bill in relation to Justices Courts, &c.;

Which motion for leave was decided in the negative.

Mr. Randolph gave notice that he would, on to-morrow, or some day thereafter, introduce a bill entitled

An act to repeal an act entitled "an act to amend an act entitled 'an act to establish Justices' Courts, and regulate proceedings therein,'" approved December 6, 1855.

Mr. Lawson, of Platte, asked leave to introduce a resolution;

Which motion for leave was not granted.

On motion of Mr. Graham,

The House adjourned until 9 o'clock to-morrow morning.

WEDNESDAY MORNING, MAY 8, 1861.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Ditzler.

The Speaker ordered the gallery to be cleared and the doors closed;

After which the journal of yesterday's proceedings was read and approved.

Mr. Lipscomb offered the following resolutions:

Be it resolved by the House of Representatives, the Senate concurring therein, as follows:

1. That the citizen soldiery of the State of Missouri should, at the earliest practicable moment, be fully and completely armed, equipped, and organized.

2. That they should be so armed, equipped and organized for defense only, and not for aggression.

3. That from the prosecution of war between the Government at Washington and the Government of the "Confederate States," no possible good can result, but evil, and only evil—untold, unmixed evil—to the people of this county, and to the world.

4. That Missouri, for her own sake, for the sake of the country at large, and for the sake of liberty and suffering humanity throughout the world, earnestly desires that there shall be no war; that the hand of violence be stayed by the respective parties now preparing for strife, and that time be given the country for reflection, hoping even yet, that when passion shall have cooled, and all parties shall have calmly considered the horrors of the impending conflict, some adjustment of existing difficulties may be devised, honorable alike to both parties, and that peace be thus secured. But if war must come, and the State shall be required to take the field in defense of her institutions and her honor, her noble and hardy sons will preserve untarnished her good name.

5. That Missouri, as one of the sovereign States of the old Union, claims that her voice should be heard and heeded by the powers at Washington; and she now, therefore, through her General Assembly, respectfully demands of the Government at Washington, that said Government wage no war upon the States of the South, and commit no act of aggression upon their citizens.

6. That as a sister Southern State, having an interest in common with all the South, Missouri likewise claims that she should be heard and heeded by the Government of the "Confederate States;" and she now, therefore, through her General Assembly, demands that said Government wage no war upon the Northern States, and commit no act of aggression upon their citizens.

7. That other States, and especially the State of Kentucky, desiring to promote and preserve the peace of the country, be, and they are hereby respectfully requested to join the State of Missouri, at the earliest moment, in making this demand for peace and against war.

On motion of Mr. McAfee, (Mr. Roberts, of Buchanan, in the chair),

The resolutions were referred to the committee on Federal Relations, with instructions to report on to-morrow morning.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of

Representatives that Senate bills of the following titles have been correctly enrolled:

An act legalizing the organization of the Callaway Dragoon Company;
An act in relation to the volunteer militia of Missouri;
An act to create a special military fund for the use of the Governor.

Mr. Randolph introduced a bill entitled

An act to repeal an act entitled "an act to amend an act entitled 'an act to establish Justices' Courts and to regulate proceedings therein,'" approved December 6, 1855;

Which was read a first time, when Mr. Cunningham objected to a second reading.

On motion of Mr. Harris, of Marion, the further consideration of the bill was passed over informally.

Mr. Harris, of Marion, from the committee on Militia, reported to the House a bill entitled

An act to provide for the organization, government and support of the military forces of the State of Missouri;

Which was read a first time, rule suspended, read a second time, and made the special order for 3 o'clock this evening.

The House then resumed the consideration of the bill introduced by Mr. Randolph.

The question being, Shall the bill be rejected?

Mr. Welch, of Johnson, moved that the doors of the House be opened during the consideration of the bill introduced by Mr. Randolph to repeal the stay law;

Which motion was decided in the negative by the following vote, the ayes and noes having been demanded by Mr. Welch, of Johnson:

AYES—Messrs. Abington, Allen, Ashbaugh, Bailey, Ballou, Bledsoe, Boulware, Boyd, Breck, Burris, Caldwell of Ralls, Campbell, Devol, Doehn, Duvall, Ellis, Fetters, Friede, Giddings, Gordon of Boone, Gordon of Lafayette, Green, Harman, Harris of Boone, Harris of Montgomery, Headlee, Hickox, Jennings, Johnson, Jones, Lawson of Platte, Lawson of Washington, Lipscomb, McConnell, McIlhany, Maguire, Moore of St. Louis, Partridge, Price, Richardson of Miller, Steele, Stevenson, Swink, Tutt, Walker of Cooper, Waltman, Welch of Johnson, Welch of Lincoln, and Williams of Hickory—49.

NOES—Messrs. Abernethy, Arnold, Austin, Baughman, Beall, Bennett, Blount, Bohannon, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Cloud, Conrow, Crow, Cunningham, Daugherty, Deatherage, Freeman, Gatewood, Graham, Graves, Hagan, Hale, Hall, Hand, Hardin, Harris of Marion, Hyer, Kennedy, Lacey, Maughs, McBride, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Neill, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Riley, Roberts of Buchanan, Robinson, Russell, Scholl, Shambaugh, Sheffield, Shultz, Taylor, Vest, Walker of Cedar, Watkins, Weatherford, White, Williams of Daviess, Williams of Phelps, and Wyatt—63.

Absent—Messrs. Cavender, Coste, Eads, Hanna, Lathim, Miller, Murphy, Owens, Peckham, Pollard, Roberts of Schuyler, Sexton, Spedden, Vance, Woodside, and Mr. Speaker.

Absent on leave—Messrs. Dale, Dorris, and Trollinger.

Sick—Mr. Doyle.

Mr. Cunningham withdrew his objection to the second reading of the bill.

After some time spent in debate,
On motion of Mr. Stevenson,
Leave of absence was granted to Mr. Coste; and,

On motion of Mr. Graves,
The House adjourned until 3 o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

The Speaker ordered the gallery to be cleared and the door closed.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that Senate bill of the following title has passed the Senate:

An act to establish a military institute at Lexington, Missouri.

House joint resolutions empowering the Governor to enroll volunteers for certain purposes has been amended in the Senate and passed as amended.

Joint resolution to suspend the apportionment of the State school money for the year 1861 has been introduced into the Senate and passed.

Bills of the following titles have been introduced into the Senate:

An act to provide for the extension of the St. Louis and Iron Mountain Railroad to a connection with a system of Southern railroads;

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri.

On motion of Mr. Randolph,

House joint resolution empowering the Governor to enroll volunteers for certain purposes,

Which had been amended in the Senate, was taken up, and the amendments read a first and second time respectively, and concurred in.

Mr. Conrow, on leave, introduced a bill of the following title:

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Stevenson, Swink, Tutt, Walker of Cooper, Waltman, Welch of Johnson, Welch of Lincoln, Williams of Daviess, and Williams of Hickory—58.

NOES—Messrs. Abernethy, Arnold, Austin, Ballou, Baughman, Beall, Bledsoe, Bohannon, Briscoe, Brown, Byrd, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Freeman, Gordon of Lafayette, Graham, Hardin, Harris of Marion, Hyer, Johnson, Jones, Kennedy, Lacey, Maughs, McConnell, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Porter, Powell, Rathbun, Robinson, Scholl, Shambaugh, Shultz, Taylor, Vance, Watkins, Weatherford, White, Williams of Phelps, Wyatt, and Mr. Speaker—47.

Absent—Messrs. Breck, Buford, Cavender, Ellis, Hagan, Lathim, Miller, Murphy, Owens, Parcels, Peckham, Pollard, Price, Riley, Sexton, Spedden, Vest, Walker of Cedar, and Woodside.

Absent on leave—Messrs. Coste, Dale, Dorris, Hanna, and Trollinger.

Paired off—Mr. Dorris with Mr. Freide.

On motion of Mr. Eads,
The House adjourned until to-morrow morning, 9 o'clock.

THURSDAY MORNING, May 9, 1861.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Ditzler.

The Speaker ordered the galleries to be cleared and the door closed.

The journal of yesterday's proceedings was read and approved.

Message from the Senate, by Mr. Claiborne, Secretary:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives, that House bill of the following title has passed the Senate:

An act to legalize the organization of the Ray Guards of Ray county, Missouri.

Message from the Senate, by Mr. Crisp, Assistant Secretary:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives, that the President of the Senate has signed enrolled House resolution, authorizing the Governor to cause to be enrolled companies for the service of the State.

Mr. Maguire, from the committee on Enrolled Bills, made the following report:

Mr. SPEAKER: The committee on enrolled bills have examined a bill of the following title, and find the same correctly enrolled:

An act legalizing the organization of the Ray Guards of Ray county, Missouri.

Message from the Senate, by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that the President of the Senate has signed House enrolled bill of the following title:

An act legalizing the organization of the Ray Guards of Ray county, Missouri.

On motion of Mr. Harris, of Marion,

The House proceeded to the consideration of the bill providing for the organization, government and support of military forces of the State of Missouri.

Mr. Jones offered the following resolution:

Resolved, That this bill be referred to the committee on Militia, with instructions to so amend the bill that all officers having command of either, a company, battalion, regiment, brigade or military division, shall be elected by those that may at the time belong to said companies, battalions, regiments, brigades or military divisions, giving to the Governor the power to appoint the before named officers, until they can be elected by those entitled to elect the same, and report to this House at the earliest possible moment, limiting the officer so elected to a given term, not to exceed six years.

Mr. Eads offered the following amendment to the resolution:

And to so amend the 141st section as to permit the individual who may be drafted into actual service, to either pay $150 or send a substitute, as he may elect.

Mr. Burris offered the following:

Amend the amendment by adding that the committee enquire into the expediency of substituting the military law, approved the 6th February, 1857, in place of the bill under consideration.

The amendment to the amendment was disagreed to.

Mr. Eads then withdrew his amendment.

Mr. Lipscomb offered the following:

So amend the resolution offered by Mr. Jones as to read: "That the Major-General for each district shall be elected by the qualified voters thereof."

After some debate had thereon,

Mr. Lipscomb, by leave of the House, withdrew his amendment.

The resolution offered by Mr. Jones was then disagreed to, by the following vote, the ayes and noes having been demanded by Mr. Jones:

AYES—Messrs. Abington, Allen, Bailey, Bledsoe, Blount, Boulware, Boyd, Breck, Burris, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Devol, Doehn, Duvall, Ellis, Giddings, Gordon of Boone, Green, Hale, Harman, Harris of Boone, Headlee, Hickox, Jennings, Johnson, Jones, Lawson of Washington, McBride, McConnell, Maguire, Moore of St. Louis,

Neill, Partridge, Price, Steele, Stevenson, Swink, Walker of Cooper, Welch of Johnson, and Williams of Hickory—42.

NOES—Messrs. Abernethy, Ashbaugh, Austin, Ballou, Baughman, Beall, Bennett, Bohannon, Briscoe, Brown, Buford, Cloud, Conrow, Crow, Cunningham, Daugherty, Deatherage, Eads, Fetters, Freeman, Gatewood, Gordon of Lafayette, Graves, Hagan, Hall, Hand, Hardin, Harris of Marion, Harris of Montgomery, Hyer, Kennedy, Lacey, Lawson of Platte, Lipscomb, Maughs, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Taylor, Tutt, Vance, Vest, Walker of Cedar, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Phelps, Wyatt, and Mr. Speaker—72.

Absent—Messrs. Arnold, Cavender, Lathim, Miller, Murphy, Owens, Peckham, Pollard, Spedden, and Woodside.

Absent on leave—Messrs. Coste, Dale, Dorris, and Trollinger.

Sick—Messrs. Doyle, Hanna, and Williams of Daviess.

Paired off—Mr. Freide with Mr. Dorris.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate, to inform the House of Representatives that Senate bill of the following title has passed the Senate:

An act to incorporate the Western Pacific Railroad.

Mr. Harris of Marion, offered the following amendment:

Amend page 21, section 121, line 10, substitute "141" for "139."

Section 131, line 5; substitute "125" for "121."

Section 138, line 20, substitute "141" for 139."

Section 170, line 2, substitute "45" for "50."

The amendment was read a first and second time and agreed to.

Mr. Shambaugh offered the following amendment, which was read a first and second time and agreed to:

Amend section 5, by adding Worth county.

Mr. Burris offered the following substitute for the bill:

Strike out all after the enacting clause and insert as follows:

SEC. 1. That an act entitled "an act to regulate, govern and discipline the militia of the State of Missouri," approved February 6th, 1837, be and the same is hereby revived and declared to be in full force and effect.

SEC. 2. That all acts and parts of acts inconsistent with this act are hereby repealed.

This act to take effect and be in force from after its passage.

Which was, on motion of Mr. Hyer, laid on the table by the following vote, the ayes and noes having been demanded by Mr. Burris:

AYES—Messrs. Abernethy, Ashbaugh, Austin, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Breck, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Cloud, Conrow, Crow, Cunningham, Daugherty, Death-

erage, Fetters, Freeman, Gatewood, Graves, Green, Hagan, Hall, Hand, Hardin, Harris of Marion, Harris of Montgomery, Hyer, Johnson, Jones, Kennedy, Lacey, Maughs, McBride, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Powell, Porter, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Shultz, Swink, Taylor, Vance, Vest, Walker of Cedar, Waltman, Watkins, Weatherford, White, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—73.

NOES—Messrs. Allen, Bailey, Blount, Boulware, Boyd, Burris, Caldwell of Ralls, Campbell, Devol, Doehn, Duvall, Eads, Ellis, Giddings, Gordon of Boone, Gordon of Lafayette, Hale, Harman, Harris of Boone, Headlee, Hickox, Jennings, Lawson of Platte, Lawson of Washington, Lipscomb, McConnell, Maguire, Moore of St. Louis, Neill, Parcels, Partridge, Price, Steele, Stevenson, Tutt, Walker of Cooper, Welch of Johnson, and Welch of Lincoln—38.

Absent—Messrs. Abington, Arnold, Cavender, Graham, Lathim, Miller, Murphy, Owens, Peckham, Pollard, Sheffield, Spedden, and Woodside.

Absent on leave—Messrs. Coste, Dale, Dorris, and Trollinger.

Sick—Messrs. Doyle, Hanna, and Williams of Daviess.

Paired off—Mr. Freide with Mr. Dorris.

Mr. Allen offered the following:

Amend line 2nd, in section 167; strike out the word "organization" in line 2nd and insert the word "mob."

Strike out the word "organization" in lines 4 and 5, and insert the word "mob" in same section.

The amendment was read a first time, and, on motion of Mr. Porter, laid on the table by the following vote, the ayes and noes having been demanded by Mr. Allen:

AYES—Messrs. Abernethy, Austin, Ballou, Baughman, Beall, Bennett, Bldsoe, Blount, Bohannon, Boulware, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Crow, Cunningham, Daugherty, Deatherage, Duvall, Fetters, Freeman, Gatewood, Graham, Graves, Green, Hale, Hall, Hand, Hardin, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Johnson, Jones, Kennedy, Lacey, Maughs, McBride, McConnell. McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Neill, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Swink, Taylor, Tutt, Vance, Vest, Walker of Cedar, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—84.

NOES—Messrs. Allen, Ashbaugh, Bailey, Boyd, Breck, Burris, Devol, Doehn, Eads, Giddings, Gordon of Boone, Gordon of Lafayette, Harman, Harris of Boone, Headlee, Jennings, Lawson of Platte, Lipscomb, Maguire,

Moore of St. Louis, Partridge, Steele, Stevenson, Walker of Cooper, and Welch of Johnson—25.

Absent—Messrs. Abington, Arnold, Cavender, Conrow, Ellis, Lathim, Miller, Murphy, Owens, Peckham, Pollard, Price, Spedden, and Woodside.

Absent on leave—Same as before.

Sick—Same as before.

Paired off—Mr. Freide with Mr. Dorris.

On motion of Mr. Neill,
The House adjourned until 2 o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

The Speaker ordered the galleries cleared and the door closed.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that a bill of the following title has been introduced into the Senate and passed:

An act appropriating money.

The House then resumed the consideration of the bill to provide for the organization, government, and support of the military forces of the State of Missouri.

Mr. Fetters offered the following amendment, which was read a first and second time and disagreed to:

Amend section 167: After the word "organization" in the second line add the words, "after the passage of this bill."

Mr. Eads offered the following amendment, which was read a first and second time and agreed to:

Amend sec. 141 as follows: In the third line strike out "twenty-four" after the word "within," and insert "forty-eight." Also in 9th line, after the word "therewith," insert "or upon his substituting in his place a person capable of doing military service."

Mr. Richardson, of Miller, offered the following amendment, which was read a first and second time and disagreed to: "Amend by striking out section 141."

Mr. Gordon, of Lafayette, offered the following amendment to the bill:

Amend by striking out section 111, and insert the following: "All free white male inhabitants between the ages of eighteen and forty-five years are

required to meet at their respective places of voting, at 10 o'clock, A. M., on Saturday, the 8th of June next, for the purpose of enrolling and organizing themselves into companies for military purposes. Each company of militia shall consist of not less than fifty nor more than one hundred men; and shall elect a captain, a first, second and third lieutenant.

"Any person subject to military duty failing to have his name enrolled according to the provisions of this section, shall pay a fine of two dollars, and one dollar per month after the 8th of June next, until his name is enrolled. Said fine or fines to be collected as other fines, by the captain commanding, in the district in which said delinquent or delinquents reside, and be paid into the military fund of the county.

"Each company of militia in this State are required to meet at some place designated by a majority of the company, at least once in each month, for the purpose of drilling: *Provided*, That said companies shall not be required, in time of peace, to drill during the winter months.

"Every person enrolled in the militia, who fails to attend the regular drills of the company, after having been duly notified by the captain of the company, or by some member of the company duly authorized by the captain to give such notice, shall pay a fine of one dollar for each failure, without good and sufficient excuse. No person shall be required to drill who has not received at least one day's notice."

The amendment was read a first and second time and disagreed to by the following vote, the ayes and noes having been demanded by Mr. Gordon, of Lafayette:

AYES—Messrs. Abington, Boulware, Boyd, Burns, Doehn, Gordon of Boone, Gordon of Lafayette, Headlee, Hall, Lawson of Platte, Moore of St. Louis, Steele, and Stevenson—13.

NOES—Messrs. Abernethy, Allen, Arnold, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Deatherage, Devol, Eads, Fetters, Freeman, Gatewood, Graves, Green, Hagan, Hale, Hand, Hardin, Harman, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Washington, Maughs, McBride, McConnell, McIlhany, Moore of Chariton, Morgan, Neill, Parcels, Partridge, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Taylor, Tutt, Vance, Vest, Walker of Cedar, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Johnson, Welch of Lincoln, White, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—89.

Absent—Messrs. Breck, Caldwell of Ralls, Cavender, Duvall, Ellis, Giddings, Graham, Harris of Boone, Lathim, Lipscomb, Maguire, Meriwether, Miller, Moore of Laclede, Murphy, Owens, Peckham, Pollard, Price, Riley, Swink, and Woodside.

Absent on leave—Messrs. Coste, Dale, Dorris, and Trollinger.

Sick—Messrs. Doyle, Hanna, and Williams of Daviess.

Paired off—Mr. Freide with Mr. Dorris.

Mr. Gatewood offered the following amendment to the bill:
Amend by adding to the end of section 121 the following:
"*And provided further*, That nothing in this section shall be so construed as to exempt the persons named in this section, from the payment of the military tax of fifty cents provided for in this act, except priests, preachers of the gospel, or teachers of any religious persuasion or sect, regularly ordained as such, and are now exempted from militia duty by the constitution of this State."

The amendment was read a first and second time, and agreed to by the following vote, the ayes and noes having been demanded by Mr. Gordon, of Lafayette:

AYES—Messrs. Abington, Allen, Ashbaugh, Bailey, Blount, Boulware, Boyd, Briscoe, Burris, Caldwell of Perry, Caldwell of Ralls, Campbell, Conrow, Crow, Cunningham, Dale, Devol, Doehn, Duvall, Eads, Gatewood, Giddings, Gordon of Boone, Gordon of Lafayette, Green, Hagan, Hall, Hand, Harman, Harris of Boone, Harris of Montgomery, Headlee, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, Lipscomb, McBride, McConnell, McIlhany, Maguire, Meriwether, Moore of Chariton, Moore of St. Louis, Neill, Parcels, Powell, Price, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Schuyler, Robinson, Russell, Sheffield, Shultz, Spedden, Steele, Taylor, Tutt Vance, Vest, Walker of Cedar, Walker of Cooper, Waltman, Welch of Johnson, Welch of Lincoln, Williams of Hickory, Williams of Phelps, and Mr. Speaker—74.

NOES—Messrs. Abernethy, Arnold, Austin, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Buford, Byrd, Cloud, Daugherty, Deatherage, Fetters, Freeman, Hale, Hardin, Harris of Marion, Hickox, Maughs, Morgan, Partridge, Porter, Randolph, Roberts of Buchanan, Scholl, Sexton, Shambaugh, Stevenson, Watkins, Weatherford, White, and Wyatt—34.

Absent—Messrs. Breck, Brown, Cavender, Ellis, Graham, Graves, Lathim, Miller, Moore of Laclede, Owens, Peckham, Pollard, Rathbun, Riley, Swink and Woodside.

Absent on leave—Messrs. Coste, Dorris and Trollinger.

Sick—Same as before.

Excused from voting—Mr. Murphy.

Paired off—Mr. Freide with Mr. Dorris.

Mr. Randolph offered the following:
Amend section 111 by striking out the word "fifty" in the fourth line of said section, and inserting in lieu thereof "forty-five."
The amendment was read a first and second time, and agreed to.

Mr. Price offered the following amendment, which was read a first and second time:

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The journal of yesterday's proceedings was read and approved.

The House resumed the consideration of the bill providing for the organization, government and support of the military forces of Missouri.

The amendment offered by Mr. Price, pending when the House adjourned on yesterday evening, was taken up, and disagreed to by the following vote, Mr. Price demanding the ayes and noes:

AYES—Messrs. Allen, Boulware, Boyd, Devol, Doehn, Headlee, Jennings, Lawson of Platte, Lawson of Washington, Owens, Partridge, Price, Steele, and Stevenson—15.

NOES—Messrs. Abernethy, Abington, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Breck, Briscoe, Brown, Buford, Burris, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Conrow, Crow, Cunningham, Daugherty, Deatherage, Duvall, Eads, Fetters, Freeman, Gatewood, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Boone, Harris of Montgomery, Hickox, Hyer, Johnson, Jones, Kennedy, Lacey, Lipscomb, Maughs, McBride, McConnell, Maguire, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Murphy, Neill, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Swink, Taylor, Tutt, Vance, Walker of Cedar, Waltman, Watkins, Weatherford, Welch of Johnson, Welch of Lincoln, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—95.

Absent—Messrs. Arnold, Cavender, Dale, Ellis, Harris of Marion, Hathim, McIlhany, Miller, Peckham, Pollard, Vest, Walker of Cooper, White, and Woodside.

Absent on leave—Messrs. Coste, Dorris, and Trollinger.

Sick—Messrs. Doyle, Hanna, and Williams of Daviess.

Paired off—Mr. Freide with Mr. Dorris.

Mr. Lacey offered the following amendment, which was read a first and second time, and agreed to:

Amend the bill by striking out the words "Major General," wherever they occur, and insert the words "Brigadier General," in lieu thereof.

Mr. Lacey then offered the following amendment, which was read a first and second time, and agreed to:

Amend section 12, by striking out all of said section between the word "command" in the sixth line and the word "and" in the eighth line.

Mr. Jones offered the following amendment:

Amend section 13 by striking out all after the word "by," in line two, and insert in lieu thereof the following: "Said companies, who shall hold their office for the term of six years."

The amendment was read a first and second time, and agreed to by the following vote, the ayes and noes having been demanded by Mr. Jones:

AYES—Messrs. Abington, Allen, Ashbaugh, Bailey, Baughman, Blount, Boyd, Burris, Byrd, Caldwell of Perry, Caldwell of Ralls, Dale, Devol, Doehn, Duvall, Eads, Ellis, Fetters, Giddings, Gordon of Boone, Gordon of Lafayette, Green, Hale, Harman, Harris of Marion, Harris of Boone, Headlee, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lawson of Washington, Lipscomb, McConnell, Maguire, Moore of Laclede, Moore of St. Louis, Murphy, Neill, Owens, Partridge, Price, Rathbun, Richardson of Miller, Riley, Roberts of Buchanan, Shultz, Spedden, Steele, Stevenson, Swink, Taylor, Tutt, Walker of Cooper, Williams of Hickory, Woodside, and Wyatt—59.

NOES—Messrs. Abernethy, Austin, Ballou, Beall, Bennett, Bledsoe, Bohannon, Boulware, Breck, Briscoe, Brown, Buford, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Freeman, Gatewood, Graham, Graves, Hagan, Hall, Hand, Hardin, Harris of Montgomery, Lacey, Lawson of Platte, Maughs, McIlhany, Meriwether, Moore of Chariton, Morgan, Parcels, Porter, Powell, Randolph, Rhodes, Richardson of Linn, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Vance, Walker of Cedar, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Phelps, and Mr. Speaker—56.

Absent—Messrs. Arnold, Cavender, Crow, Lathim, Miller, Peckham, Pollard, Vest, and Welch of Johnson.

Absent on leave—Messrs. Coste, Dorris, McBride, and Trollinger.

Sick—Messrs. Doyle, Hanna, and Williams of Daviess.

Paired off—Mr. Freide with Mr. Dorris.

On motion of Mr. Breck,
Leave of absence was granted to Mr. Crow.

The Speaker laid before the House the following communication:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 9, 1861.

To the Speaker of the House of Representatives:

I have this day approved and signed House bills of the following titles:

An act legalizing the organization of the Ray Guards, of Ray county, Missouri.

Also a joint resolution authorizing the Governor to muster into the service of the State five companies of men for the term of one year.

Respectfully,
C. F. JACKSON.

