

On motion, by Mr. Davis, of Mississippi, to insert the following, to wit:

ARTICLE X. The boundary line between the two republics shall commence in the Gulf of Mexico, three leagues from land, opposite a point midway between the mouths of the river San Fernando and Santander, (Boquillas Cerradas and Barra de Santander,) thence westwardly to the town of Labradores, at the head of the mountain pass, from the plain of Linares, thence to Agua Nueva, thence to the southwestern angle of the State of Cohahuila, thence northwardly along the highlands of the Balson de Malpimi and Santa Rosa mountains to the Rio Grande, the line to be so traced as to include the sources of the river Sabinas, and to intersect the Rio Grande above the mouth of the river Puerco, thence up the main channel of said Rio Grande to the thirty-first parallel of north latitude, thence due west to the thirty-fourth meridian of longitude west of Washington, thence, in a direct line, to a point on the Rio Colorado of the west, ten miles below the junction of the Gila and Colorado rivers, thence to a point on the coast of the Pacific ocean, one marine league south of the most southern point of the harbor of San Diego.

"In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground landmarks which shall show the limits of both republics, as described in the present article, the two governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of the ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary."

After debate,

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the negative, { Yeas 11
Nays 44

Those who voted in the affirmative are, Messrs. Allen, Atchison, Davis, of Mississippi, Dickinson, Douglas, Hannegan, Houston, Lewis, Rusk, Turney, Westcott.

Those who voted in the negative are, Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Corwin, Crittenden, Davis, of Massachusetts, Dayton, Dix, Downs, Felch, Foote, Greene, Hale, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Sevier, Spruance, Sturgeon, Underwood, Upham, Webster.

On motion by Mr. Westcott,

To strike out of the ninth article the following words, to wit:

"The relations and communication between the Catholics living in the territories aforesaid, and their respective ecclesiastical authorities, shall be open, free, and exempt from all hindrance whatever, even although such authorities should reside within the limits of the Mexican republic, as defined by this treaty; and this freedom shall continue, so long as a new demarcation of ecclesiastical districts shall not have been made, conformably with the laws of the Roman Catholic church."

After debate,

On motion by Mr. Atchison, The Senate adjourned.

TUESDAY, MARCH 7, 1848.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican republic; and the question recurring on the motion of Mr. Westcott to strike out the words stated from the ninth article,

On motion by Mr. Westcott, and by unanimous consent, Ordered, That he have leave to withdraw the said motion.

On motion by Mr. Johnson, of Georgia, To insert in the ninth article, after the words "Mexican laws," the following words, to wit: *not inconsistent with the constitution and laws of the United States.*

The question was stated, "Shall these words stand as part of the ninth article?"

And it was determined in the affirmative, { Yeas 38
Nays 7

Those who voted in the affirmative are, Messrs. Allen, Ashley, Atherton, Baldwin, Bell, Berrien, Breese, Butler, Calhoun, Cameron, Clarke, Corwin, Crittenden, Davis, of Mississippi, Dayton, Dickinson, Dix, Felch, Foote, Greene, Hale, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Mangum, Mason, Miller, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Westcott, Yulee.

Those who voted in the negative are, Messrs. Atchison, Badger, Bright, Davis, of Massachusetts, Downs, Lewis, Moor.

On motion of Mr. Johnson, of Georgia, To insert at the end of the ninth article the following, to wit: *Provided nothing herein contained shall be so construed as to secure to Roman Catholics their religious corporations or communities, or the ecclesiastical authorities of the Roman Catholic church any other rights and privileges than such as are enjoyed by other religious sects, their corporations or communities, or ecclesiastical authorities, in the United States.*

The question was stated, "Shall these words stand as part of the ninth article?"

And it was determined in the negative, { Yeas 13
Nays 29

Those who voted in the affirmative are,
Messrs. Atchison, Bradbury, Breese, Calhoun, Hannegan, Johnson, of Georgia, Lewis, Mason, Rusk, Sevier, Turney, Underwood, Westcott.

