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“Except those which would have been included in the necessary and appropriate expenses of the State Government, had there been no civil war; and those may be ascertained and paid, with such equitable discount upon their nominal amount, or face value, as the Legislature may make.”

Mr. Whitfield offered the following as a substitute for the amendment:

“It shall be the duty of the Legislature to ascertain, and make provision for the payment of all debts against the State, that accrued prior to the 1st day of February, A. D. 1861, and also for all debts contracted for the support of the Lunatic Asylum, the Deaf and Dumb Asylum, and the Blind Asylum, since the 1st day of February, A. D. 1861.”

Mr. Young moved to lay both the amendment and the substitute on the table.

On motion, a division of the question was granted.

Mr. Young withdrew his motion to lay on the table.

On motion of Mr. Davis of Cherokee, Convention adjourned until 9½ o'clock to-morrow, pending the substitute of Mr. Whitfield.

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WEDNESDAY, March 14th, 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 following report:

COMMITTEE ROOM, March 14th, 1866.

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

The committee on the Condition of the State, to whom was referred the resolution introduced by Hon. D. C. Giddings, delegate from Washington, upon the subject of freedmen, have had the same under consideration, and have directed me to report the accompanying resolution, and recommend its adoption:

*Resolved,* That the President of the United States be requested to appoint a commission, of persons disconnected with the Freedman's Bureau, or the army, to visit Texas, for the purpose of ascertaining the real condition of the freedmen, and disposition of the people towards them, with a view of gaining such reliable information as will enable the government to determine the necessity of a longer continuance of the Freedman's Bureau in this State.

Read first time, and passed to the orders of the day.

Mr. Jones of Bastrop, chairman of committee on Privileges and Elections, made following report :

COMMITTEE ROOM, March 13th, 1866.

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

The committee on Privileges and Elections, to whom was referred a paper purporting to be a certificate of election for B. W. Gillock as a delegate to this Convention, unanimously instruct me to report that they have had the same under consideration, and that they are *unanimously* of opinion that on the facts recited in said certificate, herewith submitted, the said Gillock is not entitled to a seat in this body.

Received, to come up in order.

Mr. Johnson, chairman of the committee on Public Lands, made following report :

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

The committee on Public Lands have had under consideration the report of the Commissioner of the General Land Office, in relation to the amount of land patented and certificates issued by him since the 1st day of February, A. D. 1861, a majority of whom recommend the adoption of the accompanying ordinance, in relation thereto :

#### AN ORDINANCE,

*Validating and confirming certain acts of the Commissioner of the General Land Office, and Commissioner of the Court of Claims.*

*Be it ordained by the people of Texas in Convention assembled,* That all of the certificates issued for land, either by the Commissioner of the Court of Claims or by the Commissioner of the General Land Office, and all patents issued by virtue of such certificates since the 1st day of February, A. D. 1861, in compliance with laws passed by the Legislature of this State since that time, and not in conflict with the Constitution of the United States, be and the same are hereby validated and confirmed.

*Be it further ordained,* That all payments made by parties indebted for University lands, with State Treasury Warrants and Confederate Notes, since the 1st day of February, A. D. 1861, shall be credited to the account of the parties making such payments, at the fair market value of such warrants or notes at the time such payments were made, to be determined by the Comptroller of the State ; *provided,* that no interest shall ever accrue upon any part of said payments, and that the parties shall be allowed the same time and terms, for completing said payments, that were allowed at the original sale of said University lands.

Read first time, and passed to the orders of the day.

Mr. Smith of Colorado introduced following ordinance :

*Resolved*, That the whole proceedings of this Convention, including all ordinances and amendments to the Constitution of this State, shall be submitted to the people of this State for their acceptance or rejection, by vote of the qualified electors of the State, on the 1st Monday in June next, and that no ordinance, change or amendment made or proposed by this Convention to the Constitution of this State as it existed on the 31st January, 1861, shall have any force or effect until accepted by the people as aforesaid.

