The question then recurred upon the passage of the resolution. And the resolution was adopted.

Mr. Hamilton, of Travis, offered the following resolution:

Resolved, That the President of this Convention appoint a special committee of five, to investigate the administration of the financial affairs of the State Penitentiary, since August, 1866; and that they report the same, showing the difference, if any, between the assets at the date referred to and the present time; and that said committee have power to take testimony and to send for persons, records and papers.

Mr. Burnett moved a suspension of the rules, to put the resolution upon its passage.

The rules were then suspended and the resolution adopted.

Mr. Burnett moved a further suspension of the rules, and that the resolution be engrossed.

It was ordered to be engrossed.

Mr. Butler moved a further suspension of the rules, to put the resolution upon its third reading.

Rules suspended, resolution read third time and passed.

Mr. Smith, of Galveston, offered the following resolution:

Whereas no provision having been made to publish the debates of this Convention: Therefore be it

Resolved, That the services of the gentleman employed at fifteen dollars per day, to report the debates, be and are hereby dispensed with.

Resolution went over under the rules.

On motion, the Convention adjourned till 10 o'clock to-morrow morning.

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CAPITOL, AUSTIN, TEXAS,
JUNE 11, 1868.


By consent of the Convention, the President instructed the Secretary to read a communication from the official reporter of the Convention.

AUSTIN, June 10, 1868.

To the Hon. E. J. DAVIS,
President of Texas Constitutional Convention:

Sir: I have just learned, with no small degree of astonishment, through Dr. Smith, of Galveston, and other members of the Consti-
tutional Convention, that I am credited with being the regular cor-
respondent of Flake's Bulletin, and the writer of a recent letter to
that paper containing strictures on the proceedings of this body that
were offensive to some of its members. Permit me to state, that
there is not a shadow of foundation for such rumor. I do not know
Mr. Flake, have no relations with him whatever, and am as ignor-
ant of the purport of the letter in question as I am of what is now
transpiring at the Antipodes. Moreover, I should consider it, to
say the least, in exceeding bad taste, were I, as an officer of this
Convention, to make myself a party to any dispute that may divide
its members; and a decided dereliction of duty, were I to become a
correspondent or regular contributor to any journal while holding
my present position.

I feel that this disclaimer is due to myself, and I trust it will be
satisfactory to those gentlemen whose minds have been misled and
misinformed on this matter.

I have the honor to be, Sir,
Your obedient Servant,

JOHN TOVELL,
Official Reporter Constitutional Convention.

The President announced the receipt of the following communica-
tion from his Excellency Governor E. M. Pease, transmitting report
of the Superintendent of Public Instruction, in response to a resolu-
tion introduced by Mr. Talbot on the 9th instant.

EXECUTIVE OFFICE, AUSTIN,
June 10, 1868.

Hon. E. P. DAVIS,
President of the Constitutional Convention:

Sir: I have the honor to acknowledge the receipt of your letter
of this date, inclosing a copy of the Resolution offered by Mr. Talbot,
Chairman of the Committee on Education, asking for certain infor-
mation from the Commissioner of the General Land Office; and also
requesting me to transmit to the Convention the Report of the Super-
intendent of Public Schools, upon the condition of his office.

In reply, I beg leave to transmit herewith the Report of the Su-
perintendent of Public Instruction, which, I presume, is the Report
desired.

A copy of the Resolution has this day been sent to the Commissi-
one of the General Land Office, asking him to furnish the infor-
mation desired from his office, which will be transmitted to the Con-
vention as soon as it can be made out.

Very respectfully,
Your obedient Servant,

E. M. PEASE.
To His Excellency E. M. Pease,
Governor of the State of Texas:

In accordance with your instructions I have the honor to submit the following report, embracing a summary of what has been done hitherto for the maintenance of public education in Texas; together with such suggestions as may be of use in founding a system of permanent public schools.

While Texas remained as a frontier province of Mexico, with a small white population in scattered settlements, open on every side to the inroads of the wild tribes of the Plains, no provision could be made for public instruction.

In 1836, in the organic act which broke the federal relation with Mexico, and declared Texas an independent republic, it is made "the duty of Congress, as soon as circumstances shall permit, to provide by law a general system of education." Accordingly, three years later, an act was passed granting to each county three leagues of land for school purposes. In the following year a board of school commissioners for each county, consisting of the chief justice and two associate justices, were appointed, with power to locate and survey these lands; while an additional league was granted to each county, which the board were empowered to sell at their discretion, and apply the proceeds, one-half for the use and benefit of an academic school for each county, and the remainder to be distributed equally among the various primary schools.