Those who voted in the negative are,
Messrs. Ashley, Atherton, Badger, Baldwin, Bell, Berrien, Bright, Butler, Clark, Corwin, Crittenden, Davis, of Massachusetts, Davis, of Mississippi, Downs, Felch, Foote, Greene, Hale, Johnson, of Maryland, Johnson, of Louisiana, Mangum, Moor, Niles, Pearce, Phelps, Spruance, Sturgeon, Upham, Yulee.

On motion by Mr. Westcott,
To strike out of the ninth article the following words, to wit:
"Finally, the relations and communication between the Catholics living in the territories aforesaid, and their respective ecclesiastical authorities, shall be open, free, and exempt from all hindrance whatever, even although such authorities should reside within the limits of the Mexican republic, as defined by this treaty; and this freedom shall continue so long as a new demarcation of ecclesiastical districts shall not have been made, conformably with the laws of the Roman Catholic church."

After debate,
The question was stated, "Shall these words stand as part of the ninth article?"

And it was determined in the negative, { Yeas 18
Nays 29

Those who voted in the affirmative are,
Messrs. Ashley, Atherton, Bradbury, Butler, Cameron, Dickinson, Dix, Downs, Felch, Foote, Hale, Johnson, of Louisiana, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,
Messrs. Atchison, Badger, Bell, Berrien, Bright, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Greene, Hunter, Johnson, of Maryland, Johnson, of Georgia, Lewis, Mangum, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Westcott.

On motion by Mr. Davis, of Massachusetts,
To strike out of the ninth article the following words, to wit:
"The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican republic, conformably with what is stipulated in the preceding article, shall be incorporated into the union of the United States, and admitted as soon as possible, according to the principles of the Federal constitution, to the enjoyment of all the rights of citizens of the United States. In the mean time they shall be maintained and protected in the enjoyment of their liberty, their property, and the civil rights now vested in them according to the Mexican laws. With respect to political rights, their condition shall be on an equality with that of the inhabitants of the other territories of the United States, and at least equally good as that of the inhabitants of Louisiana and the Floridas, when these provinces, by transfer from the French republic and the crown of Spain, became territories of the United States.

"The same most ample guaranty shall be enjoyed by all eccle-

siastics and religious corporations or communities, as well in the discharge of the offices of their ministry, as in the enjoyment of their property of every kind, whether individual or corporate. This guaranty shall embrace all temples, houses, and edifices dedicated to the Roman Catholic worship, as well as all property destined to its support, or to that of schools, hospitals, and other foundations for charitable or beneficent purposes. No property of this nature shall be considered as having become the property of the American government, or as subject to be by it disposed of, or diverted to other uses."

After debate,
The question was stated, "Shall these words stand as part of the ninth article?"

And it was determined in the negative, { Yeas 16
Nays 31

Those who voted in the affirmative are,
Messrs. Ashley, Atherton, Butler, Cameron, Dickinson, Dix, Downs, Felch, Foote, Johnson, of Louisiana, Moor, Niles, Sevier, Sturgeon, Turney, Westcott.

Those who voted in the negative are,
Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Bradbury, Bright, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Greene, Hunter, Johnson, of Maryland, Johnson, of Georgia, Lewis, Mangum, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Yulee.

On motion by Mr. Mason,
To insert the following, to wit:

ARTICLE IX. The Mexicans in the territories aforesaid shall be secured in the free exercise of their religion without any restriction; and those who may desire to remove to the Mexican republic shall be permitted to sell or export their effects at any time whatever without being subject in either case to the payment of any duties.

The Mexicans who, in the territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be incorporated into the union of the United States as soon as may be consistent with the principles of the Federal constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States; and, in the mean time, they shall be maintained and protected in the full enjoyment of their liberty and property."

After debate,
The question was stated "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the affirmative, { Yeas 42
Nays 4

Those who voted in the affirmative are,
Messrs. Allen, Ashley, Atchison, Atherton, Badger, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Clarke, Clayton, Corwin, Crittenden, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Louisiana, John-

son, of Georgia, Lewis, Mangum, Mason, Moor, Niles, Pearce, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are, Messrs. Baldwin, Bell, Hale, Rusk.

On motion by Mr. Sevier,

To insert, after the word "Washington," in the twenty-third article, the following words, to wit:

"Or at the seat of government of Mexico."

