Mr. Saufley moved to adjourn till 10 o'clock to-morrow, and the Yeas and Nays being called, stood thus:


Nays—Messrs. Allen, Anderson, Ball, Bradshaw, Bumpass, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Webb, Flanagan, Gentry, Giddings, Henderson, Ireland, Lindsey, Mabry, Middleton, Murchison, Norris, Parker, Parsons, Perry, Ranck, Reeves, Richardson, Runnels, Shepard, Spaight, Taylor of Houston, Thomas of Cameron, Thompson and Whitfield—32.

So the House refused to adjourn.

Mr. Saufley moved to adjourn till 10 o'clock to-morrow, and the Yeas and Nays being called, stood thus:


Nays—Messrs. Allen, Anderson, Ball, Bradshaw, Bumpass, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Webb, Flanagan, Gentry, Giddings, Henderson, Ireland, Lindsey, Mabry, Middleton, Murchison, Norris, Parker, Parsons, Perry, Ranck, Reeves, Richardson, Runnels, Shepard, Spaight, Taylor of Houston, Thomas of Cameron, Thompson and Whitfield—32.

So the Convention adjourned until 10 o'clock to-morrow.

THURSDAY, March 15th, 1866.

Convention met pursuant to adjournment; prayer by the chaplain; roll called; quorum present; journal of yesterday read and adopted.

Mr. Lindsey, one of the committee on Public Lands, made the following minority report:

Hon. D. C. Dickson, President pro tem. of the Convention:

A minority of the committee on Public Lands dissenting from the majority report of the committee in relation to University lands, recommend the adoption of the accompanying ordinance, in lieu of the second Section of the ordinance reported by the majority of said committee. It will be borne in mind that these
payments were made in liquidation of a tax due from the citizens of the State, and in strict compliance with rules prescribed for its payments by the party to which the debt was due, both as respects the character of funds with which it was paid, and the time of payment. It will be further borne in mind, that these parties were required to pay this indebtedness by annual installments, on the express condition that a failure to make the payment at the time, and in the manner prescribed, would work an immediate forfeiture, not only of the land purchased, but also of all prior payments that may have been made by the party making such failure. With such laws enacted by the party to whom these debts were due, under a government in existence—whether rightfully or wrongfully is immaterial to the issue—with ample powers to enforce forfeiture in case payments were not made as prescribed, those who were indebted for those lands had but the one alternative, and that was to pay according to the law in force, and in the only currency that was accessible, or forfeit their homes, and leave their families without shelter or means of support. For these reasons, we believe great injustice will be done those who have purchased and paid for their lands in good faith by the majority report, nor do we believe that a refusal to acknowledge these payments can now be justified, either in a legal or moral point of view; we hope, therefore, that the following ordinance will be adopted, in the place of the 2d Section of the majority report:

Be it further ordained, That all parties who have paid for University lands since the 1st day of February, A. D. 1861, with Confederate Notes, or State Warrants, shall be entitled to credits for the face value of the Notes or Warrants so paid, and that all patents issued for said land during that time be and the same are hereby validated and confirmed.

J. M. LINDSEY,
M. W. ALLEN,
J. M. HUNT,
Minority of the Committee.

Mr. Randolph made the following report from the committee on Engrossed and Enrolled Ordinances:

COMMITEE ROOM, March 15th, 1866.

Hon. D. C. Dickson, President, pro tem., of the Convention

Sir: The committee on Engrossed and Enrolled Ordinances have examined the ordinance defining the 8th Article of the Constitution, and find it correctly enrolled, and properly signed. Report accepted.

Mr. Degener offered the following resolution:
Resolved, That the committee on Finance be, and the same is hereby instructed to inquire into the expediency of requesting the Government of the United States to cancel all of the United States 5 per cent. Texas Indemnity Stock, which has been paid out of the Treasury of Texas since the retirement of Governor Houston from office, leaving all claims of the State of Texas against the Government of the United States to future equitable adjustment between the State and the United States; and that said committee of Finance report by ordinance or otherwise.

Adopted.

Mr. Spaight offered the following resolution:

RESOLUTION

Concerning the Freedman's Bureau.