And that an election for County and State officers be holden at the same time, in the several counties of this State.

Read first time, and passed to the orders of the day.

#### ORDERS OF THE DAY.

The question pending at the hour of the last adjournment, viz : the substitute offered by Mr. Whitfield for the amendment proposed by Mr. Roberts to the 3d section of the ordinance reported by the Finance Committee, touching the public debt, again taken up.

On motion of Mr. Davis of Webb, Convention adjourned until 3 o'clock this evening, pending the substitute of Mr. Whitfield,  
3 o'clock, P. M.

Convention met ; roll called ; quorum present.

Mr. Parker moved to adjourn till to-night at 7½ o'clock.

Lost.

Mr. Ireland moved to adjourn till 7 o'clock to-night.

Lost.

The question pending at the hour of the last adjournment, viz : the substitute of Mr. Whitfield for Mr. Roberts' amendment to the ordinance reported by the committee on Finance, touching the public debt, again taken up.

Mr. Degener 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 :

Yeas—Messrs. Anderson, Bacon, Benge, Bradshaw, Bumpass, Camp of Gohad, Davis of Webb, Degener, Flanagan, Hart, Hill, Johnson of Titus, Jones of Bastrop, Lane, Latimer, Middleton, Murchison, Nelson, Parker, Perry, Richardson, Saunders, Shields, Shuford, Shaw, Smith of Lamar, Taylor of Fannin, Thomas of Cameron, Varnell and Whitfield—30.

Nays—Messrs. Ball, Beall, Burke, Camp of Upshur, Dalrymple, Davis of Cherokee, Dickson, Gentry, Giddings, Gurley,

Halbert, Hancock, Hunt, Ireland, Jones of Bexar, Ledbetter, Mabry, McCormack, Norton, Norris, Parsons, Phillips, Porter, Ranck, Randolph, Reeves, Roberts, Runnels, Saufley, Selman, Shepard, Slaughter, Spaight, Taylor of Houston, Thompson, Tyus, Walker, Waul, Wilson and Woods—40.

So the House refused to order the main question.

The question recurring on the adoption of the substitute offered by Mr. Whitfield, and the Yeas and Nays being called for stood thus :

Yeas—Messrs. Bacon, Camp of Goliad, Davis of Webb, Gentry, Hancock, Henderson, Hill, Jones of Bexar, Latimer, Ledbetter, McCormack, Norton, Ranck, Reeves, Saunders, Shields, Slaughter, Taylor of Fannin, Thomas of Cameron, Varnell, Waul, Whitfield and Woods.

Nays—Messrs. Allen, Anderson, Ball, Bengé, Bradshaw, Bumpass, Burke, Camp of Upshur, Dalrymple, Davis of Cherokee, Degener, Dickson, Flanagan, Giddings, Gurley, Hart, Hunt, Ireland, Johnson of Titus, Jones of Bastrop, Lane, Lindsey, Mabry, Middleton, Murchison, Nelson, Norris, Parker, Parsons, Perry, Phillips, Porter, Randolph, Richardson, Roberts, Runnels, Saufley, Shepard, Shaw, Smith of Lamar, Spaight, Taylor of Houston, Thompson, Tyus, Walker and Wilson.

Mr. Davis of Cherokee offered following amendment :

Proviso, to come in at the end of the amendment: *Provided*, said claims shall not exceed one hundred thousand dollars, which sum shall be distributed by the Legislature, *pro rata*, among the claimants.

On motion of Mr. Degener, the amendment laid on the table.

Mr. Gentry offered the following amendment :

Amend section 3d by striking out all after the word *State* in the 1st line, and insert "shall provide for the payment of all debts created by the State prior to the 1st day of February, 1861, and for all obligations or evidences of indebtedness issued since that time, for the support of the public charitable institutions, or for benevolent purposes, also for frontier defence ; and the Legislature shall provide for an equitable adjustment of all obligations created by the State exclusively for the support of the civil government, prior to the 1st day of June, 1865.