The question was stated, "Shall these words stand as part of the twenty-third article?"

And it was determined in the affirmative, { Yeas 44
Nay..... 1

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Badger, Baldwin, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Clarke, Clayton, Corwin, Davis, of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

And Mr. Westcott voted in the negative.

Mr. Crittenden submitted the following resolutions:

Resolved, That the treaty be recommitted to the Committee on Foreign Relations, with instructions so to modify the same as to make its limits and boundaries conform to the following resolutions:

Resolved, That considerations of our own power and the weakness of Mexico, already vanquished by our arms, ought only to make us more careful not to exact from her any indemnities or terms of peace beyond the strict measure of our rightful claims; and that the United States need not to seek or desire any other or better security for the future than they possess in their own ability and readiness to protect themselves, and defend their own rights.

Resolved, That we fully concur in the sentiment expressed by the President, that war should not be waged for the acquisition of territory by conquest; yet, if it be agreeable to Mexico to settle our claims against her by a cession of territory, we should prefer one of more limited extent, with a correspondent reduction of price, than that described in the treaty now before the Senate—a cession which should have for its principal objects a satisfactory establishment of the boundary of Texas and the acquisition of the bay and harbor of San Francisco.

Resolved, That by adhering to this limited cession, all the objects of a true national policy would be obtained, domestic questions of great difficulty and embarrassment avoided, the true principles of our government preserved, and a commendable example of justice and moderation set before the world.

Resolved, That in an especial manner, we could not, without great reluctance, be constrained to accept the cession of the State of New Mexico with a population of about one hundred and fifty thousand hostile people unwilling to be united to us, and unfit to be trusted with a participation in our free forms of government, to

the principles of which they are utter strangers. To accept the cession of this territory, large enough, and even at the present moment with population enough, to form one or more States, and to incorporate them, as the treaty provides, as soon as possible into this Union, must be regarded as a measure dangerous, and not believed to be in accordance with the wishes and expectations of the great majority of the people of the United States.

On motion by Mr. Crittenden,

That the Senate proceed to consider the said resolutions.

Mr. Douglas objected, as being against the rules of the Senate.

The Vice President decided, that objection having been made, it could not be considered to-day.

From this decision of the Vice President Mr. Bright appealed to the Senate; and,

The question being stated, "Shall the decision of the Vice President stand as the sense of the Senate?"

It was determined in the negative.

The Senate then proceeded to consider the said resolutions;

And on the question to agree thereto,

It was determined in the negative, { Yeas 18
Nays..... 30

On motion by Mr. Berrien,

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

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis, of Massachusetts, Dayton, Greene, Hale, Johnson, of Maryland, Mangum, Miller, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis, of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson, of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

So the resolutions were not agreed to.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I lay before the Senate a letter of the 12th February, 1848, from N. P. Trist, together with the authenticated map of the United Mexican States, and of the plan of the port of San Diego, referred to in the fifth article of the treaty "of peace, friendship, limits, and settlement between the United States of America and the Mexican republic," which treaty was transmitted to the Senate with my message of the 22d ultimo.

JAMES K. POLK.

WASHINGTON, March 7, 1848.

The message was read.

On motion by Mr. Mangum,

The Senate adjourned.

WEDNESDAY, MARCH 8, 1848.

Mr. Davis, of Massachusetts, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to communicate to the Senate, confidentially, any additional despatches which may have been received from Nathaniel P. Trist; and especially those which are promised by him in his letter to Mr. Buchanan, of the 2d of February last, if the same have been received.

Mr. Webster submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to inform the Senate of the terms of the authority given to Nathaniel P. Trist to draw for the three millions of dollars authorized by the act of the 2d of March, 1847.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement, between the United States of America and the Mexican republic.

On motion by Mr. Badger,

To strike out of the fifth article the following words, to wit:

"Thence westwardly, along the whole southern boundary of New Mexico, (which runs north of the town called Paso,) to its western termination; thence northward, along the western line of New Mexico, until it intersects the first branch of the river Gila; (or, if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same;) thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific ocean."

After debate,

The question was stated, "Shall these words stand as part of the fifth article?"