Message from the Senate by Mr. Crisp:

Mr. SPEAKER: I am instructed by the Senate to inform the House that Senate bill of the following title has passed the Senate:

An act placing money at the disposal of the Governor for the defense of the State.

Mr. Lacey offered the following amendment to the bill under consideration:

Amend section 12, by inserting after the word "time" in 5th line, "besides the Governor's staff."

Mr. Gatewood moved to lay the bill and amendment on the table;

Which motion was decided in the negative by the following vote, the ayes and noes having been demanded by Mr. Riley:

AYES—Messrs. Abernethy, Boyd, Daugherty, Gatewood, Hagan, Harris of Marion, Moore of St. Louis, Owens, and Partridge—9.

NOES—Messrs. Abington, Allen, Ashbaugh, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Breck, Briscoe, Brown, Buford, Burris, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Conrow, Cunningham, Dale, Deatherage, Devol, Eads, Ellis, Fetters, Freeman, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Green, Hall, Hand, Hardin, Harman, Harris of Boone, Harris of Montgomery, Headlee, Hyer, Jennings, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, Lipscomb, Maughs, McConnell, McIlhany, Maguire, Meriwether, Moore of Chariton, Murphy, Neil, Parcels, Porter, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Miller, Riley, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Shultz, Spedden, Steele, Swink, Taylor, Tutt, Vance, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Hickory, Williams of Phelps, Woodside, Wyatt, and Mr. Speaker—94.

Absent—Messrs. Arnold, Austin, Cavender, Doehn, Duvall, Hale, Lathim, Miller, Moore of Laclede, Peckham, Pollard, Richardson of Linn, Sexton, Shambaugh, Sheffield, Stevenson, Vest, Walker of Cedar, and Welch of Johnson.

Absent on leave—Messrs. Coste, Crow, Dorris, McBride, and Trollinger.

Sick—Same as before.

Paired off—Mr. Friede with Mr. Dorris, Mr. Hickox with Mr. Doehn.

On motion of Mr. Price,

The House adjourned until 2 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

The Speaker ordered the galleries to be cleared and the door closed.

On motion of Mr. Conrow,

Resolved, That Charles Ludi and Frank Clark be allowed one dollar and fifty cents per day for their services as pages, and that one dollar per day be allowed to Charles Ludi for folding, and that the committee on Accounts audit and allow the same, to be paid out of the contingent fund of the House.

The House then resumed the consideration of the bill providing for the organization, government and support of the military forces of Missouri.

The amendment offered by Mr. Lacey, and pending when the House adjourned, was agreed to.

Mr. Lipscomb offered the following amending to the bill:

Amend the act by striking out section 167, and substituting the following:

Whenever information in writing under oath shall be given the Governor that any number of the citizens of the State have armed, and organized themselves by the election, appointment or selection of any one or more persons to command them within the limits of the State, and shall not have been mustered into the service of State under the provisions of this act, as State or Home Guards, it shall be his duty to require the person or persons in command of said citizens to have them mustered into service as provided for by this act; and if such person or persons fail or refuse so to do when required, and the Governor shall, after careful investigation, be satisfied that said citizens have been so armed for the purpose of waging war upon the State, or of setting at defiance its rightful authority, he shall proceed to disarm and disperse them in such time and manner as he may deem consistent with the public interest: *Provided*, That nothing in this section shall be so construed as to impair or interfere with the right of the citizens of the State to bear arms in defense of themselves.

The amendment was read a first and second time, and on motion of Mr. Beall, laid on the table by the following vote, the ayes and noes having been demanded by Mr. Burris:

AYES—Messrs. Abernethy, Austin, Ballou, Beall, Bennett, Bledsoe, Bohannon, Breck, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Freeman, Gatewood, Graham, Graves, Green, Hagan, Hale, Hall, Hand, Hardin, Harris of Marion, Harris of Montgomery, Hyer, Jones, Kennedy, Lacey, Maughs, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Morgan, Neil, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Taylor, Vance, Vest, Walker of Cedar, Weatherford, White, Williams of Phelps, Woodside, Wyatt, and Mr. Speaker—69.

NOES—Messrs Abington, Allen, Bailey, Baughman, Blount, Boulware, Boyd, Burris, Caldwell of Ralls, Dale, Devol, Doehn, Eads, Fetters, Giddings, Gordon of Boone, Gordon of Lafayette, Harman, Harris of Boone, Headlee, Hickox, Jennings, Johnson, Lawson of Washington, Lipscomb, Maguire, Moore of St. Louis, Murphy, Owens, Parcels, Partridge, Price, Spedden, Steele, Stevenson, Tutt, Walker of Cooper, Watkins, Welch of Lincoln, Williams of Daviess, and Williams of Hickory—41.

Absent—Messrs. Arnold, Ashbaugh, Cavender, Duvall, Ellis, Lathim, Miller, Peckham, Pollard, Riley, Swink, and Waltman.

Absent on leave—Messrs. Coste, Crow, Dorris, McBride, and Trollinger.

Sick—Messrs. Doyle, Hanna, and Welch of Johnson.

Paired off—Mr. Freide with Mr. Dorris.

Mr. Price offered the following amendment to the bill:

Amend by striking out section 177;

Which was read a first and second time, and,

On motion of Mr. Moore, of Laclede, laid on the table by the following vote, Mr. Price demanding the ayes and noes:

AYES—Messrs. Abernethy, Abington, Allen, Austin, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Boulware, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Eads, Fetters, Freeman, Gatewood, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Green, Hagan, Hale, Hall, Hand, Hardin, Harris of Marion, Harris of Montgomery, Hyer, Johnson, Jones, Kennedy, Lacey, Maughs, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Neill, Porter, Powell, Randolph, Rathbun, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Taylor, Vance, Vest, Walker of Cedar, Waltman, Weatherford, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, Woodside, and Wyatt—80.

NOES—Messrs. Bailey, Boyd, Breck, Burris, Dale, Devol, Doehn, Harris of Boone, Headlee, Jennings, Lawson of Washington, Moore of St. Louis, Murphy, Owens, Partridge, Price, Spedden, Steele, and Watkins—19

Absent—Messrs. Arnold, Ashbaugh, Blount, Cavender, Duvall, Ellis, Harman, Hickox, Lathim, Lawson of Platte, Lipscomb, Maguire, Miller, Morgan, Parcels, Peckham, Pollard, Rhodes, Riley, Stevenson, Swink, Tutt, Walker of Cooper, and Mr. Speaker.

Absent on leave—Same as before.

Sick—Same as before.

Paired off—Same as before.

Mr. Shambaugh offered the following amendment to the bill:

Amend by adding to the end of section 111, as follows: Such Assessors shall include in their respective assessment rolls for the year 1861, the names of all such free white male residents, notwithstanding such Assessors may have, at or before the passage of this act, made the assessment of the taxable property in their respective counties for said year, and shall return such assessment rolls to the County Court of their respective counties, on or before

the first Monday of July next, for which such Assessors shall receive the compensation provided for in this act for like services; and for the purpose of making such enrollment for said year, said Assessors may appoint one or more deputies in their respective counties, for whose official conduct such Assessors shall be responsible.

The amendment was read a first and second time, and agreed to.

Mr. Lacey offered the following:

Amend the bill by new section, to come in at the end of section 12:

SEC. —. In time of actual war the Governor shall have power and authority to appoint in accordance with the provisions of this act, one Major General, who shall command the entire military force in the field;

Which was read a first and second time and disagreed to by the following vote, Mr. Waltman demanding the ayes and noes:

AYES—Messrs. Abington, Baughman, Boyd, Breck, Caldwell of Perry, Conrow, Devol, Giddings, Graham, Green, Hall, Harman, Harris of Boone, Harris of Montgomery, Hickox, Jennings, Kennedy, Lacey, Lawson of Washington, Lipscomb, McIlhany, Moore of Laclede, Randolph, Scholl, Sexton, Shambaugh, Shultz, Spedden, Steele, Vest, Walker of Cooper, Waltman, Welch of Lincoln, Williams of Hickory, and Williams of Phelps—35.

NOES—Messrs. Abernethy, Allen, Bailey, Ballou, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Briscoe, Brown, Buford, Burris, Byrd, Campbell, Cloud, Cunningham, Dale, Daugherty, Deatherage, Doehn, Dorris, Duvall, Eads, Fetters, Freeman, Freide, Gatewood, Gordon of Boone, Gordon of Lafayette, Graves, Hale, Hand, Hardin, Harris of Marion, Headlee, Hyer, Johnson, Jones, Lawson of Platte, McConnell, Maguire, Moore of St. Louis, Morgan, Murphy, Neill, Owens, Partridge, Peckham, Porter, Powell, Price, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Sheffield, Taylor, Vance, Walker of Cedar, Watkins, Weatherford, White, Williams of Daviess, Woodside, and Wyatt—73.

Absent—Messrs. Arnold, Caldwell of Ralls, Cavender, Ellis, Hagan, Lathim, Maughs, Meriwether, Miller, Moore of Chariton, Parcels, Pollard, Riley, Stevenson, Swink, Tutt, and Mr. Speaker.

Absent on leave—Messrs. Coste, Crow, McBride, and Trollinger.

Sick—Same as before.

On motion of Mr. Harman, the consideration of the bill before the House was suspended, and Senate bill entitled

An act placing money at the disposal of the Governor for the defense of the State,

Was taken up, read a first time, rule suspended, read a second and third time, and passed.

The House then resumed the consideration of the bill providing for the organization, support and government of the military force of the State.

Mr. Jones offered the following amendment to the bill:

Amend section 48: Strike out of line 3 the words "commissioned officer;" strike out in same line the words "one of their armories," and insert in lieu of the last mentioned words "their respective places of mustering;" and add in line 4, between the word "battalion" and the word "and," the following: "who shall hold their office for six years." Strike out all after the word "six," in sixteenth line, and add the following: "Whenever the said battalion shall have been augmented to four companies, then the commanding officer of the district shall order an election to be held at the respective places of mustering for each company, and said companies shall then go into an election for one Lieutenant Colonel for the said battalion, who shall hold his office for six years."

Mr. Hagan moved to lay the amendment on the table;

Which motion was decided in the negative by the following vote, the ayes and noes having been demanded by Mr. Jones:

AYES—Messrs. Abernethy, Austin, Ballou, Beall, Bledsoe, Bohannon, Briscoe, Brown, Buford, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Freeman, Gatewood, Graham, Graves, Hagan, Hand, Hardin, Harris of Marion, Harris of Montgomery, Lacey, Maughs, McIlhany, Moore of Chariton, Morgan, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Vest, Walker of Cedar, Waltman, Weatherford, Welch of Lincoln, White, Williams of Phelps, and Mr. Speaker—51.

NOES—Messrs. Abington, Allen, Ashbaugh, Baughman, Bennett, Blount, Boulware, Boyd, Breck, Burris, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Dale, Devol, Duvall, Eads, Ellis, Fetters, Friede, Giddings, Gordon of Boone, Gordon of Lafayette, Green, Hale, Hall, Harman, Headlee, Hickox, Hyer, Jennings, Johnson, Jones, Kennedy, Lawson of Platte, Lawson of Washington, Lipscomb, McConnell, Maguire, Moore of St. Louis, Murphy, Neill, Owens, Partridge, Price, Richardson of Miller, Spedden, Steele, Swink, Taylor, Tutt, Vance, Walker of Cooper, Watkins, Williams of Daviess, Williams of Hickory, Woodside, and Wyatt—59.

Absent—Messrs. Arnold, Bailey, Cavender, Dorris, Harris of Boone, Lathim, Meriwether, Miller, Moore of Laclede, Parcels, Peckham, Pollard, Riley, and Stevenson.

Absent on leave—Same as before.

Sick—Same as before.

Paired off—Mr. Doehn with Mr. Moore of Laclede.

On motion of Mr. Richardson, of Linn,
Leave of absence was granted to Mr. Arnold.

The amendment of Mr. Jones was then disagreed to by the following vote, the ayes and noes having been demanded by Mr. Jones:

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of Perry, Caldwell of Ralls, Dale, Devol, Duvall, Ellis, Fetters, Freide, Giddings, Gordon of Boone, Green, Harman, Headlee, Hickox, Jennings, Johnson, Jones, Lawson of Platte, Lawson of Washington, McConnell, Maguire, Moore of St. Louis, Murphy, Neill, Owens, Partridge, Peckham, Price, Richardson of Miller, Spedden, Steele, Swink, Tutt, Walker of Cooper, Williams of Daviess, and Williams of Hickory—42.

Absent—Messrs. Ashbaugh, Bailey, Cavender, Dorris, Eads, Harris of Boone, Lathim, Meriwether, Miller, Moore of Laclede, Pollard, Riley, and Stevenson.

Absent on leave—Same as before.

Sick—Same as before.

Paired off—Same as before.

Mr. Partridge moved that the House adjourn;
Which motion was decided in the negative.

Mr. Harman offered the following amendmont to the bill:
Amend section 167 by adding thereto as follows:
"*Provided, however*, That nothing in this section or act contained shall be so construed as to authorize the military forces of this State, or any part thereof, to interfere with the troops of the United States, within any fort or arsenal within this State, so long as said United States troops shall not unlawfully interfere with the person or property of any citizen of this State, and until the State of Missouri shall, by a vote of the people thereof, change her existing relations with the people and government of the United States;"
Which was read a first and second time, when
Mr. Randolph moved the previous question;
Which was seconded, and the question, Shall the main question be now put? decided in the affirmative.
The amendment of Mr. Harman was disagreed to by the following vote, Mr. Partridge demanding the ayes and noes:

AYES—Messrs. Abington, Allen, Ashbaugh, Blount, Boyd, Breck, Burris, Caldwell of Perry, Caldwell of Ralls, Devol, Duvall, Ellis, Fetters, Freide, Giddings, Gordon of Boone, Gordon of Lafayette, Green, Harman, Headlee, Hickox, Jennings, Johnson, Lacey, Lawson of Platte, Lawson of Washington, Lipscomb, Maguire, Morris of St. Louis, Murphy, Owens, Partridge, Peckham, Price, Richarson of Miller, Spedden, Steele, Swink, Tutt, Walker of Cooper, Watkins, Welch of Lincoln, Williams of Daviess, and Williams of Hickory—44.

NOES—Messrs. Abernethy, Austin, Ballou, Baughman, Beale, Bennett, Bledsoe, Bohannon, Boulware, Briscoe, Brown, Buford, Byrd, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Freeman, Gatewood, Graham, Graves, Hagan, Hale, Hall, Hand, Hardin, Harris of Marion, Harris of Montgomery, Hyer, Kennedy, Maughs, McConnell, McIlhany, Moore of Chariton, Morgan, Parcels, Porter, Powell, Randolph,

Rathbun, Rhodes, Richardson of Linn, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Shultz, Taylor, Vance, Vest, Walker of Cedar, Waltman, Weatherford, White, Williams of Phelps, Woodside, Wyatt, and Mr. Speaker—63.

Absent—Messrs. Bailey, Cavender, Dale, Dorris, Eads, Harris of Boone, Jones, Lathim, Meriwether, Miller, Moore of Lacede, Neill, Pollard, Riley, Sheffield, and Stevenson.

Absent on leave—Same as before.

Sick—Same as before.

Paired off—Same as before.

Mr. Randolph moved to read the bill a third time now, which motion was decided in the affirmative by the following vote, the ayes and noes having been demanded by Mr. Price:

AYES—Messrs. Abernethy, Abington, Allen, Ashbaugh, Austin, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannon, Boulware, Breck, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Conrow, Cunningham, Dale, Daugherty, Deatherage, Duvall, Eads, Fettors, Freeman, Gatewood, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Marion, Harris of Montgomery, Headlee, Hickox, Hyer, Johnson, Jones, Kennedy, Lacey, Lawson of Platte, Lawson of Washington, Manghs, McConnell, McIlhany, Maguire, Moore of Chariton, Morgan, Neill, Parcels, Porter, Powell, Randolph, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Shultz, Spedden, Steele, Swink, Taylar, Tutt, Vance, Vest, Walker of Cedar, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, Woodside, Wyatt, and Mr. Speaker—96.

NOES—Messrs. Boyd, Freide, Giddings, Moore of St. Louis, Murphy, Owens, Partridge, Peckham, and Price—9.

Absent—Messrs. Bailey, Burris, Cavender, Devol, Dorris, Ellis, Harris of Boone, Jennings, Lathim, Lipscomb, Meriwether, Miller, Moore of Lacledo, Pollard, Ruthbun, Riley, Sheffield, and Stevenson.

Absent on leave—Same as before.

Sick—Same as before.

Paired off—Same as before.

The bill was read a third time and passed by the following vote, the ayes and noes having been demanded by Mr Price:

AYES—Messrs. Abernethy, Abington, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Bohannon, Boulware, Breck, Briscoe, Brown, Buford, Byrd, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Cunningham, Dale, Daugherty, Deatherage, Duvall, Eads, Fetters, Freeman, Gatewood, Gordon of Boone, Gordon of Lafayette, Graham, Graves, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Boone, Harris of Marion, Harris of Montgomery, Hickox, Hyer, Johnson, Jones, Kennedy, Lacey, Lipscomb, Maughs, McConnell, McIlhany, Maguire, Meriwether, Moore of Chariton, Morgan, Murphy, Neill, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Shultz, Steele, Swink, Taylor, Tutt, Vance, Vest, Walker of Cedar, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, Woodside, Wyatt, and Mr. Speaker—96.

NOES—Messrs. Boyd, Freide, Headlee, Lawson of Washington, Moore of St. Louis, Owens, Partridge, Peckham, and Stevenson—9.

Absent—Messrs. Allen, Blount, Burris, Cavender, Devol, Dorris, Ellis, Giddings, Jennings, Luthim, Lawson of Platte, Miller, Moore of Laclede, Pollard, Price, Riley, Sheffield, and Spedden.

Absent on leave—Same as before.

Sick—Same as before.

Paired off—Same as before.

On motion of Mr. Briscoe, Senate bill entitled
An act concerning the railroads in the State of Missouri,
Was taken up, read a first time, rule suspended, read a second and third time, and passed.

On motion of Mr. Rathbun,
The House adjourned until 7 1-2 o'clock, P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

The Speaker ordered the galleries cleared, and the door closed.

Message from the Senate by Mr. Crisp:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that a bill of the following title has been introduced into the Senate, and passed:

An act to perpetuate friendly relations with certain Indian tribes.

Mr. Briscoe introduced a bill entitled

An act to regulate certain courts in this State;

Which was read a first time, rule suspended, read a second time, and referred to the committee on the Judiciary.

On motion of Mr. Roberts, of Buchanan,

The Speaker was authorized to appoint an assistant clerk.

On motion, one hundred and seventy copies of the military bill were ordered to be printed.

Mr. Beall introduced a bill entitled,

An act in relation to railroads and telegraphs in this State;

Which was read a first time, rule suspended, read a second time, when Mr. Shambaugh offefed an amended thereto;

Which was read a first and second time, and the bill and amendment referred to the committee on the Judiciary.

On motion of Mr. Ballou,

Leave was granted the Judiciary committee to sit during the session of the House.

On motion of Mr. Gatewood, Senate bill entitled

An act to perpetuate friendly relations with certain Indians tribes,

Was taken up, read a first time, rule suspended, read a second and third time, and passed.

On motion of Mr. Conrow, Senate bill entitled

An act to establish a military institute at Lexington, Missouri,

Was taken up, read a first time, rule suspended, read a second time, and referred to the committee on Militia.

Mr. Ballou, from the committee on the Judiciary, to which had been referred House bill entitled

An act concerning the railroads, &c., in the State of Missouri,

Reported by substitute of same title, and recommended its passage.

The substitute was read a first and second time, and agreed to; and the bill as substituted was then read a third time and passed by the following vote, Mr. Owens demanding the ayes and noes:

AYES—Messrs. Abernethy, Abington, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannan, Boulware, Breck, Briscoe, Brown, Burris, Caldwell of Perry, Caldwell of Ralls, Campbell, Cloud, Conrow, Cunningham, Dale, Daugherty, Deatherage, Duvall, Eads, Ellis, Fetters, Freeman, Gatewood, Giddings, Gordon of Lafayette, Graves, Green, Hagan, Hall, Hand, Hardin, Harman, Harris of Boone, Harris of Marion, Harris of Montgomery, Headlee, Hickox, Hyer, Johnson, Jones,

Kennedy, Lacey, Lawson of Platte, Lawson of Washington, Lipscomb, Maughs, McConnell, McIlhany, Moore of Chariton, Moore of Laclede, Murphy, Neill, Parcels, Porter, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Russell, Scholl, Sexton, Shambaugh, Sheffield, Shultz, Spedden, Steele, Swink, Taylor, Tutt, Vance, Vest, Walker of Cedar, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, Woodside, and Wyatt—98.

NOES—Messrs. Boyd, Doehn, Gordon of Boone, Moore of St. Louis, Owens, Partridge, Stevenson, and Mr. Speaker—8.

Absent—Meessrs. Allen, Buford, Byrd, Cavender, Devol, Dorris, Friede, Graham, Hale, Hanna, Jennings, Lathim, Maguire, Meriwether, Miller, Morgan, Peckham, Pollard, and Riley.

Absent on leave—Messrs. Arnold, Coste, Crow, McBride, and Trollinger.

Sick—Messrs. Doyle and Welch of Johnson.

On motion of Mr. Parcels,
The House adjourned.

EXTRAORDINARY SESSION.

MAY 10, 1861—11 1-2 O'CLOCK, P. M.

The House assembled in extraordinary session, and was called to order by the Speaker.

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

Messrs. Allen, Ashbaugh, Austin, Bailey, Ballou, Baughman, Beall, Bennett, Bledsoe, Blount, Bohannan, Breck, Briscoe, Brown, Burris, Caldwell of Perry, Conrow, Cunningham, Dale, Daugherty, Deatherage, Dorris, Duvall, Eads, Ellis, Fetters, Freeman, Gordon of Lafayette, Graham, Hagan, Hale, Hall, Hardin, Harris of Marion, Harris of Montgomery, Headlee, Hickex, Hyer, Jennings, Johnson, Jones, Kennedy, Lipscomb, Maughs, McConnell, McIlhany, Maguire, Moore of Chariton, Neill, Porter, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Russell, Sexton, Shambaugh, Shultz, Stevenson, Swink, Walker of Cooper, Waltman, White, Wyatt, and Mr. Speaker—67.

A quorum being present,

Thereupon the Speaker laid before the House the following communication from the Governor:

To the Senate and House of Representatives:

I have received information that two regiments of Mr. Blair's troops are now on the way to the Capital.

C. F. JACKSON.

Message from the Senate by Mr. Tracy, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that a bill of the following title has passed the Senate:

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri.

House bill of the following title has passed the Senate:

An act providing for the organization, government and support of the military forces of the State of Missouri.

On motion of Mr. Powell,

The Speaker was authorized to appoint any number of Clerks necessary to keep up the business, to be paid as other Clerks out of the contingent fund of the House.

Mr. Conrow called up Senate bill entitled

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri;

Which was read a first time, rule suspended, read a second and third time, and passed.

Mr. Conrow called up Senate joint resolution of the following title, which was read a first time, rule suspended, read a second time, and passed:

Joint resolution to suspend the apportionment of the State school money for the year 1861.

Message from the Senate by Mr. Tracy, Engrossing Clerk:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has passed a bill of the following title:

An act to authorize the Governor of the State of Missouri to suppress rebellion and repel invasion.

Mr. Randolph called up Senate bill entitled

An act to authorize the Governor of the State of Missouri to suppress rebellion and repel invasion;

Which was read a first time, rule suspended, read a second and third time, and passed.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that Senate bills of the following titles have been correctly enrolled:

An act placing money at the disposal of the Governor for the defense of the State;

An act to authorize the Governor of the State of Missouri to suppress rebellion and repel invasion.

On motion of Mr. Randolph,
The House took a recess, subject to the call of the Speaker.

SATURDAY MORNING, MAY 11, 1861.

The Speaker called the House to order at 8 1-2 o'clock, and ordered the galleries to be cleared and the door closed.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House that House bill of the following title has passed the Senate:

An act in relation to railroads and telegraphs in this State.

Mr. Ballou made the following report:

The committee on the Militia have had under their consideration the act entitled an act authorizing the County Court of Saline county to borrow the school fund, &c., which was referred to them, and report the same back to the House and recommend its passage.

DeWITT C. BALLOU,
One of the Committee.

The report was agreed to, and the bill read a third time, and passed.

Message from the Senate by Mr. Morrison, Enrolling Clerk:

Mr. SPEAKER: I am instructed by the Senate to inform the House that Senate bills of the following titles have been enrolled:

An act appropriating money;

An act to perpetuate friendly relations with certain Indian tribes;

Joint resolution to suspend the apportionment of the State school money for the year 1861;

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri.

Mr. Ballou made the following report:

To the Honorable Speaker of the House of Representatives:

The undersigned, members of the committee on Militia, to whom wat referred Senate bill establishing a military institute and drilling school as Lexington, beg leave to report that we have examined the same, and recommend the passage of the bill.

THOS. A. HARRIS,
D. C. ROBERTS,
D. C. BALLOU,
G. S. RATHBUN,
CONROW,
T. W. FREEMAN,
JAMES M. GATEWOOD.

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Mr. SPEAKER: I am instructed by the Senate to inform the House, that Senate bill of the following title has passed the Senate:

An act to authorize the banks of the State of Missouri to issue small notes, and for other purposes.

On motion of Mr. Allen,

The Senate bill just reported was taken up, read a first time, rule suspended, read a second time; when

Mr. Richardson, of Linn, moved the previous question;

Which was seconded, and the question, Shall the main question be now put? decided in the affirmative.