It was subsequently provided that these lands should not be sold or disposed of save by lease, and that for a limited term of years. As there was no possibility of leasing lands, the provision simply amounted to a prohibition of their sale. In view of the vast amounts of land that were then being thrown upon the market at a nominal price, the restriction was a wise one, and prevented the waste of this liberal grant.

At that time the Congress of the Republic could do nothing more for the cause of popular education than to lay the foundation that aftertimes might develop into a permanent school fund such as has not heretofore fallen to any community.

At the close of the year 1845 occurred the annexation of Texas. The convention that then framed the State constitution found the endowment in this condition, and by article ten confirmed the restriction on sales in the act of 1839, and extended the benefits of the grant to all the other counties established subsequently to the passage of that act.

By this legislation a grand total of 520 leagues, or 2,302,560

5
acres was set apart to the one hundred and thirty organized counties of the State, as the basis of a perpetual school fund. About five-sixths of this amount has been located and surveyed.

The Legislature was also enjoined "to make suitable provision for the support of schools," "to establish free schools throughout the State, furnish means for their support by taxation on property," and "to set apart not less than one-tenth of the revenue of the State, derivable from taxation, as a perpetual fund, which shall be appropriated to the support of free public schools, and entitled the General Common School Fund."

Laws from time to time were passed in accordance with this article of the organic law, and the fund thus accruing amounted in 1855 to $128,668.

In January, 1854, a great forward step was taken. The sum of two millions of dollars in United States bonds (being a portion of the ten millions indemnity paid by the Federal Government to Texas, in settlement of boundary claims), was set apart as a special school fund; the interest arising therefrom to be applied toward the payment of teachers' salaries; while the income from the general school fund, derivable from the one-tenth taxation, was to be devoted to the payment of the school rates of indigent pupils. The chief justices and county commissioners were required to form their respective counties into school districts of convenient size, and to order an annual election in each district of a board of trustees who were charged with the school interests of their districts. The assessor and collector of each county was enjoined to take a yearly census of all persons of schoolable age, which census became the basis of the money distribution. The State Treasurer was made ex-officio superintendent of common schools.

This law, copied from the successful school experience of older States, was, in its general scope, progressive and satisfactory. It might well have been made the basis of an efficient public school system, carrying instruction by force of law into every village and settlement of the State.

But it was soon found that legislation had outrun public opinion. Many of the officers named in the law were remiss in the performance of duty; but partial returns were received from the counties; not one-fourth of the school districts complied with the conditions upon which the distribution of the fund depended, so that the greater portion of the moneys distributed through the years 1854-5 remained in the hands of the county officers. There was no one charged with supervision; no officer set apart to lend force and impulse to the machinery of the law. The Treasurer, absorbed in the more legitimate duties of his office, could give to education but incidental and
casual attention: above all, the spirit of slave society, always and essentially aristocratic, was adverse to the education of the people.

At the end of two years the common school law of 1854 was repealed or materially changed, the district system abolished, and the board of trustees dispensed with; it being provided in their place that "all schools, the teachers of which shall make a tabular return of attendance to the county courts, shall be public schools."

By another section of the act of 1856, authority was given to loan the special school fund to railroad companies under certain conditions; the companies giving first mortgage bonds payable in ten years at six per cent. in specie, with a further annual payment of two per cent. as a sinking fund.

The general school fund received from one-tenth taxes and the special school fund of $2,000,000 were blended and made one, and the income from both assigned to the use of the scholastic population, as follows: First, in payment of the tuition of indigent children, especially orphans, and the children of widows; the balance to the paying patrons of the schools pro rata.

This plan of loaning the school moneys was judicious, and under wise restrictions would have been a safe investment. But instead of confining the loan to a few prominent trunk-lines until completion, charters were indiscriminately granted, and State aid unwisely extended to companies without responsibility or capital. The fund thus scattered served to begin many roads, and to finish none. The companies, without income or credit, and loaded with debt, began even before the war to fail to comply with their obligations to the school fund; and the rebellion completed the suspension of payments, or authorized them to be made in worthless paper.

