Convention met pursuant to adjournment.

Mr. Hunt, from the Committee on State Affairs, made the following report:

Committee Room,
July 29, 1868.

Hon. E. J. Davis,
President of the Convention:

A majority of your Committee on State Affairs, to whom was referred the declaration of Hon. A. J. Evans, locating the Capital of the State of Texas, after the year 1870, at the city of Waco, Texas, and dividing and increasing the University Fund of Texas, and locating one branch thereof at San Antonio, Texas, and the other at Tyler, Smith county, Texas, ask permission to make the following report to your honorable body.

First. We find that the city of Waco, if not in the exact center, is nearly so, of both the territory and population of Texas; is a fine, eligible and healthy place, surrounded by a fine farming country; said city is second, in point of size and business importance, only to the cities of Galveston and San Antonio, and surrounded by a highly intelligent and enterprising people.

Before the first meeting of the Legislature in 1870, the city of Waco will be connected with the Texas Central Railroad, by a tap or link road; if, in fact, the said Central railroad does not run to the city itself, thus securing the future Capital of Texas connection with all the railroads in Texas and the United States.

The place is far enough from the coast to remain forever free from those terrible epidemics that of late years have almost sacrificed the coast and immediate towns.

Second. Our University Fund, now amounting at least to one million six hundred thousand dollars, lies idle and unemployed; nay, more, is being rapidly squandered; all efforts to locate an University in Texas, for the last fifteen years, have proved in vain, from the very fact that the locality could not be agreed upon by the Legislature of the State; and, judging the future by the past, we think it
safe to say, that if this Convention does not now locate the same, it
never will be done.

The only satisfactory method of doing this is, we think, that of
increasing the fund, by lands or State bonds, to three millions two
hundred thousand dollars, and locating two branches thereof.

A division of the State of Texas having failed for the present, and
the time for which the present seat of government of Texas is fixed
expiring in 1870, it is nothing but natural in the people of Texas to
desire that the Capital thereof shall be in the center, and that the
eastern part of the State have one branch of the University, and the
western the other.

We, therefore, report back the declaration, and ask its passage.

H. C. HUNT,
Chairman pro tem.

Be it declared, That the following shall be a section of the new
constitution of Texas:

Sec. — From and after the year 1870, Waco, McLennan
county, Texas, shall be the Capital of the State of Texas; and that
the University Fund of Texas shall be equally divided and increased
double its present amount, by the Legislature of Texas, and two
universities established; the one at Tyler, Smith county, Texas, the
other at San Antonio, Bexar county, Texas.

Mr. Carter, from the Committee on Political and Legislative,
offered the following report:

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

Sir: The Committee on Political and Legislative Department,
having given careful consideration to the matter relating to that
department of the Constitution, presents the result of its labors in
the article now proposed for the consideration of the Convention.

Several changes have been made in, and a few new clauses added
to the constitution of 1845, that instrument being the basis of the
report now presented.

Your committee, having in view the many difficulties that sur-
round the question of "Franchise," has endeavored to so frame that
clause that, while it shall give full protection to the loyal element,
it shall do no injustice to those who are wavering in their attachment
to the government.

The Committee on Apportionment not having reported, blanks are
left, in the proper places, to be filled up when that committee makes
its report.

All of which is respectfully submitted.

CARTER,
Chairman.

POLITICAL AND LEGISLATIVE.

SECTION 1. Be it declared by the people of the State of Texas in Convention assembled, That the following sections shall be a part of the Constitution of the State of Texas.

PRIVILEGES OF ELECTORS.

SEC. 2. Electors, in all cases, shall be privileged from arrest during their attendance at elections, and in going to and returning from the same, except in cases of treason, felony, or breach of the peace.

THE LEGISLATURE—STYLE OF LAWS.

SEC. 3. The legislative power of this State shall be vested in two distinct branches; the one to be styled the Senate, and the other the House of Representatives, and both together the "Legislature of the State of Texas." The style of (all) the laws shall be, "Be it enacted by the Legislature of the State of Texas."