The bill was then read a third time, and passed by the following vote, the ayes and noes having been demanded by Mr. Fetters:

AYES—Messrs. Allen, Ashbaugh, Austin, Ballou, Baughman, Beall, Bennett, Bledsoe, Boulware, Breck, Briscoe, Brown, Buford, Burris, Caldwell of Ralls, Campbell, Conrow, Cunningham, Deatherage, Eads, Gatewood, Giddings, Gordon of Boone, Gordon of Lafayette, Graham, Hale, Hardin, Harris of Boone, Jennings, Johnson, Kennedy, Lacey, Lawson of Platte, Maughs, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Porter, Powell, Randolph, Richardson of Linn, Roberts of Buchanan, Robinson, Shambaugh, Sheffield, Spedden, Steele, Tutt, Vance, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, White, Williams of Daviess, Williams of Phelps, Wyatt, and Speaker—63.

NOES—Messrs. Abernethy, Blount, Bohannon, Byrd, Dale, Daugherty, Doehn, Fetters, Green, Hall, Harman, Harris of Montgomery, Headlee, Jones, Lawson of Washington, McConnell, Murphy, Neill, Owens, Parcels, Price, Richardson of Miller, Roberts of Schuyler, Stevenson, Taylor, Watkins, and Williams of Hickory—27.

Absent—Messrs. Bailey, Boyd, Caldwell of Perry, Cavender, Cloud, Devol, Dorris, Duvall, Ellis, Freide, Graves, Hagan, Hand, Hanna, Harris of Marion, Hickox, Hyer, Lathim, Lipscomb, Maguire, Miller, Partridge, Peckham, Pollard, Riley, Russell, Scholl, Sexton, Shultz, Swink, Vest, Walker of Cedar, Welch of Johnson, and Woodside.

Absent on leave—Same as before.

Sick—Same as before.

Excused from voting—Mr. Freeman.

Message from the Senate by Mr. Johnson, a Senator:

Mr. SPEAKER: I am instructed by the Senate to inform the House that a bill of the following title has been introduced into the Senate and passed:

An act for the relief of the Sheriff of St. Louis county, and for other purposes.

On motion of Mr. Price,

The House took a recess until Monday morning, subject during the interim to the call of the Speaker.

MONDAY MORNING, MAY 13, 1861.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Ditzler.

The Speaker ordered the galleries to be cleared and the doors closed.

The journal of Saturday's proceedings was read and approved.

The following message was received from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that bills of the following titles have been introduced into the Senate and passed:

An act for the relief of the Collector of Jackson county;

An act for the benefit of John A. Bemiss, Sheriff of Jackson county;

An act to amend an act entitled "an act to incorporate the Louisiana and Middletown Plank or Macadamized Road Company," approved February 27, 1851;

An act to provide for constructing a State road from Rolla, in Phelps county, to the State line.

House bill of the following title has passed the Senate:

An act authorizing the County Court of Saline county to issue bonds for purposes of defense.

Report from the committee on Enrolled Bills:

Mr. SPEAKER: The committee on Enrolled Bills have examined bills of the following titles, and find the same correctly enrolled:

An act to provide for the organization, government and support of the military forces of the State of Missouri;

An act in relation to railroads and telegraphs in this State.

WATKINS,
Chairman Com. on Enrolled Bills.

Message from the Senate by John T. Tracy:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that Senate bills of the following titles have been correctly enrolled:

An act for the relief of the city of St. Louis;

An act to establish a military institute;

An act to authorize the banks of the State of Missouri to issue small notes, and for other purposes.

Bill of the following title has passed the Senate:

An act to abolish certain offices.

Mr. Ballou, from the Judiciary committee, introduced a bill entitled

An act to prescribe the time of holding Courts of Record and Justices of the Peace for the transaction of civil business and for other purposes;

Which was read twice.

Mr. Allen offered the following amendment:

This act shall not apply to any contract made and entered into before the passage of this act;

Which was read a first and second time, and disagreed to by the following vote, the ayes and noes having been demanded by Mr. Gordon of Boone:

AYES—Messrs. Allen, Bennett, Bledsoe, Blount, Bohannon, Boulware, Caldwell of Ralls, Campbell, Devol, Eads, Ellis, Giddings, Gordon of Boone, Gordon of Lafayette, Graves, Hale, Harris of Boone, Headlee, Hyer, Jones, Lipscomb, Neill, Parcels, Price, Richardson of Miller, Russell, Shambaugh, Swink, Walker of Cooper, Waltman, Watkins, Welch of Johnson, Welch of Lincoln, Williams of Daviess, and Williams of Hickory —35.

NOES—Messrs. Abernethy, Abington, Arnold, Austin, Ballou, Boyd, Brown, Buford, Burris, Bryd, Caldwell of Perry, Cloud, Cunningham, Daugherty, Duvall, Fetters, Hagan, Hall, Hand, Hardin, Harman, Harris of Marion, Harris of Montgomery, Hickox, Jennings, Johnson, Kennedy, Lacey, Lawson of Lafayette, Lawson of Washington, Maughs, McIlhany, Moore of Chariton, Moore of Laclede, Murphy, Porter, Powell, Randolph, Rathbun, Rhodes, Richardson of Linn, Riley, Roberts of Schuyler, Robinson, Shultz, Steele, Vest, Weatherford, White, Williams of Phelps, Wyatt, and Mr. Speaker.

Absent—Messrs. Bailey, Baughman, Beall, Breck, Briscoe, Cavender, Conrow, Dale, Deatherage, Doehn, Doyle, Dorris, Freeman, Freide, Gatewood, Graham, Green, Lathim, McConnell, Maguire, Meriwether, Miller, Morgan, Owens, Partridge, Peckham, Pollard, Scholl, Sexton, Sheffield, Spedden, Stevenson, Taylor, Tutt, Vance, and Woodside.

Absent on leave—Messrs. Coste, Crow, Hanna, McBride, and Trollinger.

Paired off—Messrs. Roberts of Buchanan and Ashbaugh.

Message from the Senate by Jno. T. Tracy:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that bills of the following titles have passed the Senate:

An act supplementary to an act entitled "an act to authorize the Banks of the State of Missouri to issue small notes and for other purposes;"

An act prohibiting certain persons from holding office in the State of Missouri.

Message from the Senate by J. T. Tracy:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that a bill of the following title has passed the Senate:

An act to provide for the distribution of the militia law.

On motion of Mr. McIlhany,

The rules were suspended to allow him to introduce the following resolution:

Resolved, That the secret session of the House be now dissolved, and

that the obligation of secrecy in regard to all business transacted during this session, be and the same is hereby removed ;

Which was adopted by the following vote, the ayes and noes having been demanded by Mr. Price :

AYES—Messrs. Abernethy, Abington, Allen, Bennett, Bledsoe, Blount, Bohannon, Boulware, Boyd, Breck, Brown, Buford, Burris, Byrd, Caldwell of Perry, Campbell, Cunningham, Daugherty, Deatherage, Devol, Duvall, Eads, Ellis, Fetters, Giddings, Gordon of Boone, Gordon of Lafayette, Graves, Hale, Hall, Hand, Harman, Hardin, Harris of Boone, Harris of Montgomery, Headlee, Hickox, Hyer, Jennings, Johnson, Jones, Lacey, Lawson of Platte, Lawson of Washington, Lipscomb, Maughs, McIlhany, Maguire, Neill, Price, Randolph, Rhodes, Richardson of Miller, Robinson, Russell, Shambaugh, Steele, Swink, Vest, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Johnson, Welch of Lincoln, Williams of Daviess, Williams of Hickory, Wyatt, and Mr. Speaker—69.

NOES—Messrs. Ashbaugh, Austin, Ballou, Cloud, Harris of Marion, Kennedy, Moore of Chariton, Moore of Laclede, Murphy, Parcels, Porter, Rathbun, Richardson of Linn, Riley, Roberts of Schuyler, Vance, White, and Williams of Phelps—19.

Absent—Messrs. Arnold, Bailey, Baughman, Beall, Briscoe, Caldwell of Ralls, Cavender, Conrow, Coste, Dale, Doehn, Dorris, Doyle, Freeman, Freide, Gatewood, Graham, Green, Hagan, Hanna, Lathim, McConnell, Meriwether, Miller, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Roberts of Buchanan, Scholl, Sexton, Sheffield, Shultz, Spedden, Stevenson, Taylor, Tutt, Walker of Cedar, and Woodside.

Absent on leave—Messrs. Crow, McBride, and Trollinger.

Mr. Watkins offered the following amendment to the bill under consideration :

SEC. —. It shall be the duty of the Secretary of State, immediately after the passage of this act, to forward copies of the same to the Clerks and Judges of the several courts in this State ;

Which was read a first and second time, and agreed to.

Mr. Allen offered a substitute for the bill with the following title :

An act to exempt certain property ;

Which was read a first and second time, and laid on the table by the following vote, the ayes and noes having been demanded by Mr. Allen ;

AYES—Messrs Austin, Ballou, Bennett, Blount, Bohannon, Boyd, Brown, Burris, Byrd, Caldwell of Perry, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Fetters, Giddings, Gordon of Lafayette, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Montgomery, Headlee, Hyer, Jennings, Kennedy, Lawson of Platte, Lawson of Washington, Lipscomb, Maughs, McIlhany, Moore of Chariton, Murphy, Porter, Randolph, Rathbun, Richardson of Linn, Richardson of Miller, Roberts of Buchanan, Roberts of Schuyler, Robinson, Shultz, Steele, Vance, Waltman, Watkins, Weatherford, Welch of Johnson, Williams of Hickory, Williams of Phelps, and Wyatt—55.

NOES—Messrs. Abernethy, Allen, Bledsoe, Boulware, Buford, Devol, Eads, Gordon of Boone, Hickox, Johnson, Jones, Neill, Parcels, Rhodes, Swink, Walker of Cooper, Welch of Lincoln, Williams of Daviess, and Mr. Speaker—19.

Absent—Messrs. Abington, Arnold, Ashbaugh, Bailey, Baughman, Beall, Breck, Briscoe, Caldwell of Ralls, Cavender, Coste, Crow, Dale, Dorris, Doyle, Duvall, Ellis, Freeman, Freide, Gatewood, Graham, Graves, Green, Hanna, Harris of Boone, Harris of Marion, Lacey, Lathim, McBride, McConnell, Maguire, Meriwether, Miller, Moore of Laclede, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Powell, Price, Riley, Russell, Scholl, Sexton, Shambaugh, Sheffield, Spedden, Stevenson, Taylor, Tutt, Vest, Walker of Cedar, and Woodside.

Absent on leave—Messrs. McBride and Trollinger.

Mr. Waltman moved to lay the bill on the table;
Which motion was last.

Mr. Maughs, on leave, introduced a bill of the following title:
An act to authorize the County Courts to loan money to the State;
Which was read twice, and referred to the committee on the Judiciary.

Mr. Welch, of Johnson, offered the following amendment to the bill under consideration, which was read twice and agreed to:

SEC. —. Nothing contained in this act, so far as the same relates to Justices Courts, shall apply to suits by attachment, suits in action of unlawful detainer or forcible entry and detainer, and actions for the recovery of specific personal property; but all such suits shall be tried and determined by the laws now in force in relation thereto; and Justices of the Peace are hereby allowed and required to hold courts for the determination of such suits at the same times as now provided by law.

Message from the Senate by Mr. L. D. Kerr:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that bills of the following titles have passed the Senate:

An act to mark out and construct State roads connecting with certain gravel and macadamized roads in the southeastern part of the State;

An act supplementary to an act entitled "an act to raise money to arm the State, repel invasion and protect the lives and property of the people of Missouri."

Report from the commit.ee on Enrolled Bills:

Mr. SPEAKER: The committee on Enrolled Bills have examined a bill of the following title, and find the same correctly enrolled:

An act authorizing the County Court of Saline county to issue bonds for purposes of defense.

Mr. Rathbun offered the following amendment:
Amend section first by striking out all after the words "civil business;"
Which was read a first and second time and disagreed to.
Mr. Hagan offered the following amendment:

SEC.—This act shall not apply to the courts of Jefferson and Washington counties, that are to be held by the now existing law during the months of May and June, in said counties;

Which was read a first and second time and disagreed to.

Mr. Welch, of Johnson, offered the following amendment:

Amend section five, by adding thereto as follows:

Provided, however, That the time during which suit is directed to be stayed by this section, shall not be deemed or taken as a part of the time within which by any statute of limitation in the State such suit may be instituted; nor shall any lien which may by any judgment or otherwise have attached the property of any such person be in any manner affected by the provisions of this act;

Which was read twice and agreed to.

Message from the Senate by John T. Tracy:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that bills of the following titles have passed the Senate:

An act amendatory of an act entitled an act to establish a State road in the counties of Osage, Phelps and Maries;

An act to provide for the economical administration of the Government of the State of Missouri.

Mr. Hyer moved a call of the House, and the roll being called, the following members were noted as

Absent without leave—Messrs. Abington, Bailey, Baughman, Beall, Briscoe, Buford, Burris, Caldwell of Ralls, Cavender, Dale, Daugherty, Deathridge, Devol, Doehn, Dorris, Doyle, Duvall, Ellis, Freeman, Freide, Gatewood, Giddings, Graham, Green, Hand, Hanna, Hardin, Lathim, Lawson of Washington, McConnell, Maguire, Meriwether, Miller, Moore of St. Louis, Morgan, Neil, Owens, Partridge, Peckham, Pollard, Powell, Roberts of Buchanan, Russell, Scholl, Sexton, Shambaugh, Sheffield, Spedden, Stevenson, Swink, Taylor, Tutt, Walker of Cedar, Welch of Lincoln, and Woodside.

The Sergeant-at-Arms having returned, and several members having entered the Hall,

On motion of Mr. Waltman,

Further proceedings under the call were dispensed with.

Message from the Senate by Mr. Tracy:

Mr. SPEAKER: The President of the Senate has signed House enrolled bills of the following titles:

An act in relation to railroads and telegraphs in this State;

An act to provide for the organization, government and support of the military forces of the State of Missouri;

An act authorizing the County Court of Saline county to issue bonds for purposes of defense.

On motion of Mr. Vest,

Three members were added to the committee on Federal Relations.

The Speaker appointed Messrs. Lipscomb, Harris of Boone, and Rathbun.

Mr. Ballou offered the following amendment to the bill under consideration:

Amend section seven by adding thereto: "and no civil business shall be transacted in any Circuit Court or Court of Common Pleas, held in the year 1861, except by consent of parties as provided in the first section of this act;"

Which was read twice, and agreed to.

Mr. Allen moved to refer the bill to a select committee of three.

Pending this motion,

Mr. Maughs moved to pass over the regular order; which was agreed to.

Mr. Ballou, from the Judiciary committee, to whom had been referred a bill entitled

An act to authorize the County Courts to loan money to the State,

Reported a substitute for the same;

Which was read a first and second time.

Mr. Lipscomb offered the following amendment to the substitute:

Amend section first by adding thereto: *Provided*, Said arms and appliances shall not be by the State authorities delivered to said counties, until the companies organized therein shall have been mustered into service, as State or home guards under the general law.

Pending the consideration of this amendment,

On motion of Mr. Randolph,

The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Watkins offered the following resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the General Assembly will adjourn *sine die* to-morrow morning at nine o'clock.

Mr. Harris, of Marion, offered the following substitute for the resolution:

Resolved by the House of Representatives, the Senate concurring therein, That a committee of three on the part of the House and two on the part of the Senate, be appointed by the Speaker of the House and the President of the Senate, to wait upon the Governor, and inform him that we are now ready to adjourn if he has no further communications to make.

On motion of Mr. Price, the substitute was laid on the table.

The resolution was then adopted.

The House resumed the consideration of the act to authorize the County Courts to loan money to the State.

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Was taken up, read a first and second time, and, on motion of Mr. Harman, the bill was referred to the committee on Roads and Highways.

Senate bills entitled

An act to mark out and construct State roads connecting with certain gravel and macadamized roads in the south-eastern part of the State;

An act amendatory of an act entitled "an act to establish a State road in the counties of Osage, Phelps and Maries,"

Were read a first and second time, and referred to the committee on Roads and Highways.

Senate bill entitled

An act to incorporate the Western Pacific Railroad,

Was taken up.

Message from the Senate by Mr. Jno. T. Tracy:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that House bills of the following titles have passed the Senate:

An act to authorize the Governor to purchase foundries and other property;

An act to authorize the County Court of Jackson county, to appropriate money and issue bonds to purchase arms and munitions of war;

The act to incorporate the Western Pacific Railroad was read a first time.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 13, 1861.

To the Speaker of the House of Representatives:

I have this day approved and signed House bills of the following titles:

An act to provide for the organization, government and support of the military forces of the State of Missouri;

An act authorizing the County Court of Saline county to issue bonds for purposes of defense;

An act in relation to railroads and telegraphs in this State.

Respectfully,
C. F. JACKSON.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House, that a bill of the following title has been introduced into the Senate, and passed:

An act concerning slaves, free negroes and mulattoes.

Senate bill of the following title was called up:

An act for the relief of the Sheriff of St. Louis county, and for other purposes;

The bill was read a first, second and third time, and passed.

Senate bill entitled

An act prohibiting certain persons from holding offices in the State of Missouri,

Was taken up, read a first, second and third time.

Mr. Waltman offered the following amendment by way of ryder:

SECTION —. Postmasters shall be exempt from the provisions of this act.

On motion of Mr. Harman, the bill was referred to the Judiciary committee.

Senate bill of the following tittle was taken up, read a first, second and third time, and passed:

An act to authorize the Inspectors of the Penitentiary to call in the proposal to lease the same.

Senate bill entitled

An act to amend an act entitled an act to incorporate the Louisiana and Middletown Plank or Macadamized Road Company, approved February 27, 1851,

Was taken up, read a first, second and third time, and passed.

Message from the Senate by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that bills of the following titles have been introduced in the Senate and passed:

An act concerning banks;

An act to authorize the appointment of one Major General in this State;

An act amendatory of an act entitled "an act respecting the election of Justices of the County Court in Marion county."

The committee on Enrolled Bills made the following report:

Mr. SPEAKER: The committee on Enrolled Bills have examined bills of the following titles and find them correctly enrolled:

An act to authorize the County Court of Jackson county to appropriate money and issue bonds to purchase arms and munitions of war;

An act to authorize the Governor to purchase foundries and other property.

J. W. WELCH.

Senate bill entitled

An act to provide for the distribution of the military bill,

Was taken up, read a first and second time.

Mr. Waltman offered the following amendment:

Strike out five thousand and insert one thousand;

Which amendment was agreed to, and the bill read a third time and passed, as amended.

Senate bills entitled

An act for the benefit of Jno. A. Burris, Sheriff of Jackson county, and

An act for the relief of the Collector of Jackson county;

Were taken up in order, read a first, second and third time, and passed.

Senate bill entitled

An act concerning banks,

Was taken up and read a first and second time.

Mr. Riley offered the following amendment:

SEC. —. The office of Bank Commissioner and Assistant Bank Commissioner is hereby abolished, and wherever the words "Bank Commissioner" appear in the bill insert the word "President;"

Which was read a first and second time, and agreed to.

The bill was then read a third time and passed.

Senate bill entitled

An act amendatory of an act entitled an act respecting the election of Justices of the County Court in Marion county,

Was taken up, read a first, second and third time, and passed.

Mr. Waltman introduced a bill of the following title, which was read a first, second and third time, and passed:

An act to define the corporate limits of the town of Monticello, in Lewis county.

Senate bill entitled

An act to authorize the appointment of one Major-General for the Missouri Militia,

Was taken up and read a first time.

Mr. Roberts, of Schuyler, moved to reject the bill.

Mr. Daugherty moved the previous question.

And the question, Shall the main question be now put?

Was decided in the affirmative.

The motion to reject the bill was then disagreed to by the following vote, the ayes and noes having been demanded by Mr. Waltman:

AYES—Messrs. Ashbaugh, Ballou, Bohannon, Boyd, Burris, Byrd, Cloud, Devol, Fetters, Harris of Marion, Headlee, Jennings, Jones, Lawson of Platte, McConnell, Murphy, Powell, Richardson of Miller, Roberts of Schuyler, Watkins, and Wyatt—21.

NOES—Messrs. Abernethy, Abington, Allen, Bennett, Bledsoe, Boulware, Brown, Caldwell of Perry, Campbell, Conrow, Cunningham, Daugherty, Deatherage, Gordon of Boone, Gordon of Lafayette, Graves, Green, Hall, Hand, Hardin, Harman, Harris of Boone, Harris of Montgomery, Hickox, Lacey, Lipscomb, Maughs, McIlhany, Meriwether, Moore of Chariton, Neill, Porter, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Riley, Robinson, Russell, Shambaugh, Shultz, Steele, Swink, Vance, Vest, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, and Mr. Speaker—55.

Absent—Messrs. Austin, Bailey, Baughman, Beall, Blount, Breck, Briscoe, Brown, Buford, Caldwell of Ralls, Cavender, Dale, Doehn, Dorris, Doyle, Duvall, Eads, Ellis, Freeman, Freide, Gatewood, Giddings, Graham, Hagan, Hale, Hanna, Hyer, Johnson, Kennedy, Lathim, Lawson of Washington, Maguire, Miller, Moore of Laclede, Moore of St. Louis, Morgan, Owens, Parcels, Partridge, Peckham, Pollard, Scholl, Sexton, Sheffield,

Spedden, Stevenson, Taylor, Tutt, Walker of Cedar, Welch of Johnson, and Woodside.

Absent on leave—Messrs. Arnold, Coste, Crow, McBride, and Trollinger.

The bill was then read a second time.
Mr. Harris, of Marion, offered the following amendment:
Amend by way of new section:
SEC. —. *Provided*, That should the Major-General, herein provided for, require troops to be brought in the field, he shall proceed in like manner only as is provided in section 136 of "an act entitled an act for the organization, government and support of the military forces of the State of Missouri," approved May —, 1861.
The amendment was read twice, and
On motion of Mr. Vest,
Laid on the table.
The bill was then read a third time and passed.

On motion of Mr. Hand,
The House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, MAY 16, 1861.

The House met pursuant to adjournment.

Prayer was offered by Rev. Mr. Ditzler.

The journal of yesterday's proceedings was read and approved.

Mr. Price, from the committee on Roads and Highways, to whom had been referred Senate bills entitled

An act to mark out and construct State roads connecting with certain gravel and macadamized roads in the south-eastern part of the State;
An act amendatory of an act entitled an act to establish a State road in the counties of Osage, Phelps, and Maries;
An act to provide for constructing a State road from Rolla, in Phelps county, to the State line;
Reported the same back and recommended their rejection.
The report of the committee was agreed to, and the bills rejected.

Mr. Jones moved to suspend the rules to offer the following bill:
An act supplementary to an act entitled an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri.

SEC. 1. That third section of the act entitled an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of the State of Missouri, be suspended so far as the same relates to the collection of fifteen cents on the hundred dollars, until the year eighteen hundred and sixty-three.

This act to take effect from its passage.

The House refused to suspend the rules by the following vote, the ayes and noes having been demanded by Mr. Jones:

AYES—Messrs. Allen, Ashbaugh, Austin, Blount, Boyd, Byrd, Devol, Duvall, Ellis, Gordon of Boone, Green, Hale, Harman, Headlee, Hickox, Hyer, Jennings, Johnson, Jones, Neill, Powell, Richardson of Miller, Riley, Roberts of Schuyler, Swink, Vance, Walker of Cedar, Watkins, Williams of Daviess, and Williams of Hickory—30.

NOES—Messrs. Abernethy, Abington, Ballou, Bennett, Bledsoe, Bohannon, Brown, Buford, Burris, Campbell, Cloud, Cunningham, Daugherty, Deatherage, Eads, Fetters, Freeman, Gordon of Lafayette, Graves, Hagan, Hall, Hand, Hardin, Harris of Marion, Lawson of Platte, McConnell, McIlhany, Moore of Chariton, Murphy, Parcels, Porter, Price, Randolph, Richardson of Linn, Rathbun, Russell, Shultz, Steele, Walker of Cooper, Waltman, Weatherford, Welch of Johnson, Welch of Lincoln, White, Wyatt, and Mr. Speaker—46.

Absent—Messrs. Bailey, Baughman, Beall, Breck, Briscoe, Caldwell of Perry, Caldwell of Ralls, Cavender, Conrow, Dale, Doehn, Dorris, Doyle, Freide, Gatewood, Giddings, Graham, Hanna, Harris of Boone, Harris of Montgomery, Kennedy, Lacey, Lathim, Lawson of Washington, Lipscomb, Maughs, Maguire, Meriwether, Miller, Moore of Laclede, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Rhodes, Robinson, Scholl, Sexton, Shambaugh, Sheffield, Spedden, Stevenson, Taylor, Tutt, Vest, Williams of Phelps, and Woodside.

Absent on leave—Messrs. Arnold, Boulware, Coste, Crow, McBride, and Trollinger.

Message from the Senate by Mr. Tracy:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that House bill of the following title has been amended in the Senate and passed:

An act to authorize counties to loan money to the State.

Mr. Harris, of Marion, from the committee on the Militia, made the following report:

The committee on Militia, to whom was referred House bill No. 1, entitled "an act to authorize Lafayette county to issue bonds for certain purposes," have had the same under consideration, and deeming that ample authority has been conferred by the general law, report the same back and recommend that it do not pass.

The report of the committee was agreed to.

Mr. Harris, of Marion, from the committee on the Militia, made the following report:

The committee on Militia, to whom was referred House bill No. 9, entitled "an act to legalize the organization of the Louisiana Guards, the Pike County Mounted Guard, and the Pike County Rangers, and to legalize the election of the officers of the same," have had the same under consideration, and report the same back and recommend that it do not pass.

The report was disagreed to, and the bill read a third time and passed.

Mr. Lawson, of Platte, on leave, introduced a bill of the following title:

An act supplemental to an act to provide for the organization, government, and support of the military forces of the State of Missouri;

Which was read a first and second time, and referred to the committee on the Militia.

Message from the Senate by Mr. Churchill, a Senator:

Mr. SPEAKER: I am instructed by the Senate to inform the House that the Senate has disagreed to the amendment made by the House to the Senate bill concerning banks, and ask the House to appoint a committee of conference upon the same.

The House adhered to its amendment, and,

On motion of Mr. McIlhany,

The Speaker appointed Messrs. McIlhany, Lipscomb, and Conrow a committee of conference on the part of the House.