This act was amended, in some of its details, in 1858, and in accordance with its provisions the income of the fund was annually distributed to the counties until the civil war engulfed all.

The school resources were greatly strengthened this year (1858) by the important law of February 11, which added to the principal of the educational fund the proceeds of all sales of public lands. This law was repealed during the war. It should be re-enacted, and made irrepealable.

I have not been able to find any official statement or record of the yearly progress of education in Texas under these various laws; nor of the number of teachers and of schools. There seems to have been but little inspection, discrimination or progress. The Treasurer, in his reports, complains of the chronic remissness of the counties in forwarding data: in the year 1861, for instance, out of a total of one hundred and twenty-four organized counties, but "twelve of the county courts made their reports as required by law."
State was distributing upward of $100,000 annually for the support of public education, no summary of facts and school statistics were published or preserved. Such fragmentary data as were obtainable are here subjoined.

The Treasurer reports a disbursement for schools during the years 1854-5 of $27,137. For the six following years the amounts paid and the number of school children were as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Scholastic Census</th>
<th>Amount</th>
<th>Per Capita</th>
</tr>
</thead>
<tbody>
<tr>
<td>1856</td>
<td>72,826</td>
<td>$101,588</td>
<td>$1.38</td>
</tr>
<tr>
<td>1857</td>
<td>87,000</td>
<td>106,000</td>
<td>1.21</td>
</tr>
<tr>
<td>1858</td>
<td>102,772</td>
<td>105,855</td>
<td>1.03</td>
</tr>
<tr>
<td>1859</td>
<td>101,031</td>
<td>113,154</td>
<td>1.13</td>
</tr>
<tr>
<td>1860</td>
<td>104,447</td>
<td>104,447</td>
<td>1.00</td>
</tr>
<tr>
<td>1861</td>
<td>105,200</td>
<td>65,224</td>
<td>0.62</td>
</tr>
</tbody>
</table>

Since 1861 no disbursements for schools have been made from the treasury.

In the first year of the rebellion the summary of the school fund was as follows:

- Specie: $76,389.90
- United States bonds: $782,000.00
- Interest coupons: $17,675.00
- Railroad bonds: $1,635,500.00
- Interest due: $72,450.00
- State warrants: $8,518.24

Total: $2,592,533.14

In the destruction consequent upon the war, all of these funds that could be cashed, or made available, were sunk. Before the fifth of August, 1865, the total thus expended amounted to $1,285,327; for which, as the school fund had been declared permanent and inalienable, the State is in equity liable.

The railroad bonds alone were left. These roads have all forfeited their charters by non-payment of interest, and are almost hopelessly in arrears. With perhaps a single exception, they are regarded as insolvent. Omitting the arrears of the sinking fund, their condition is as follows:

- Unpaid principal: $1,758,317.00
- Interest due to March 1, 1868: $450,140.00

Total: $2,208,457.00

The total now due may be summed up thus.
Due by railroads ........................................ $2,203,457 00
Due by the State .................................. 1,285,327 05
Specie in treasury ................................... 59,779 31
Currency ............................................. 855 22

Total ..................................................... $3,549,418 58

So nearly has this great endowment become extinct, that it is very doubtful whether, in its present condition, an annual income of thirty thousand dollars can be realized from it for the maintenance of schools.

The Convention of 1866 amended in some important respects article ten of the old constitution on education. It provided for a Board of Education and a Superintendent of Schools—the latter an office essentially necessary to the successful operation of a common school system. In addition to the school lands granted to the counties, it set aside the reserved sections of railroad lands, together with one-half of the proceeds arising from the sale of all public lands, as a basis for a perpetual school fund; and it wisely placed the county lands under the control of the Legislature, which was authorized to provide for their sale. But a clause of section six, giving to each county the power to negative the sale, rendered the provision valueless. The Legislature should have exclusive control of the school lands.

The railroad lands thus granted and yet unsold, amounting to 2,548,070 acres, added to the former grant, makes a total land endowment of 4,850,630 acres. If these lands are placed in the market gradually, in accordance with the annual demand of immigration and of a growing population, and sold on long credits with interest, they would, on the return of prosperous times, soon bring an average price of two dollars per acre. Before many years a fund could thus accrue of over nine millions of dollars. To these land endowments should be added, and made inalienable by the organic law, the remaining public domain.

