

time before sunset our mounted men about eighty five in number, under the special command of Col. Sherman marched out for the purpose of reconnoitering the enemy. Whilst advancing they received a volley from the left of the enemy's infantry and after a sharp rencontre with their cavalry, in which ours acted extremely well, and performed some feats of daring chivalry, they retired in good order, having had 2 men wounded severely, and several horses killed, in the mean time the infantry under the command of Lieutenant Col. Millard, and Col. Burleson's regiment, with the artillery, had marched out for the purpose of covering the retreat of the cavalry if necessary: all then fell back to our encampment, in good order about sunset and remained without any ostensible action until the 21st at half past 3 o'clock, taking the first refreshments which they had enjoined for two days. The enemy in the mean time having extended the right flank of the infantry so as to occupy the extreme point of a skirt of timber on the bank of San Jacinto, and securing their left by a fortification about five feet high, constructed of packs and baggage; leaving an opening in centre of the breastwork in which their artillery was placed, their cavalry upon the left wing.

About 9 o'clock on the morning of the 21st, the enemy were reinforced by 500 choice troops, under the command of Gen. Cos, increasing their effective force to upwards of 1500 men, while our aggregate force for the field numbered 783. At half past 3 o'clock in the evening, I ordered the officers of the Texian army to parade their respective commands, having in the mean time ordered the bridge, on the only road communicating with the Brazos, distant 8 miles from our encampment to be destroyed, thus cutting off all possibility of escape. Our troops paraded with alacrity and spirit, and were anxious for the contest. The conscious disparity in numbers, only seemed to increase their enthusiasm and confidence, and heightened their anxiety for the conflict. Our situation afforded me an opportunity of making the arrangement preparatory to the attack, without exposing our designs to the enemy. The first regiment commanded by Colonel Burleson, was assigned the centre. The second regiment under the command of Colonel Sherman, formed the left wing of the army. Geo. W. Hackley, inspector general, was placed on the right of the first regiment, the companies under the command of lieutenant Colonel Henry Millard, sustained the artillery upon the right and our cavalry sixty-one in number, commanded by Colonel Mirabeau B. Lamar, whose gallant and daring conduct on the previous day had attracted the admiration of his comrades, and called him to that station, placed on our extreme right composed our line. Our cavalry was first in front of the enemy, left for the purpose of attracting their notice, whilst an extensive island timber afforded us an opportunity of concentrating our forces and displaying from that point agreeably to the previous design of the troops. Every evolution was performed with alacrity, the whole advancing rapidly in line and through an open prairie, without any protection whatever for our men; the artillery advanced and took station within two hundred yards of the breast-work, and commenced an effective fire with grape and canister. Col. Sherman with his regiment having commenced the action upon our left wing, the whole at the centre and on the right advancing in double quick time, rung the war cry "Remember the Alamo" received the enemy's fire and advanced within point blank shot before a piece was discharged from our lines.

Our lines advanced without a halt until they were in possession of the woodland and the enemy's breast-work. The right wing of Burleson's session of the breastwork; our artillery having gallantly charged up within 70 yards of the enemy's cannon, when it was taken by our troops the conflict lasted about 18 minutes from the time of close action until we were in possession of the enemy's encampment, taking one piece of cannon, loaded, four stand of colors, all their camp equipage, stores and baggage. Our cavalry had charged and routed that of the enemy upon the right, and given pursuit to the fugitives, which did not cease until they arrived at the bridge which I have mentioned; Capt. Karnes always among the foremost in danger commanding the pursuers. The conflict in the breastwork lasted but a few moments, many of the troops encountered hand to hand and not having the advantage of bayonets on our side, our riflemen used their pic-

ces as war clubs, breaking many of them off at the breach. The rout commenced at half past 4 o'clock, and the pursuit of the main army continued until twilight. A guard was then left in charge at the enemy's encampment, and our army returned with our killed and wounded. In the battle our loss was 2 killed and 23 wounded, six of which proved mortal. The enemy's loss was 630 killed, among which was one general officer, 4 colonels, 2 lieutenant colonels, 5 captains, 12 lieutenants, wounded 208 of which were 5 colonels, 3 lieutenant colonels, 2 second lieutenant colonels, 7 captains, 1 cadet. Prisoners 730—Gen. Santa Anna, gen. Cos, 4 colonels, aids to gen. Santa Anna, and the colonel of the Górrero battalion, are included in the number.