And it was determined in the affirmative, { Yeas 35
Nays 15

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis, of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Berrien, Clarke, Corwin, Davis, of Massachusetts, Greene, Hale, Miller, Pearce, Phelps, Spruance, Underwood, Upham, Webster.

On motion by Mr. Baldwin,

To insert at the end of the fifth article the following words, to wit:

Provided there shall be neither slavery nor involuntary servitude

in the territories hereby ceded, otherwise than in punishment of crimes, whereof the party shall have been duly convicted.

After debate,

The question was stated, "Shall these words stand as part of the fifth article?"

And it was determined in the negative, { Yeas 15
Nays 38

Those who voted in the affirmative are,

Messrs. Atherton, Baldwin, Clarke, Clayton, Corwin, Davis, of Massachusetts, Dayton, Dix, Greene, Hale, Miller, Niles, Phelps, Spruance, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Badger, Bagby, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Crittenden, Davis, of Mississippi, Dickinson, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Lewis, Mangum, Mason, Moor, Pearce, Rusk, Sevier, Sturgeon, Turney, Underwood, Yulee.

No further amendment having been made, the treaty was reported to the Senate.

On the question to concur in the amendment made in Committee of the Whole, to wit, to strike out the ninth article,

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the negative, { Yeas 16
Nays 28

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Dickinson, Dix, Douglas, Downs, Foote, Hannegan, Johnson, of Louisiana, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Bradbury, Bright, Calhoun, Clarke, Clayton, Crittenden, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Felch, Greene, Hale, Hunter, Johnson, of Maryland, Lewis, Mangum, Mason, Miller, Phelps, Rusk, Spruance, Underwood, Upham.

On the question to concur in the amendment made in Committee of the Whole, to wit, to insert the following:

ARTICLE IX.—The Mexicans in the territories aforesaid shall be secured in the free exercise of their religion, without any restriction; and those who may desire to remove to the Mexican republic shall be permitted to sell or export their effects at any time whatever, without being subject, in either case, to the payment of any duties.

The Mexicans who, in the territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be incorporated into the Union of the United States, as soon as may be consistent with the principles of the federal constitution, and admitted to the enjoyment of all the privileges, rights and immunities of the citizens of the United

States; and, in the meantime, they shall be maintained and protected in the full enjoyment of their liberty and property.

On motion by Mr. Bell,

To strike out of the said amendment the following words, to wit: "The Mexicans who, in the territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be incorporated into the Union of the United States, as soon as may be consistent with the principles of the federal constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States; and, in the meantime, they shall be maintained and protected in the full enjoyment of their liberty and property;"

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative, { Yeas 34
Nays 18

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis, of Mississippi, Dickinson, Dix, Downs, Felch, Foote, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis, of Massachusetts, Dayton, Greene, Hale, Miller, Phelps, Spruance, Underwood, Upham, Webster.

On motion by Mr. Bell,

To insert, in lieu of the words stricken out, the following, to wit:

The Mexicans who, in the territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be maintained and protected in the full enjoyment of their liberty and their rights of property.

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative, { Yeas 15
Nays 33

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Davis, of Massachusetts, Greene, Hale, Miller, Spruance, Underwood, Upham, Webster.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis, of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

On motion by Mr. Crittenden,

To strike out of said amendment the following words, to wit:

"In the territories aforesaid, shall be secured in the free exercise of their religion, without any restriction; and those who may desire to remove to the Mexican republic shall be permitted to sell or export their effects at any time whatever, without being subject, in either case, to the payment of any duties."

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative, nays 46.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Corwin, Crittenden, Davis, of Massachusetts, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

On motion by Mr. Crittenden,

To insert the following after the words "the Mexicans," in the said amendment, to wit:

Who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted, at the proper time, (to be judged of by the Congress of the United States,) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and, in the meantime, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion, without restriction.

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the affirmative, { Yeas 44
Nays 5

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Bagby, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Crittenden, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hannegan, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Corwin, Hale, Webster.