The public lands of Texas, which a few years since amounted to 175,000,000 of acres, exceeding in size the combined area of all the States on the seaboard from Maine to Maryland; and which, if properly husbanded, would have sufficed for all demands of State revenue, of Education, and of Public Works, for many a year to come, have been so ingeniously lavished, that little now is left save Young's Territory, the sterile wastes of the Staked Plain, and the mountain ranges of El Paso.

With the exception of that portion ceded to the Federal Government, the State has realized comparatively nothing from its immense
possessions: and but a few years more of special and speculative legislation is needed to dissipate, without remedy, the last fragment of the public lands. The prodigal past cannot be redeemed, but in this moment of fundamental change, we will, if we are wise, provide for the future.

The unsold lands of our State now offer the means of strengthening the wasted and ruined school fund to the height of every future demand. If neglected now, never again will the highest interests of the commonwealth find at our hands so propitious an occasion. The fund thus accumulated, while set apart as an inviolable educational resource for all coming years, could be invested (under such careful conditions as would give safety, strength and permanency to the plan) in the bonds of a system of main trunk railroad penetrating every section with vital lines of travel and of trade.

The provision of the old constitution, by which one-tenth of the annual revenue derived from taxation was added to the principal of the common school fund, is abolished by the constitution of 1866. It is recommended that at least double the former proportion be now set apart—not, however, to augment the principal of the fund, but to serve as an immediate means of income, and to be annually expended for the support of schools.

The State revenue may be estimated for the next five years at about $500,000 per annum, one-fifth of which would yield for public education $100,000. This amount, combined with whatever gleanings of income may be realized from the old fund, would suffice to set on foot a system of primary schools suited to the peculiarities of our country and population, and placing instruction within the reach of every child of whatever color, condition or race.

The sum asked for is not large, either as compared with the ability of Texas, or with the expenditure of other American States. Fifty-two per cent. of the ordinary taxation of Ohio is yearly expended in support of education. The State of Vermont, rocky and poor, with a stationary population of 315,000, and with a smaller aggregate of fertile soil than many a Texan county possesses, paid out in 1866 for common schools $421,441; while all other expenditures for carrying on the civil government were less than $193,000. Iowa, settled and admitted into the Union later than Texas, with a population in 1867 of 900,000, and with not a tithe of the natural wealth and resources of our commonwealth, expended last year upwards of two millions of dollars for public schools!

One-twentieth of that sum is not a large yearly appropriation for us, with a population of 800,000, of whom one-fourth are between the ages of five and eighteen.

In view of the fact that the Convention is about to assemble, to
frame or revise the fundamental law of the State, I would respectfully suggest the desirableness of securing, in the educational clause of the new constitution, the following features of a school system:

1. A common school fund, consisting of whatever values may be realized from the wreck of the former fund; the proceeds of fines, forfeitures, estrays, and of the estates of deceased persons to which the State may become entitled by law; the county school lands; the reserved sections of railroad lands; the public domain not otherwise appropriated. The principal of the fund not to be diverted or diminished, and the income to be devoted to the support of common schools by the payment of the salaries of teachers.

2. One-fifth of the aggregate annual income of the State to be yearly expended as above.

3. The Legislature to be authorized to provide, by the levying of a tax, for the erection of school buildings, etc.

4. The supervision of public instruction to be vested in a Board of Education and a State Superintendent of Schools, whose powers and duties shall be prescribed by law.

5. The Legislature to provide by law, at the first session, for the division of the State into districts of convenient size, and for the inception of a general and uniform system of common schools, to continue at least four months in every year, equally open to all children between the ages of five and eighteen, wherein tuition shall be without charge, and every child of requisite age required to attend, unless educated by other means.

Thus, while the paramount law ordains that there must be a system of free primary schools, open to the entire youth of the State, it may properly refer to the Legislature the settlement of the details thereof: the construction of buildings, the salary of teachers, the method of instruction, the question of separate or mixed schools, the plan of supervision, and the whole apparatus of the law.

It seems to have been a cherished design of the people of Texas to establish an institution for the instruction of youth in the higher branches of learning; and by generous grants to so endow the same as to place within the reach of rich and poor the privilege of a liberal and thorough education. The President of the Republic was ordered, in 1839, to set apart 221,400 acres for this purpose. In 1856 one hundred thousand dollars in United States bonds and one-tenth of the railroad lands were also appropriated "for the establishment and maintenance of the University of Texas," and the lands were offered for sale on a credit of twenty years. The grant was ample; the lands were choice, and large amounts were readily sold at an average price of three dollars and thirty-four cents per acre. Of this fund $379,168 was destroyed during the civil war by the State author-
ities; and it is understood that considerable sums, the proceeds of the land sales, were paid in Confederate money.