Whereas the people of Texas repose full faith in the word of the President of the United States, when he says to the South, "It depends on yourselves to say whether the Freedman's Bureau shall be discontinued at an early day; for I will put an end to it just so soon as you, by giving protection to the Freedmen, make it unnecessary." Therefore,

Resolved, That the President of the Convention be, and he is hereby instructed to send by telegraph, to His Excellency, President Andrew Johnson, the amendment to the Constitution adopted by the Convention, guaranteeing their civil rights to the freedmen, and to express to him the earnest desire of the people of Texas to have the Freedman's Bureau discontinued in this State, the same being not only unnecessary to the protection, but absolutely prejudicial to the real interests of the black race.

Lost.

The Convention proceeded to the consideration of the orders of the day, namely: the substitute of Mr. Wilson for the 3d Section, and the amendment of Mr. Roberts thereto, of the ordinance reported by the Finance committee touching the public debt.

Mr. Whitfield moved to lay the pending amendments on the table.

Carried.

Mr. Hunt moved to strike out the 3d Section.

Mr. Bumpass moved to lay the amendment on the table.

The Yeas and Nays were ordered, and stood thus:


Nays—Messrs. Beall, Bradshaw, Bryan, Dickson, Giddings, Gurley, Halbert, Hancock, Henderson, Hunt, Hurt, Ireland, Johnson of Tarrant, Lindsey, McCormack, Norris, Parsons, Porter, Ranck, Randolph, Record, Reeves, Richardson, Selman, Saufley, Shepard, Spaight, Taylor of Houston, Thompson, and Tyus—29.

So the pending amendments were laid on the table.

Mr. Slaughter offered the following proviso:

Provided, That warrants issued for just claims, which accrued prior to the 1st day of February, 1861, be recognized as subsisting debts against the State, and the same shall be paid according to their face value, if it is ascertained by a tribunal, established for that purpose, that they were issued to liquidate such claims.

On motion, laid on the table.

Mr. Hancock offered the following amendment for the 3d section:

Provided, That all debts due before the 1st day of February, 1861, upon which warrants have been issued since that time, and all expenditures incurred in keeping up and carrying on the Lunatic Asylum, Blind Asylum, and the Deaf and Dumb Asylum, shall be and remain subsisting demands against the State of Texas, and their payment provided for as the Legislature may deem proper.

The President declared the amendment out of order.

Mr. Flanagan moved the previous question. Seconded.

The question being, shall the main question be now put, and the Yeas and Nays being called for, stood thus:


Nays—Messrs. Armstrong, Ball, Bradshaw, Camp of Upshur, Dickson, Giddings, Gurley, Halbert, Hancock, Henderson, Hunt, Ireland, Johnson of Tarrant, Lindsey, McCo.......


So the motion was lost.
The question recurring on the adoption of the amendment offered by Mr. Slaughter, Mr. Jones of Bexar offered the following as a substitute for Mr. Slaughter's amendment:

"Except warrants issued in payment of services rendered or liabilities incurred before the said 28th day of January, 1861; and except, also, such other claims as may be authorized to be paid by ordinances of this Convention."

Adopted.

The question recurring on the adoption of the amendment of Mr. Jones of Bexar, as part of the 3d Section, Mr. Mabry moved to amend as follows:

"Strike out the words "or warrants issued," in the third line of Sec. 3."

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

The question recurring on the adoption of the amendment of Mr. Jones of Bexar, Mr. Bradshaw offered the following as a substitute for the 3d Section and the amendment of Mr. Jones of Bexar:

Sec. 3. The Legislature shall provide, by law, for a Board of Commissioners, whose duty it shall be to inquire into the amount of indebtedness incurred by the State for civil purposes, and warrants issued since the 28th day of January, 1861, until the 5th day of August, 1865.

Sec. 4. After having ascertained the amount of indebtedness, said Board shall then ascertain the amount of warrants issued, and their cash value at the time; it shall then be the duty of the State to issue new warrants for the amount so ascertained, and take up the old warrants.

Sec. 5. One-fourth of the State and county tax may be paid in those State warrants; also one-fourth of all fines and forfeitures incurred under the penal law may be paid in said warrants, and the Legislature shall make no provision for their payment in any other way.

Mr. Whitfield moved to lay the substitute of Mr. Bradshaw on the table.