REPRESENTATIVES—TERM OF OFFICE—BIENNIAL SESSIONS.

SEC. 4. The members of the House of Representatives shall be chosen by the qualified electors, and their term of office shall be four years from the day of the general election; and the sessions of the Legislature shall be biennial, at such times as shall be prescribed by law.

QUALIFICATIONS FOR REPRESENTATIVES.

SEC. 5. No person shall be a Representative unless he be a citizen of this State, and shall be a qualified elector at the time of his election.

ELECTIONS GENERALLY.

SEC. 6. All elections by the people shall be held at such time and
places, in the several districts, counties, cities or towns, as are now or may hereafter be designated by law.

Sec. 7. The Representatives' Districts shall be as follows:

Sec. 8. The House of Representatives shall consist of ninety members, and no more.

Senators—Their Term of Office—Classification of.

Sec. 9. The Senators shall be chosen by the qualified electors, hereafter, for the term of six years. Those elected at the first election shall be divided by lot into three classes, as nearly equal as can be. The seats of Senators of the first class shall be vacated at the expiration of the first two years, and of the second class at the expiration of four years, and the third class at the expiration of six years; so that one-third thereof shall be chosen biennially thereafter.

New Senators—How classified.

Sec. 10. Such mode of classifying new additional Senators shall be observed as will, as nearly as possible, preserve an equality of number in each class.

Sec. 11. The Senate shall consist of thirty-three Senators, and no more.

Sec. 12. The Senatorial Districts shall be as follows:

Sec. 13. A new apportionment for Representative and Senatorial Districts shall be made by the first Legislature in session after the official publication of the United States census, every ten years.

Senatorial Districts.

Sec. 14. When a Senatorial District shall be composed of two or more counties, it shall not be separated by any county belonging to another district.
QUALIFICATIONS FOR SENATORS.

SEC. 15. No person shall be a Senator unless he be a citizen of the United States, and of this State, and shall have attained the age of twenty-five years.

SEC. 16. The districts for Representatives to Congress shall be as follows until changed by law:

SEC. 17. No person shall be eligible to any office, State, county or municipal, who is not a registered voter in this State.

ORGANIZATION OF THE TWO HOUSES—QUALIFICATIONS—CONTESTED ELECTIONS—QUORUM—ADJOURNMENTS.

SEC. 18. The House of Representatives, when assembled, shall elect a Speaker and its other officers, and the Senate shall choose a President for the time being, and its other officers. Each House shall judge of the qualifications and elections of its own members, but contested elections shall be determined in such manner as shall be directed by law. Two-thirds of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each House may provide.

RULES.—POWER OVER MEMBERS.

SEC. 19. Each House may determine the rules of its own proceedings, punish members for disorderly conduct, and with the consent of two-thirds expel a member, but not a second time for the same offense.

JOURNALS.

SEC. 20. Each House shall keep a Journal of its own proceedings, and publish the same; and the yeas and nays of the members of either House, on any question, shall, at the desire of any three members present, be entered on the journals.
Sec. 21. Any member of either House shall have liberty to dissent from, or protest against any act or resolution which he may think injurious to the public or an individual, and have the reasons for his dissent entered on the journals.

Vacancies in the Legislature.

Sec. 22. When vacancies happen in either House, the Governor, or the person exercising the power of the Governor, shall issue writs of election to fill such vacancies; and should the Governor fail to issue a writ of election to fill such vacancies, the returning officer for the district or county shall be authorized to order an election for that purpose.

Member's Privileges.

Sec. 23. Senators and Representatives shall, in all cases except in treason, felony, or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same, allowing one day for every twenty miles such member may reside from the place at which the Legislature is convened.

Punishments.

Sec. 24. Each House may punish by imprisonment during the session any person, not a member, for disrespectful or disorderly conduct in its presence, or for obstructing any of its proceedings; provided, such imprisonment shall not any one time exceed forty-eight hours.

Open Doors.

Sec. 25. The doors of each House shall be kept open.

Sec. 26. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting, without the concurrence of both Houses.
RECONSTRUCTION CONVENTION JOURNAL.