Mr. Harris, of Marion, asked leave to introduce a bill of the following title:

An act to perpetuate slavery in the State of Missouri.

Leave was refused.

Message from the Senate by Mr. Tracy:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that House amendment to Senate bill entitled

An act concerning banks,

Has been disagreed to, and Messrs. Churchill, O'Neil, and Byrne have been appointed a committee of conference on the part of the Senate.

House amendment to Senate bill entitled

An act to provide for the distribution of the militia law,

Has been disagreed to, and Messrs. Horner, Thompson, and Rains have been appointed a committee of conference on the part of the Senate.

On motion of Mr. Green,

The House receded from its amendment to Senate bill entitled

An act to provide for the distribution of the militia law.

Mr. Ballou called up the following bill, read a second time on yesterday:

An act to prescribe the time of holding courts of record and Justices of the Peace for the transaction of civil business, and other purposes.

Mr. Welch, of Johnson, offered the following amendment, which was read a first and second time, and agreed to:

Amend section one by inserting after the word "attorneys," the words "or guardians or guardians *ad litem*."

Mr. Welch, of Johnson, offered the following:

Amend by striking out the enforcing clause and insert in lieu thereof as follows:

"This act to be in force from and after the 4th day of July next."

Mr. Rathbun moved to lay the bill and amendments on the table.

Mr. Lawson, of Platte, called for a division of the question, which was ordered.

The motion to lay the amendment on the table was then agreed to.

Message from the Senate by Mr. Tracy, jr.:

Mr. SPEAKER: Senate bills of the following title have been correctly enrolled:

An act for the relief of the Collector of Jackson county;

An act for the benefit of John W. Burris, Sheriff of Jackson county.

The President of the Senate has signed House enrolled bill of the following title:

An act to authorize the Governor to purchase foundries and other property;

An aet to authorize the County Court of Jackson county to appropriate money and issue bonds to purchase arms and munitions of war.

Bill of the following title has been introduced in the Senate and passed:

An act to change the time of holding the Kansas City Court of Common Pleas.

The motion to lay the bill on the table was then agreed to by the following vote, Mr. Jones demanding the ayes and noes:

AYES—Messrs. Abernethy, Abington, Allen, Bennett, Blount, Cunningham, Devol, Eads, Freeman, Gordon of Boone, Gordon of Lafayette, Graves, Green, Hagan, Hale, Hall, Hardin, Harman, Harris of Boone, Hickox, Hyer, Johnson, Jones, Lipscomb, McConnell, Neill, Powell, Randolph, Rathbun, Rhodes, Richardson of Miller, Russell, Shambaugh, Shultz, Vance, Vest, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Johnson, and Williams of Hickory—42.

NOES—Messrs. Austin, Ballou, Boyd, Brown, Burris, Byrd, Campbell, Daugherty, Deatherage, Duvall, Fetters, Hand, Headlee, Jennings, Lawson of Platte, Meriwether, Moore of Chariton, Moore of Laclede, Murphy, Porter, Richardson of Linn, Riley, Roberts of Schuyler, Steele, Swink, Walker of Cedar, White, Williams of Phelps, Wyatt, and Mr. Speaker—30.

Absent—Messrs. Arnold, Bailey, Baughman, Beall, Bledsoe, Bohannon, Boulware, Breck, Briscoe, Buford, Caldwell of Perry, Caldwell of Ralls, Cavender, Cloud, Conrow, Dale, Doehn, Dorris, Doyle, Ellis, Freide, Gatewood, Giddings, Graham, Hanna, Harris of Marion, Harris of Montgomery, Kennedy, Lacey, Lathim, Lawson of Washington, Maughs, McIlhany, Maguire, Miller, Moore of St. Louis, Morgan, Owens, Parcels, Partridge, Peckham, Pollard, Price, Roberts of Buchanan, Robinson, Scholl, Sexton, Sheffield, Spedden, Stevenson, Taylor, Tutt, Welch of Lincoln, Williams of Daviess, and Woodside.

Absent on leave—Messrs. Coste, Crow, McBride, and Trollinger.

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sister States, against this illegal, unchristian and inhuman violation of our rights by the capture of our militia, assembled under the Constitution of the United States and the Constitution of this State, and the murder of our defenseless people.

Resolved, 2nd. That whilst Missouri has been loyal to the Government, struggling for its reconstruction, and is now sincerely desirous of an honorable adjustment of existing difficulties, she has received as reward for her fidelity, from persons assuming to act under Federal authority, unparalleled insult and wrong. An armed despotism, under infuriated partizan leaders, has been inaugurated in our midst, controlled by no law but passion, and actuated by the deepest hate against the people of Missouri and their institutions. Our railroads are now under military occupation. The steamboat C. E. Hillman, engaged in transporting goods from the city of St. Louis to the city of Nashville, has been seized by Government troops within the jurisdiction of this State, and the cargo taken out. The Capital of the State is openly threatened with capture, and our session is now being held in the midst of armed citizens hastily assembled for defense.

Resolved, 3rd. That it is the unquestioned constitutional right of the State to arm, equip, and organize her militia for defense against aggression from any quarter; and the attempt of Capt. Lyon, acting, as he says, under authority from Washington, to use the exercise of this right as an excuse for his conduct, evinces but too clearly a disposition upon the part of the authorities at Washington to disregard and trample upon the sacred rights of the people of Missouri.

Resolved, 4th. That the charge of Capt. Lyon, in his letter to Gen. Frost, that the proceedings of the State authorities or of this General Assembly, at any time, furnished a pretext for the course pursued by him is entirely gratuitous and false.

Resolved, 5th. That the Governor of the State be hereby directed to make demand of the President of the United States, whether these outrages have been authorized by the Government, and for the immediate return of the arms, camp equipage and other property belonging to this State, lately taken from our military near St. Louis, and for the unconditional release of our State troops.

Resolved, 6th. That the Governor is also requested to take instant action by calling forth the militia of the State, for the purpose of defense; and that the people of Missouri should rally as one man to perish, if necessary, in defending their constitutional rights.

Resolved, That the Governor be requested to furnish a copy of the foregoing preamble and resolutions to the President of the United States, and to the Governors of each of the States.

The resolutions were read a first and second time, and unanimously adopted by the following vote, Mr. Randolph demanding the ayes and noes:

AYES—Messrs. Abernethy, Abington, Allen, Ashbaugh, Austin, Ballou, Blount, Bohannon, Boyd, Brown, Buford, Byrd, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Duvall, Eads, Fetters, Freeman, Gordon of Boone, Gordon of Lafayette, Graves, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Marion, Headlee, Hyer, Jennings, Johnson, Jones, Lacey, Lawson of Platte, Lipscomb, Maughs, McConnell, McIlhany, Meriwether, Moore of Chariton, Moore of Laclede,

Murphy, Neill, Parcels, Porter, Powell, Price, Randolph, Rathbun, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Roberts of Schuyler, Russell, Shambaugh, Shultz, Steele, Swink, Vance, Vest, Walker of Cedar, Walker of Cooper, Waltman, Watkins, Weatherford, Welch of Lincoln, White, Williams of Daviess, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—79.

NOES—None.

Absent—Messrs. Arnold, Bailey, Baughman, Beall, Breck, Briscoe, Burris, Caldwell of Perry, Caldwell of Ralls, Cavender, Dale, Devol, Doehn, Dorris, Doyle, Ellis, Freide, Gatewood, Giddings, Graham, Hanna, Harris of Boone, Harris of Montgomery, Hickox, Kennedy, Lathim, Maguire, Miller, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Robinson, Scholl, Sexton, Sheffield, Spedden, Stevenson, Taylor, Tutt, Welch of Johnson, and Woodside.

On motion of Mr. Lacey,
The House ordered five thousand copies of the report to be printed.

Mr. McIlhany made the following report:

Mr. SPEAKER: The committee of Conference on the part of the Senate and House of Representatives, to whom was referred a bill entitled "an act to authorize the banks of the State of Missouri to issue small notes and for other purposes," have had said bill under consideration, and have instructed me to report the accompanying bill as a substitute for the same.

The substitute was read a first and second time and agreed to; and the bill, as substituted, read a third time, and passed.

Mr. Rathbun, on leave, introduced a bill of the following title:

Which was read a first time rule suspended, read a second and third time, and passed.

An act to authorize Lafayette county to issue bonds for certain purposes.

Mr. Eads called up the following House bill, which had been amended in the Senate:

An act to authorize counties to loan money to the State.

The Senate amendment was read a first and second time, and concurred in.

On motion of Mr. Waltman,
The House adjourned until 3 o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Message from the Senate by Mr. Tracy, jr.:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that House bill of the following title has passed the Senate:

An act to authorize the Banks of this State to issue small notes.

The following joint resolution has been introduced into the Senate and passed:

Resolved by the Senate, the House of Representatives concurring therein, That the General Assembly will adjourn on Wednesday the 15th day of May, 1861, at 12 o'clock meridian, to meet again on the third Monday in September next, unless sooner called together by the Governor.

House bills of the following title have passed the Senate:

An act to authorize Lafayette county to issue bonds for certain purposes;

An act to legalize the organization of the Louisiana Guards, the Pike County Rangers and the Pike County Mounted Guards, and to legalize the election of officers of same.

Message from the Senate, by Mr. Crisp, Assistant Secretary:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that a bill of the following title has been introduced into the Senate, and passed:

An act for the relief of persons while doing actual military service of the State.

Mr. Maughs introduced the following bill:

An act creating a Board of Police Commissioners, and authorizing the appointment of a police force for the city of Kansas;

Which was read a first, second and third time, and passed.

Mr. Randolph called up Senate bill entitled

An act for the relief of persons while doing actual military service of the State;

Which was read twice.

Mr. Welch, of Johnson, offered the following amendment:

Amend by adding as additional section:

SEC. —. Nothing in this act contained shall be construed to affect any lien which may have attached on the property of any person, who may have enlisted in the service of the State; nor shall the time of the absence of such person from the county in which such person may reside, be held or taken to be any part of the time within which, by the statutes of limitation in this State, any suit may be brought against such person, but such suits may be brought against such person after his discharge, in the same manner and within the same time as if such person had not been in the service of the State.

Which was read twice, and, on motion of Mr. Ballou, was laid on the table.

The bill was then read a third time and passed by the following vote, the ayes and noes being demanded :

AYES—Messrs. Abernethy, Austin, Ballou, Bennett, Bledsoe, Bohannon, Brown, Burris, Byrd, Campbell, Cloud, Cunningham, Daugherty, Deatherage, Devol, Duvall, Ellis, Gordon of Boone, Gordon of Lafayette, Green, Hagan, Hale, Hall, Hand, Hardin, Harman, Harris of Boone, Harris of Marion, Headlee, Hyer, Jennings, Johnson, Lacy, Lawson of Platte, Lipscomb, Maughs, McIlhany, Moore of Chariton, Moore of Laclede, Murphy, Neill, Parcels, Porter, Powell, Price, Randolph, Rhodes, Russell, Shambaugh, Shultz, Steele, Swink, Vest, Walker of Cedar, Walker of Cooper, Weatherford, White, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—64.

NOES—Messrs. Boyd, Fetters, Graves, McConnell, Richardson of Miller, Vance, Waltman, Welch of Johnson, and Williams of Daviess—9.

Absent—Messrs. Abington, Allen, Ashbaugh, Bailey, Baughman, Beall, Blount, Boulware, Breck, Briscoe, Buford, Caldwell of Perry, Caldwell of Ralls, Dale, Doehn, Dorris, Doyle, Eads, Freeman, Freide, Gatewood, Giddings, Graham, Hanna, Harris of Montgomery, Jones, Kennedy, Lathim, Maguire, Meriwether, Miller, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Rathbun, Richardson of Linn, Riley, Roberts of Buchanan, Robinson, Scholl, Sexton, Sheffield, Spedden, Stevenson, Taylor, Trollinger, Tutt, Watkins, and Woodside.

The following joint resolution from the Senate was taken up :

Resolved by the Senate, the House of Representatives concurring therein, That the General Assembly will adjourn on Wednesday the 15th day of May, 1861, at 12 o'clock meridian, to meet again on the third Monday in September next, unless sooner called together by the Governor.

Mr. Price moved to amend by striking out all after the words, "twelve o'clock, M."

On motion of Mr. Randolph,

The amendment was laid on the table by the following vote, the ayes and noes having been demanded :

AYES—Messrs. Abernethy, Austin, Bailey, Ballou, Bennett, Bledsoe, Bohannon, Brown, Buford, Burris, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Duvall, Freeman. Gordon of Lafayette, Hagan, Hall, Hand, Harman, Harris of Marion, Hyer, Johnson, Lacey, Lawson of Platte, Lipscomb, Maughs, McIlhany, Moore of Laclede, , Murphy, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Roberts of Schuyler, Russell, Shambaugh, Shultz, Steele. Vest, Weatherford, Williams of Daviess, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—50.

NOES—Messrs. Blount, Boyd, Byrd, Devol, Fetters, Gordon of Boone, Graves, Hall, Hardin, Harris of Boone, Headlee, Jennings, Jones, McConnell, Neill, Price, Richardson of Miller, Swink, Vance, Walker of Cedar, Walker of Cooper, Waltman, Watkins, and Welch of Johnson—24.

Absent—Messrs. Abington, Allen, Ashbaugh, Bailey, Baughman, Beall,

Boulware, Breck, Briscoe, Caldwell of Perry, Caldwell of Ralls, Cavender, Dale, Doehn, Dorris, Doyle, Eads, Ellis, Freide, Gatewood, Giddings, Graham, Green, Hanna, Harris of Montgomery, Hickox, Kennedy, Lathim, Lawson of Washington, Maguire, Meriwether, Miller Moore of Chariton, Moore of St. Louis, Morgan, Partridge, Peckham, Pollard, Richardson of Linn, Riley, Roberts of Buchanan, Robinson, Scholl, Sexton, Sheffield, Spedden, Stevenson, Taylor, White, and Woodside.

Absent on leave—Messrs. Arnold, Coste, Crow, McBride, Trollinger, and Tutt.

Mr. Waltman moved to amend by substituting the first Monday in January, 1862, for the third Monday in September next.

On motion of Mr. Randolph, the amendment was laid on the table.

Mr. Randolph moved the previous question;

Which was sustained, and the resolution was adopted by the following vote, the ayes and noes having been demanded by Mr. Waltman:

AYES—Messrs. Abernethy, Austin, Ballou, Bledsoe, Bohannon, Brown, Buford, Burris, Campbell, Cloud, Conrow, Cunningham, Daugherty, Deatherage, Duvall, Fetters, Freeman, Gordon of Lafayette, Graves, Hall, Hand, Hardin, Harman, Harris of Boone, Harris of Marion, Harris of Montgomery, Headlee, Hickox, Hyer, Lacey, Lawson of Platte, Lipscomb, Maughs, McConnell, Moore of Chariton, Moore of Laclede, Murphy, Neill, Parcels, Porter, Powell, Randolph, Rathbun, Rhodes, Russell, Shambaugh, Stevenson, Vance, Vest, Walker of Cooper, Weatherford, Williams of Hickory, Williams of Phelps, Wyatt, and Mr. Speaker—54.

NOES—Messrs. Allen, Ashbaugh, Bennett, Blount, Boyd, Byrd, Eads, Devol, Gordon of Boone, Hagan, Jennings, Johnson, Jones, McIlhany, Price, Richardson of Miller, Roberts of Schuyler, Shultz, Swink, Walker of Cedar, Waltman, Watkins, Welch of Johnson, and Williams of Daviess —23.

Absent—Messrs. Abington, Bailey, Baughman, Beall, Boulware, Breck, Briscoe, Caldwell of Perry, Cavender, Dale, Doehn, Dorris, Doyle, Ellis, Friede, Gatewood, Giddings, Graham, Green, Hale, Hanna, Kennedy, Latham, Maguire, Meriwether, Miller, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Riley, Robinson, Scholl, Sexton, Sheffield, Spedden, Steele, Taylor, Tutt, Welch of Lincoln, White, and Woodside.

Absent on leave—Messrs. Arnold, Coste, Crow, McBride, and Trollinger.

Message from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 14, 1861.

To the Speaker of the House of Representatives:

I have this day approved and signed House bills of the following titles:

An act to authorize the County Court of Jackson county to appropriate money and issue bonds to purchase arms and munitions of war;

An act to authorize the Governor to purchase foundries and other property.

Respectfully,
C. F. JACKSON.

Message from the Senate by Mr. J. T. Tracy:

Mr. SPEAKER: Iam instructed by the Senate to inform the House, that a bill of the following title has been introduced into the Senate, and passed:

An act amendatory of an act entitled "an act to regulate practice in Courts of Justice," approved December 12, 1855, and

An act entitled "an act to establish Justices' Courts, and to regulate proceedings therein," approved December 6, 1855.

Message from the Senate by Mr. Tracy, jr.:

Mr. SPEAKER: I am instructed by the Senate to inform the House, that a bill of the following title has been introduced into the Senate, and passed:

An act to repeal au act entitled "an act to establish a Court of Common Pleas at the town of Cameron, in Clinton county."

The following House bill has passed the Senate:

An act to define the corporate limits of the town of Monticello, in Lewis county.

Mr. Lipscomb introduced a bill entitled

An act for the relief of Robert Shacklett, Collector of Marion county;

Which was read a first, second and third time, and passed.

On motion of Mr. Lacey, the House went into the consideration of Senate bills.

Senate bill entitled

An act to abolish certain offices,

Was taken up, and read a first time.

Mr. Gordon, of Boone, moved to suspend the rules to allow the bill to be read a second time; which motion was lost.

On motion of Mr. Conrow,

The House adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, MAY 15, 1861.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Ditzler.

Message from the Senate by Mr. Tracy, jr.:

Mr. SPEAKER: I am instructed by the Senate to inform the House, that Senate bills of the following titles have been correctly enrolled:

An act amendatory of an act entitled "an act respecting the election of Justices of the County Court of Marion county;"

An act to amend an act entitled "an act to incorporate the Louisiana and Middleton Plank or Macadamized Road Company," approved February 27, 1851;

An act for the relief of the Sheriff of St. Louis county, and for other purposes;

An act supplemental to an act entitled "an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri;"

An act to provide for the distribution of the militia law;

An act to authorize the Inspectors of the Penitentiary to call in the proposition to lease the same;

An act to authorize the appointment of one Major-General for the Missouri Militia.

House bills of the following titles have passed the Senate:

An act creating a Board of Police Commissioners and authorizing the appointment of a police force for the city of Kansas;

An act for the relief of Robert Shacklett, Collector of Marion county.

A bill of the following title has been introduced into the Senate, and passed:

An act to amend an act entitled "an act donating certain swamp and overflowed lands to the counties in which they are situated," approved March 3, 1851:

Mr. Waltman offered the following resolution, which was adopted:

Resolved, That the committee on Accounts be required to audit accounts for newspapers furnished House of Representatives, and the same be paid for out of money appropriated for the pay of General Assembly.

Mr. Welch, of Johnson, offered the following resolution:

Resolved, That the Speaker appoint a committee of five on the part of the House, to act with a similar committee on the part of the Senate, to wait on the Governor, and inform him that the two Houses have completed the business for which they were called, and to inquire of the Governor if he has any further communications to make to this General Assembly.

The Speaker appointed as said committee, Messrs. Welch of Johnson, Lipscomb, Randolph, Austin, and Hagan.

Mr. Allen offered the following resolution, which was adopted:

Resolved, That the servants employed by the Doorkeeper be allowed fifty cents per day during the present called session of this General Assembly, and that the account be made out in the name of the Doorkeeper, and paid by him to the servants equally, in proportion to the amount of services rendered.

Mr. Harris, of Boone, called up Senate bill entitled

An act to abolish certain offices.

The bill was read a second time.

Mr. Welch, of Johnson, offered the following substitute for the bill,

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An act to pay volunteers;
An act for the relief of William W. Ewing, of Chariton county.

Mr. Vest, from the committee on Federal Relations, offered the following joint resolutions, which were read a first and second time, and adopted:

WHEREAS, William S. Harney, Brigadier-General in the United States army, commanding the military department of the West, has issued an address to the people of Missouri, in which he asserts that the military bill passed at this session of the General Assembly is an indirect secession ordinance, and that the main provisions of said bill are in conflict with the Constitution and laws of the United States; and whereas, justice to ourselves and the people of the State demands notice of such charges: Now, therefore,

Resolved by the House of Representatives, the Senate concurring therein, That no portion of the bill referred to justifies such assertion or conclusion on the part of General Harney or any other person.

Resolved, second, That no idea or disposition has ever been entertained by this General Assembly to interfere, directly or indirectly, with the Federal relations of Missouri, the consideration and determination of the same having been committed to a Convention, duly elected by the people of the State, and which Convention is yet in existence.

The question recurred upon the motion to suspend the rules, to read the bill a third time, upon which the ayes and noes were called by Mr. Price; and the vote resulted as follows, no quorum being present:

AYES—Messrs. Allen, Austin, Bennett, Bledsoe, Blount, Bohannon, Boulware, Brown, Byrd, Cunningham, Devol, Eads, Ellis, Gordon of Boone, Graves, Hagan, Hale, Hall, Harman, Harris of Boone, Headlee, Hickox, Jennings, Johnson, Jones, Lacey, Lawson of Platte, Lipscomb, McConnell, McIlhany, Neill, Parcels, Porter, Price, Randolph, Rhodes, Richardson of Linn, Richardson of Miller, Riley, Russell, Steele, Vest, Walker of Cedar, Welch of Johnson, Williams of Daviess, and Williams of Hickory—47.

NOES—Messrs. Abernethy, Ballou, Burris, Fetters, Murphy, Powell, Rathbun, Shambaugh, Watkins, and Mr. Speaker—10.

Absent—Messrs. Abington, Ashbaugh, Bailey, Baughman, Beall, Boyd, Breck, Briscoe, Buford, Caldwell of Perry, Caldwell of Ralls, Campbell, Cavender, Cloud, Conrow, Dale, Daugherty, Deatherage, Doehn, Dorris, Doyle, Duvall, Freeman, Freide, Gatewood, Giddings, Gordon of Lafayette, Graham, Green, Hand, Hanna, Hardin, Harris of Marion, Harris of Montgomery, Hyer, Kennedy, Lathim, Maughs, Maguire, Meriwether, Miller, Moore of Chariton, Moore of Laclede, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Roberts of Buchanan, Roberts of Schuyler, Robinson, Scholl, Sexton, Sheffield, Shultz, Spedden, Stevenson, Taylor, Tutt, Vance, Walker of Cooper, Waltman, Weatherford, Welch of Lincoln, White, Williams of Phelps, Woodside, and Wyatt.

On motion of Mr. Price, a call of the House was ordered, and the following members were noted as

Absent without leave—Messrs. Abington, Ashbaugh, Bailey, Baughman, Beall, Boyd, Breck, Briscoe, Buford, Caldwell of Perry, Caldwell of Ralls, Campbell, Cavender, Cloud, Conrow, Dale, Daugherty, Deatherage, Doehn, Dorris, Doyle, Duvall, Ellis, Freide, Gatewood, Giddings, Gordon of Lafayette, Graham, Green, Hand, Hanna, Hardin, Harris of Marion, Harris of Montgomery, Hyer, Kennedy, Lathim, Lawson of Washington, Maughs, Maguire, Meriwether, Miller, Moore of Laclede, Moore of St. Louis, Morgan, Owens, Partridge, Peckham, Pollard, Roberts of Buchanan, Roberts of Schuyler, Robinson, Scholl, Sexton, Sheffield, Spedden, Stevenson, Taylor, Tutt, Vance, Walker of Cooper, Waltman, Welch of Lincoln, White, Williams of Phelps, Woodside, and Wyatt.

Several members having appeared, the call was suspended, and the House resumed the consideration of the bill.

Mr. Ballou offered the following amendment:

Amend by adding as an additional section:

SEC. —. The Board of Public Works shall not be abolished under the provisions of this act, unless the several railroad companies shall assent to the provisions of this act, and that the Commissioner provided for in this act shall have the same powers and control, in every respect, as the Board of Public Works now have by law over the several railroads and their affairs.

On motion of Mr. Hall, the regular order was passed over, to take up Senate bill entitled

An act to pay the volunteers of the Southwest expedition.

The bill was read a first, second and third time, and passed.

Report from the committee on Enrolled Bills:

Mr. SPEAKER: The committee on Enrolled Bills have examined bills of the following titles, and find the same correctly enrolled:

An act creating a Board of Police Commissioners, and authorizing the appointment of a police force for the city of Kansas;

An act for the relief of Robert Shacklett, Collector of Marion county.

M. McILHANY,
Of Committee.

Mr. Harris, of Marion, offered the following resolution, which was adopted:

Resolved, That the Secretary of State be and is hereby authorized to audit and allow the accounts for printing ordered by this House to be executed after the adjournment thereof.

Message from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 15, 1861.

To the Speaker of the House of Representatives:

SIR: In have this day signed House bills of the following titles:

An act to authorize Lafayette county to issue bonds for certain purposes;

An act defining the corporate limits to the town of Monticello, in Lewis county, and addition thereto, and for other purposes;

An act to authorize counties to loan money to the State;

An act to authorize banks of the State of Missouri to issue small notes, and for other purposes;

An act to legalize the organization of the Louisiana Guards, the Pike County Mounted Guards, and the Pike County Rangers, and to legalize the election of the officers of the same.

Respectfully,
C. F. JACKSON.

Mr. Jones called up Senate bill entitled

An act to amend an act entitled "an act donating certain swamp and overflowed lands to the counties in which they are situated," approved March 3, 1859;

Which was read twice.

On motion of Mr. Allen,
The House took a recess for fifteen minutes.

The Speaker called the House to order.

Message from the Senate by Mr. Tracy, Assistant Secretary:

Mr. SPEAKER: The President of the Senate has signed House enrolled bills of the following titles:

An act creating a Board of Police Commissioners, and authorizing the appointment of a police force for the city of Kansas;

An act for the relief of Robt. Shacklett, Collector of Marion county.