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

Mr. Giddings offered the following as a substitute for the 3d section of the ordinance, and the amendment proposed by Mr. Roberts :

*Be it ordained by the people of the State of Texas, in Con-*

*vention assembled*, That the Legislature, at its first session, shall provide for the appointment of an Auditorial Board, for the purpose of adjusting the debts and liabilities of the State, upon the principles of justice and equity; *provided*, that no person other than the original holder shall receive more than the market value, in specie, of such liabilities, at the time they were issued or contracted, and the Legislature shall make provision for the payment of the amount so found to be due, and no more: and, *provided, further*, that warrants heretofore paid into the Treasury of the State on account of principal and interest due the State, the market value of such warrants, at the time they may have been so paid, shall be allowed, and no more.

On motion of Mr. Flanagan, the substitute of Mr. Giddings laid on the table, by the following vote:

Yeas—Messrs. Allen, Anderson, Bacon, Bumpass, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Webb, Davis of Cherokee, Degener, Flanagan, Hart, Hill, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Lane, Latimer, Ledbetter, Lindsey, Middleton, Murchison, Nelson, Norton, Parker, Ranck, Richardson, Saunders, Shields, Shuford, Shaw, Smith of Lamar, Taylor of Fannin, Thomas of Cameron, Varnell, Waul, Whitfield and Woods—38.

Nays—Messrs. Ball, Bengé, Bradshaw, Burke, Dickson, Gentry, Giddings, Gurley, Halbert, Hancock, Henderson, Hunt, Ireland, Mabry, McCormack, Norris, Parsons, Perry, Phillips, Porter, Randolph, Reeves, Roberts, Runnels, Saufley, Selman, Shepard, Slaughter, Spaight, Taylor of Houston, Thompson, Tyus, Walker and Wilson—34.

Mr. Wilson offered the following as a substitute for the 3d section:

SEC. 3. *Be it further ordained*, That the Legislature shall, at its first session hereafter, determine and designate that portion of the public debt of the State included within the prohibitions of the two preceding sections.

SEC. 4. That the Legislature shall have power, at its first session hereafter, to declare null and void, or to ratify, audit, and provide for the payment of, such other portions of the debt of the State not included within the first two sections of this ordinance, contracted or incurred between the 28th day of January, 1861, and the 5th day of August, 1865, as by law they may prescribe.

Mr. Whitfield moved to adjourn till 7½ o'clock to-night, and the Yeas and Nays being called for, stood thus:

Yeas—Messrs. Anderson, Bacon, Ball, Bengé, Bradshaw,

Camp of Upshur, Dalrymple, Davis of Webb, Davis of Cherokee, Flanagan, Henderson, Ireland, Johnson of Titus, Lane, Mabry, Middleton, Nelson, Norris, Parker, Perry, Ranck, Reeves, Runnels, Shepard, Spaight, Taylor of Fannin, Taylor of Houston, Whitfield and Wilson—29.

Nays—Messrs. Allen, Bumpass, Burke, Camp of Goliad, Degener, Dickson, Gentry, Giddings, Gurley, Halbert, Hancock, Hart, Hill, Hunt, Jones of Bastrop, Jones of Bexar, Latimer, Lindsey, McCormack, Murchison, Norton, Parsons, Phillips, Porter, Randolph, Richardson, Roberts, Saunders, Saufley, Selman, Shields, Shuford, Shaw, Slaughter, Smith of Lamar, Thompson, Tyus, Varnell, Walker, Waul and Woods—41.

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 :

Yeas—Messrs. Bacon, Bengé, Burke, Davis of Cherokee, Degener, Dickson, Gurley, Hancock, Hart, Hill, Hunt, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Lane, Latimer, McCormack, Nelson, Norton, Phillips, Porter, Randolph, Roberts, Saunders, Saufley, Selman, Shields, Shuford, Shaw, Slaughter, Smith of Lamar, Tyus, Varnell, Walker, Waul, Wilson and Woods—37.

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.

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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 borns in mind that these