PASSAGE OF BILLS.

Sec. 27. Bills may originate in either House, and be amended, altered, or rejected by the other; but no bill shall have the force of a law until on three several days it be read in each House, and free discussion be allowed thereon, unless in case of great emergency four-fifths of the House in which the bill shall be pending, may deem it expedient to dispense with this rule; and every bill having passed both Houses shall be signed by the Speaker and President of their respective Houses; provided, that the final vote on all bills or joint resolutions appropriating money or land for any purpose, shall be on yeas and nays.

INDIVIDUAL REAL ESTATE NOT TO BE SOLD BY ANY PRIVATE OR SPECIAL LAW.

Sec. 28. The Legislature shall not authorize, by private or special law, the sale or conveyance of any real estate belonging to any person, or vacate or alter any road laid out by legal authority, or any street in any city or village, or in any recorded town plat, but shall provide for the same by general laws.

BILLS FOR REVENUE.

Sec. 29. All bills for raising revenue shall originate in the House of Representatives, but the Senate may amend or reject them as other bills.

REJECTED BILLS.

Sec. 30. After a bill or resolution has been rejected by either branch of the Legislature, no bill or resolution containing the same substance shall be passed into a law during the same session.

SALE OF LOTTERY TICKETS PROHIBITED.

Sec. 31. The Legislature shall not authorize any lottery, and shall prohibit the sale of lottery tickets.

COMPENSATION OF MEMBERS.

Sec. 32. Each member of the Legislature shall receive from the public Treasury a compensation for his services, which may be in-
creased or diminished by law; but no increase of compensation shall take effect during the session at which such increase shall be made.

**INELIGIBILITY OF MEMBERS TO OTHER OFFICES.—PRESIDENT PRO TEM. OF SENATE.—SPEAKER OF THE HOUSE.**

SEC. 33. No Senator or Representative shall, while a member of the Legislature, be eligible to any civil office of profit under this State, which shall have been created, or the emoluments of which may have been increased during such term; and no member of either House of the Legislature shall, while a member of the Legislature, be eligible to any office or place, the appointment to which may be made in whole or in part, by either branch of the Legislature; nor shall the members thereof be capable of voting for a member of their own body, for any office whatever, except it be in such cases as are herein provided. The President for the time being of the Senate, and Speaker of the House of Representatives, shall be elected from their respective bodies.

**HOLDERS OF LUCRATIVE OFFICES INELIGIBLE.—NO TWO OFFICES OF TRUST OR PROFIT TO BE HELD BY THE SAME PERSON.**

SEC. 34. No Judge of any court of law or equity, Secretary of State, Attorney General, Clerk of any court of record, Sheriff, or Collector, or any person holding a lucrative office under the United States or this State, or any foreign government, shall be eligible to the Legislature, nor shall at the same time hold or exercise any two offices, agencies or appointments of trust or profit under this State, provided, that offices of militia to which there is attached no annual salary, the office of postmaster, notary public, and the office of justice of the peace, shall not be deemed lucrative; and that one person may hold two or more county offices, if so provided by the Legislature.

**COLLECTORS AND HOLDERS OF PUBLIC MONEY INELIGIBLE.**

SEC. 35. No person who at any time may have been a collector of taxes, or who may have been otherwise entrusted with public money, shall be eligible to the Legislature, or to any office of profit or trust under the State Government, until he shall have obtained a discharge for the amount of such collections, and for all public moneys with which he may have been entrusted.
CERTAIN ELECTIONS GENERAL.

SEC. 36. Elections for Senators and Representatives shall be general throughout the State, and shall be regulated by law.

APPORTIONMENT OF SENATORS.

SEC. 37. The whole number of Senators shall, at the next session after the several periods of making the enumeration, be fixed by the Legislature, and apportioned among the several districts to be established by law, according to the number of qualified electors, and shall never be less than nineteen, nor more than thirty-three.

COMPENSATION OF MEMBERS OF LEGISLATURE.