Message from the Senate by Mr. Crisp:

Mr. SPEAKER: Senate bill of the following title has been correctly enrolled:

An act to pay the volunteers of the South-west Expedition.

Message from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, Missouri, May 15, 1861.

To the Speaker of the House of Representatives:

SIR: I have this day signed and approved House bills of the following titles:

An act creating a Board of Police Commissioners and authorizing the appointment of a police force for the city of Kansas;

An act for the relief of Robert Shacklett, Collector of Marion county.

Respectfully,
C. F. JACKSON.

Mr. Welch, of Johnson, made the following report:

Mr. SPEAKER: The joint committee appointed by the two Houses to wait upon the Governor to inquire whether he had any further communications to make to the present session of the General Assembly, have discharged the

duty assigned them, and would respectfully report that the Governor has no further communications to make at this time.

AIKMAN WELCH,
Chairman of the House Committee.

Message from the Senate by Mr. Crisp, informing the House that the Senate is now ready to adjourn.

On motion of Mr. Neill,
The House adjourned until the third Monday in September next.

JOHN McAFEE,
Speaker.

Attest:
THOMAS H. MURRAY,
Chief Clerk.

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OF THE

SENATE OF MISSOURI,

AT THE

CALLED SESSION

OF THE

TWENTY-FIRST GENERAL ASSEMBLY.

JEFFERSON CITY:
J. P. AMENT, PUBLIC PRINTER.

1861.

JOURNAL

OF THE

SENATE OF THE STATE OF MISSOURI,

AT THE CALLED SESSION, BEGUN AND HELD AT THE CITY OF JEFFERSON, ON THE SECOND DAY OF MAY, EIGHTEEN HUNDRED AND SIXTY-ONE, IN PURSUANCE OF THE PROCLAMATION OF THE GOVERNOR, ISSUED ON THE TWENTY-SECOND DAY OF APRIL LAST, IT BEING THE SECOND SESSION OF THE TWENTY-FIRST GENERAL ASSEMBLY.

Thos. C. Reynolds, Esq., Lieutenant Governor of the State and President of the Senate, took the Chair, and directed the following proclamation of the Governor to be read:

PROCLAMATION.

EXECUTIVE DEPARTMENT OF MISSOURI,
JEFFERSON CITY, April 22, 1861.

I, Claiborne F. Jackson, Governor of the State of Missouri, by virtue of authority vested in me by the constitution, do hereby convene the Legislature of this State; and the Senators and Representatives of the Twenty-first session of the General Assembly are hereby required to be and appear in their respective places, at the Capitol in the City of Jefferson, on Thursday, the 2nd day of May, A. D. 1861, for the purpose of enacting such laws and adopting such measures as may be deemed necessary and proper for the more perfect organization and equipment of the militia of this State, and to raise the money and such other means as may be required to place the State in a proper attitude of defense.

In testimony whereof, I have hereunto set my hand, and caused
[L. S.] to be affixed the great seal of the State. Done at the City of Jefferson this 22nd day of April, A. D. 1861.

C. F. JACKSON.

By the Governor:

B. F. MASSEY, *Secretary of State.*

The roll was then called and the following Senators were noted as being present:

Messrs. Brown, Churchill, Coleman, English, Frazier, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, Morris, Newland, O'Neil, Parsons, Scott, Stuart, Thompson, Vernon, and Wright.

Absent—Messrs. Bell, Byrne, Chilton, Fox, Goodlett, Gullett, Hardin, Jones, Peyton, Rains, Read, and Wilson.

Thereupon, a quorum being present, the President of the Senate declared the extra session called under the foregoing proclamation to be duly begun, and invited the Rev. T. F. Lockett to open the proceedings with prayer.

After prayer,
On motion of Mr. Johnson, it was
Resolved, That the Secretary, Assistant Secretary, Enrolling Clerk, Doorkeeper, Sergeant-at-Arms, and standing committees of the last session be continued through the present extra session, without further election or appointment.

On motion of Mr. Parsons, the vote agreeing to the resolution was reconsidered, when

Mr. Parsons moved to amend the resolution by striking out all after the word "resolved," and inserting in lieu thereof as follows:

"That the Senate do now proceed to the election of a Secretary, Assistant Secretary, Enrolling Clerk, Engrossing Clerk, Doorkeeper, and Sergeant-at-Arms, in the order herein stated;"

Which amendment was read and agreed to by the following vote, the ayes and noes having been demanded by Mr. Johnson:

AYES—Messrs. Brown, Churchill, English, Frazier, Halliburton, Horner, Hyer, Lyday, Newland, O'Neil, Parsons, Stuart, Thompson, and Vernon—14.

NOES—Messrs. Coleman, Johnson, McIlvaine, Monroe, Morris, Scott, and Wright—7.

Absent—Messrs. Bell, Byrne, Chilton, Fox, Goodlett, Gullett, Hardin, Jones, Peyton, Rains, Read, and Wilson.

The question then being on agreeing to the resolution as amended, it was agreed to.

Nominations for Secretary being in order,
Mr. Parsons nominated Warwick Hough.
No other nominations being made, and the roll being called, there appeared

For Mr. HOUGH—Messrs. Brown, Churchill, Coleman, English, Frazier, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, Morris,

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Nominations for Doorkeeper being in order,
Mr. Parsons nominated E. Fitzpatrick.
No other nominations being made, and the roll being called, there appeared

For Mr. FITZPATRICK—Messrs. Brown, Byrne, Churchill, Coleman, English, Frazier, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, Morris, O'Neil, Parsons, Thompson, Vernon, and Wright—19.

Mr. Fitzpatrick having received a majority of all the votes cast, was declared duly elected Doorkeeper for the present session.

Nominations for Sergeant at-Arms being in order,
Mr. Monroe nominated G. W. White.
No other nominations being made, and the roll being called, there appeared

For Mr. WHITE—Messrs. Brown, Byrne, Churchill, Coleman, English, Frazier, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, Morris, O'Neil, Parsons, Thompson, Vernon, and Wright—19.

Absent—Messrs. Bell, Chilton, Fox, Goodlett, Gullett, Hardin, Jones, Newland, Peyton, Rains, Read, Scott, Stuart, and Wilson.

Mr. White having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms for the present session.

The foregoing officers were severally qualified, and entered upon the discharge of their duties.

On motion of Mr. Lyday, it was
Resolved, That Robert McCracken and William Vernon be and they are hereby appointed pages, and David Roche folder of the Senate for the present session.

On motion of Mr. Parsons, it was
Resolved by the Senate, That W. B. Morrison and John T. Tracy be appointed assistants to the Secretary for the present session, and that Thomas J. Brown be appointed Assistant Enrolling Clerk for the present session.

On motion of Mr. Johnson,
The Secretary was instructed to inform the House of Representatives that the Senate was duly organized by the election of Secretary, Assistant Secretar , Enrolling Clerk, Engrossing Clerk, Doorkeeper, and Sergeant-at-Arms.

Mr. Churchill offered the following resolution:
Resolved, That a committee of three be appointed by the President to act with such committee as may be appointed by the House, to wait upon the Governor and inform him that the two Houses are now organized and ready to receive any communication which he may deem it proper to transmit them.
Which resolution was read a first and second time and adopted.

In pursuance of the foregoing resolution, the President appointed Messrs. Churchill, Newland and Morris, the committee on the part of the Senate, to inform the Governor of the organization of the two Houses.

On motion of Mr. Newland,
The Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY MORNING, MAY 3, 1861.

The Senate met pursuant to adjournment.

Prayer was offered by the Rev. T. F. Lockett.

Message from the House of Representatives by Mr. Anthony, Assistant Clerk:

Mr. PRESIDENT: I am instructed by the House to inform the Senate that the House has organized by the election of

JOHN MCAFEE, *Speaker;*
THOS. A. HARRIS, *Speaker pro tem;*
THOS. H. MURRAY, *Chief Clerk;*
A. W. ANTHONY, *Assistant Clerk;*
J. N. HERNDON, *Enrolling Clerk;*
THOS. T. FRAME, *Engrossing Clerk;*
N. MOTHERSEAD, *Doorkeeper;*
J. Y. ROBERTS, *Sergeant-at-Arms;*

And have appointed a committee of five, Messrs. Harris of Marion, Ballou, Lacey, Conrow, and Eads, to act in conjunction with a committee of the Senate to wait upon the Governor and inform him that the two Houses are organized and are ready to receive any communication he may wish to make.

Mr. Halliburton moved that the rules adopted for the government of the Senate at the last session, be adopted for the government of the present session.

Mr. Churchill, Chairman of the committee on the part of the Senate, appointed to wait upon the Governor, reported that they had discharged the duty assigned them, and asked leave to present the following communication from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 3, 1861.

Gentlemen of the Senate and of the House of Representatives:

I had no reason to anticipate, when you adjourned, that circumstances would so soon arise, which would render it my imperative duty to call you

together again. It is deeply to be regretted that such a step has to be taken at a season of the year when time is so precious, and the loss of it, in your private affairs, must occasion such serious inconvenience. I am confident, however, that you have not reluctantly responded to the call, and that the objects for which you have assembled can be promptly and unanimously accomplished in a very few days. Since your adjournment, events affecting the peace and safety of the country, have been transpiring almost with the rapidity of thought, and of a nature well calculated to awaken, in the bosom of every patriot, the most gloomy apprehensions. Manifestations from every quarter, and of a character neither to be overlooked or disregarded, indicate but too plainly that our whole country, its Constitution and laws, are in imminent danger of disorder and destruction.

Our Federal Constitution, the bond of union of a once united and happy people, was framed by the delegates of distinct and separate States, and severally ratified by them in their sovereign capacity as States. This Constitution emanated from men who were guided by intelligence and patriotism, and taught by the lessons of experience and history, and whose minds were illuminated by the lights of philosophy and wisdom. Its object was to establish equality and justice between the States, and to insure domestic tranquillity within them. Had the same spirit of justice and patriotism, which animated the men who devised it, guided the people of the free States in the proper observance of its obligations to the present hour, we would now have a united, prosperous and happy Union, instead of a distracted and broken Confederacy. There has been no necessary conflict of interests between the North and the South, the East and the West. Varieties of climate, locality and products involved, it is true, contrasting, but not conflicting organizations of labor, and social structures, animated by different but not adverse principles. But the progress of fanaticism, sectionalism and cupidity in the Northern States, for the last quarter of a century, has, with accumulating force, culminated in the triumph of a purely sectional faction, which under the forms, but in violation of the principles of the Constitution, threatens to destroy the sovereignty of the States, and practically convert the government of the United States into an overshadowing consolidated despotism. The present Executive of the United States seems to regard the States, in their relation to the Federal Government, as similar to those which counties bear to State sovereignties. A perversion so monstrous and so dangerous, all wise and reflecting men foresaw must end in a dissolution of the Confederacy, and that result has not taken us by surprise. Prior to the inauguration of President Lincoln seven States had seceded; they united with each other under a new Constitution; elected their officers, organized armies, instituted judicial tribunals, and asserted all the powers rightfully belonging to sovereign States. To this they were impelled by well founded apprehensons of imminent danger to all their vital interests, and by a consciousness that every thing dear to them was directly menaced by the predominance of a faction avowedly hostile to their very existence as communities. For calamities so deplorable the people of Missouri cannot be reproached. They have preserved with scrupulous fidelity their attachment to the Constitution and the Union. They have asked for nothing which was not their right. They have done nothing in derogation of the rights of others. They have patiently submitted to many and great injuries for the sake of peace. They have ever counseled concord and fraternity. Their statute books have not been defaced by enactments in con-

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and kindly sympathies; and far better will it be for the people of the *disunited* States to part in friendship from each other, than to be held together by constraint."

But the lessons of wisdom taught by the older and purer statesmen of the country seem to be unheeded by the present Administration. Its policy is rapidly tending to revolution; and, unless speedily arrested, will end in ruin and disaster to the hitherto prosperous and happy people of the American Continent. The great and patriotic State of Virginia, after having failed in all her efforts to re-adjust the Union, has at last yielded in despair, and seceded from the old Federal Union. North Carolina, Tennessee and Arkansas, it is believed, will rapidly follow in the footsteps of Virginia; and Kentucky is profoundly moved in this great question. Our interests and our sympathies are identical with those of the slaveholding States, and necessarily unite our destiny with theirs. The similarity of our social and political institutions; our industrial interests; our sympathies, habits and tastes; our common origin and territorial contiguity, all concur in pointing out our duty in regard to the separation which is now taking place between the States of the old Federal Union. In the meantime, it is, in my judgment, indispensable to our safety that we should emulate the policy of all the other States in arming our people, and placing the State in a proper attitude for defense. The Militia Law should be revised and rendered more efficient. A good system of drill and discipline should also be adopted, in order to place ourselves in a position where our rights can be defended by strong arms and willing hearts.

Missouri has, at this time, no war to prosecute. It is not her policy to make aggressions on any State or people; but in the present state of the country, she would be faithless to her honor, and recreant in her duty, were she to hesitate a moment in making the most ample preparation for the protection of her people against the aggression of all assailants.

I, therefore, respectfully recommend the appropriation of a sufficient sum of money to place the State, at the earliest practicable moment, in a complete state of defense.

In conclusion, premit me to appeal to you, and through you, to the whole people of the State, to whom we are responsible, to do nothing imprudently or precipitately. We, gentlemen, have a most solemn duty to perform. Let us, then, calmly reason one with another; avoid all passion and all tendency to tumult and disorder; obey implicitly the law and the constituted authorities, and endeavor, ultimately, to unite all our citizens in cordial co-operation, for the preservation of our honor, the security of our property, and the performance of all those high duties imposed upon us by our obligations to our families, our country, and our God.

Respectfully,
C. F. JACKSON.

The question then being on agreeing to the motion of Mr. Halliburton, it was agreed to.

Mr. Newland moved that five thousand copies of the Governor's message be printed; when

Mr. Thompson moved to amend by striking out "five thousand" and inserting "ten thousand;" which was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Thompson:

AYES—Messrs. Brown, Churchill, Horner, Hyer, Lyday, McIlvaine, Stuart, Thompson, and Vernon—9.

NOES—Messrs. Byrne, Coleman, English, Frazier, Halliburton, Johnson, Monroe, Morris, Newland, O'Neil, Parsons, Scott, and Wright—13.

Absent—Messrs. Bell, Chilton, Fox, Goodlett, Gullett, Hardin, Jones, Peyton, Rains, Read, and Wilson.

The question then being on agreeing to Mr. Newland's motion, it was agreed to.

The President laid before the Senate the following communication from the Auditor:

AUDITOR'S OFFICE, MISSOURI,
JEFFERSON CITY, May 3, 1861.

To the President of the Senate of the State of Missouri:

SIR: It is made my duty by the laws of this State to submit to the General Assembly the financial condition and wants of the Treasury to meet the expenses of the State Government. I beg leave, therefore, at the earliest moment after your being convened, to call the attention of the General Assembly to such appropriations as are needed to carry on the Government.

An appropriation is asked for the pay of the General Assembly and the contingent expenses thereof, the amounts heretofore appropriated, on the 14th day of January, 1861, having been exhausted. There was under that act the sum of seventy-five thousand dollars appropriated, together with the unexpended balance of four thousand one hundred and fifty-two and 67-100 dollars for the pay of the General Assembly for the two years ending in the year 1862. That whole amount has been expended, and the sum of ten thousand four hundred and fifteen dollars and twenty cents *overdrawn*. There was appropriated under same act thirty thousand dollars, together with the sum of nine thousand five hundred and six 78-100 dollars, the unexpended balance of the former appropriation, the whole of which sums have been expended, and the sum of three hundred and eighty-two and 77-100 dollars overdrawn on that fund. As these two appropriations have been exhausted, no warrant can be drawn by the Auditor for the pay of members of the Legislature (now in session) until an additional appropriation is made by the present General Assembly. An appropriation should be made sufficient to cover the warrants overdrawn, and the amount necessary to pay the present General Assembly. An appropriation is asked for the general contingent fund of two thousand dollars, as that fund will be exhausted before the end of the present fiscal year. An appropriation for the printing of the laws and journals of fifteen thousand dollars, and for copying the laws and journals eight thousand dollars, as the Twenty-first General Assembly made no appropriation for said purposes, and the unexpended balance of the last fiscal years are nearly exhausted, and the laws not yet printed. Some claims will soon be presented for payment against those two last mentioned funds, and no appropriation made to pay them. These deficiencies should be immediately provided for, and appropriations made.

I would respectfully suggest to your consideration the necessity of cur-

tailing the passage of relief acts for Collectors, granting extension of time, or draining money out of the Treasury by special appropriations, or we will soon have an empty Treasury. No such special laws should be enacted unless there is an absolute necessity for it. The resources of the State should be carefully husbanded so as to enable the State to meet the absolute demands of our wants in these times of peril.

Very respectfully, your ob't serv't,
WILLIAM S. MOSELEY,
Auditor Public Accounts.

On motion of Mr. Johnson, it was

Resolved, That so much of the Governor's Message as relates to the Militia law be referred to committee on Militia, and so much thereof as relates to an appropriation of money for the defense of the State be referred to the committee on Ways and Means.

On motion of Mr. O'Neil,

The communication from the Auditor was referred to the committee on Ways and Means.

The President re-appointed the Standing Committees of the last session of the Senate for the present session.

Mr. Morris offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the Joint Rules for the government of both Houses of the General Assembly at the last session e adopted for the present session;

Which resolution was read a first and second time and adopted.

Mr. Scott moved that the Senate do now adjourn;

Which motion was disagreeded to.

On motion of Mr. O'Neil, it was

Resolved, That the Secretary of State be authorized to return to the Senate such documents as were in possession of the Senate at the time of adjournment.

On motion of Mr. Lyday,

The Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Parsons, it was

Resolved, That the Adjutant General be, and he is hereby requested, to report to the Senate the number of organized volunteer companies in the

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MONDAY MORNING, MAY 6, 1861.

The Senate met pursuant to adjournment.

Prayer was offered by the Rev. T. F. Lockett.

On motion of Mr. Newland,
The journal of Saturday evening session was corrected so as to read previous to the motion to adjourn as follows: "The doors having been opened."

Mr. McIlvaine presented a proposition from John Deane, of Washington county, in relation to grant of land for a State Armory;

Which was read, and, on his motion, referred to the Militia committee.
Mr. Newland offered the following resolution:
Resolved, That a select committee of five members be appointed to apportion representation for the House of Representatives, to divide the State into Senatorial districts as required by the Constitution of the State, and to divide the State into nine Congressional districts;
Which was read, and, on his motion, laid over until to-morrow.

On motion of Mr. Goodlett, leave was granted the committee on Ways and Means to sit during the sessions of the Senate.

The President laid before the Senate the resignation of Warwick Hough, Secretary of the Senate, which,
On motion of Mr. Churchill, was accepted.

On motion of Mr. Churchill,
The Senate proceeded to the election of Secretary.
Nominations being in order,
Mr. Churchill nominated N. C. Claiborne.
Mr. Brown nominated E. B. Parsons.
No other nominations being made, and the roll being called, there appeared

For Mr. CLAIBORNE—Messrs. Byrne, Chilton, Churchill, Coleman, English, Frazier, Goodlett, Hardin, Horner, Hyer, Jones, Lyday, Monroe, O'Neil, Peyton, Read, Scott, Vernon, and Wright—19.

For Mr. PARSONS—Messrs. Bell, Brown, Fox, Gullett, McIlvaine, and Wilson—6.

Absent—Messrs. Halliburton, Johnson, Morris, Newland, Parsons, Rains, Stuart, and Thompson.

Mr. Claiborne having received a majority of all the votes cast, was declared duly elected Secretary for the present session, was qualified, and entered upon the discharge of his duties.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate, that bills of the following titles have been introduced into the House:

An act to authorize Lafayette county to issue bonds for certain purposes;

An act concerning the apportionment of the revenue for school purposes.

The House has concurred in Senate joint resolution, fixing the joint rules for the government of both Houses of the General Assembly.

On leave, Mr. Coleman introduced a bill entitled

An act prohibiting certain persons from holding office in the State of Missouri;

Which was read a first time, rule suspended, read a second time, and, on motion of Mr. Scott, referred to the Judiciary committee.

On motion of Mr. Lyday,

Leave was granted the committee on Militia to sit during the sessions of the Senate.

Mr. Churchill stated to the President that in his opinion the reading of the journal of the secret session on Saturday required secrecy.

Thereupon, the President ordered the galleries to be cleared and the door closed.

After some time spent in secret session, the doors were opened.

On leave, Mr. Goodlett introduced a bill entitled

An act to repeal an act entitled "an act to amend an act entitled an act to establish Justices Courts and to regulate proceedings therein," approved March 7, 1861;

Which was read a first time, rule suspended, read a second time, and, on motion of Mr. Vernon, referred to the Judiciary committee.

On leave, Mr. Hardin introduced a bill entitled

An act legalizing the organization of the Callaway Dragoon Company;

Which was read a first time, rule suspended, read a second time, when Mr. Rains moved to refer the bill to the committee on Militia;

Which motion was disagreed to.

The question then being on ordering the bill to a third reading, it was agreed to by the following vote, the ayes noes having been demanded by Mr. Rains:

AYES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, Coleman, English, Fox, Frazier, Goodlett, Halliburton, Hardin, Horner, Johnson, Jones, McIlvaine, Monroe, Newland, O'Neil, Read, Scott, Stuart, and Thompson—23.

NOES—Messrs. Gullett, Hyer, Lyday, Morris, Peyton, Rains, Vernon, Wilson, and Wright—9.

Absent—Mr. Parsons.

The bill was then read a third time, and passed.

N. C. Claiborne, Secretary, and Thomas J. Brown, Assistant Enrolling Clerk, presented themselves and took the oath to keep the secrets of the Senate.

On leave, Mr. Churchill introduced a bill entitled
An act to incorporate the Western Pacific Railroad;
Which was read a first time, rule suspended, read a second time, and, on his motion, ordered to be engrossed.
On leave, Mr. O'Neil introduced
An amendment to the Constitution;
Which was read a first time.

On motion of Mr. Goodlett,
The Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Churchill announced a message from the House of Representatives, and stated the consideration of the same required secrecy.
Thereupon, the President ordered the gallery cleared and the doors to be closed.

After some time spent in secret session, the doors were opened.

On motion of Mr. Churchill,
The House joint resolutions concerning secret sessions was taken up, read a first time, rule suspended, read a second and third time, and passed.

Mr. Byrne, from the committee on Engrossed Bills, reported as correctly engrossed a bill entitled
An act to incorporate the Western Pacific Railroad.

Mr. Churchill called up Senate bill entitled
An act to incorporate the Western Pacific Railroad;
Which had previously been read a first and second time.
The question then being on suspending the rule, that the bill might be read a third time, it was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Scott:

AYES—Messrs. Bell, Brown, Byrne, Coleman, English, Hardin, Horner, Jones, Monroe, Morris, Peyton, Read, and Thompson—12.

NOES—Messrs. Fox, Frazier, Gullett, Hyer, Lyday, Vernon, Wilson, and Wright—8.

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county, J. S. Woods, of Laclede county, Thomas Freeman, of Polk county, James S. Rains, of Jasper county, D. D. Berry and Marcus Boyd, of Greene county, W. W. Bobo, of Lawrence county, Theo. Switzler, of Dade county, and P. H. Smith, of Newton county, thirteen corporators, are hereby constituted the first Board of Directors of said South West Pacific Railroad, who shall be entitled to all the privileges and immunities vested in, and governing the action of the Board of Directors of the Pacific Road, and who shall enter upon and hold their office for one year from the date of the next annual election of Directors for the Pacific Road; at the expiration of which time the stockholders in said South-West Pacific Road shall be entitled to elect the Directors: *Provided*, That each county upon or near the line of said railroad having a subscription of *twenty-five thousand* (25,000) *dollars*, shall be entitled to elect one director, until the number of counties so subscribing shall exceed thirteen, or the whole number of directors, when a majority of the whole stock subscribed shall elect as prescribed by the charter of the Pacific Railroad and its amendments; and in case a sufficient number of counties shall not subscribe the amount which shall entitle them to elect the specified number of directors, the corporators herein named shall continue to hold their office till such subscription shall be made.

SEC. 2. The above named corporators, and succeeding directors, shall be governed by the provisions, and entitled to all the privileges and immunities, and subject to all the restrictions, of an act of the General Assembly entitled "An act to incorporate the Pacific Railroad Company," approved March 12, 1849, and the amendments thereto, as well as all subsequent acts concerning the Pacific Railroad Company, so far as the same are applicable to the South-West Branch Road, and not inconsistent with the provisions of this act; and all laws, liabilities, and appropriations in relation to and for the benefit of said South-West Branch Railroad, to remain in full force, except such agreements and contracts as may be regarded by a majority of the Board of Directors as injurious to the interests of said road.

SEC. 3. All lands, bonds, titles, and property of every description, that have been heretofore given, granted, or acquired to the Pacific Railroad Company for the use and benefit of the South-West Branch Railroad, and all laws and enactments for the control and management of said South-West Branch Road, which are not inapplicable under its new organization, are hereby transferred to the said South-West Pacific Railroad Company, to hold and enjoy the same on the same terms and conditions, and subject to the same restrictions, that grants have heretofore been made to the Pacific Railroad Company for the use and benefit of the South-West Branch Railroad.

SEC. 4. The title to the remaining unguarantied construction bonds of the ten millions authorized to be issued by the act of December 10, 1855, for the benefit of the South-West Branch Railroad, and the lien of the same upon the lands and road, as specified in the above named act, are hereby restored and vested in the South-West Pacific Railroad Company, to all intents and purposes, as a part of the ten millions originally authorized to be issued, and to hold as a first mortgage and lien upon the lands and road, and other property, for the objects recited in the act above specified, as though the title had been wholly vested in the South-West Pacific Railroad Company; and the remainder of the unguarantied construction bonds unexpended shall be issued by the South-West Pacific Railroad Company, and

styled "Transferred bonds of the South-West Branch of the Pacific Railroad."