The amount of the University fund now in the treasury is $134,472 in State paper. No practical steps have yet been taken toward the location and establishment of this institution. But when once our State is dotted with common schools in full operation, for the education of the children of the people, these will naturally require to be supplemented by High, graded and Normal schools, adapted to pupils of a larger growth, and these again crowned by a University.

A State University is indeed a logical necessity and outgrowth of the free school system, the head of the grand line of forces by which we would draw the whole people up to light and knowledge.

Of the value and need of public education little has been said in this report, for little need be said. Its own unquestioned utility lifts it above the support of argument. The imperative necessity of public schools, established for all, open to all upon equal terms, and upon principles common to all, has grown into a clear conviction, not liable to debate. The question is a closed one. With the American people, especially, the system of common schools is not an experiment. Since its early adoption upon the Atlantic shores, its growth has been continuous, and now, perfected by the experience of five generations, it is the chief glory of the Republic.

And this sense of the vital relation between free government and universal education has been deepened a hundred fold by the grand lessons of the war. Treason found no foothold among the educated commonwealths of the North and West. The public schools of the free States were the great bulwark of the imperilled Unity and Nationality. They were everywhere living fountains of loyalty and patriotism. No insurgent State had a practical free school system, and no loyal one was without it. The line of Free Schools divided the faithful and the rebel communities as sharply as did the contending camps. From that war we have emerged with changed purposes and an altered destiny. We are not the same people that we were; we can never be the same. To us the task is set to place our commonwealth in line with the nineteenth century, and to re-adjust the course of the ship of State for a new historic voyage. A civilization vitalized and energized by free schools is our chief need, and the education of youth our primary duty. Let the community in its organized capacity provide the bread of knowledge for all its children, and leaven with intelligence the whole mass of society. As the limits of citizenship widen, let us equally enlarge the capacity of the citizen.

There is nothing we ought not to do, there is no effort we ought
not to make; there is no sacrifice, whether of money or of prejudice, we ought not to yield, rather than allow a generation into whose hands the ballot and the government is gravitating, to remain unfitted for their duties and destiny.

That so many of our people are grossly, dangerously ignorant, has long been a reproach and a moral stigma upon us; it is now something more—a question of self-preservation. In a country where all are rulers, all must be educated, or the lower level drags down all above.

Universal suffrage necessitates universal education.

Very respectfully,

E. M. WHEELOCK,
Superintendent of Public Instruction.

Mr. Talbot offered the following resolution:

Resolved, That the reading of the report of the Superintendent of Education be dispensed with. That the same be referred to the Committee on Education, and that the Committee on Printing be directed to contract for the printing of 1000 copies of the same for the use of the body.

Mr. Talbot moved that the rules be suspended to take up the resolution.
Carried.

Mr. Armstrong moved to amend the resolution by substituting "500" in the place of "1000."
Carried.

The resolution as amended passed to second reading and was ordered to be engrossed.

Mr. Talbot moved that the rules be suspended for the further consideration of the resolution.
Rules were suspended; resolution read third time and passed.

By order of the President, the Secretary read the following communication from Mr. Newcomb, of Bexar:

Mr. Secretary, please inform each member that they can have their numbers of the Express and Free Press mailed to any address from San Antonio. This will save double postage.

Mr. Gray, from Committee on State Affairs, reported as follows:

COMMITTEE ROOM,
AUSTIN, June 11, 1868.

To the Hon. E. J. DAVIS,
President of the Convention:

Sir: The Committee on State Affairs, to whom was referred the resolution to admit J. P. O'Leary into the Institute for the Blind,
have considered the same. Your committee have heretofore reported that this Convention was called to frame a Constitution and organize civil government, and that the labors of this Convention should be confined to that object. The object sought by the resolution, your committee are of opinion, is provided for by the laws of the State; they therefore ask to be discharged from further consideration of the subject.

Respectfully submitted,

B. W. GRAY.

Chairman Committee on State Affairs.