Gen. Santa Anna was not taken until the 22d, and Gen. Cos, on yesterday, very few having escaped. About 600 muskets, 390 sabres, and 200 pistols, have been collected since the battle. Several hundred mules and horses were taken, and near \$12,000 in specie. For several days previous to the action our troops were engaged in forced marches, exposed to excessive rains and the additional inconvenience of extremely bad roads, ill supplied with rations and clothing, yet amid the difficulty they bore up with cheerfulness and fortitude, and performed their marches with spirit and alacrity—there was no murmuring.

Previous to and during the action my staff evinced every disposition to be useful, and were actively engaged in their duties. In the conflict I am assured that they demeaned themselves in such manner as proved them worthy members of the army of San Jacinto. Col. T. J. Rusk, secretary of war was on the field. For weeks his services had been highly beneficial to the army; in battle he was on the left wing, where Col. Sherman's command first encountered and drove the enemy; he bore himself gallantly, and continued his efforts and activity, remaining with the pursuers until resistance ceased.

I have the honor of transmitting herewith, a list of all the officers and men who were engaged in the actions which I respectfully request may be published, as an act of justice to the individuals. For the commanding general to attempt discrimination as the conduct of those who commanded in the action, or those who were commanded, would be impossible. Our success in the action is conclusive proof of their daring intrepidity and courage; every officer and man proved himself worthy of the cause in which he battled, while the triumph received a lustre from the humanity which characterized their conduct after victory, and richly entitles them to the admiration and gratitude of their general. Nor should we withhold the tribute of our grateful thanks from that Being who rules the destinies of nations, and has in the time of greatest need enabled us to arrest a powerful invader whilst devastating our country.

I have the honor to be,
With high consideration,
Your obedient servant,
SAMUEL HOUSTON.

Commander-in-Chief.
Return of killed and wounded in the actions of the 20th and 21st April 1836.

Maj. Gen. Houston, wounded severely.

FIRST REGIMENT TEXAS VOLUNTEERS.

Company A. George Waters, private, slightly wounded 21st.

Comp B. James Culy, private wounded, " " 21st

" Wm. S. Walker, " " " "

" C. Capt. J. Bellingly, " " " "

" Lemuel Blakely, private killed, " " " "

" Logan Vandever, " wounded, " " " "

" Washington Anderson, " " " "

" D. Capt. Mosely Baker, " " " "

" C. E. Anderson, private, " " " "

" Allen Ingram, " " " "

" F. Levy Williamson, " " " "

" James Nelson, " " " "

" Michael Putnam, " " " "

" H. A. R. Stevens, " " " "

" J. Tom, " " " "

" J. Cooper, " " " "

" B. Bingham, " " " "

TOTAL.—Killed 3: wounded 15.

SEC'D REGIMENT TEXAS VOLUNTEERS.

Company D. and Lieutenant Lamb, killed 21st.

" G. W. Robinson, private, severely wounded 21st.

" Wm. Winters, private, " " " "

" 1st sergt Albert Gallatin, private, slightly wounded 21st.

Comp E. Washington Lewis, private severely wounded 21st.

E. G. Recter, "slightly"
Comp F. Alphonso, " "
" K 1st Lieu J C Hale killed "
" J capt Smith, private, wounded slightly "

" 1st Sergt. Thomas P. Fowl, private, wounded severely. "

" —Trask, private wounded severely 20th.

Total killed 3: severely wounded 5: slightly 3: total 11.

Dr. Wm. Mosely wounded severely, died since.

Lieut. Col. J. C. Feil, of the artillery, wounded severely on the 20th.

Wm. A. Park, of the artillery, wounded slightly on the 21st.

Devereux J. Woodliff of the cavalry, was wounded, severely on the 20th.

[ARMY ORDER.]

Head Quarters,
San Jacinto, May 5th, 1836.

Comrades.—Circumstances connected with the battle of the 21st, render our separation for the present unavoidable. I need not express to you the many painful sensations which that necessity inflicts upon me. I am solaced, however, by the hope that we will soon be re-united in the great cause of Liberty. Brigadier Gen. Rusk is appointed to command the army for the present. I confide in his valor, his patriotism, and his wisdom—his conduct in the battle of San Jacinto was sufficient to ensure your confidence and regard.