SEC. 5. The South-West Railroad Company shall assume the payment of the interest upon the bonds already issued for the benefit of the South-West Branch Road, but to enable that road to be pushed forward to a paying point with the least possible delay, the said South-West Pacific Railroad Company is hereby released from the payment of the three next ensuing annual installments; and should the said South-West Branch Railroad Company fail to pay the semi-annual interest falling due on the first day of July, 1864, upon the bonds already guarantied and authorized to be guarantied by the sixth section of this act, the lands, road, property, and franchises herein transferred to the South-West Pacific Railroad Company shall at once and without further operation of law become forfeited to the State, as heretofore provided in case of failure to pay the interest upon the bonds authorized to be issued for the benefit of the South-West Branch Road; or should said South-West Railroad Company fail to pay the whole amount of interest herein assumed by the State upon the bonds heretofore issued for the benefit of the South-West Branch, or which shall be hereafter issued for the benefit of said road, by the 1st day of January, 1866, it shall work a forfeiture the same as upon a failure to pay the semi-annual interest, as herein provided.

SEC. 6. To secure the early completion of this road to a paying point, a further guaranty by the State of bonds of this road is hereby authorized, in the manner and upon the same terms and conditions of previous guaranties of the bonds authorized to be issued for the benefit of this road, to the amount of *seven hundred and fifty thousand dollars* ($750,000): *Provided*, That unless a like sum of seven hundred and fifty thousand dollars ($750,000) is subscribed or obtained from other sources by the time one half of the amount of guarantied bonds herein authorized are expended, any further guaranty shall be withheld till proof shall be furnished to the Governor of the State that the same has been subscribed in good faith to the stock of the road, or obtained from other sources and expended in its construction.

SEC. 7. The Pacific Railroad Company shall receive and transport all freight and passengers of the South-West Railroad over the Pacific Railroad, from the junction, at Pacific Station, or other point, on the same terms and conditions that are charged and exacted on other portions of the Pacific Road, and shall give every facility for receiving freight and passengers; and shall also pass all cars and rolling stock belonging to said South-West Pacific Railroad at the usual rates charged on other roads. The South-West Pacific Railroad Company shall purchase of the Pacific Railroad Company such rolling stock as may have been bought for the use of the South-West Branch Road with the funds of the Pacific Road, at such prices as may be agreed upon, or contract may be entered with the Pacific Railroad Company to operate said South-West Branch Road, till such time as the necessary rolling stock is procured to operate the road independent of the rolling stock of the Pacific Road. If it shall appear that the Pacific Railroad Company has used any of the iron, bonds, or other property, or means heretofore subscribed or set apart for the benefit of the South-West Branch Road, the same shall be returned, or credited, to the South-West Pacific Railroad Company; and in case of any disagreement as to the right of property or terms of settlement between the two companies, it shall be the duty of the

Board of Public Works to investigate the cause of difference, and determine the conditions of settlement, which shall be alike binding upon both parties.

SEC. 8. All the rolling stock and fixtures, accounts, contracts, books, maps, profiles, and everything pertaining to the land grant, right of way, and all other property, shall be delivered into the hands of the proper officers of the South-West Pacific Railroad Company, upon their requisition for the same, with the statement of the amount of work done, and amount of indebtedness for work done, for services, and for materials delivered; together with an inventory of all real and personal property and fixtures belonging to said South-West Branch Railroad, which shall be attested by the proper officers of the Pacific Railroad Company as being all the property belonging to the South-West Branch Railroad, in the possession of the Pacific Railroad Company.

SEC. 9. The South-West Pacific Railroad Company is hereby authorized to bring the lands of the South-West Branch Railroad, herein transferred to the South-West Railroad Company, applicable to the construction of said road, into market, as fast as said road is completed, according to the provisions of the act of Congress granting the lands; and the Board of Directors shall direct the sale of the same, upon such conditions and terms as shall seem best for the interest of said South-West Pacific Railroad; and in case any portion of the purchase money shall be secured by note, if the same is necessary to prosecute the work on said road, to convert said notes into money; and said South-West Pacific Railroad Company shall pay the proceeds of all lands sold into the State Treasury, as is now provided by law; and the Treasurer of the State, with the proceeds of the lands so paid in, shall purchase of the South-West Pacific Railroad Company the construction bonds herein transferred and authorized to be issued by that company, (being the remainder of the ten millions of construction bonds, unguarantied, authorized to be issued under the act of December 10th, 1855,) and the money thus coming into the Treasury of the South-West Pacific Railroad Company shall be applied solely to the construction of said South-West Pacific Railroad.

SEC. 10. Every person, who, under the laws of the United States or practice in the Land Offices of the United States, is qualified to be a preemptor of the public lands, shall have settled and improved any of said railroad lands, on or prior to the third day of March, eighteen hundred and fifty-five, shall be entitled to prove and enter before the Land Agent of said company a quarter section, or one hundred and sixty acres of said land, to be laid off in a contiguous body, so as to embrace the improvement.

SEC. 11. And such preemption claims may be assignable, and the assignee, heir, widow or legal representative of the original settler, shall have the same right to preempt any such lands, as the original preemptor himself. And in all cases of preemption claims to any such lands, the claimant shall, within six months after the passage of this act, file a notice thereof, with the Land Agent of the company, who shall file away the same and register the same in a book to be kept for that purpose; in which notice such claimants shall give the numbers of the land so claimed, setting forth briefly the date of settlement, and in what right the same is claimed, and declaring that the party claims the right to enter the same as a preemption; and such claimant shall, within twelve months from such notice, prove up his preemption by one or more credible witnesses, according to the rules and practice in the

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to entitle said company to an issue of bonds with the guaranty of the State, as herein provided.

SEC. 15. Every person who has or may hereafter establish his right of preemption according to this or any former act, shall pay to the South-West Pacific Railroad Company at the rate of two dollaws and fifty cents per acre for the land preempted.

SEC. 16. Every person whose right to purchase any land made applicable to the construction of said South-West Branch has been or may hereafter be approved by the Railroad Company, or established by the judgment of a court, may at his option at any time pay to the said company the purchase money thereof; and upon the payment of the same the said South-West Pacific Railroad Company shall grant to such person a deed to the land, in which deed the Secretary of State shall join, releasing all liens and mortgages of the State and said Railroad Company thereon.

SEC. 17. All estimates and measurements, or other information necessary to carry forward the work of construction, or to effect settlements with contractors, shall be furnished by the officers of the Pacific Railroad Company upon the requisition for the same of the authorized agents of the company herein incorporated.

This act to take effect from and after its passage.

Which was read a first and second time, when

Mr. Gullett moved to refer the bill and amendment to the committee on Internal Improvements.

Before a vote was had,

Mr. Johnson announced a message from the House of Representatives, by Mr. Murray, Chief Clerk, the consideration of which message and the subject therein referred to required secrecy.

Thereupon the President ordered the gallery to be cleared and the doors to be closed.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President ordered the gallery to be cleared and the doors to be closed.

After some time spent in secret session the doors were opened.

Mr. O'Neil called up Senate bill entitled

A constitutional amendment;

Which was read a second time.

On leave, Mr. Halliburton introduced a bill entitled

An act to establish a military institute at Lexington, Mo.;
Which was read a first time, rule suspended, and read a second time, when,

On motion of Mr. Wright,
The Senate adjourned till 9 o'clock to-morrow.

WEDNESDAY MORNING, MAY 8, 1861.

The Senate met pursuant to adjournment.

Prayer was offered by the Rev. T. F. Lockett.

On motion of Mr. Churchill, the consideration of Senate bill entitled
An act to incorporate the Western Pacific Railroad,
And the amendment offered thereto pending at the time of going into secret session on yesterday morning, was resumed.
The question being on agreeing to Mr. Gullett's motion to refer the bill and amendment to the committee on Internal Improvement,
By general consent, it was laid over informally.

By like consent, Mr. English introduced a bill entitled
An act to provide for the extension of the St. Louis and Iron Mountain Railroad to a connection with a system of Southern railroads;
Which was read a first time, rule suspended, and read a second time.

By general consent, Mr. Hyer offered the following joint resolution:
Joint resolution to suspend the apportionment of the State school money for the year 1861.
Resolved by the General Assembly of the State of Missouri, That the apportionment of the State school money, provided by law to be made in the month of May, be suspended for the year 1861, and that the Superintendent of Common Schools is hereby authorized and required to postpone making said apportionment, to await the further disposition of said fund by the present General Assembly;
Which resolution was read a first time.

Message from the House of Representatives, by Mr. Murray, Chief Clerk:
Mr. PRESIDENT: The Speaker of the House has signed Senate enrolled bills of the following titles:
An act legalizing the organization of the Callaway Dragoon Company;
An act in relation to the volunteer militia of Missouri;
An act to create a special military fund for the use of the Governor.

Mr. Newland, from the committee on Enrolled Bills, made the following report:

Mr. PRESIDENT: The committee on Enrolled Bills have this day presented the Governor bills of the following titles for his approval:

An act legalizing the organization of the Callaway Dragoon Company;

An act to create a special military fund for the use of the Governor;

An act in relation to the volunteer militia of Missouri.

The question being on suspending the rules that the joint resolution might be read a second time,

It was agreed to by the following vote, the ayes and noes having been demanded by Mr. Frazier:

AYES—Messrs. Brown, Byrne, Chilton, Churchill, English, Fox, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, O'Neil, Peyton, Rains, Read, Stuart, Thompson, Vernon, Wilson, and Wright—23.

NOES—Messrs. Bell, Gullett, Hardin, Jones, Morris, Newland, and Scott—7.

Absent—Mr. Parsons.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

The resolution was then read a second time, and passed by the following vote, the ayes and noes being demanded by Mr. Gullett:

AYES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, English, Fox, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, O'Neil, Peyton, Rains, Read, Stuart, Thompson, Vernon, Wilson, and Wright—24.

NOES—Messrs. Gullett, Hardin, Jones, Morris, Newland, and Scott—6.

Absent—Mr. Parsons.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

By general consent, Mr. Goodlett, from the committee on Ways and Means, reported a bill for the consideration of the Senate entitled

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri,

And recommended its passage.

Mr. Peyton stated to the President that the reading and consideration of the bill, reported by the committee on Ways and Means, required secrecy.

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Mr. Wilson moved to amend the bill by additional section, as follows:

SEC. 2. That hereafter Justices of Peace shall hold a court for the trial of civil actions once only in each four months; and executions issued by such Justice shall be returnable at the next regular term of such Justice, after the rendition of the judgment.

This act to take effect from and after the passage thereof.

Which was read a first and second time, when

Mr. Halliburton moved that the bill and amendment be indefinitely postponed;

Which motion was agreed to by the following vote, the ayes and noes having been demanded Mr. Halliburton:

AYES—Messrs. Bell, Chilton, Frazier, Halliburton, Hardin, Horner, Hyer, Johnson, Lyday, McIlvaine, Peyton, Rains, Thompson, and Vernon—14.

NOES—Messrs. Brown, Byrne, Churchill, English, Fox, Goodlett, Jones, Newland, O'Neil, Wilson, and Wright—12.

Absent—Messrs. Morris, Parsons, Read, Scott, and Stuart.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

On motion of Mr. Churchill, the consideration of Senate bill entitled

An act to incorporate the Western Pacific Railroad,

And the amendment offered thereto by Mr. Hyer, and pending, was resumed.

The question being on Mr. Gullett's motion to refer the bill and amendment to the committee on Internal Improvements, it was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Gullett:

AYES—Messrs. Byrne, Chilton, English, Frazier, Gullett, Halliburton, Hyer, Johnson, Lyday, Rains, and Vernon—11.

NOES—Messrs. Bell, Brown, Churchill, Fox, Goodlett, Hardin, Horner, Jones, McIlvaine, Morris, Newland, O'Neil, Peyton, Read, Stuart, Thompson, Wilson, and Wright—18.

Absent—Messrs. Parsons and Scott.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

The question then being on argreeing to the amendment offered by Mr. Hyer, it was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Hyer:

AYES—Messrs. Chilton, Frazier, Gullett, Halliburton, Hyer, Peyton, Rains, Scott, Vernon, and Wilson—10.

NOES—Messrs. Bell, Brown, Byrne, Churchill, English, Fox, Goodlett, Hardin, Horner, Johnson, Lyday, McIlvaine, Morris, Newland, O'Neil, Read, Stuart, Thompson, and Wright—19.

Absent—Messrs. Jones and Parsons.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

Mr. Fox moved to amend section 10, by adding as follows:

And said company shall be bound to complete and put in running order, at least thirty miles of said road by the first of January, 1863, and to complete the whole road, and put it in running order, from Sedalia to Kansas City, by the first day of January, 1865;

Which was read a first and second time, and disagreed to.

The bill was then read a third time, when,

On motion of Mr. Brown, the vote ordering the bill to a third reading was reconsidered.

He moved to amend.

Amend section 10, by adding as follows:

And said company shall be bound to complete and put in running order, at least thirty miles of said road by the first of January, 1863, and to complete the whole road, and put it in running order, from Sedalia to Kansas City, by the first of August, 1864;

Which was read a first and second time, when,

Mr. Johnson moved to amend the amendment, by adding at the end thereof as follows:

And provided, That before the franchises granted in this act shall vest in the company hereby created, the said company, within six months after the passage hereof, shall give bond and security in such sum as the Governor may prescribe, that the road shall be completed within the times herein respectfully limited; and upon failure to give such bond, this act shall be null and void;

Which was read a first and second time, and disagreed to by the following vote, the ayes and noes having been demanded by Mr. Johnson:

AYES—Messrs. Fox, Frazier, Goodlett, Hyer, Johnson, Scott, and Vernon—7.

NOES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, English, Goodlett, Halliburton, Hardin, Horner, Jones, Lyday, McIlvaine, Morris, Newland, O'Neil, Peyton, Rains, Read, Stuart, Thompson, and Wilson—23.

Absent—Messrs. Parsons and Wright.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

The question then being on Mr. Brown's amendment, Mr. Fox moved to amend the amendment, by adding thereto as follows:

Provided, That if said company shall fail to complete said road within the time herein limited, said company shall forfeit all rights under their charter; and the same shall again be vested in the "Pacific Railroad Company" as fully and completely as before the passage of this act, and said "Pacific Railroad Company" shall be entitled to all the franchises and privileges herein granted, as fully and completely as if enacted as an addition to the charter of said company.

Which was read a first and second time, when

Mr. Goodlett moved the previous question.

The question being, Shall the main question now be put? it was agreed to by the following vote, the ayes and noes having been demanded by Mr. Johnson:

AYES—Messrs. Bell, Brown, Byrne, Churchill, Goodlett, Hardin, Horner, Jones, McIlvaine, Morris, Newland, O'Neil, Peyton, Rains, Read, Thompson, and Vernon—17.

NOES—Messrs. Chilton, English, Fox, Frazier, Gullett, Halliburton, Hyer, Johnson, Lyday, Scott, Stuart, and Wilson—12.

Absent—Messrs. Parsons and Wright.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

On leave, Mr. Brown introducced a bill entitled

An act regulating the advertisement of sales of real estate under execution;

Which was read a first time, rule suspended, read a second time, and, on motion of Mr. Jones, referred to the Judiciary committee.

The President announced a message from the House of Representatives by Mr. Murray, Chief Clerk, which required secrecy.

Thereupon, the President ordered the gallery to be cleared, and the doors closed.

After some time spent in secret session, the doors were opened.

Mr. Brown called up House bill entitled

An act to legalize the organization of the Ray Guards of Ray county, Missouri;

Which was read a first time, rule suspended, read a second and third time, and passed.

On motion of Mr. Wilson,

The Senate adjourned till 9 o'clock to-morrow morning.

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AYES—Messrs. Bell, Brown, Chilton, Churchill, English, Goodlett, Hardin, Horner, Jones, McIlvaine, Morris, Newland, O'Neil, Parsons, Peyton, Read, Stuart, Thompson, Wilson and Wright—21.

NOES—Messrs. Byrne, Fox, Frazier, Gullett, Halliburton, Hyer, Johnson, Lyday, Scott, and Vernon—10.

Absent—Mr. Rains.

Absent on leave—Mr. Coleman.

Mr. Parsons stated to the President that he had a measure to introduce, the consideration of which required secrecy.

Thereupon, the President ordered the gallery to be cleared and the doors to be closed.

The doors having been opened,

Mr. Wright offered the following resolution:

Resolved, That no member shall speak more than fifteen minutes at a time on any proposition before the Senate, or more than twice on each proposition;

Which was read and adopted.

Mr. Halliburton stated that a measure which he proposed calling up demanded secrecy;

Thereupon, the President ordered the gallery to be cleared and the doors closed.

After some time spent therein, the doors were opened, and,

On motion of Mr. Parsons,
The Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President ordered the gallery to be cleared and the doors to be closed.
After some time spent in secret session, the doors were opened.

On motion of Mr. Parsons,
The Senate adjourned.

FRIDAY MORNING, MAY 10, 1861.

The Senate met pursuant to adjournment.

Prayer was offered by the Rev. W. M. Prottsman.

Mr. Churchill having stated to the Chair that a measure to be proposed required secrecy,

Thereupon, the President ordered the gallery to be cleared and the doors to be closed.

After some time spent in secret session, the doors were opened.

On leave, Mr. O'Neil offered the following joint resolution:

Resolved by the Senate, the House concurring therein, That the Laws of the present session of the General Assembly, shall be bound with the Laws of the last session, and that the Journal of each House shall be bound with the Journals of the last session, each respectively;

Which was read a first time, and, on motion of Mr. Rains, referred to the committee on Public Printing.

On leave, Mr. Monroe introduced a bill entitled

An act to authorize the Banks of the State of Missouri to issue small notes and for other purposes;

Which was read a first time, rule suspended read a second time, and, on motion of Mr. Parsons, laid on the table and 170 copies ordered to be printed.

On leave, Mr. English introduced bills of the following title, which were severally read a first time, rule suspended, read a second time, and on motion, referred to the committee on Internal Improvement:

An act amendatory of an act entitled "an act to incorporate the Pilot Knob, Cape Girardeau and Belmont Railroad Company," approved December 31, 1859;

An act to mark out and construct State roads connecting with certain gravel and macadamized roads in the Southeastern part of the State.

Mr. English called up Senate bill entitled

An act to provide for the extension of the St. Louis and Iron Mountain Railroad to a connection with a system of Southern railroads;

Which had previously been read a first and second time,

On motion of Mr. English,

The bill was referred to the Committee on Internal Improvements.

On leave, Mr. Read introduced a bill entitled

An act to amend an act entitled "an act to incorporate the Louisiana and Middleton Plank or Macadamized Road Company," approved February 27, 1851;

Which was read a first time, rule suspended, read a second and third time, and passed.

Mr. Gullett offered the following resolution:

Resolved, That the doors of the Senate shall remain open during the remainder of the present session, except in cases where the Senate may go into executive session to act upon nominations from the Governor;

Which was read, and ordered to lie over under the rules.

Mr. Parsons stated that he proposed calling up a measure which required secrecy.

Thereupon, the President ordered the gallery to be cleared and the doors to be closed.

The doors having been opened,

On motion of Mr. Frazier,
The Senate adjourned.

FRIDAY EVENING, MAY 10, 1861.

The Senate met pursuant to adjournment.

Mr. Goodlett stated that he proposed calling up a measure which required secrecy.

Thereupon, the President ordered the gallery cleared and the doors to be closed.

After some time spent in secret session, the doors were opened.

On motion of Mr. Parsons,
The Senate adjourned till 7 1-2 o'clock to-night.

NIGHT SESSION.

The Senate met pursuant to adjournment.

Mr. Goodlett stated that the consideration of a subject which he proposed introducing required secrecy.

Thereupon, the President ordered the gallery to be cleared and the doors to be closed.

After some time spent in secret session, the doors were opened, and,

On motion of Mr. O'Neil,
The Senate took a recess until 9 o'clock to-morrow morning, unless sooner called together by the President of the Senate.

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An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri.

On leave, Mr. O'Neil introduced a bill entitled

An act to amend the charter of the city of St. Louis, and for other purposes;

Which was read a first time, rule suspended, read a second time; when

Mr. Churchill moved to amend by striking out the third section of the bill;

Which was read a first and second time, and agreed to.

The bill was then read a third time and passed, as amended.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 11, 1861.

To the President of the Senate:

I have this day approved and signed bills of the following titles:

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri;

An act appropriating money;

An act to perpetuate friendly relations with certain Indian tribes;

Joint resolutions to suspend the apportionment of the State school money for the year 1861.

Respectfully,
C. F. JACKSON.

Mr. Monroe called up Senate bill entitled

An act to authorize the Banks of the State of Missouri to issue small notes, and for other purposes;

Which had previously been read a first and second time, when

Mr. Wilson moved to amend section 6, by striking out in line two, after the word "may," to "suspend," and strike out all after the word "payment," in third line, and insert "until the first day of January, 1863;"

Which was read a first and second time, and agreed to by the following vote, the ayes and noes having been demanded by Mr. Gullett:

AYES—Messrs. Bell, Brown, Byrne, Chilton, Halliburton, Horner, Johnson, McIlvaine, Monroe, Morris, Peyton, Scott, Stuart, Thompson, Wilson, and Wright—16.

NOES—Messrs. English, Frazier, Gullett, Newland, and Vernon—5.

Absent—Messrs. Churchill, Coleman, Fox, Hardin, Hyer, Jones, O'Neil, Parsons, Rains, and Read.

Excused—Messrs. Goodlett and Lyday.

Mr. Gullett moved to lay the bill and amendment on the table;

Which was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Gullett:

AYES—Messrs. Frazier, Gullett, Morris, and Newland—4.

NOES—Messrs. Bell, Brown, Byrne, Chilton, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, O'Neil, Peyton, Read, Scott, Stuart, Thompson, Vernon, and Wilson—21.

Absent—Messrs. Churchill, Coleman, Fox, Jones, Parsons, Rains, and Wright.

Absent on leave—Mr. Hardin.

Message from the House of Representatives by Mr. Anthony, Assistant Clerk:

Mr. PRESIDENT: I am instructed by the House to inform the Senate, that a bill of the following title has been introduced in the House and passed:

An act to authorize the Governor to purchase foundries and other property.

Senate bill of the following title has passed the House:

An act to authorize the Banks of the State of Missouri to issue small notes, and for other purposes.

Message from the House of Representatives by Mr. Burris, a member:

Mr. PRESIDENT: Senate bill of the following title has passed the House:

An act to amend the charter of the city of St. Louis, and for other purposes.

On leave, Mr. Johnson introduced a bill entitled

An act for the relief of the Sheriff of St. Louis county, and for other purposes;

Which was read a first time, rule suspended, read a second and third time, and passed.

On leave, Mr. Chilton introduced a bill entitled

An act to provide for constructing a State road from Rolla, in Phelps county, to the State line;

Which was read a first time, rule suspended, read a second time, and, on his motion, referred to the committee on Internal Improvements.

Mr. Bell called up House bill entitled

An act authorizing the County Court of Saline county to issue bonds for purposes of defense;

Which was read a first time, rule suspended, read a second and third time, and passed.

On motion of Mr. English, the vote was reconsidered referring Senate bill entitled

An act to provide for constructing a State road from Rolla, in Phelps county, to the State line.

The bill was then read a third time.

Question being on the passage of the bill, Mr. Brown demanded the ayes and noes:

AYES—Messrs. Chilton, English, Horner, Hyer, Monroe, and Peyton—6.

NOES—Messrs. Bell, Brown, Frazier, Gullett, Halliburton, Lyday, Morris, Vernon, and Wilson—9.

Absent—Messrs. Byrne, Churchill, Coleman, Goodlett, Johnson, Jones, McIlvaine, Newland, O'Neil, Parsons, Rains, Read, Scott, Stewart, Thompson, and Wright.

Absent on leave—Mr. Hardin.

There being no quorum present,

Mr. Newland moved a call of the Senate, which was ordered, and the following Senators noted as being

Absent without leave—Messrs. Churchill, Coleman, Jones, Parsons, Rains, and Wright.

On motion of Mr. Monroe,

Further call was dispensed with.

The question being on the passage passage of the bill, it was passed by the following vote, the ayes and noes having been demanded by Mr. Brown:

AYES—Messrs. Byrne, Chilton, English, Fox, Goodlett, Horner, Hyer, Johnson, McIlvaine, Monroe, Peyton, Rains, Read, and Thompson—14.

NOES—Messrs. Bell, Brown, Gullett, Halliburton, Lyday, Morris, Scott, and Wilson—8.

Absent on leave—Mr. Hardin.

Absent without leave—Messrs. Churchill, Coleman, Frazier, Jones, Newland, O'Neil, Parsons, Stuart, Vernon, and Wright.

Message from the House of Representatives by Mr. Vest, a member:

Mr. PRESIDENT: I am instructed by the House to inform the Senate, that the House has passed Senate bill entitled

An act to establish a Military Institute at Lexington, Missouri.

Mr. Newland, from the committee on Enrolled Bills, made the following report:

Mr. PRESIDENT: The committee on Enrolled Bills have this day presented the Governor bills of the following titles for his approval:

An act to perpetuate friendly relations with certain Indian tribes;

An act appropriating money;

Joint resolution to suspend the apportionment of the State school money for the year 1861;

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By Mr. Wright:

An act to abolish certain offices.

By Mr. Goodlett:

An act supplementary to an act entitled "an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri."

By Mr. Goodlett:

An act to provide for the economical administration of the Government of the State of Missouri.

By Mr. Jones:

An act amendatory of an act entitled "an act to establish a State road in the counties of Osage, Phelps and Maries."

By Mr. Newland:

An act amendatory of an act entitled "an act respecting the election of Justices of the County Court in Marion county."

By Mr. McIlvaine:

An act to authorize the appointment of one Major General in this State.

Mr. Hardin, from the Judiciary committee, to whom was referred Senate bill entitled

An act prohibiting certain persons from holding office in the State of Missouri,

Reported a substitute therefor of the same title, and recommended its passage.

The substitute was read a first and second time, when

Mr. McIlvaine moved that the bill be postponed indefinitely;

Which motion was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Peyton:

AYES—Messrs. English, Gullett, McIlvaine, Morris, and Wilson—5.