SEC. 38. The members of the Legislature shall, at their first session hereafter, receive from the Treasury of the State, as their compensation, eight dollars for each day they shall be in attendance, and eight dollars for each twenty-five miles in traveling to and from the seat of government. The above rates of compensation shall remain till changed by law.

IN CONTESTED ELECTIONS, WHO ARE ENTITLED TO PAY.

SEC. 39. In case of a contested election, only the claimant decided entitled to the seat, in either House in which the contest may take place, shall receive from the State per diem compensation and mileage.

SENATORS, THEIR ELECTION, &C.—ADOPTION OF THE 14TH ARTICLE OF AMENDMENT TO THE CONSTITUTION.

SEC. 40. The Legislature shall proceed, as early as practicable, to elect Senators to represent this State in the Senate of the United States, and also provide for future elections of Representatives to the Congress of the United States; and on the second Tuesday after the first assembling of the Legislature after the ratification of this Constitution, the Legislature shall proceed to ratify the proposed 14th Article of Amendment to the Constitution of the United States of America.

APPROVAL OF BILLS AND RESOLUTIONS BY THE GOVERNOR.

SEC. 41. Every bill and concurrent resolution, except of adjourn-
ment, passed by the Legislature, shall be presented to the Governor for approval before it becomes a law. If he approve, he shall sign it; if not, he shall return it with his objections to the House in which it originated, which shall enter the objections at large upon its journal, and reconsider it. On such reconsideration, if a two-third majority of the members elected agree to pass the bill, it shall be sent with the objections to the other House, by which it shall be reconsidered. If approved by a two-third majority of the members elected to that House, it shall become a law. In such cases the vote of both Houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journal of each House respectively. If any bill be not returned by the Governor within five days, (Sundays excepted,) after it has been presented to him, the same shall become a law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall not become a law. The Governor may approve, sign and file in the office of the Secretary of State, within five days after the adjournment of the General Assembly, (or Legislature,) any act passed during the last three days of the session, and the same shall become a law.

WHO ARE CITIZENS OF THE STATE OF TEXAS.

SEC. 42. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, and aliens who have declared their intention to become citizens of the United States, and actually residing in the State, are citizens of the State of Texas.

WHO ARE QUALIFIED VOTERS—REGISTRATION OF VOTERS MUST BE MADE THIRTY DAYS BEFORE AN ELECTION TO ENTITLE THEM TO A VOTE.

SEC. 43. From and after the acceptance of this Constitution by the Congress of the United States, every male citizen of this State, who shall be twenty-one years old and upward—Indians who are not taxed, excepted—provided he make oath that he has not been convicted of felony at common law, nor is disqualified by the laws of the United States, nor by participation in the late rebellion, shall be entitled to have his name entered on the registration list; and when such entry shall have been made at least thirty days previous to the election for which he offers to vote, he shall be deemed a qualified elector for the State, district, county or corporation where his name is registered.
WHO SHALL CONSTITUTE A BOARD OF REGISTRATION.

SEC. 44. It shall be the duty of the police, or county court, in every organized county, to perform the duties of a Registration Board, under such regulations as the Legislature may hereafter direct.

EVERY PERSON APPLYING FOR REGISTRATION HEREAFTER MUST TAKE AN OATH, ETC.

SEC. 45. Every person making application for having his name entered on the registration list, shall swear and subscribe to the following oath: I __________, do solemnly swear (or affirm,) that I am a citizen of the United States, that I have resided in this State six months next preceding this day, (or, that I am a citizen of this State, that I have declared my intention of becoming a citizen of the United States, and resided in this State twelve months preceding this day,) and now reside in the county of __________; that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States, nor for felony committed against the laws of any State, or of the United States; that I have never been a member of any State Legislature, nor held any executive or judicial office in any State, and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof; that I have not voted as a member of any Convention or Legislature in favor of an Ordinance of Secession; that I was not a member of any secret order hostile to the government of the United States; that, as a minister of the Gospel or editor of a newspaper, I did not advocate secession, nor did I support rebellion and war against the United States; and that I will faithfully support the Constitution and obey the laws of the United States, and of this State, and will, to the best of my ability, encourage others so to do. So help me God.