Carried.

The question recurring on the amendment of Mr. Jones of Bexar, Mr. Davis of Webb offered the following amendment, viz:

"Strike out all after the words "sixty-one."

Adopted.

The question recurring on the adoption of the amendment as amended, was put, and the amendment adopted.

Mr. Shepard offered the following amendment:
Strike out after the word ratify, in third line, the words "the same or to."

On motion of Mr. Jones of Bastrop, the amendment of Mr. Shepard was laid on the table.

Mr. Ireland offered the following as an additional Section to the ordinance:

*Be it further ordained*, That it shall be the duty of the Attorney General of the State to bring suits at the city of Austin against all persons who may have received the United States Bonds belonging to the State of Texas, as also for any other character of liability or property belonging to the State, under contracts, or pretended contracts, with the military board, or other authority of the State, when any damage has resulted, or cause of action accrued to the State by reason of a failure of such person or persons to comply with such contracts, for the recovery of any and all sums as under the rules of law or equity may be due and recoverable; and a lien is hereby created on the property, money, and effects of all persons who may be found legally liable on such contracts, to secure the payment of all such sums of money.

On motion of Mr. Waul, laid on the table.

Mr. Flanagan moved the previous question. Seconded.

The question being, shall the main question be now put, and the Yeas and Nays being called for, stood thus:


**Nays**—Messrs. Ball, Bradshaw, Dickson, Giddings, Gurley, Halbert, Hancock, Henderson, Hunt, Hurt, Ireland, Johnson of Tarrant, Lindsey, Mabry, McCormack, Norris, Parsons, Porter, Randolph, Record, Reeves, Runnels, Sanfey, Selman, Shepard, Spaight, Taylor of Houston, Thompson, and Tyus—29.

So the Convention ordered the main question.

The main question being the engrossment of the ordinance, and being put, and the Yeas and Nays being called for, stood thus:

**Yeas**—Messrs. Allen, Anderson, Armstrong, Bacon, Benge, Bumpass, Camp of Goliad, Camp of Upshur, Dalrymple, Davis

Nays—Messrs. Ball, Beall, Bradshaw, Dickson, Gentry, Giddings, Gurley, Halbert, Hancock, Henderson, Hunt, Ireland, Johnson of Tarrant, Lindsey, Norris, Parsons, Porter, Randolph, Record, Reeves, Runnels, Saufley, Selman, Shepard, Spaight, Taylor of Houston, Thompson, and Tyus—26.

So the House ordered the engrossment of the ordinance.

Mr. Taylor of Fannin moved to suspend the rule, and put the ordinance on its third and final reading.

Motion prevailed.

Ordinance taken up, read a third time, and passed.

On motion of Mr. Saunders, the reports of the committee on Finance, touching the direct tax apportioned by Congress of the United States upon the State of Texas, taken up.

Mr. Bumpass moved to substitute the minority report for that of the majority.

Motion prevailed.

Mr. Wilson offered the following as a substitute for the ordinance accompanying the minority report:

Be it ordained by the people of Texas, in Convention assembled, That the State of Texas hereby assumes the payment of the direct tax apportioned to this State under the act of Congress approved August 5th, 1861; and the Legislature shall, at its first session hereafter, provide for the payment of said tax.

Lost.

Mr. Davis of Webb offered the following amendment:

Strike out the preamble, and the words "now, therefore," and strike out first line, from the word "the" down to "under" in second line, and insert "sum of money levied as a direct tax, under the act of Congress of Aug. 6th, 1861."

That part of the amendment striking out the amount, in first and second lines, and inserting "sum of money," &c., was adopted, and the question being on striking out the preamble and the words "now, therefore," the Yeas and Nays being called for stood thus:

Ayes—Messrs. Allen, Anderson, Armstrong, Bacon, Benge, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Webb, Degener, Dickson, Flanagan, Hart, Hurt, Latimer, Middleton,
Murchson, Parsons, Reeves, Saunders, Shaw, Slaughter, Taylor of Houston, Varnell, Waul, Wilson, Woods and Young—28.

