

Mr. Huntington, from the Committee on Commerce, to whom was referred, on the 9th April last, the nomination of John D. Elliott; on the 22d April, that of Francis M. Auboyneau; and on the 6th May those of Henry J. Brent and Warder Cresson, reported.

On motion by Mr. Walker,

The Senate proceeded to consider the nomination of John D. Elliott; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Berrien, from the Committee on the Judiciary, to whom was referred, on the 29th March last, the nomination of William Marvin, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Archer, from the Committee on Foreign Relations, to whom was referred, on the 22d April last, the treaty of annexation concluded between the United States of America and the Republic of Texas, at Washington, the 12th day of April, 1844, reported the same to the Senate without amendment.

On motion by Mr. Archer,

The Senate proceeded to consider the first resolution submitted by him on the 8th instant; and,

After debate,

Mr. Archer, by unanimous consent, had leave to withdraw the said resolution.

→ Mr. Archer submitted the following resolution:

Resolved, That Benjamin Tappan, a Senator from the State of Ohio, having been found by the Senate to have been guilty of a flagrant violation of its rules and contempt of its authority, constituting a case of gh breach of trust, be, for such offense, and hereby is, expelled.

The Senate, by unanimous consent, proceeded to consider the said resolution; and,

After debate,

On motion by Mr. Bayard, that the said resolution be amended, by striking out all after the word "Resolved," and inserting the following in lieu thereof:

That Benjamin Tappan, a Senator from the State of Ohio, having willfully and deliberately violated the thirty-eighth rule of the Senate in making known and causing to be published in a newspaper printed in the city of New York, before the injunction of secrecy has been removed, a copy of the treaty of annexation concluded between the United States of America and the Republic of Texas, at Washington on the 12th day of April, 1844, with the accompanying correspondence communicated to the Senate by the President of the United States, has incurred the just censure of the Senate, and shall receive its reprimand through the Presiding Officer, who is hereby directed to give the same in the presence of the Senate.

After debate,

On motion by Mr. Simmons, that the amendment proposed by Mr. Bayard be amended by striking out all after the word "Ohio," and inserting in lieu thereof, the following:

In furnishing for publication in a newspaper, documents directed by an order of the Senate to be printed in confidence for its use, has been guilty of flagrant violation of the rules of the Senate and disregard of its authority.

After debate,

On the question to agree to the amendment proposed by Mr. Simmons,

It was determined in the affirmative, { Yeas..... 33
Nays..... 12

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Bagby, Barrow, Bates, Benton, Berrien, Breese, Buchanan, Choate, Clayton, Crittenden, Evans, Fairfield, Francis, Fulton, Hannegan, Henderson, Huntington, Jarnagin, Johnson, Lewis, Morehead, Porter, Semple, Sevier, Simmons, Sturgeon, Walker, White, Woodbury, Wright.

Those who voted in the negative are,

Messrs. Archer, Bayard, Haywood, Huger, McDuffie, Mangum, Merrick, Miller, Phelps, Rives, Tallmadge, Woodbridge.

So the amendment was agreed to.

After debate,

On the question to agree to the amendment proposed by Mr. Bayard, as amended,

It was determined in the affirmative, { Yeas..... 38
Nays..... 7

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Bagby, Barrow, Bates, Bayard, Benton, Berrien, Breese, Buchanan, Choate, Clayton, Crittenden, Evans, Fairfield, Francis, Fulton, Hannegan, Henderson, Huntington, Jarnagin, Johnson, Lewis, Miller, Morehead, Porter, Rives, Semple, Sevier, Simmons, Sturgeon, Tallmadge, Walker, White, Woodbridge, Woodbury, Wright.

Those who voted in the negative are,

Messrs. Archer, Haywood, Huger, McDuffie, Mangum, Merrick, Phelps.

So the amendment proposed by Mr. Bayard, as amended, was agreed to.

After debate,

On the question to agree to the resolution submitted by Mr. Archer, as amended,

It was determined in the affirmative, { Yeas..... 35
Nays..... 7

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Atchison, Bagby, Barrow, Bates, Bayard, Berrien, Breese, Choate, Clayton, Crittenden, Evans, Francis, Fulton, Haywood, Henderson, Huger, Huntington, Jarnagin, Johnson, Lewis, McDuffie, Merrick, Miller, Morehead, Phelps, Porter, Rives, Semple, Simmons, Sturgeon, Tallmadge, White, Woodbridge, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Archer, Atherton, Benton, Buchanan, Mangum, Wright.

