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Report adopted.
On motion of Mr. Flanagan, Convention adjourned till half after 9 o'clock in the morning.

FRIDAY, March 2d, 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 the Condition of the State, made the following report:

COMMITTEE ROOM, March 2d, 1866.

To the President of the Convention:

The committee on the Condition of the State having had under consideration the legislation of the State since the 1st day of February, 1861, and the executive, judicial, and ministerial action in pursuance thereof, as also the official action of His Excellency, A. J. Hamilton, the Provisional Governor, as brought to their notice by resolution and ordinances referred to them, have agreed upon the accompanying ordinance, making valid the laws and acts of officers therein mentioned, and for other purposes, and unanimously recommend its adoption by the Convention.

A. B. NORTON, Chairman.

Report received, and ordinance read 1st time, and on motion of Mr. Norton, one hundred copies ordered to be printed, and made special order of the day for Tuesday, at 11 o'clock, A. M.

Mr. Shepard made report as follows:

COMMITTEE ROOM, February 28th, 1866.

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

The committee on General Provisions of the Constitution, to which was committed a resolution of inquiry into the expediency of exempting, from forced sale, three hundred head of cattle, fifty head of horses, and five hundred head of sheep, have had the same under consideration, and have instructed me to report:

That they deem it unnecessary to occupy the time of the Convention with an ordinance on the subject, as the matter is, by the Constitution of the State, under the control of the Legislature. Respectfully submitted.

J. E. SHEPARD, *One of the Committee.*

Received, and passed to the orders of the day.

Mr. Jones of Bexar, chairman of the committee on Printing and Contingent Expenses, made the following report:

COMMITTEE ROOM, March 1st, 1866.

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

The Committee on Printing and Contingent Expenses report to the Convention the accompanying bill, for printing, by D. Richardson, proprietor of the Tri-Weekly State Gazette, for the sum of five hundred and twenty-four dollars and fifty cents, and find it correct, and recommend that the same be paid.

The committee also report to the Convention the following expenditures for the burial of the Hon. G. W. Smyth, to-wit: The bill of John Stringer, for \$55 25; the bill of England & Hannig, for \$107 72; and the bill of Alexander Eans, for \$21 40; in all, the sum of \$185 67. For these latter sums the Secretary is already authorized, by resolution of the Convention, to give his draft on the Treasury to the parties respectively.

The committee also report the accompanying resolution, appropriating money to defray the contingent expenses of the Convention, and recommend its adoption.

W. E. JONES, Chairman.

Report received, and resolution read first time.

On motion, rule suspended, resolution read a second time, and ordered to be engrossed.

On motion, rule further suspended, resolution read a third time, and passed.

On motion, the resolution authorizing the Secretary to draw his draft on the State Treasury for the sum of two hundred dollars, to meet the charges incurred in the burial of the Hon. Geo. W. Smyth, was taken up, and, on motion of Mr. Henderson, the words "two hundred" were stricken out, and the words "one hundred and eighty-five dollars and sixty-seven cents" inserted in lieu thereof, and the sum ordered to be paid out of the contingent fund of the House.

Mr. Randolph made the following report :

COMMITTEE ROOM, March 2d, 1866.

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

The committee on Engrossed and Enrolled Ordinances have examined the ordinance making an appropriation for the per diem pay and mileage of the delegates, and the per diem pay of the officers of the Convention, and find the same correctly engrossed and properly signed.

RANDOLPH, Chairman.

Report received.

Mr. Ireland offered the following resolution :

Resolved, That the committee on the Judiciary Department be instructed to inquire into the propriety of the State sub-

scribing for — copies of Paschal's Digest of the Laws of Texas, now in process of publication: *Provided* the same can be had at a cost not to exceed fifty per cent. on the original cost of paper, binding, printing, and transportation to the city of Austin.

Adopted and referred.

Mr. Flanagan offered the following resolution:

Resolved, That this Convention will adjourn on Monday, the 12th instant.

Mr. Henderson moved to lay the resolution on the table.

The Yeas and Nays being called for, stood thus:

Yeas—Messrs. Allen, Armstrong, Ball, Bacon, Beall, Bengé, Clements, Dalrymple, Davis of Webb, Degener, Drake, Frazier, Gentry, Giddings, Gurley, Hancock, Henderson, Hurt, Ireland, Jones of Bastrop, Jones of Bexar, Ledbetter, Lindsey, Mabry, McCormack, Murchison, Norton, Norris, Parker, Parsons, Perry, Phillips, Porter, Reeves, Roberts, Saufley, Selman, Shepard, Shaw, Smith of Colorado, Smith of Lamar, Taylor of Fannin, Tyus, Walker, Waul, Woods, and Young—47.