Mr. Buffington offered the following declaration, and asked its reference to the Judiciary Committee:

We, the people of Texas, in Convention assembled, do declare:

1st. That it shall be the duty of the Legislature to provide by law and enforce the collection of any back taxes that may be due and owing to the State.

2d. That it shall be the duty of the Legislature to repeal all laws, and parts of laws, giving time to redeem land sold for taxes. The Legislature shall by law make the sale of land by Assessors and Collectors absolute.

It was referred.

The President announced the Committee on Investigation of the Penitentiary, called for by the resolution of Mr. Hamilton, of Travis, adopted yesterday, to be:

Butler, Chairman; Goddin; Scott; Lindsay; Boyd.

Mr. Munroe offered the following resolution:

Resolved, That three of the committee to be appointed to examine into the condition of the State Penitentiary at Huntsville, are hereby directed to proceed to Huntsville to carry into effect the order of this Convention, and that the President designate said three members for the discharge of said duty.

Laid over under the rules.

Mr. Boyd offered the following resolution:

Whereas, A resolution having passed the Convention on the 10th day of December, A. D., 1868, authorizing the Secretary of the Convention to furnish so many papers of the Austin Republican, San Antonio Express, and San Antonio Free Press to each member, therefore be it

Resolved, That the Secretary be required to take the names of the few members who do not desire to take the said papers and place the amount to be expended for the same to their credit, instead of purchasing the said papers as provided in said resolution.

Mr. Boyd moved a suspension of the rules.
Mr. Thomas offered the following resolution:

Be it resolved by the people of Texas in Convention assembled, That the Constitution of 1845, as it existed in the year 1860, except wherein the said Constitution conflicts with the Constitution and laws of the United States, is the Constitution of the State of Texas, and that in the judgment of this Convention such alterations only should be made in said State Constitution as are necessary to adapt it to the Reconstruction Acts of Congress, and to the present condition and actual necessities of the people.

Mr. Thomas moved its reference to the Committee on Judiciary. It was so referred.

Mr. Fayle offered the following resolution, and moved its reference to the Committee on Political or Legislative Provisions:

Resolved, That in all taxes accruing on any real estate owned by persons residing in another county, the payment of said taxes shall be at the option of the holder thereof in the county where he may reside or in the county where the property lies.

It was so referred.

Mr. Hunt offered the following resolution:

Be it resolved by this Convention, That the gratitude of the State of Texas is due in an eminent degree to those of her citizens who took up arms in defence of the Government of the United States during the late rebellion, and that a proper recognition of those services by the State is just and right.

Referred to Committee on State Affairs.

Mr. Caldwell offered the following resolution:

Resolved, 1st, That the Commanding-General of the District of Texas, the Governor, Judges of the Supreme and District Courts, have the privilege of the floor of Convention Hall within the bar.

2d, That any member shall have the privilege of inviting a friend to a seat within the bar of the hall.

Mr. Caldwell moved that the rules be suspended to take up resolution.

Rules suspended.

Resolution was then read a second time, and ordered to be engrossed.

Mr. Caldwell moved a further suspension of the rules.

Rules were suspended, resolution read a third time and passed.

Mr. Burnett offered the following resolution:

Whereas, F. Flake, Esq., Editor and Proprietor of Flake Daily Galveston Bulletin, has kindly proposed to furnish the members of this Convention, gratis, with copies of his excellent newspaper,
during the session of this Convention; Therefore be it

Resolved, That the thanks of the members of this Convention be, and they are hereby respectfully tendered to Mr. Flake, that his kind proposition is accepted, and that we assure him that the same is duly appreciated.

Mr. Burnett moved that the rules be suspended to take up resolution.

Rules suspended, resolution read a second time, and ordered to be engrossed.

Mr. Armstrong, of Lamar, moved a further suspension of the rules, to put the resolution on its third reading.

Carried.

Rules suspended, resolution read a third time and passed.

Mr. Carter offered the following resolution:

Resolved, That the Congress of the United States, if not inconsistent with the relations existing between the Federal Government and the citizens of Texas, be respectfully petitioned to appropriate a sum sufficient to remunerate, in whole or in part, the citizens of the frontier of Texas, for their losses incurred by Indian depredations since the 25th April, 1865.

Mr. Carter moved to suspend rules, to allow consideration of resolution.

Lost.

The resolution was then referred to Committee on Federal Relations.