The enemy, though retreating, are still within the limits of Texas—their situation, being known to you, you cannot be taken at surprise. Discipline and subordination will render you invincible—your valor and heroism have proved you unrivaled. Let not contempt for the enemy throw you off your guard. Vigilance is the first duty of a soldier, and glory the proudest reward of his toils.

You have patiently endured privations, hardships and difficulties; unparalleled, you have encountered odds of two to one of the enemy against you, and borne yourselves in the onset and conflict of battle in a manner unknown in the annals of modern warfare. While an enemy to your Independence remains in Texas, the work is incomplete; but when Liberty is firmly established by your patience and your valor, it will be fame enough to say, "I was a member of the army of San Jacinto."

In taking leave of my brave comrades in arms, I cannot suppress the expression of that pride which I so justly feel in having had the honor to command them in person, nor will I withhold the tribute of my warmest admiration and gratitude for the promptness with which my orders were executed, and union maintained through the army. At parting, my heart embraces you with gratitude and affection.

SAMUEL HOUSTON.

Commander-in-Chief.

IN SENATE.

Friday, June 10, 1836.

A message was received from the President of the United States, by Mr. Donelson, his Private Secretary containing his objections to the bill establishing the days of meeting and adjournment of Congress, which was read as follows:

To the Senate of the U. States.

The act of Congress "to appoint a day for the annual meeting of Congress," which originated in the Senate, has not received my signature. The power of Congress to fix, by law, a day for the regular annual meeting of Congress is undoubted; but the concluding part of this act, which is intended to fix the adjournment of every succeeding Congress to the second Monday in May, after the commencement of the first session does not appear to me in accordance with the provisions of the constitution of the U. States.

1st article, 5th section—"That neither House during the session of Congress, shall without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting."

1st article, 6th section—"That every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on the question of adjournment,) shall be presented to the President of the United States, and before the same take effect shall be approved by him," &c.

2d article, 2d section—"That he (the President) may, on extraordinary occasions, convene both Houses of Congress, or either of them; and in case of disagreement between them with respect to the time of adjournment, he may adjourn them

to such times as he thinks proper, &c.

According to these provisions, the day of the adjournment of Congress is not to be the subject of legislative enactment.

Except in the event of disagreement between the Senate and House of Representatives, the President has no right to meddle with the question, and in that event, his power is exclusive, but confined to fixing the adjournment of the Congress whose branches have disagreed. The question of adjournment is obviously to be decided by each Congress for itself, by the separate action of each House for the time being, and is one of those subjects upon which the framers of that instrument did not intend one Congress should act, with or without the Executive aid, for its successors. As a substitute for the present rule, which requires the two Houses by consent to fix the day of adjournment, and in the event of a disagreement, the President to decide, it is proposed to fix the day by law, to be binding in all future times unless changed by consent of both Houses of Congress, and to take away the contingent power of the executive, which in anticipated cases of a disagreement, is vested in him. The substitute is to apply, not to the present Congress and Executive, but to our successors. Considering therefore, that this subject exclusively belongs to the two Houses of Congress, whose day of adjournment is to be fixed, and that each has at that time the right to maintain and insist upon its own opinion, and to require the President to decide in the event of a disagreement with the other, I am constrained to deny my sanction to the act I herewith respectfully return to the Senate. I do so with greater reluctance, as apart from this constitutional difficulty, the other provisions of it do not appear to me objectionable.

ANDREW JACKSON.

MEXICO.

The arrival of the ship Congress, Captain Trask, from Vera Cruz, has placed in our possession papers of that city of that city of the 10th and of the city of Mexico, of the 7th ult. At the latest dates, there had been no publication in Mexico of the capture of Santa Anna, and every thing remained tranquil under the government established by him, although private letters state that the information of his capture had been received and suppressed. The papers are still full of pompous eulogies of the invincible Mexican army in Texas; and one paragraph says, there is no doubt that army is now on the Sabine river, where it will definitively adjust the treaty of limits with the United States, adding, that Napoleon had observed, "that treaties were always best observed that were concluded at the head of an army."

The celebrated national big of war, Vancelor Del Alamo (conqueror of the Alamo, which we believe was formerly the Brig Paragon, of this port) and the schooner Gen. Cos, it is stated in the papers before us, had sailed for the waters of Texas, for the purpose of protecting Mexican commerce and punishing the ungrateful colonists.