On the question to concur in the amendment made in Committee of the Whole, to wit: to strike out the tenth article:

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the negative—nays 41.
 Those who voted are,
 Messrs. Allen, Ashley, Atherton, Badger, Bagby, Bradbury,
 Breese, Bright, Butler, Calhoun, Cameron, Cass, Clayton, Corwin,
 Crittenden, Davis, of Mississippi, Dayton, Dickinson, Dix, Douglas,
 Downs, Felch, Hannegan, Hunter, Johnson, of Maryland, Johnson,
 of Louisiana, Johnson, of Georgia, Lewis, Mangum, Mason, Moor,
 Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood,
 Webster, Westcott, Yulee.

On the question to concur in the amendment made in Committee of the Whole, to wit: To strike out of the eleventh article the following words:

“Nor to provide such Indians with fire-arms or ammunition, by sale or otherwise.”

The question was stated, “Shall these words stand as part of the eleventh article?”

And it was determined in the negative, { Yeas 28
 Nays 17

Those who voted in the affirmative are,
 Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Bright, Butler,
 Cameron, Cass, Davis, of Mississippi, Dickinson, Dix, Downs, Felch,
 Foote, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of
 Georgia, Mangum, Mason, Moor, Niles, Sevier, Sturgeon, Turney,
 Webster, Westcott, Yulee.

Those who voted in the negative are,
 Messrs. Allen, Badger, Baldwin, Berrien, Calhoun, Clarke, Clay-
 ton, Crittenden, Dayton, Douglas, Hunter, Lewis, Miller, Rusk,
 Spruance, Underwood, Upham.

On motion by Mr. Webster,
 That the Senate adjourn.

It was determined in the negative, { Yeas 26
 Nays 26

On motion by Mr. Sevier,
 The yeas and nays being desired by one-fifth of the Senators present,
 Those who voted in the affirmative are,
 Messrs. Atchison, Badger, Bagby, Baldwin, Bell, Berrien, But-
 ler, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis, of Mas-
 sachusetts, Davis, of Mississippi, Dayton, Greene, Hale, Lewis,
 Mangum, Miller, Phelps, Spruance, Underwood, Upham, Webster,
 Westcott.

Those who voted in the negative are,
 Messrs. Allen, Ashley, Atherton, Bradbury, Breese, Bright, Cam-
 eron, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan,
 Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of
 Georgia, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney,
 Yulee.

The Senate being equally divided, the Vice President determined the question in the negative.

On the question to concur in the amendment made in Committee of the Whole, to wit: To insert after the word “Washington,” in the twenty-third article, the following words:

Or at the seat of government of Mexico.

The question was stated, “Shall these words stand as part of the twenty-third article?”

And it was determined in the affirmative, { Yeas 38
 Nay 1

Those who voted in the affirmative are,
 Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Bell,
 Berrien, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke,
 Dickinson, Dix, Douglas, Downs, Felch, Greene, Hale, Hunter,
 Johnson, of Maryland, Johnson, of Louisiana, Lewis, Mason, Moor,
 Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Up-
 ham, Webster, Yulee.

And Mr. Westcott voted in the negative.

On the question to concur in the amendment made in Committee of the Whole, to wit: To strike out the additional and secret article of the treaty:

The question was stated, “Will the Senate advise and consent to the ratification of this article?”

And it was unanimously determined in the negative.

On motion by Mr. Berrien,
 The Senate adjourned.

THURSDAY, MARCH 9, 1848.

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

To the Senate of the United States:

In answer to the resolution of the Senate of this date, requesting the President to communicate to that body “confidentially, any additional despatches which may have been received from *Mr. Trist*, and especially those which are promised by him, in his letter to Mr. Buchanan of the 2d of February last, if the same have been received,” I have to state that all the despatches which have been received from Mr. Trist have been heretofore communicated to the Senate.

JAMES K. POLK.

WASHINGTON, March 8, 1848.

To the Senate of the United States:

In answer to the resolution of the Senate of this date, requesting the President “to inform the Senate of the terms of the authority given to *Mr. Trist* to draw for the three millions of dollars authorized by the act of the 2d of March, 1847,” I communicate herewith a report from the Secretary of State, with the accompanying documents, which contain the information called for.

JAMES K. POLK.

WASHINGTON, March 8, 1848.

The messages were read.

The Senate resumed the consideration of the treaty of peace,