LEGISLATURE HAS THE POWER TO REMOVE DISABILITIES.

SEC. 46. The Legislature shall have the power, with a two-third
vote of all the members of both Houses, to remove the political disabilities as specified in the above oath.

WHEN DISABILITIES ARE CONSIDERED REMOVED.

SEC. 47. The recommendation of the Convention to the Congress of the United States for pardon, shall be considered equivalent to removal of political disabilities by the Legislature, and any person thus enfranchised shall, before registering his name, swear and subscribe to the following oath: I, ........ , do solemnly swear, (or affirm,) that I am a citizen of the United States, that I have resided in this State six months next preceding this day, (or, that I am a citizen of this State, that I have declared my intention of becoming a citizen of the United States, and resided in this State twelve months next preceding this day,) and now reside in this county; that I am twenty-one years old; that I am not disfranchised for committing a crime punishable in the penitentiary; that I am relieved of all political disabilities by the Legislature of this State and by the Congress of the United States; that since the adoption of this Constitution I was not a member of any secret order hostile to the United States, and that I will faithfully support the Constitution and obey the laws of the United States, and of this State, and will, to the best of my ability, encourage others so to do. So help me God.

On motion the reading of the report was dispensed with and ordered to be printed.

Mr. Burnett offered the following resolution:

WHEREAS, it is reported that a member of this Convention has, in violation of the constitution and laws of the State of Texas, sent a challenge to another member of this Convention to fight a duel, and whereas justice to said member and this Convention requires that the facts be known; therefore

Resolved, That a committee of three be appointed by the president to inquire into the facts and report by resolution or otherwise.

Mr. Burnett moved a suspension of the rules to take up resolution.

Lost.

Mr. Butler moved a suspension of the rules for consideration of report of the Committee on Penitentiary.

Carried.

Mr. Lindsay moved that the report be referred to the Committee on State Affairs.

Carried.
Mr. Sumner offered the following resolution:

WHEREAS, a great many members of this Convention have good and sufficient cause to complain in regard to their mail being taken out of their boxes without their knowledge or consent; therefore be it

Resolved, That any person interfering, or taking the mail of any member of this Convention, when not authorized so to do, will be considered extremely officious and deserves the displeasure of this Convention.

Mr. Sumner moved a suspension of rules for the consideration of the resolution.

Lost.

Mr. Burnett offered the following resolution:

Resolved, That this Convention will henceforth confine its labors and deliberations to the framing of a constitution for the people of Texas, unless otherwise authorized or instructed by the Congress of the United States; and that all declarations, resolutions, and matters whatever of a legislative character, or not pertaining to the organic law of the State, are hereby indefinitely postponed.

Mr. Slaughter moved to reject the resolution, upon which the yeas and nays were demanded, and resulted thus:


Nays—Messrs. President, Adams, Armstrong of Jasper, Bledsoe, Bryant of Grayson, Bryant of Harris, Burnett, Coleman, Curtis, Degener, Evans, of McLennan, Gaston, Glenn, Grigsby, Horne, Johnson of Harrison, Johnson of Calhoun, Keigwin, Kendal, Lindsey, Mackey, Morse, Muckleroy, Mullins, Munroe, Patten, Phillips of San Augustine, Posey, Rogers, Scott, Sumner, Thomas, Whitmore, Wilson, of Milam, Yarborough—35.

So the Convention rejected the resolution.

Mr. Bryant, of Harris, offered the following resolution, and asked its reference to the Committee on State Affairs.

Resolved, That any person charged with having committed a capital offence shall not be discharged or admitted to bail by a justice of the peace, after examination by such justice of the peace.

It was so referred.

The president announced the unfinished business of yesterday
was upon motion to re-commit section 7 of the report of the Executive Committee, then under consideration.

The Convention refused to re-commit.

Mr. Flanagan moved the previous question upon the adoption of section 7.

Previous question seconded.

Mr. Slaughter moved call of the House.

Call sustained.

Absentees—Smith of Marion, Stockbridge and Talbot—3.