Nays—Messrs. Ball, Beall, Bradshaw, Bumpass, Giddings, Gurley, Halbert, Hancock, Henderson, Hunt, Ireland, Johnson of Tarrant, Lindsay, Mabry, McCormack, Norton, Norris, Perry, Phillips, Porter, Ranck, Randolph, Record, Richardson, Roberts, Runnels, Saufley, Shepards, Shields, Smith of Lamar, Spaight, Taylor of Fannin, Taylor and Tyus—34.

So the Convention refused to strike out the preamble and the words "now, therefore."

Mr. Waul offered the following amendment: Strike out Sections 2, 3, 4, 5, of the ordinance.

Mr. Runnels moved to lay the amendment of Mr. Waul on the table; and the Yeas and Nays being called for stood thus:

Yeas—Messrs. Allen, Armstrong, Bacon, Ball, Beall, Bradshaw, Bumpass, Davis of Webb, Degener, Dickson, Gurley, Hancock, Hill, Hunt, Hurt, Johnson of Tarrant, Jones of Bexar Lindsey, Mabry, McCormack, Middleton, Murchison, Norris, Parker, Perry, Porter, Ranck, Randolph, Record, Reeves, Richardson, Runnels, Saufley, Shields, Shaw, Smith of Lamar, Taylor of Fannin, Taylor of Houston, Thompson, Tyus, Woods and Young—42.


So the motion prevailed.

Mr. Roberts offered the following amendment: Strike out all after the word "of," in the first line, to the word "under," in the second line, and insert "such sum as may be necessary to discharge said tax levied upon the State of Texas."

Adopted.

Mr. Thompson offered the following amendment:

Be it ordained by the people of Texas, in Convention assembled, That the State of Texas hereby assumes all of the direct tax levied by an act of Congress dated August 6, 1861, upon the citizens of the State of Texas.

Laid on the table, on motion of Mr. Bradshaw.

Mr. Saunders offered the following amendment:

Amend the preamble by striking out the words "three hundred and fifty-five thousand one hundred and six and two-third dollars."

Mr. Wilson moved the previous question, which was seconded. The main question being put was ordered.
The main question being the engrossment of the ordinance, its engrossment was ordered.
Mr. Mabry moved to suspend the rules, so as to take up the ordinance, and put it on its third and final passage.
Motion prevailed.
The ordinance was taken up, read third time, and passed.
On motion of Mr. Norton, Convention adjourned until 7½ o'clock, P. M.

7½ o'clock, P. M.

Convention met pursuant to adjournment. Roll called; quorum present.
On motion of Mr. Norris, Mr. Halbert was excused indefinitely, after to-night.
The resolution of Mr. Beall, fixing a day for the adjournment sine die, taken up.
On motion of Mr. Henderson, postponed till Monday next, at 11 o'clock A. M.
The engrossed ordinance annulling the ordinance of secession, taken up.
Mr. Norton offered the following as a substitute:

AN ORDINANCE,
Declaring the Ordinance of Secession null and void.

We, the people of the State of Texas, in Convention assembled, acknowledging the supremacy of the Constitution of the United States, and the laws passed in pursuance thereof, do ordain, that an ordinance adopted by a former Convention of the people of Texas, on the 1st day of February, A. D. 1861, entitled "an ordinance to dissolve the union between the State of Texas and the other States, united under the compact styled the Constitution of the United States of America," be and the same is hereby declared null and void; and that the right heretofore claimed by the State of Texas to secede from the Union, does not exist.

Mr. Henderson moved to lay said amendment on the table.

Mr. Norton moved a call of the House.
House refused to sustain the call.
The question recurring on the motion of Mr. Henderson to lay on the table, and the Yeas and Nays being called for, stood as follows:

Yeas—Messrs. Allen, Anderson, Bacon, Ball, Beall, Benge, Bradshaw, Bumpass, Burke, Camp of Upshur, Dickson, Gentry, Giddings, Gurley, Halbert, Henderson, Hill, Ireland, Lindsey, Norris, Parsons, Perry, Phillips, Porter, Randolph, Record, Reeves, Roberts, Runnels, Saufley, Selman, Shepard, Shaw,


So the substitute was laid on the table.

Mr. Hancock proposed to amend by striking out the word "renounced" and inserting "disclaim."

Mr. Henderson moved to lay the amendment on the table, and the Yeas and Nays being called for, stood thus:


So Mr. Hancock's amendment was laid on the table.