Judge Ellis our Charge to Mexico, arrived at Vera Cruz in the sloop of War St. Louis, on the 15th April; left for Mexico on the 18th and arrived on the 29th, where he was cordially received by the resident Americans.

The Mexican papers extract from the metamoras papers of the 1st April, private letters said to be from officers under General Urea, confirming the intelligence of the massacre of the Texian prisoners at Goliad, and one of the editors gravely remarks upon the news:

"Humanity will recoil at this event, as the prisoners had surrendered; but it is absolutely necessary to in an evil hour we have permitted to come into the country!"

In addition to this, an official despatch is published by the Government, addressed by Gen. Urea to Santa Anna, in which is contained the following highly important extract.

"All the prisoners taken in the action at Goliad and the neighboring points, have been punished according to the circular intimation to that matter."

We consider this of the highest importance, because it clearly demonstrates that the horrid butcheries perpetrated in Texas, have not only been in obedience to the orders of the President of Mexico, but that they have received the sanction of the Government *ad interim* by whom this despatch is published! Can our Government longer, hesitate to ac-

knowledge the independence of Texas when this infamous official publication shall reach them?

It appears from the official estimates of the Secretary of the Treasury, that the revenue will fall short at least \$200,000 per month of the amount required to carry on the war in Texas alone, independent of the civil list and current expenditures of the Government! In consequence, arrangements are said to be on foot to farm out the resources of the custom house to old Spaniards to meet the contingency. A law had also been passed, declaring the property of all who had promoted and sustained the war in Texas, whether residents of Texas or Mexico, responsible for its expenses; and one of the editors commenting on this law, argues that all who did not subscribe to the loan to put down the revolution in Texas, are in fact abettors of it and come within the meaning of this general act of confiscation!

The government had issued a declaration that certain prisoners taken in Texas, shall be shot, others confined to the mines for four years!—But few remain alive to receive the proposed punishment.

The next accounts from Mexico will be highly interesting, as we shall learn the effect produced on the public mind there by the account of the capture of Santa Anna and his troops. That it will produce a revolution, or an attempt at one is more than probable.

N. Y. Courier.

Remarkable Longevity.

There are now living, four brothers and one sister, all born in North Providence, whose united ages number four hundred and five years.

Dr. Joseph Randall,	89
William Randall,	83
John Randall,	78
Stephen Randall,	74
Waity Randall,	61
Total,	405

They all enjoy good health, and have followed the principles of temperance in all things, through their long lives.

Providence Journal.

From the New Orleans Bee, of May 23.

By the arrival of the schooner Atalanta yesterday from Tampico, we have received the Journal of that place up to the 13th inst, but private letters have been received in town to the 19th. These latter communicate the information that when the capture and capture of Santa Anna had become known there, the subalterns of the army and government had threatened to massacre all foreigners found in the place; but that the British vice consul and the American consul having remonstrated with the military commandant of Tampico, he used precautionary measures to prevent disturbances. An English corvette of war being then in port and about to sail, the vice consul prevailed on the captain to delay his departure, to act as a protection for the British residents. But 4 or 5 days had elapsed between the intelligence of Santa Anna's capture and the sailing of the Atalanta; and all continued quiet.

The Gaceta de Tamaulipas contains little positive information as to the affairs in Mexico, nor any remarks on events; except that about 4000 men has been raised at San Louis de Potosi, to enter Texas, after learning the defeat of Santa Anna's army; but it does not appear by whom those troops were levied or commanded. That journal also contains an official account of the meditated movements of the various divisions of the Mexican army early in April, before the battle at Lynch's Ferry. The forces of the Mexicans were then estimated at 6000 men; and they had their plans so well laid, as to be directed against every part of Texas from Valasco to Nacogdoches, but that they propose, yet heaven may dispose.

The Atalanta brought specie to the amount of \$75,000; and a rumor that the ports of Tuspan, Tampico and Matamoros would be closed to American commerce. It is feared that the non-intercourse of this kind will become general throughout the Mexican coast; and it is not a matter of surprise, for if it would have been proper for the United States to resolve on non-intercourse with France, from non-fulfillment of a treaty, equally proper must it be for Mexico to declare non-intercourse with the United States for non-fulfillment of the treaty of alliance and neutrality. Our merchants will then be obliged to resort to Havana as an entrepot for their Mexican trade from Europe and this country; and so materially injure the commerce of New Orleans.