The president announced that the hour had arrived for the consideration of the report of the Committee on General Provisions.

Mr. Hamilton, of Travis, moved to postpone the consideration of the report until next Monday, the 3d of August, at 10 o’clock.

Carried.

Absentees reported.

The question recurred: “Shall the main question be now put?” upon which the yeas and nays were demanded, and resulted thus:


Nays—Messrs. President, Bell, Bellinger, Bledsoe, Bryant, of Grayson, Bryant of Harris, Butler, Curtis, Degener, Downing, Evans of McLennan, Foster, Goddin, Harris, Hunt, Johnson of Harrison, Kendall, Keuchler, Leib, Lippard, Long, Morse, Mundine, Newcomb, Oats, Patten, Ruby, Schuetze, Slaughter, Smith of Marion, Sumner, Talbot, Thomas, Watrous, Wilson of Milam—35.

So the main question was ordered.

The question recurring upon the adoption of section 7, as amended, the yeas and nays were demanded, and resulted thus:

Posey, Rogers, Scott, Smith of Galveston, Stockbridge, Varnell, Vaughan, Whitmore, Williams, Wilson of Brazoria, Wright, Yarbrough—50.

Nays—Messrs. President, Armstrong of Lamar, Bell, Bellinger, Bledsoe, Bryant of Grayson, Bryant of Harris, Butler, Curtis, Degener, Downing, Foster, Goddin, Harris, Hunt, Jordan, Kendall, Keuchler, Leib, Lippard, Long, Morse, Mundine, Newcomb, Oaks, Patten, Ruby, Schuetze, Slaughter, Smith of Marion, Sumner, Talbot, Thomas, Watrous, Wilson of Milam—35.

So section 7 was adopted.

Mr. Evans, of McLennan, moved a reconsideration of the vote upon the adoption of section 7.

Mr. Flanagan moved to lay the motion upon the table.

Mr. Evans, of McLennan, moved a call of the House.

Call sustained.


Absentees reported.

Upon the motion of Mr. Flanagan to lay the motion to reconsider upon the table, the yeas and nays were demanded and resulted thus:


Nays—Messrs. President, Bell, Bellinger, Bledsoe, Bryant of Grayson, Bryant of Harris, Butler, Coleman, Curtis, Degener, Downing, Evans of McLennan, Foster, Goddin, Harris, Hunt, Johnson of Harrison, Kendall, Kuechler, Leib, Lippard, Long, Morse, Mundine, Newcomb, Oaks, Patten, Ruby, Schuetze, Slaughter, Smith of Marion, Sumner, Talbot, Thomas, Watrous, Whitmore, Wilson of Milam, Yarbrough—38.

So the motion to reconsider was laid upon the table.

Mr. Burnett moved the adoption of section 8.

Mr. Hamilton moved to amend by inserting after the word "place," in the third line of section 8, the words "within the State."

Amendment adopted.

The question recurred upon the adoption of section 8, as amended.

It was adopted.