So it was

Resolved, That Benjamin Tappan, a Senator from the State of Ohio, in furnishing for publication in a newspaper documents directed by an order of the Senate to be printed in confidence for its use, has been guilty of a flagrant violation of the rules of the Senate and disregard of its authority.

Mr. Archer submitted the following resolution :

Resolved, That in consideration of the acknowledgment and apology tendered by the said Benjamin Tappan for his said offense no further censure be inflicted on him.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On the question to agree thereto,

It was determined it the affirmative, { Yeas 39
Nays 3

On motion by Mr. Buchanan,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Archer, Atchison, Atherton, Bagby, Barrow, Bates, Benton, Berrien, Breese, Buchanan, Choate, Clayton, Crittenden, Evans, Fairfield, Francis, Fulton, Hannegan, Henderson, Huntington, Jarnagin, Johnson, Lewis, McDuffie, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Rives, Sevier, Simmons, Sturgeon, Walker, White, Woodbridge, Woodbury, Wright.

Those who voted in the negative are,

Messrs. Bayard, Haywood, Huger.

So the resolution was agreed to.

On motion by Mr. Archer,

The Senate proceeded to consider the second resolution submitted by him on the 8th instant.

On motion by Mr. Haywood that it lie on the table,

It was determined in the negative.

On the question to agree to the said resolution,

It was determined in the affirmative, { Yeas 21
Nays 17

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Archer, Barrow, Bates, Berrien, Choate, Crittenden, Evans, Fulton, Henderson, Huntington, Johnson, McDuffie, Mangum, Merrick, Miller, Phelps, Porter, Rives, Sevier, Simmons, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Bagby, Breese, Buchanan, Clayton, Fairfield, Hannegan, Haywood, Huger, Jarnagin, Lewis, Semple, Tallmadge, White, Wright.

So it was

Resolved, That the following be added to the Standing Rules of the Senate :

Any officer or member of the Senate convicted of disclosing for publication any written or printed matter directed by the Senate to be held in confidence, shall be liable, if an officer, to dismissal from the service of the Senate, and in the case of a member to suffer expulsion from the body.

Mr. Archer submitted the following resolution :

Resolved, That the injunction of secrecy be removed from the proceedings of the Senate relative to the publication made, contrary to the rules of the Senate, of the treaty with Texas, and the message and documents accompanying it; and from the report of the committee appointed to inquire into the said publication, and the papers accompanying the same; and from the subsequent proceedings of the Senate on the subject; and also from the resolution prescribing an additional rule, and the proceedings upon the same.

Mr. Crittenden submitted the following resolution :

Resolved, That the President of the United States be requested to inform the Senate whether, since the commencement of the negotiations which resulted in the treaty now before the Senate for the annexation of Texas to the United States, any military preparation has been made or ordered by him for or in anticipation of war; and, if so, for what cause, and with whom was such war apprehended, and what are the preparations that have been made or ordered? Has any movement or assemblage or disposition of any of the military or naval forces of the United States been made or ordered with a view to such hostilities? And to communicate to the Senate copies of all orders or directions given for any such preparation, or for any such movement or disposition, or for the future conduct of such military or naval forces.

Mr. Walker submitted the following resolution :

Resolved, That the injunction of secrecy be removed from the vote of the Senate ratifying any treaty heretofore concluded between the Government of the United States and the Republic of Mexico or Texas.

MONDAY, MAY 13, 1844.

The following messages were received from the President of the United States, by Mr. Tyler, his secretary :

To the Senate of the United States :

I nominate to the Senate Michael Kennedy to be consul of the United States for the port of Galway, in Ireland, in the place of Thomas M. Persse, recalled.

JOHN TYLER.

WASHINGTON, May 6th, 1844.

To the Senate of the United States :

I nominate to the Senate Francis I. Grund to be consul of the United States for the port of Antwerp, in the place of Samuel Haight, recalled.

JOHN TYLER.

WASHINGTON, May 7, 1844.

To the Senate of the United States :

I nominate Thomas Gatewood to be naval officer for the district of Norfolk and Portsmouth, in the State of Virginia, from the 6th day of May, 1844, when his late commission expired.

JOHN TYLER.

WASHINGTON, May 8th, 1844.

To the Senate of the United States :

I nominate to the Senate Joseph W. Fabens, of Massachusetts, to be consul of the United States for Cayenne, in French Guiana.

Josiah Raymond, of Massachusetts, to be consul of the United States for Manzanillo, in the Island of Cuba; and

Robert P. de Silver, of Pennsylvania, to be consul of the United States for Port Louis, in the Isle of France.

JOHN TYLER.

WASHINGTON, May 10, 1844.