Mr. Wilson, of Brazoria, offered the following resolution:

Resolved, That the Committee on Printing be instructed to contract with the Austin Republican to publish a synopsis of the debates of this House, in the two thousand copies already subscribed to; Provided, that they charge not more than seven cents per copy.

Mr. Wilson moved that the rules be suspended, to allow consideration of resolution.

Rules suspended, resolution read a second time, and ordered to be engrossed.

Mr. McCormick moved a further suspension of rules, to put resolution on its third reading.

Rules were suspended, and resolution read a third time.

Mr. Caldwell moved to refer the resolution to the Committee on Printing.

Withdrawn.

Mr. Smith, of Galveston, moved it be referred to the Committee on Printing.

It was so referred.
Mr. Evans, of McLennan, moved that the Convention proceed to the consideration of the business upon the President's table.

The President announced the first business in order was the report of the Committee on State Affairs, upon the "powers which the Convention may legitimately exercise."

Mr. Evans, of McLennan, moved the engrossment of the resolution accompanying the report of the majority.

Resolution ordered to be engrossed.

The business next in order was the majority and minority report of the Committee on the Judiciary, upon the declaration respecting Sheriff's Forced Sales, introduced by Mr. Flanagan, of Rusk.

Mr. Evans, of McLennan, moved that the majority report be adopted.

Mr. Hamilton, of Bastrop, moved to adjourn until three o'clock this afternoon.

Motion withdrawn to allow the President to make a few remarks upon the necessity of printing the reports, resolutions, and declarations brought before the Convention.

Mr. Mullins moved to adjourn until 10 o'clock to-morrow morning.

Motion withdrawn to allow Mr. Munroe to make the following report from the Committee on Engrossed Provisions.

Committee Room, June 10, 1868.

To the Hon. E. J. DAVIS,
President of the Convention:

Sir: The Committee on Engrossed Provisions, to whom was referred the following declarations, find them properly engrossed.

1st. A declaration for the purchase, for the use of the Convention, and the use of the State and future Legislatures, one hundred and fifty copies of "Paschal's Annotated Constitution of the United States."

2d. A declaration that the Committee on Printing are authorized and instructed to contract for, and have printed, as speedily as practicable, 200 copies of the Reconstruction Laws of Congress, for the use of the members of this body.

3d. A declaration of the opinion of this Convention, that it is necessary in this State, for a change in the Reconstruction Laws, in relation to the appointment of Registrars.

4th. A declaration, that the Provisional Secretary of State is respectfully requested to furnish the Chairman of each Standing Committee, one copy of "Paschal's Annotated Digest of the Laws of Texas;" the same to be returned to the State Library on the adjournment of this Convention.

5th. A declaration requesting the same officer to direct the State
Librarian to open the State Library to the members of this Convention at all reasonable hours.

Respectfully submitted,

A. T. MUNROE,
Chairman.

On motion the Convention adjourned until 9 o'clock to-morrow morning.

CAPITOL, AUSTIN, TEXAS,
June 12th, 1868.

Convention met pursuant to adjournment. Roll called. Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

Mr. Thomas, from the Committee on Printing, reported as follows:

To the Hon. E. J. DAVIS,
President of the Convention:

Sir: The Committee on Printing instruct me to report that they have contracted for the publication of two hundred copies of the Treasury Report, for the sum of twenty dollars, and a like number of the Reconstruction Acts for the sum of thirty-five dollars in currency.

Respectfully submitted,

JAS. W. THOMAS,
Chairman of Committee.

To the Hon. E. J. DAVIS,
President of the Convention:

Sir: The Committee on Printing to whom was referred the accompanying resolution offered by Mr. Wilson, of Brazoria, relating to the publication, in the Daily Austin Republican, of the Debates of this Convention, respectfully submit that they have conferred with Mr. Longley, the publisher of said paper, and find that he is willing to publish the debates in the two thousand papers contracted for by the Convention, for sixty dollars per day, which would increase the price of the papers to eight cents per copy. Mr. Longley, also, proposes to publish the debates for forty cents per square of eight lines nonpareil type. Your Committee are unable to determine, without some definite knowledge of the space the debates will occupy, which of the two propositions the Convention should accept, but are inclined to favor the former, and report back the resolution, with the amendment indicated for the consideration of the Convention.

Respectfully submitted,

JAS. W. THOMAS,
Chairman of Committee.