Mr. Munroe offered the following amendment to section 9:
The amendment was lost.
On motion, section 10 was adopted.
Mr. Evans, of McLennan, offered the following amendment to section 11:
Strike out words "except treason and impeachment," in line one.
Mr. Sumner moved that the amendment be laid upon the table.
Carried.
Mr. Evans, of McLennan, offered the following amendment:
Section 11, line one, strike out the words "after conviction."
Mr. Sumner moved to lay the amendment upon the table.
Upon which the yeas and nays were demanded, and resulted thus:
Nays—Messrs. Bell, Bledsoe, Bryant, of Harris, Curtis, Degener, Downing, Evans, of McLennan, Harris, Hunt, Kendall, Kuechler, Lindsay, Lippard, Long, Newcomb, Oaks, Patten, Posey, Ruby, Schuetze, Smith of Marion, Thomas,—22.
So the amendment was laid upon the table.
Mr. Evans, of McLennan, offered the following amendment:
In section 11, strike out the proviso.
The Convention refused to adopt the amendment.
Mr. Sumner offered the following amendment:
In section 11, amend by striking out all of line three, excepting four first words, and all of lines four and five.
The question recurring upon the adoption of the amendment, the yeas and nays were demanded and resulted thus:
Yeas—Messrs. Bryant, of Harris, Goddin, Harn, Lippard, Long, Newcomb, Oaks, Patten, Ruby, Smith of Marion, Sumner—11.
So the Convention refused to adopt the amendment.
Mr. Scott offered the following amendment:
In third line, between “of” and “the,” insert “three-fourths.”
Mr. Munroe moved to lay the amendment upon the table.
Carried.
Mr. Burnett offered the following amendment:
In third line, after “forfeitures,” add “excepting costs.”
The question recurred upon the adoption of the amendment.
It was not agreed to.
Section 11, upon motion, was adopted.
Section 12, upon motion, was adopted.
Section 13, upon motion, was adopted.
Section 14, upon motion, was adopted.
Mr. Evans, of McLennan, offered the following amendment to section 15:
Strike out “there shall also be elected by the qualified voters of the State,” and insert “the Governor shall appoint.”
Upon motion, the amendment was laid upon the table.
Mr. Long, of Freestone, offered the following substitute for section 15:
That no person shall be eligible to the office of Governor or Lieutenant Governor, Commissioner of General Land Office, Treasurer, Comptroller, Secretary of State, or Attorney General, unless such person shall have owned twenty slaves, and that any such person offering as a candidate for any of the above offices shall not be less than thirty years of age, and have resided in the State at least thirty years next preceding his election; and that no election shall be held in this State for any office except for that of Governor; provided, that no person of African or Dutch descent shall be eligible to vote at any election in this State. And provided, That the Governor shall have the right to appoint all the officers of this State, and the officers so appointed shall possess the same qualifications as the Governor.
Mr. Hamilton, of Travis, moved that the substitute be rejected.
Upon which the yeas and nays were demanded, and resulted thus:
Yeas—Messrs. President, Adams, Armstrong of Jasper, Arm-


So the substitute was rejected.

Section 15, on motion, was adopted.

Mr. Wright offered the following amendment to section 16.

Strike out the words "twenty-five hundred dollars per annum," and insert "fixed by the Legislature."

Upon motion, the amendment was laid upon the table.

Mr. Sumner offered the following amendment:

Amend by inserting the words "two thousand," in the place of "twenty-five hundred."

Mr. Degener moved to lay the amendment upon the table.

Carried.

Mr. Thomas moved that section 17, of the original report, be substituted for section 16.

The question recurring upon the adoption of the substitute, the yeas and nays were demanded, and resulted thus:


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So the substitute was adopted.

Mr. Pedigo offered the following amendment:

Amend by striking out the whole of section 16, and inserting in lieu thereof the following, viz:

**Sec. 16.** The President of the Senate shall be *ex-officio* Lieutenant Governor, and in case of the death, resignation, removal from office, inability or refusal of the Governor to serve, or of his impeachment or absence from the State, the Lieutenant Governor shall exercise the powers and authority appertaining to the office of Governor, until another be chosen at the periodical election, and be duly qualified, or until the Governor impeached, absent or disabled, shall be acquitted, return, or his disability be removed.

By leave of the Convention, the amendment was withdrawn.

[Mr. Evans, of McLennan, in the chair.]

Mr. Davis, of Nueces, offered the following amendment:

Amend by inserting after words “shall be,” on third line, the words, “twice the per diem or pay of a Senator,” and strike out the words “the same as that of the Speaker of the House of Representatives.”

Upon motion, the amendment was adopted.

On motion, section 16, as amended, was adopted.

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

CAPITOL, AUSTIN, TEXAS,
July 30, 1868.

Convention met pursuant to adjournment.


Mr. Hunt, from the Committee on State Affairs, made the following report and accompanying declaration:

**COMMITTEE ROOM,**
Austin, Texas, July 30, 1868.

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

Sir: A majority of your Committee on State Affairs, to whom was referred the declaration introduced by the Hon. T. H. Mundine, of the county of Burleson, to extend the right of suffrage to all citi-