The question recurring on the final passage of the ordinance, and the Yeas and Nays being called for, stood thus:


Nays—Messrs. Davis of Webb, Davis of Cherokee, Flanagan, Hancock, Hurt, Jones of Bastrop, Lane, Latimer, McCormack, Murchison, Parker, Parsons, Ranck, Saunders, Shuford, Taylor of Fannin, Thomas of Cameron, Varnell, and Young—21.

By leave, Mr. Hancock introduced the following ordinance:
AN ORDINANCE,

To authorize the payment of debts contracted for the support of the Asylums of the State, and for other purposes.

Be it ordained by the people of the State of Texas, in Convention assembled, That it shall be the duty of the Legislature of the State, at its first session, to ascertain the amount of indebtedness of the State, contracted for the support of the Lunatic Asylum, the Blind Asylum, and the Deaf and Dumb Asylum, and all pensions due by the State, and provide for the payment of the same as soon as practicable.

Read first time.

Mr. Hancock moved to suspend the rule, and take up said ordinance.

Lost.

On motion of Mr. Waul, ordinance postponed till Saturday, the 17th instant, at 11 o'clock, for which hour it was made the special order.

Mr. Smith of Colorado moved to suspend the rule, and take up "an ordinance to prevent the bringing of certain civil actions and criminal prosecutions."

Lost.

On motion of Mr. Henderson, "An Ordinance, Article III, Legislative Department," taken up, and placed on its third and final reading.

Mr. Waul offered the following amendment:

Strike out in Sec. 32, second line, "the seat of Government."

Adopted.

Mr. Hancock offered the following amendment to the 32d Section:

And the title to the tract of land, surveyed by virtue of the headright of Samuel Goucher, for 3/4 of a league, which was selected and condemned to the use of the Republic of Texas, under an act of the Republic of Texas, entitled an act for the permanent location of the seat of Government, approved the 14th day of January, A. D. 1839, be and the same is hereby confirmed, any irregularity, or failure to make proper parties, or other defects in the proceedings had under said act to the contrary notwithstanding: Provided, nevertheless, that the lawful owner of said land, his heirs, assigns, or legal representatives, may, at any time within one year from the adoption of this Constitution, institute proceedings, and have compensation as provided by act of the Legislature of the State of Texas, entitled an act for quieting the title to real estate in the city of Austin, approved the 18th December, 1857.
The question being on the adoption of the amendment, and the Yeas and Nays being called for, stood thus:

Yeas—Messrs. Armstrong, Bacon, Ball, Beall, Bradshaw, Bumpass, Camp of Upshur, Dickson, Flanagan, Gentry, Giddings, Halbert, Hancock, Henderson, Hill, Hurt, Ireland, Johnson of Tarrant, Lane, Lindsey, Mabry, Murchison, Norton, Norris, Parker, Porter, Ranck, Randolph, Record, Reeves, Runnels, Shepard, Shields, Shaw, Slaughter, Smith of Colorado, Spaight, Taylor of Houston, Tyus, Whitfield, and Woods—41.


So the amendment was adopted.

Mr. Jones of Bastrop moved to amend the 5th Section, second line, by striking out the word five, and insert in lieu thereof the word two.

Mr. Henderson moved to lay the amendment on the table, and the Yeas and Nays being called for, stood thus:


Nays—Messrs. Bacon, Benge, Bradshaw, Camp of Goliad, Degener, Flanagan, Halbert, Hancock, Johnson of Tarrant, Jones of Bastrop, Lane, Lindsey, McCormack, Murchison, Norton, Perry, Ranck, Saunders, Shields, Shuford, Shaw, Smith of Colorado, Taylor of Fannin, Thompson, Varnell, Walker, and Waul—27.

So the motion prevailed.

Mr. Allen moved to amend the 28th Section, 3d line, as follows: “and their age,” after the word elector.

Lost.

Mr. Spaight moved to amend as follows:

Strike out the word or, and insert “and,” fifth line, Sec. 24. Adopted.

Mr. Giddings offered the following substitute:

SUBSTITUTE

For 1st Section, to the word “shall,” in 5th line.