Nays—Messrs. Anderson, Bryan, Burke, Camp of Goliad, Camp of Upshur, Dickson, Flanagan, Johnson of Titus, Lane, Latimer, Nelson, Randolph, Record, Richardson, Shuford, Spaight, Taylor of Houston, Thomas of Cameron, Thompson, Varnell, and Whitfield—21.

So the motion prevailed, and the resolution was laid on the table.

Mr. Ball offered a resolution as follows:

Whereas, there are several persons, who are members of this Convention, that have suits pending in the several District Courts of this State, and also many that were attorneys for parties who have suits pending in said courts: and whereas, the courts of several of the districts will be in session before the adjournment of this Convention,

Be it therefore Resolved by the members of this Convention, That all suits pending in said courts, in which members of this Convention are either parties or attorneys, shall stand continued until the next regular term, unless said suits are taken up by consent of parties.

Resolution read the first time.

Mr. Ball moved to suspend the rule to take up said resolution.

Lost.

Mr. Hancock presented the credentials of Mr. Wm. P. Bacon, delegate elect from El Paso, who came forward, and took the oath of office and his seat.

Mr. Hancock moved that the report of the committee on Art III of the Constitution be taken up. Carried.

On motion, Convention went into committee of the whole, in consideration of the report of the committee on the Legislative Department, Art. III, and the substitute offered by Mr. Giddings for the 1st Section of said Article, Mr. Taylor of Houston in the chair.

Committee rose, reported progress, and asked leave to sit again this evening at 7½ o'clock.

Report adopted.

On motion of Mr. Beall, the Convention adjourned till 7 o'clock this evening.

7½ o'clock, P. M.

Convention met; roll called; quorum present.

Mr. Whitfield offered the following resolution:

Resolved, That the Convention set apart Monday next for the consideration of the ordinance to repeal the ordinance of secession, and that the same be then considered until finally disposed of; after which, the Convention shall proceed to the consideration of the 8th Article of the Constitution, fixing the status of the negro, and continue upon the same until it is finally disposed of; the Convention will then proceed to the consideration and final disposal of the ordinance concerning public debts; and next, the ordinance concerning the reorganization of the State Government shall be acted upon, and disposed of in like manner.

Rule suspended, resolution taken up, and the question being the adoption of the resolution, when Mr. Armstrong moved to lay it on the table, whereupon the Yeas and Nays being called, stood thus:

Yeas—Messrs. Allen, Armstrong, Bacon, Beall, Bradshaw, Dalrymple, Davis of Webb, Davis of Cherokee, Degener, Gurley, Hancock, Hart, Henderson, Jones of Bastrop, Jones of Bexar, Lane, Ledbetter, Lindsey, Mabry, McCormack, Middleton, Murchison, Nelson, Norris, Parker, Perry, Phillips, Porter, Record, Reeves, Roberts, Selman, Shields, Shuford, Shaw, Slaughter, Smith of Colorado, Smith of Lamar, Taylor of Fannin, Taylor of Houston, Thompson, Waul, Woods, and Young—44.

Nays—Messrs. Anderson, Ball, Bengé, Bryan, Bumpas, Burke, Camp of Goliad, Camp of Upshur, Dickson, Drake, Flanagan, Gentry, Giddings, Hurt, Ireland, Johnson of Tarrant, Norton, Parsons, Ranck, Randolph, Richardson, Saufley, Shepard, Spaight, Thomas of Cameron, Tyus, Varnell, Walker, Whitfield—23.

So the resolution was laid on the table.

On motion of Mr. Dalrymple, Mr. Saunders was excused from attendance on the House, on account of indisposition.

On motion, the House went into committee of the whole, in consideration of the matter before it at the hour of its last adjournment, viz: Constitution, Art. III, as reported by the Legislative Committee.

Committee rose, and through its chairman, reported progress, and asked leave to sit again at 9½ o'clock A. M., to-morrow.

Report adopted.

On motion, the Convention adjourned until 9½ o'clock to-morrow.

SATURDAY, March 3d, 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 State, made the following report:

COMMITTEE ROOM, March 3d, 1866.

To the President of the Convention:

The committee on Condition of State, to whom was referred an ordinance for the protection and encouragement of manufactures, by instructing the Legislature to pass a law providing for an exemption from forced sale of manufactories, machinery, and manufactured articles, except for the purchase money of the same, the wages of mechanics and employees, and for taxation, have had the same under consideration, and beg leave to report:

That in their judgment the subject is within the legitimate province of legislation. They are unanimously of opinion that the establishment of manufactories, and the introduction of machinery of every kind into the various parts of the State, would prove highly beneficial to the people, and remunerative to those who may engage in such business.

While believing that inducements should be held out to capitalists to engage in the erection of manufacturing establishments, and that reasonable protection and encouragement should be extended to them, they nevertheless are constrained to report the same back without recommending action by the Convention, being well satisfied that the importance of the subject will sufficiently commend itself to the minds of the members of the first Legislature, to insure appropriate legislation.