NOES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, Fox, Goodlett, Halliburton, Horner, Hyer, Jones, Peyton, Rains, Stuart, Thompsen, and Vernon—16.

Absent—Messrs. Coleman, Frazier, Johnson, Lyday, Monroe, Newland, O'Neil, Parsons, and Wright.

Absvnt on leave—Messrs. Hardin, Read, and Scott.

The bill was then read a third time, and passed.

On leave, Mr. Wilson introduced a bill entitled

An act supplementary to an act entitled "an act to authorize the Banks of the State of Missouri to issue small notes, and for other purposes;"

Which was read a first time, rule suspended, when

Mr. Wilson moved to amend by adding to section two:

No Bank shall be authorized to accept the provisions of this act or the act to which this is supplementary, unless such Bank has previously accepted the provisions of the act to authorize the Banks to suspend specie payments of said Banks, approved March 18, 1861;

Which was read a first and second time, and agreed to.

The bill was then read a third time, and passed as amended.

On leave, Mr. Horner introduced a bill entitled

An act to provide for the distribution of the militia law;

Which was read a first time, rule suspended, read a second time, when

Mr. Newland moved to amend the bill by striking out the words "ten thousand," and inserting "five thousand;"

Which was read a first and second time, and agreed to.

On motion of Mr. Rains,

The vote agreeing to Mr. Newland's amendment was reconsidered.

The question then being on agreeing to the amendment, it was agreed to by the following vote, the ayes noes having been demanded by Mr. O'Neil:

AYES—Messrs. Bell, Brown, Churchill, English, Goodlett, Gullett, Halliburton, Johnson, Jones, Lyday, Morris, Newland, O'Neil, Wilson, and Wright—15.

NOES—Messrs. Byrne, Chilton, Fox, Horner, Hyer, McIlvaine, Monroe, Rains, Thompson, and Vernon—9.

Absent—Messrs. Coleman, Frazier, Parsons, Peyton, and Stuart.

Absent on leave—Messrs. Hardin, Read, and Scott.

The bill was then read a third time, and passed as amended.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate, that the Speaker of the House has signed Senate enrolled bills of the following titles:

An act to establish a military institute;

An act for the relief of the city of St. Louis;

An act to authorize the Banks of the State of Missouri to issue small notes, and for other purposes.

Mr. English, from the committee on Internal Improvements, to whom was referred Senate bill entitled

An act to mark out and construct State roads connecting with certain gravel and macadamized roads in the Southeastern part of the State,

Reported the same back to the Senate, and recommended its passage upon the adoption of the following amendment:

Amend the bill by striking out so much thereof as requires the said road to be located opposite Columbus in Kentucky; and insert "New Madrid in New Madrid county;" and strike out "Noah Handy of Mississippi county," and insert "B. Boyce of New Madrid county," so as to make the bill consistent.

The amendment was read a first and second time and agreed to.

Mr. Byrne moved to amend by striking out all after the words "wagon road" at sign † in section five, and insert the following in lieu thereof:

And the Governor may cause said road to be constructed and expenses of viewing and surveying the same to be paid out of any moneys in the Treasury, if he shall deem the same expedient;

Which was read a first and second time, and agreed to.

The bill was then read a third time, and passed as amended.

Mr. English offered joint resolutions in relation to the late attack on Camp Jackson by the Federal force;

Which were read a first time, and, on motion of Mr. Johnson, referred to the committee on Federal Relations.

On motion of Mr. Byrne,

The injunction of secrecy was removed from the journal of the Senate.

Mr. Brown, from the committee on the Penitentiary, reported, for the consideration of the Senate, a bill entitled

An act to authorize the Inspectors of the Penitentiary to call in the proposition to lease the same;

Which was read a first time, rule suspended, read a second time, and, on motion of Mr. Lyday, referred to the committee on Ways and Means.

Mr. Jones offered the following resolution:

Resolved by the Senate, That the black servants in attendance upon the Senate be allowed the same pay as allowed at the last session of the General Assembly, and that the same be paid out of the contingent fund of the Senate;

Which was read a first time, rule suspended, read a second and third time, and passed.

Mr. English offered the following resolution:

Resolved, That Elijah Fitzpatrick be allowed the same mileage, at the same rate allowed members of the General Assembly, for extra services as Doorkeeper of the Senate at its present session, out of the contingent fund of the Senate;

Which was read a first time, rule suspended, read a second time, when

Mr. Monroe moved to amend by inserting after "Fitzpatrick," "and all the officers of the Senate;"

Which was read a first and second time, and accepted.

The resolution was then read a third time.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate that the Speaker has signed House enrolled bill of the following title:

An act authorizing the County Court of Saline county to issue bonds for purposes of defense.

Mr. Hyer moved a call of the Senate, which was ordered.

The roll was called, and the following Senators noted as being

Absent without leave—Messrs. Chilton, Churchill, Coleman, Jones, McIlvaine, Newland, Parsons, and Wilson.

On motion of Mr. Hyer, further call was dispensed with.

The question then being on the passage of the resolution,

Mr. English withdrew it.

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The roll having been called, the following Senators were noted as

Absent without leave—Messrs. Chilton, Coleman, Halliburton, Jones, McIlvaine, Monroe, Newland, Parsons, Peyton, Stuart, and Wilson.

On motion of Mr. Rains, further call was dispensed with.

The question being on agreeing to Mr. Lyday's motion to reconsider the vote ordering the bill to a third reading,

It was disagreed to.

The bill was then read a third time and passed, as amended.

On leave, Mr. Churchill introduced a bill entitled

An act concerning banks;

Which was read a first time, rule suspended, and read a second time.

Message from the House of Representatives by Mr. Tracy, Assistant Clerk:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate that the following joint resolution has passed the House:

Resolved by the House of Representatives, the Senate concurring therein, That the General Assembly adjourn *sine die* on to-morrow morning at 10 o'clock.

Mr. Churchill called up House joint resolution for adjourning;

Which was read a first time, when he moved to postpone indefinitely; when

Mr. Thompson moved to lay the motion and resolution on the table;

Which motion was agreed to by the following vote, the ayes and noes having been demanded by Mr. Thompson:

AYES—Messrs. Bell, Brown, Byrne, Chilton, English, Fox, Frazier, Goodlett, Gullett, Horner, Johnson, Monroe, O'Neil, Rains, and Thompson —15.

NOES—Messrs. Churchill, Halliburton, Hyer, Lyday, Morris, Peyton, and Vernon—7.

Absent—Messrs. Coleman, Jones, McIlvaine, Newland, Parsons, Stuart, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

Message from the House of Representatives by Mr. Maughs, member:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate that the House has passed a bill of the following title:

An act to authorize the County Court of Jackson county to appropriate money and issue bonds to purchase arms and munitions of war.

House bills of the following titles were severally taken up, read a first time, rule suspended, read a second and third time, and passed:

An act to authorize the Governor to purchase foundries and other property.

An act to authorize the county of Jackson to appropiate money and issue bonds to purchase arms and munitions of war.

Message from the House of Representatives by Mr. Tracy, Assistant Clerk:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate that the House has passed a bill of the following title:

An act to authorize the County Courts to loan money to the State.

On leave, Mr. Brown introduced a bill entitled

An act to provide for paying the interest on bonds owned by the several banks in this State;

Which was read a first time, rule suspended, read a second time, and, on his motion, referred to the committee on Banks and Corporations.

Mr. Goodlett called up House bill entitled

An act to authorize counties to loan money to the State;

Which was read a first time, rule suspended read a second time, and, on his motion, referred to the committee on Ways and Means.

On motion of Mr. Churchill, the consideration of Senate bill entitled

An act concerning banks, was resumed.

The bill was read a third time and passed.

On leave, Mr. Horner introduced a bill entitled

An act concerning slaves, free negroes and mulattoes;

Which was read a first time, rule suspended, read a second and third time, and passed.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 13, 1861.

To the President of the Senate:

I have this day approved and signed Senate bills of the following titles:

An act to establish a military institute;

An act for the relief of the city of St. Louis.

Respectfully,

C. F. JACKSON.

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 13, 1861.

To the President of the Senate:

I herewith return to the Senate, where it originated, a bill entitled "an act to authorize the Banks of the State of Missouri to issue small notes and for other purposes," with my objections to its becoming a law. The Constitution of Missouri requires that every bank established by the General Assembly "*shall be based upon a specie capital, and made liable to redeem its issues in gold or silver.*"

The seventh section of the bill before me, authorizes any Bank in the State, accepting its provisions, to issue notes upon all bonds which may be issued by the State and purchased by the Banks, in the same manner as if the bonds were so much specie. This has clearly been an oversight in the General Assembly, produced by the excitement and confusion of the moment, which must be evident to every mind on a moment's reflection. I subscribe, under the circumstances, to the objects of the bill, and would give it my hearty approval, but for the constitutional objections I have to it. If it shall be the pleasure of the General Assembly to pass another bill upon the subject, I respectfully suggest that the Bank Commissioner or assistant be not required to countersign these small notes, knowing as I do that it could not be done by them in less than one year.

Respecfully,

C. F. JACKSON.

On motion of Mr. Brown, the Message was ordered to be spread upon the journal and the bill to lie upon the table.

On motion of Mr. Hyer,
The Senate adjourned.

TUESDAY MORNING, MAY 14, 1861.

The Senate met pursuant to adjournment.

Prayer was offered by the Rev. W. M. Prottsman.

Mr. Goodlett, from the committee on Ways and Means, to whom was referred House bill entitled

An act to authorize counties to loan money to the State,

Reported the same back to the Senate, and recommended its passage upon the adoption of the following amendment:

Amend by adding additional section as follows:

SEC. —. The several County Courts of this State, and the Board of County Commissioners in St. Louis county, are hereby authorized to purchase any bonds of the State of Missouri, issued under the act entitled "an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri;"

Which was read a first and second time, and agreed to.

The bill was then read a third time and passed, as amended.

On leave, Mr. English introduced a bill entitled

An act amendatory of an act entitled "an act to regulate practice in Courts of Justice," approved December 12, 1855, and an act entitled "an act to establish Justices' Courts, and to regulate proceedings therein," approved December 6, 1855;

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NOES—Messrs. Bell, Byrne, Churchill, Fox, Frazier, Halliburton, Horner, Hyer, Lyday, Peyton, Rains, Thompson, and Vernon—13.

Absent—Messrs. Coleman, Gullett, Jones, McIlvaine, Monroe, Newland, Parsons, Stuart, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wilson.

House joint resolutions in relation to the late attack upon Camp Jackson by the Federal forces,

Was taken up, read a first time, rule suspended, read a second time and passed, by the following vote, the ayes and noes having been demanded by Mr. Thompson:

AYES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, English, Fox, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, O'Neil, Peyton, Rains, Thompson, and Vernon—19.

Absent—Messrs. Coleman, Gullett, Jones, McIlvaine, Monroe, Morris, Newland, Parsons, Stuart, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 14, 1861.

To the President of the Senate:

I have this day approved and signed Senate bills of the following titles:
An act for the relief of the Collector of Jackson county;
An act for the benefit of John W. Burris, Sheriff of Jackson county.

Respectfully,
C. F. JACKSON.

Message from the House of Representatives by Mr. Murray, Chief Clerk:
Mr. PRESIDENT: A bill of the following title has been introduced into the House and passed:

An act for the relief of Robt. Shacklett, Collector of Marion county.

Senate bill of the following title has passed the House:

An act for the relief of persons while doing actual military service of the State.

House bills of the following titles were severally taken up, read a first time, rule suspended, read a second time, and passed:

An act creating a Boad of Police Commissioners, and authorizing the appointment of a police force for the city of Kansas;

An act for the relief of Robert Shacklett, Collector of Marion county.

On leave, Mr. Rains introduced a bill entitled

An act to amend an act entitled "an act donating certain swamp and overflowed lands to the counties in which they are situated," approved March 3, 1851;

Which was read a first time, rule suspended, read a second and third time, and passed.

Mr. Rains offered the following resolution:

Resolved, That the committee on Accounts be required to audit and pay for the newspapers furnished to the members of the Senate, not to exceed two to each member, to be paid out of the contiugent fund of the Senate;

Which was read a first time, rule suspended, read a second and third time, and passed.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: A bill of the following title has been introduced into the House, and passed:

An act creating a Board of Police Commissioners, and authorizing the appointment of a police force for the city of Kansas.

The House of Representatives has concurred in Senate joint resolution fixing a day of adjournment.

Mr. Chilton, from the committee on Enrolled Bills, reported as correctly enrolled bills of the following titles:

An act supplemental to an act entitled "an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri;"

An act to amend an act entitled "an act to incorporate the Louisiana and M dd eton Plank and Macadamized Road Company," approved February 27i, 1851;

An act amendatory of an act entitled "an act respecting the election of Justices of the County Court of Marion county;"

An act to provide for the distribution of the military bill;

An act to authorize the appointment of one Major-General for the Missouri Militia;

An act for the relief of the Sheriff of St. Louis county, and for other purposes;

An act to authorize the Inspectors of the Penitentiary to call in the proposition to lease the same.

On motion of Mr. Byrne,
The Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

On leave, Mr. Peyton introdued a bill entitled
An act for the relief of persons while doing military service of the State;
Which was read a first time, rule suspended, read a second and third time, and passed.

Message from the House of Representatives by Mr. Murray:
Mr. PRESIDENT: The House has substituted, and passed as substituted, Senate bill entitled
An act concerning banks.
The House has concurred in Senate amendment to House bill entitled
An act to authorize counties to loan money to the State.
The House has receded from House amendment to Senate bill entitled
An act to provide for the distribution of the militia law.
A bill of the following title has been introduced into the House, and passed:
An act to authorize Lafayette county to issue bonds for certain purposes.

On leave, Mr. Morris introduced a bill entitled
An act for the relief of Henry M. Barnes;
Which was read a first time, rule suspended, and read a second time.
The question being on suspending the rule that the bill might be read a third time, it was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Thompson:

AYES—Messrs. Byrne, Fox, Goodlett, Gullett, Halliburton, Horner, Morris, and Rains—8.

NOES—Messrs. Bell, Brown, Chilton, Frazier, Hyer, Johnson, Lyday, Peyton, Thompson, and Vernon—10.

Absent—Messrs. Coleman, English, Jones, McIlvaine, Monroe, Newland, O'Neil, Parsons, Stuart, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

Excused from voting—Mr. Churchill.

Message from the House of Representatives by Mr. Murray, Chief Clerk:
Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate, that the House has passed Senate bills of the following titles:
An act for the benefit of John W. Burris, Sheriff of Jackson county;
An act for the relief of the Collector of Jackson county;

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Mr. Horner called up Senate bill entitled
An act to provide for the distribution of the military bill,
Which had been amended in the House.
The House amendment was read a first time, rule suspended, read a second and third time, and disagreed to, and,
On motion of Mr. Thompson,
The President appointed Messrs. Horner, Thompson, and Rains, a committee of conference on the part of the Senate.

On leave, Mr. Peyton introduced a bill entitled
An act to change the time of holding the Kansas City Court of Common Pleas:
Which was read a first time, rule suspended, read a second and third time, and passed.

Mr. Byrne offered the following resolution:
Resolved by the Senate, the House of Representatives concurring therein, That the present General Assembly will adjourn *sine die* on Wednesday, the 15th day of May, 1861, at 10 o'clock, A. M.
Which was read a first time, rule suspended, read a second time, when,
Mr. Lyday offered the following substitute:
Resolved by the Senate, the House of Representatives concurring therein, That the General Assembly will adjourn on Wednesday, the 15th day of May, 1861, at 12 o'clock M., to meet again on the first Monday in September next, unless sooner called together by the Governor.
Which was read a first and second time, when
Mr. English moved to amend by striking out "September" and inserting "December;"
Which was read a first and second time, and disagreed to, by the following vote, the ayes and noes having been demanded by Mr. Thompson:

AYES—Messrs. English, Fox, Halliburton, Hyer, Johnson, Morris and O'Neil—7.

NOES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, Frazier, Gullett, Horner, Lyday, Rains, Thompson, and Vernon—12.

Absent—Messrs. Coleman, Goodlett, Jones, McIlvaine, Monroe, Newland, Parsons, Peyton, Stuart, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

Mr. Brown moved to amend by striking out "September" and inserting "3rd Monday in October;
Which was read a first and second time, and disagreed to by the following vote, the ayes and noes having been demanded by Mr. Brown, the President of the Senate voting in the negative:

AYES—Messrs. Brown, English, Frazier, Gullett, Horner, Hyer, Johnson, Morris, and O'Neil—9.

NOES—Messrs. Bell, Byrne, Chilton, Fox, Halliburton, Lyday, Rains, Thompson, and Vernon—9.

Absent—Messrs. Churchill, Coleman, Goodlett, Jones, McIlvaine, Monroe, Newland, Parsons, Peyton, Stuart, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

Mr. Brown moved to amend by striking out "first Monday," and inserting "third Monday;"

Which was read a first and second time, and accepted.

The question then being on agreeing to the substitute,

It was agreed to by the following vote, the ayes and noes being demanded by Mr. Gullett:

AYES—Messrs. Bell, Brown, Chilton, English, Frazier, Horner, Hyer, Johnson, Lyday, Peyton, Rains, Thompson, and Vernon—13.

NOES—Messrs. Byrne, Churchill, Fox, Gullett, Halliburton, Morris, and O'Neil—7.

Absent—Messrs. Coleman, Goodlett, Jones, McIlvaine, Monroe, Newland, Parsons, Stuart, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

Mr. Chilton, from the Committee on Enrolled Bills, made the following report:

Mr. PRESIDENT: The Committee on Enrolled Bills have this day presented the Governor bills of the following titles, for his approval:

An act for the relief of the Collector of Jackson county;

An act for the benefit of John W. Burris, Sheriff of Jackson county.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: I am instructed by the House to inform the Senate that the House adheres to its amendment to Senate bill entitled "an act concerning banks;" and Messrs McIlhany, Lipscomb, and Conrow, have been appointed a committee of conference on the part of the House.

A bill of the following title has passed the House:

An act to legalize the organization of the Louisiana Guards, the Pike County Mounted Guards, and the Pike County Rangers, and to legalize the election of officers of same.

The Speaker of the House has signed Senate enrolled bills of the following titles:

An act for the relief of the Collector of Jackson county;

An act for the benefit of John W. Burris, Sheriff of Jackson county.

On motion of Mr. Halliburton,

The Senate adjourned.

WEDNESDAY MORNING, MAY 15, 1861.

The Senate met pursuant to adjournment.

Prayer was offered by the Rev. W. M. Prottsman.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: I am instructed by the House to inform the Senate that the House has adopted the following resolution:

Resolved, That the Speaker appoint a committee of five on the part of the House, to act with a similar committee on the part of the Senate, to wait on the Governor and inform him that the two Houses have completed the business for which they were called, and to enquire of the Governor if he has any further communication to make to this General Assembly; and that the Speaker has appointed as said committee, Messrs. Welch of Johnson, Lipscomb, Randolph, Austin, and Hagan.

The Speaker of the House has signed Senate enrolled bills of the following titles:

An act amendatory of an act entitled "an act respecting the election of Justices of the County Court of Marion county;"

An act to amend an act entitled "an act to incorporate the Louisiana and Middleton Plank or Macadamized Road Company," approved February 27, 1851;

An act for the relief of the Sheriff of St. Louis county, and for other purposes;

An act supplemental to an act entitled "an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri;"

An act to provide for the distribution of the militia law;

An act to authorize the Inspectors of the Penitentiary to call in the proposition to lease the same;

An act to authorize the appointment of one Major-General for the Missouri militia.

The Speaker of the House has signed House bills of the following titles:

An act to legalize the organization of the Louisiana Guards, the Polk County Mounted Guards, and the Polk County Rangers, and to legalize the election of officers of the same.

An act to authorize the Banks of the State of Missouri to issue small notes, and for other purposes;

An act to define the corporate limits of the town of Monticello, in Lewis county;

An act to authorize Lafayette county to issue bonds for certain purposes;

An act to authorize counties to loan money to the State.

Mr. Chilton, from the committee on Enrolled Bills, reported as correctly enrolled

An act for the relief of persons while doing actual military service of the State of Missouri.

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address to the people of Missouri, in which he asserts that the Military Bill passed at this session of the General Assembly is an indirect secession ordinance, and that the main provisions of said bill are in conflict with the constitution and laws of the United States; and whereas, justice to ourselves and the people of the State demands notice of such charges: Now, therefore,

Resolved by the House of Representatives, the Senate concurring therein, That no portion of the bill referred to justifies such assertion or conclusion on the part of General Harney or any other person.

Resolved, second, That no idea or disposition has ever been entertained by this General Assembly to interfere directly or indirectly with the Federal Relations of Missouri, the consideration and determination of the same having been committed to a Convention duly elected by the people of the State, and which Convention is yet in existence.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 15, 1861.

To the President of the Senate:

I have the honor to inform the Senate that I did, on the 4th day of April, 1861, appoint Charles McLaran, John A. Brownlee, Basil W. Duke, and James H. Carlisle, Police Commissioners of the city of St. Louis, the first two for a period of two years, and the last two for a term of four years, in conformity to the provisions of "an act creating a Board of Police Commissioners and authorizing the appointment of a police force for the city of St. Louis;" and I respectfully ask that said appointments may be advised and consented to by the Senate.

Respectfully,

C. F. JACKSON.

Mr. Chilton, from the committee on Enrolled Bills, made the following report:

Mr. PRESIDENT: The committee on Enrolled Bills have this day presented the Governor bills of the following titles for his approval:

An act to authorize the appointment of one Major General for the Missouri militia;

An act amendatory of an act entitled "an act respecting the election of Justices of the County Court of Marion county;"

An act to amend an act entitled "an act to incorporate the Louisiana and Middleton Plank or Macadamized Road Company," approved February 27, 1861;

An act for the relief of the Sheriff of St. Louis county and for other purposes;

An act supplemental to an act entitled "an act to raise money to arm the State;"

An act to provide for the distribution of the militia law;

An act to authorize the Inspectors of the Penitentiary to call in the proposition to lease the same.

House joint resolution in relation to General Harney's address to the State of Missouri was taken up, read a first time, when

Mr. Lyday moved to postpone indefinitely; when

Mr. O'Neil moved to amend by striking out all the words before "that" in the fifth line and insert:

Whereas, an opinion seems to be entertained by some persons;

Which was read a first time, when

Mr. Thompson moved to lay the resolutions and amendments on the table;

Which motion was agreed to by the following vote, the ayes and noes having been demanded by Mr. O'Neil:

AYES—Messrs. Brown, Byrne, Chilton, Frazier, Goodlett, Horner, Hyer, Johnson, Lyday, Monroe, Morris, Peyton, Rains, and Thompson—14.

N E —Messrs. Bell, Churchill, English, Fox, Halliburton, and O'Neil —6. O S

Absent—Messrs. Colcman, Gullett, Jones, McIlvaine, Newland, Parsons, Stuart, Vernon, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

Mr. Churchill moved that the appointment by the Governor of Charles McLaran, John A Brownlee, Basil W. Duke, and James H. Carlisle, Police Commissioners of the city of St Louis, be confirmed by the Senate;

Which motion was agreed to by the following vote, the ayes and noes having been demanded by Mr. Churchill:

AYES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, English, Fox, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, Monroe, Peyton, Rains, and Thompson—18.

Absent—Messrs. Coleman, Gullett, Jones, McIlvaine, Morris, Newland, Parsons, Stuart, Vernon, and Wilson.

Absent on leave—Messrs. Hardin, Read, Scott, and Wright.

Excused from voting—Mr. O'Neil.

Message from the House of Representatives by Mr. Maughs, a member:

Mr. PRESIDENT: I am instructed by the House to inform the Senate that the Speaker of the House has signed House enrolled bills of the following titles:

An act creating a Board of Police Commissioners and authorizing the appointment of a police force for the city of Kansas;

An act for the relief of Robert Shacklett, Collector of Marion county.

Mr. PRESIDENT: Senate bill of the following title has passed the House:

An act to pay the volunteers of the South-West expedition.

Mr. Goodlett, from the committee appointed to wait upon the Governor, made the following report:

Mr. PRESIDENT: The committee appointed by the Senate to wait on the Governor and ascertain if he had any further communication to make to the General Assembly, have discharged that duty and were informed by him that he had no further communications to make.

Mr. Chilton, from the committee on Enrolled Bills, reported as correctly enrolled a bill entitled

A bill to pay the volunteers of the South-West expedition.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: The Speaker of the House has signed Senate enrolled bill of the following title:

An act to pay the volunteers of the South-West expedition.

Mr. Chilton, from the committee on Enrolled Bills, made the following report:

Mr. PRESIDENT: The committee on Enrolled Bills have this day presented the Governor bill of the following title for his approval:

An act to pay the volunteers of the South-West expedition.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 15, 1861.

To the President of the Senate:

SIR: I have this day signed and approved Senate bills of the following titles:

An act to provide for the distribution of the militia law;

An act for the relief of the Sheriff of St. Louis county, and for other purposes;

An act supplemental to an act entitled "an act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri;"

An act amendatory of an act entitled "an act respecting the election of Justices of the County Court of Marion county;"

An act to pay the volunteers of the South-West expedition;

An act to amend an act entitled "an act to incorporate the Louisiana and Middleton Plank or Macadamized Road Company," approved February 27, 1851;

An act to authorize the appointment of one Major General for the Missouri militia;

An act for the relief of persons while doing actual military service of the State;

An act to authorize the Inspectors of the Penitentiary to call in the proposition to lease the same.

Very respectfully,

C. F. JACKSON.

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SECRET SESSION.

FRIDAY MORNING, May 3, 1861.

The gallery having been cleared and the doors closed,

Mr. Newland moved a call of the Senate, which was ordered.

The roll of the Senate having been called, the following Senators were noted as being

Absent without leave—Messrs. Bell, Brown, Chilton, Fox, Gullett, Hardin, Hyer, Jones, Lyday, Peyton, Rains, Read, Scott, and Wilson.