All the inhabitants of this State, who are qualified electors under the laws in force on the 2d of March, 1861, shall continue to exercise the rights of electors; and every other male person,
who shall have attained the age of twenty-one years, and who
shall be a citizen of the United States, and who shall have
resided within this State for one year next preceding an election,
and for the last six months in the district, county, city or town
in which he offers to vote, (Indians not taxed, Africans and
descendants of Africans excepted,) and who shall be able to
read and write understandingly the English or his own language,
shall have paid his State and county taxes due.

Mr. Benge moved to lay the substitute on the table, and the
Yea$ and Nays being called for, stood thus:

Yeas—Messrs. Allen, Anderson, Armstrong, Ball, Beall,
Benge, Bradshaw, Bumpass, Burke, Camp of Goliad, Camp of
Upshur, Davis of Cherokee, Degener, Flanagan, Henderson,
Hill, Jones of Bastrop, Lane, Lindsey, Mabry, Murchison,
Norton, Parsons, Perry, Porter, Ranck, Record, Reeves, Roberts,
Saunders, Sauflcy, Selman, Shields, Shuford, Shaw, Slaughter,
Smith of Colorado, Taylor of Fannin, Taylor of Houston,
Thompson, Tyus, Varnell, Walker, Waul, Whitfield, Wilson and
Woods—47.

Nays—Messrs. Bacon, Dickson, Gentry, Giddings, Hancock,
Hunt, Hurt, Johnson of Tarrant, McCormack, Norris, Parker,
Phillips, Runnels, Shepard, Spaight—15.

So the motion prevailed.

Mr. Thompson offered the following amendment:

Amend by inserting the words, "And shall have paid his State
and county taxes," after the word vote, in 3d line, Sec. 1.

Mr. Henderson moved the previous question. Seconded.

The question being, shall the main question be now put, the
vote was taken, and the same was ordered.

The main question, which was the final passage of the ordi-
nance, was then put, and the Yeas and Nays being called for,
stood thus:

Yeas—Messrs. Allen, Anderson, Armstrong, Ball, Beall,
Benge, Bradshaw, Bumpass, Burke, Camp of Goliad, Camp of
Upshur, Gentry, Giddings, Henderson, Hill, Hunt, Hurt, Ire-
land, Johnson of Tarrant, Mabry, Norris, Parker, Parsons,
Perry, Phillips, Porter, Randolph, Record, Reeves, Roberts,
Runnels, Sauflcy, Selman, Shaw, Slaughter, Spaight, Taylor of

Nays—Messrs. Bacon, Davis of Cherokee, Degener, Dickson,
Flanagan, Jones of Bastrop, Lane, McCormack, Murchison,
Norton, Ranck, Saunders, Shields, Smith of Colorado, Taylor
of Fannin, Thompson, and Varnell—17.

So the ordinance passed.
On motion of Mr. Davis of Cherokee, the Convention adjourned until to-morrow, at 10 o'clock.

FRIDAY, March 16th, 1866.

Convention met pursuant to adjournment; prayer by the chaplain; roll called; quorum present; journal of yesterday read and adopted.

Mr. Norton, chairman of committee on Condition of the State, made following report:

COMMITTEE ROOM, March 16th, 1866.
To Hon. D. C. Dickson, President pro tem. of Convention;

The committee on the Condition of the State have had under consideration the resolution introduced by Mr. Flanagan, in regard to a division of the State, which was referred to them, and have instructed me to report the accompanying ordinance, and recommend its adoption:

AN ORDINANCE,
Preparatory to the establishment of a new State within the present territorial limits of Texas.

SECTION 1. Be it ordained by the people of the State of Texas in Convention assembled, That it shall be and may be lawful for a new State to be organized within the present territorial limits of the State of Texas, which State shall include the following named counties, to-wit:


SEC. 2. Before such State shall be organized, and in order to ascertain the sentiments of the people in the counties above named, in reference to such organization, it shall be the duty of the Governor to issue his proclamation, calling upon all the qualified electors, at the time of voting, residing within the limits of the counties aforesaid, at the first general election for the State and County officers after the present State has been restored to its former relations in the Federal Union, to indicate by their vote whether such organization is desired. Those in favor of the organization shall write or print on their tickets, "Division." Those opposed, "No Division."