On motion of Mr. Churchill,
Further call was dispensed with.

Mr. Halliburton offered the following resolution:

Resolved, Whenever the President, under the fifty-fourth rule of the Senate, shall order the gallery to be cleared, no person except members of the General Assembly, the President and Secretary of the Senate, and the Governor of the State, shall remain in the Senate Chamber or any of the adjoining apartments, until the doors are again opened. The Doorkeeper and Sergeant-at-Arms shall remain in the Hall of the Rotunda, to prevent the approach of persons near enough to the door to overhear the proceedings or debates of the Senate. No proceeding or debate of the Senate had while the Senate sets with closed door, shall be divulged either directly or indirectly, by any person having knowledge of the same, unless the Senate shall have removed therefrom the injunction of secrecy. All proceedings of the Senate while sitting with closed doors, shall be entered in a separate book, and the journal of such proceedings shall be kept secret by the Secretary of the Senate until otherwise ordered by the Senate. And that the Secretary of the Senate shall keep the separate journal for business done in secret session, and make up the same himself, and preserve the same from exposure until the injunction of secrecy is removed.

Which was read, when

Mr. Newland moved that the doors be opened, and the secret session rise;

Which motion was disagreed to.

The question being on agreeing to Mr. Halliburton's resolution,

On motion of Mr. Johnson, doors were opened.

SATURDAY MORNING, MAY 4, 1861.

The gallery having been cleared and the doors closed,

Mr. Scott moved that the doors be opened.
After discussion,
Mr. Scott withdrew his motion.

The question recurring upon Mr. Halliburton's motion to dispense with the reading of the journal, it was agreed to.

Mr. Newland moved that the doors be opened, and the secret session rise ;

Which motion was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Newland :

AYES—Messrs. Bell, McIlvaine, Morris, Newland, and Scott—5.

NOES—Messrs. Brown, Byrne, Churchill, Coleman, English, Frazier, Goodlett, Halliburton, Hardin, Horner, Hyer, Johnson, Lyday, Monroe, O'Neil, Parsons, Read, Stuart, Thompson, Vernon, and Wright—21.

Absent—Messrs. Chilton, Fox, Gullett, Jones, Peyton, Rains, and Wilson.

The question then being on agreeing to Mr. Halliburton's resolution, pending at the time of adjournment on yesterday,

Mr. Brown moved to amend by inserting after the word "Secretary," the words "Assistant Secretary, and other Clerks and Assistant Clerks of the Senate ;"

Which was read, when

Mr. Newland moved to amend the amendment by adding "Pages and Folder ;"

Which was read, and disagreed to.

The question then being on agreeing to Mr. Brown's amendment,

Mr. Scott moved to amend the amendment by adding "Sergeant-at-Arms ;"

Which was read, and agreed to.

The question then recurring on Mr. Brown's amendment ;

Mr. Goodlett moved to amend the amendment by adding "Doorkeeper,"

Which was read, and agreed to.

The question again recurring on Mr. Brown's amendment, it was agreed to.

Mr. Halliburton moved to amend as follows :

Strike out the words "members of the General Assembly," and insert in lieu thereof the word "Senators ;"

Which was read and agreed to.

The question then being on agreeing to the resolution as amended.

Mr. Hardin moved that the resolution be laid on the table ;

Which motion was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Hardin :

AYES—Messrs. Byrne, Hardin, Johnson, Lyday, McIlvaine, Monroe, Parsons, and Stuart—8.

NOES—Messrs. Bell, Brown, Churchill, Coleman, English, Frazier, Goodlett, Halliburton, Horner, Hyer, Morris, Newland, O'Neil, Read, Scott, Thompson, Vernon, and Wilson—18.

Absent—Messrs. Chilton, Fox, Gullett, Jones, Peyton, Rains, and Wilson.

Mr. Halliburton moved to amend the resolution by adding:

And that all the officers of the Senate who are permitted to be present during secret session under the foregoing resolution, shall be sworn to keep the secrets of the Senate;

Which was read, and agreed to.

The question recurring on the resolution as amended, it was agreed to.

On leave, Mr. Parsons introduced a bill entitled

An act to create a special military fund for the use of the Governor;

Which was read a first time, when

Warwick Hough, Secretary; J. L. Tracy, Engrossing Clerk; George W. White, Sergeant-at-Arms; E. Fitzpatrick, Doorkeeper; Jno. T. Tracy, and William B. Morrison, Assistant Secretaries, presented themselves and took the oath to keep the secrets of the Senate.

On motion of Mr. Scott, doors were opened.

SATURDAY EVENING, MAY 4, 1861.

The gallery having been cleared and the doors closed,

Mr. Parsons called up Senate bill entitled

An act to create a special military fund for the use of the Governor;

Which had previously been read a first time.

The rule was suspended, the bill read a second and third time and, passed.

On motion of Mr. Parsons, it was

Resolved, That the Quartermaster General be, and he is hereby requested to report to the Senate the number, kind, and quality of arms in his charge belonging to the State; and also the number and kind of arms issued to the volunteer companies of the State; and also the amount and quality of the ammunition on hand, if any, where it is situate, how it is

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made in debate either by myself or any one else, and that I will faithfully keep all that is done or said in secret session, either in the House of which I am a member or officer, or in the other House."

5, That it is the duty of the General Assembly immediately to provide by law for the punishment of any member or officer of the General Assembly who shall violate the foregoing oath;

Which were read a first time, and laid over under the rule.

On leave, Mr. Johnson introduced a bill entitled

An act defining the punishment for disclosing the proceedings of a secret session of the General Assembly, or of either House;

Which was read a first time.

Mr. Scott moved that the joint resolutions offered by Mr Johnson and laid over under the rule be taken up, and upon that question demanded the ayes and noes.

Before a vote was had, on motion of Mr. O'Neil, the doors were ordered to be opened.

Richard T. Morrison, Enrolling Clerk, and Jno. T. Crisp, Assistant Secretary, presented themselves and took the oath to keep the secrets of the Senate.

The doors were then opened.

MONDAY MORNING, MAY 6, 1861.

The gallery having been cleared and the doors closed,

On motion of Mr. Thompson,

The rule was suspended that members of the House of Representatives serving on committees in adjoining rooms might be permitted to remain.

On motion of Mr. Churchill,

All messages to the House of Representatives concerning business transacted in secret session, be only delivered while the House is in secret session.

On motion of Mr. Wilson,

The reading of the journal of the secret session was dispensed with.

Mr. Coleman offered the following resolutions:

Resolved, That the committee on Ways and Means be instructed to inquire what measures are necessary to diminish the civil expenses of the State, introduce greater economy and system into the financial department of its government, and remove unnecessary burthen of taxation on the people.

Resolved, That the committee on Ways and Means be instructed to report a poor law, by which the several counties in the State may provide for an efficient and economical extension of necessary support to industrious poor citizens of this State.

Resolved, That the committee on Internal Improvements be instructed to report what measures are necessary to provide economically built wagon roads to facilitate the transportation of produce and merchandise to and from our neighboring States, in the event of a continuance of the existing interruption of commerce on the Mississippi river.

Which were read, when

Mr. Scott moved that the doors be opened;

Which motion was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Scott.

AYES—Messrs. Bell, English, Fox, Goodlett, Gullett, Jones, Morris, Newland, Scott, Stuart, Wilson, and Wright—12.

NOES—Messrs. Byrne, Chilton, Coleman, Frazier, Hardin, Horner, Hyer, Lyday, Monroe, Peyton, Read, Thompson, and Vernon—13.

Absent—Messrs. Brown, Churchill, Halliburton, Johnson, McIlvaine, O'Neil, Parsons and Rains.

The question then being on agreeing to the resolution offered by Mr. Coleman, it was agreed to.

On motion of Mr. Scott, the doors were opened.

EVENING SESSION.

The gallery having been cleared, and the doors closed,

The message from the House of Representatives was received:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate that the House has adopted a joint resolution concerning secret sesssions.

The President then ordered the doors to be opened.

TUESDAY MORNING, MAY 7, 1861.

The gallery having been cleared and the doors closed,

The message from the House of Representatives was read:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate that a bill of the following title has been introduced into the House:

An act authorizing the County Court of Saline county to issue bonds for purposes of defense.

Senate bills of the following titles have passed the House:

An act in relation to the volunteer militia of Missouri;

An act legalizing the organization of the Callaway Dragoon Company;

An act to create a special fund for the use of the Governor.

The following joint resolution has passed the House:

Resolved by the House of Representatives, the Senate concurring therein, That the Governor is duly authorized and empowered to cause to be enrolled and mustered into the service of this State for the period of one year, unless sooner discharged by the proper authority, not exceeding five companies of infantry, of one hundred men each, to be armed and equipped at the expense of the State, for the protection of the public property.

Mr. Johnson called up House joint resolution empowering the Governor to have volunteers enrolled;

Which was read a first time, when,

Mr. Wilson moved that the Senate do now adjourn;

Which motion was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Johnson:

AYES—Messrs. Bell, Gullett, Morris, Newland, Scott, and Wilson—6.

NOES—Messrs. Brown, Byrne, Chilton, Churchill, English, Fox, Frazier, Goodlett, Halliburton, Hardin, Horner, Hyer, Johnson, Jones, Lyday, McIlvaine, O'Neil, Peyton, Rains, Read, Stuart, Thompson, Vernon, and Wright—24.

Absent—Messrs. Coleman, Monroe, and Parsons.

The question then being on suspending the rule, that the resolution might be read a second time, it was agreed to.

The resolution was then read a second time, when

Mr. Gullett moved that the Senate do now adjourn;

Which motion was disagreed to.

Mr. Wilson offered the following amendment to the resolution under consideration: Strike out all after the word "resolved," and insert as follows:

That the Governor be and he is hereby authorized to call into the service of the State any portion of the volunteer force of this State to guard and

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AYES—Messrs. Bell, Churchill, English, Fox, Gullett, Hardin, Jones, Morris, Newland, O'Neil, Scott, Wilson, and Wright—13.

NOES—Messrs. Bryne, Chilton, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, Monroe, Peyton, Rains, Read, Stuart, Thompson, and Vernon—16.

Absent—Messrs. Brown, McIlvaine, and Parsons.

Absent on leave—Mr. Coleman.

The House joint rcsolution was then read a third time.

The question then being on agreeing to the House joint resolution,

Mr. Wilson moved to amend the resolution by adding thereto as follows: That the troops called into service by the foregoing resolution shall elect their officers and be governed in all respects according to and by the existing military laws now in force in this State;

Which amendment was read a first and second time, when

Mr. Johnson moved the previous question.

The question then being: Shall the main question be put?

It was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Scott:

AYES—Messrs. Byrne, Chilton, Churchill, Frazier, Goodlett, Horner, Hyer, Johnson, Lyday, Monroe, Peyton, Rains, Read, and Vernon—14.

NOES—Messrs. Bell, Brown, English, Fox, Gullett, Halliburton, Hardin, Jones, Morris, Newland, O'Neil, Scott, Stuart, Thompson, Wilson, and Wright—16.

Absent—Messrs. McIlvaine and Parsons.

Absent on leave—Mr. Coleman.

Mr. Newland, from the committee on Enrolled Bills, reported as correctly enrolled bills of the following titles:

An act to create a special military fund for the use of the Governor;

An act legalizing the organization of the Callaway Dragoon Company

An act in relation to the volunteer militia of Missouri.

The discussion of secret business having concluded,

The President ordered the doors to be opened.

WEDNESDAY MORNING, MAY 8, 1861.

The gallery having been cleared and the doors closed,

Senate bill entitled

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri,

Was taken up, read a first time, rule suspended, read a second time, when,

On motion of Mr. Halliburton, it was

Resolved, That 170 copies of the bill be printed for the use of the General Assembly, and that the Public Printer be required to keep secret the bill and its contents, and not permit the same to be made public until the injunction of secrecy be removed by the Senate, and to deliver the bill to Secretary of the Senate, and Clerk of the House, and that a copy of the the resolution be given to the Public Printer with the bill.

On motion of Mr. Johnson, House joint resolution, together with Mr. Wilson's amendment pending at the adjournment on yesterday, was taken up.

The amendment was read and agreed to by the following vote, the ayes and noes having been demanded by Mr. Scott:

AYES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, English, Fox, Frazier, Goodlett, Gullett, Halliburton, Hardin, Jones, McIlvaine, Morris, Newland, O'Neil, Read, Scott, Thompson, and Vernon, Wilson, and Wright—23.

NOES—Messrs. Horner, Hyer, Johnson, Peyton, and Rains—5.

Absent—Messrs. Lyday, Parsons, and Stuart.

Absent on leave—Mr. Coleman.

Sick—Mr. Monroe.

Mr. Halliburton moved to amend the resolution by inserting after the word "property" as follows: "and the defense of the State; and during the time for which such companies shall have been enrolled, they may be ordered into any service for the State that the Governor shall require, and the laws of the State may authorize;"

Which was read and agreed to.

The resolution as amended, was then read a second time and passed.

The President ordered the doors to be opened.

EVENING SESSION.

The gallery having been cleared, and the doors closed, the message was read.

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate, that a bill of the following title has been introduced into the House, and passed:

An act to legalize the organization of the Ray Guards, of Ray county, Missouri.

The House concurred in Senate amendments to House joint resolution, empowering the Governor to enroll volunteers for certain purposes.

The President laid before the Senate a communication from the Quartermaster General;

Which was read, and on motion of Mr. Goodlett, referred to the Militia committee.

The President ordered the doors to be opened.

THURSDAY MORNING, MAY 9, 1861.

The gallery having been cleared and the doors closed,

On leave, Mr. Parsons introduced a bill entitled

An act placing money at the disposal of the Governor for the defense of the State;

Which was read a first time, rule suspended, read a second time, when

On motion of Mr. Goodlett, the bill was referred to a select committee of three.

The President appointed Messrs. Goodlett, Parsons, and Wilson, select committee.

Message from the House of Representatives by Mr. Anthony, Assistant Clerk:

Mr. PRESIDENT: I am instructed by the House of Representatives to inform the Senate, that the Speaker of the House has signed enrolled House bill entitled

An act legalizing the organization of the Ray Guards, of Ray county, Missouri.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

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Mr. Scott moved to amend by inserting between the words "appropriation" and "is," in the tenth line, the following: "and except the amount appropriated to the purpose of education;"

Which amendment was read a first and second time, when

Mr. Scott moved that the Senate do now adjourn;

Which motion was disagreed to.

The question then being on agreeing to Mr. Scott's amendment,

It was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Scott:

AYES—Messrs. Fox, Gullett, Hardin, Jones, Morris, Newland, Scott, and Wilson—8.

NOES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, English, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, O'Neil, Parsons, Peyton, Rains, Read, Thompson, Vernon, and Wright—23.

Absent—Mr. Stuart.

Excused from voting—Mr. Coleman.

Mr. English moved to amend first section of the bill by inserting after the word "appropriation," in tenth line, the following: "and fifty thousand dollars of the common school fund, as may be necessary to discharge contracts made with teachers in the several counties, on account of said fund, to be distributed in May, 1861, to be ascertained and distributed by the several County Courts to the trustees of the several school districts;

Which was read a first and second time, and disagreed to.

On motion of Mr. Parsons, the doors were opened.

FRIDAY MORNING, MAY 10, 1861.

The gallery having been cleared and the doors closed,

Mr. Goodlett, from the select committee to whom was referred Senate bill entitled

An act placing money at the disposal of the Governor for the defense of the State,

Reported the same back to the Senate, and recommended its passage.

The bill was then read a third time, and passed.

On motion of Mr. Goodlett, the Senate proceeded to a further consideration of Senate bill entitled

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri.

Amendments to the first section of the bill still being in order,

Mr. Goodlett moved to amend by adding to section one, as follows:

Provided, Nothing herein contained is intended to repudiate our State indebtedness, or as a permanent suspension of the school fund, but the revenue bonds authorized to be issued by act approved November 19, 1857, and act approved March 28, 1861, shall be faithfully applied to the payment of the interest due, or hereafter to become due upon State bonds: *Provided*, Said bonds shall not be sold for less than ninety cents on the dollar, and said school fund shall be promptly restored to its legitimate purpose whenever the political and financial condition of the country will admit;

Which was read a first and second time, when Mr. Wilson moved to amend the amendment by adding at the end thereof as follows:

That the Fund Commissioners shall provide for the payment of interest on the bonds of the State issued for the purpose of aiding the several railroad companies in this State, or for other purposes, by issuing bonds of the State as now provided by law, and may dispose of such amount thereof as will pay the accruing interest due the first day of July next: *Provided*, That said bonds shall not be sold at a greater rate of discount than ten per cent.;

Which was read a first and second time, when, by general consent, Mr. Goodlett withdrew his amendment, and

Mr. Wilson renewed his amendment by way of an additional section;

Which amendment was read a first and second time and agreed to, by the following vote, the ayes and noes having been demanded by Mr. Wilson:

AYES—Messrs. Bell, Brown, Coleman, English, Fox, Goodlett, Gullett, Halliburton, Hardin, Jones, McIlvaine, Morris, Newland, O'Neil, Stuart, Wilson, and Wright—17.

NOES—Messrs. Byrne, Chilton, Frazier, Horner, Hyer, Johnson, Lyday, Parsons, Peyton, Rains, Read, and Thompson—12.

Absent—Messrs. Churchill, Monroe, Scott, and Vernon.

Mr. Lyday moved to amend section one by striking out the words "except the amount due in June, 1861, on revenue bonds," in sixth and seventh lines of said section;

Which was read a first and second time, and disagreed to by the following vote, the ayes and noes having been demanded by Mr. McIlvaine:

AYES—Messrs. Gullett, Lyday, Scott, and Thompson—4.

NOES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, Coleman, English, Fox, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Jones, McIlvaine, Monroe, Morris, O'Neil, Peyton, Rains, Read, Stuart, Wilson, and Wright—25.

Absent—Messrs. Hyer, Newland, Parsons, and Vernon.

On motion of Mr. Frazier, the doors were opened.

EVENING SESSION.

The gallery having been cleared and the doors closed,

The President announced the further consideration of Senate bill entitled An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri,

To be in order.

Mr. McIlvaine moved to amend section one of the bill by striking out, in the ninth and tenth lines, the words "and the Penitentiary appropriations," and insert in the eighth line, after the word "Asylum," the word "Penitentiary;"

Which amendment was read a first and second time, and agreed to.

Mr. Hardin moved to amend section one by adding to the end thereof, as follows: "*Provided*, That the fund herein created, and the appropriation hereby made, shall cease and be void on the first day of May, 1863; and thereafter the laws and appropriations, suspended by the provisions of this act, shall be revived, enforced, and disbursed, as provided by the laws in force at the passage of the same;"

Which amendment was read a first and second time, when Mr. Parsons moved to amend the amendment by adding at the end thereof as follows:

But nothing in this act shall be so construed as to impair or interfere with the provisions of this act made for the purpose of securing the payment of the principal and interest on the bonds issued by virtue of this act;

Which amendment was read a first and second time, and agreed to.

The question then being on agreeing to the amendment as amended, it was agreed to.

Mr. Hardin moved to amend section one by striking out of the ninth line these words, "two-thirds of the;"

Which amendment was ruled out of order.

No further amendments being offered to section one, section two, of the bill, was then read.

Mr. Parsons moved to amend by striking out the words "five hundred thousand," in the third line of section two, and insert, in lieu thereof, the words "one million;"

Which was read a first and second time, and agreed to by the following vote, the ayes and noes having been demanded by Mr. English:

AYES—Messrs. Brown, Byrne, Chilton, Churchill, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, Monroe, Parsons, Peyton, Rains, Read, Thompson, and Vernon—18.

NOES—Messrs. Bell, Coleman, English, Fox, Gullett, Jones, McIlvaine, Morris, Newland, O'Neil, Stuart, Wilson, and Wright—13.

Absent—Messrs. Hardin and Scott.

Mr. Goodlett moved to amend section two by adding: "and shall con-

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1864 in the sixth line, 1864 to 1865, 1861 to 1862, 1862 to 1863, and 1863 to 1864, in the remaining part of the section;

Which was read a first and second time, and agreed to.

Mr. Johnson moved to amend section 6 as follows:

Strike out the word "one" in first line, and insert "one and a half;" strike out the word "three" and insert "five," in the second line; also add after "1864" in the seventh line, the following: "The fourth division to be due and payable on the first day of February, 1866, and the fifth division to be due and payable on the first day of February, 1867; also add at the end of the section, as follows, "the fourth division to be received for the taxes of 1865, and the fifth division to be received for the taxes of 1866."

Which was read a first and second time, and withdrawn.

No further amendments being offered to section six,

Section seven was then read.

No amendment being offered,

Sections eight, nine, and ten, were then read, when

Mr. Thompson moved to amend section ten by striking out all after the word "fund" in fifth line;

Which was read a first and second time, and disagreed to.

Mr. Jones moved to amendsection ten, by striking out all of section ten commencing at the beginning of first line in saidsection, to the word "provided," in fifth line;

Which was read a first and second time, and disagreed to by the following vote, the ayes and noes being demanded by Mr. Jones:

AYES—Messrs. Jones, Morris, Newland, and Wilson—4.

NOES—Messrs. Bell, Brown, Byrne, Chilton, Churchill, Coleman, English, Frazier, Goodlett, Halliburton, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, Parsons, Peyton, Rains, Read, Scott, Thompson, and Vernon—23.

Absent—Messrs. Fox, Gullett, O'Neil, Stuart, and Wright.

Absent on leave—Mr. Hardin.

On motion of Mr. Goodlett, the bill was ordered to be engrossed and read a third time to-morrow at 9 o'clock.

On leave, Mr. Parsons introduced a bill, entitled

An act to perpetuate friendly relations with certain Indian tribes;

Which was read a first time, rule suspended, read a second and third time, and passed.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
JEFFERSON CITY, May 9, 1861.

To the President of the Senate:

SIR: I have this day approved and signed Senate bills of the following titles:

An act to create a special military fund for the use of the Governor;
An act in relation to the Volunteer Militia of Missouri;
An act legalizing the organization of the Callaway Dragoon Company.

Respectfully,
C. F. JACKSON.

On motion of Mr. Parsons, the doors were opened.

NIGHT SESSION.

The gallery having been cleared and the doors closed,

On motion of Mr. Goodlett, the vote ordering Senate bill, entitled
An act to raise money to arm the State, to repel invasion, and to protect the lives and property of the people,
To be engrossed, and read a third time to-morrow at 9 o'clock, was reconsidered.

Mr. Gullett moved that the Senate do now adjourn;
Which motion was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Scott:

AYES—Messrs. Bell, Gullett, Morris, Newland, Scott, and Stuart—6.

NOES—Messrs. Brown, Byrne, Chilton, Churchill, Coleman, English, Fox, Frazier, Goodlett, Halliburton, Hardin, Horner, Hyer, Johnson, Lyday, McIlvaine, Monroe, O'Neil, Parsons, Peyton, Rains, Read, Thompson, Vernon, and Wright—24.

Absent—Messrs. Jones and Wilson.

Message from the House of Representatives by Mr. Anthony, Assistant Clerk:

Mr. PRESIDENT: I am instructed by the House to inform the Senate that the House has passed Senate bill entitled
An act to perpetuate friendly relations with certain Indian tribes.
The House has passed House bill entitled
An act to provide for the organization, government, and support of the military forces of the State of Missouri.

On motion of Mr. Johnson,
The Senate took a recess of twenty minutes.

The twenty minutes having expired,

The President called the Senate to order.

Message from the House of Representatives by Mr. Vest, a member :

Mr. PRESIDENT : I am instructed by the House to inform the Senate that Senate bill entitled

An act placing money at the disposal of the Governor, for the defense of the State,

Has passed the House.

Mr. PRESIDENT : I am instructed by the House to inform the Senate that the House has passed Senate bill entitled

An act appropriating money.

House bill of the following title has been introduced into the House and passed :

An act in relation to railroads and telegraphs in this State.

House bill entitled,

An act in relation to railroads and telegraphs in this State,

Was taken up, read a first time, rule suspended, read a second and third time, and passed.

Mr. Scott moved that the Senate do now adjourn ;

Which motion was disagreed to.

On motion of Mr. Johnson it was resolved that

WHEREAS, News has reached the Senate that the city of St. Louis has been invaded, and a portion of the citizens are in rebellion against the laws of this State ; and whereas the House of Representatives is not in session this evening now; as it may be necessary during the night to take measures to secure the peace and safety of the people of said city ; therefore,

Resolved by the Senate, That the Senate hereby advises the Governor to take such measures and adopt such means as he may deem necessary and proper to secure the peace and safety and protect the lives and property of the people of St. Louis.

Read and adopted.

On leave, Mr. Johnson introduced a bill entitled

An act to authorize the Governor of the State of Missouri to suppress rebellion and repel invasion ;

Which was read a first time, rule suspended, read a second and third time and passed.

On motion of Mr. O'Neil,

The doors were opened.

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An act to authorize the Governor of the State of Missouri to suppress rebellion and repel invasion.

The House has passed Senate bill entitled

An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri.

On motion of Mr. Halliburton, the Pages and Folders were each allowed respectively the same pay as at the last session.

Mr. Newland, from the committte on Enrolled Bills, reported as correctly enrolled Senate bill entitled

An act placing money at the disposal of the Governor for the defense of the State.

Message from the House of Representatives by Mr. Murray, Chief Clerk:

Mr. PRESIDENT: The Speaker of the House has signed Senate enrolled bill of the following title:

An act placing money at the disposal of the Governor for the defence of the State.

Mr. Newland, from the committee on Enrolled Bills, made the following report:

Mr. PRESIDENT: The committee on enrolled bills have this day presented the Governor bills of the following titles for his approval:

An act to authorize the Governor of the State of Missouri to suppress rebellion and repel invasion;

An act placing money at the disposal of the Governor for the defense of the State.

On motion of Mr. Goodlett, the doors were opened.

THOS. C. REYOLDS,
President of the Senate.

N. C. CLAIBORNE,
Secretary of the Senate.

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