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

FRIDAY, March 16th, 1866.

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

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

COMMITTEE ROOM, March 16th, 1866.

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

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

AN ORDINANCE,

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

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

Jefferson, Orange, Chambers, Liberty, Hardin, Jasper, Newton, Tyler, Polk, Trinity, Angelina, Nacogdoches, San Augustine, Sabine, Shelby, Panola, Rusk, Cherokee, Houston, Anderson, Henderson, Smith, Van Zandt, Kaufman, Wood, Upshur, Harrison, Marion, Davis, Bowie, Titus, Hopkins, Red River, Lamar, Fannin, Hunt, Collin and Grayson, and which shall be called East Texas.

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

SEC. 3. - The returns of the votes thus cast shall be made in the usual due and legal manner that election returns for the state and County officers are made to the Secretary of State, and shall be counted as other elections.

SEC. 4. Should a majority cast on that subject be in favor of the organization aforesaid, it shall be the duty of the Governor to order an election to be held in those counties for delegates to attend a Convention at the town of ———, for the purpose of forming a Constitution, and doing such acts as may be necessary to put such new State Government into operation.

SEC. 5. Until such organization is completed, the counties aforesaid shall remain a part and parcel of the State as it now exists, and under any and all circumstances, should said State be reorganized, all the rights and obligations, in respect to indebtedness, public lands, school funds, and internal improvements, shall remain unimpaired, and shall be fairly and equitably adopted.

Ordinance read a first time, and passed to the orders of the day.

Mr. Roberts, chairman of committee on the Judiciary, made following report :

COMMITTEE ROOM, March 15th, 1866.

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

The committee on the Judiciary, to whom was referred the ordinance of the delegate from Rusk county (Mr. Flanagan) in relation to a homestead, have had the same under consideration, and have instructed me to report the same back, and recommend that it be not passed.

This is done under the impression that the Legislature is invested with ample power to exempt other property from forced sale, to any extent that the interests of the country may require, and that the homestead as defined in the Constitution has had judicial and legislative construction, by which it has been rendered certain, and that any alteration therein would tend to unsettle the same. Which is respectfully submitted.

Read, and passed to orders of the day.

Mr. Reeves, one of the committee on General Provisions of the Constitution, made following report :

COMMITTEE ROOM, March 16th, 1866.

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

The committee on General Provisions, to whom was referred "an ordinance prohibiting special legislation," have had the same under consideration, and instruct me to report that they deem it inexpedient to take any action thereon.

Received, to come up in order.

Mr. Randolph, chairman of the committee on Engrossed and Enrolled Ordinances, made the following report :

COMMITTEE ROOM, March 16th, 1866.

Hon. D. G. Dickson, President, pro tem., of Convention :

SIR : The committee on Engrossed and Enrolled Ordinances have examined an ordinance relative to the direct tax levied upon the State of Texas by the United States, and an ordinance declaring the war debt void, and for other purposes, and also an ordinance declaring the ordinance of secession null and void, and find them correctly enrolled, and properly signed.

Received, to come up in order.

On motion, Mr. Dickson was excused from further attendance on the Convention.

Mr. Henderson offered the following ordinance :

AN ORDINANCE,

To amend the 4th Article of the Constitution, by adding thereto the following Section.

Be it ordained by the people of Texas, in Convention assembled,

SECTION 1. That there shall be, and hereby is created, a Criminal Court, embracing the counties of Galveston and Harris, which shall have the same original and appellate jurisdiction that is now, or hereafter may be given, to the District Court, against all crimes and offences, to be exercised and carried out in like manner, and under the same laws, rules and regulations, applicable to the same jurisdiction exercised by said District Court.

SEC. 2. That said court shall consist of one Judge, who shall be elected by the qualified voters of said counties, and said Judge shall hold his office for and during the term of ten years, and shall receive the same pay and compensation now allowed, or that hereafter may be allowed, to Judges of the District Court, and shall in all respects hold said office under the same regulations and liabilities of Judges of the District Courts; and said Judge shall appoint a Clerk for each of said Courts; and the sheriff of each of said counties of Galveston and Harris shall attend on said Courts, perform all the duties imposed on him now by law.

Ordinance read a first time.

Mr. Henderson moved to suspend the rule, and take up the ordinance, and place it on its second reading.

Carried.

Ordinance taken up, read a second time, and the question being the engrossment of the ordinance,

Mr. Whitfield offered the following amendment :

"And the Clerk of said Court shall be elected by the qualified electors of said counties."

Mr. Phillips moved to refer the ordinance and proposed amendment to the Judiciary Committee.

Mr. Ireland moved to postpone the further consideration of the ordinance till the Convention has acted on the general report of the Judiciary Committee.

Mr. Beall moved to lay the subject matter under consideration on the table.

The Yeas and Nays being called for, stood thus :

Yeas—Messrs. Anderson, Bacon, Beall, Bradshaw, Davis of Webb, Hunt, Ireland, Johnson of Titus, Perry, Phillips, Record, Richardson, and Wilson—13.

Nays—Messrs. Armstrong, Ball, Bengé, Bryan, Bumpass, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Cherokee, Degener, Flanagan, Gentry, Giddings, Gurley, Hancock, Henderson, Hill, Hurt, Johnson of Tarrant, Jones of Bastrop, Jones of Bexar, Ledbetter, Mabry, McCormack, Middleton, Nelson, Norris, Parker, Parsons, Porter, Ranck, Randolph, Reeves, Roberts, Saunders, Saufley, Shepard, Shaw, Slaughter, Smith of Colorado, Smith of Lamar, Spaight, Thomas of Cameron, Thompson, Waul, Whitfield, Woods and Young—48.

So the motion to lay on the table was lost.

The question recurring on the motion of Mr. Ireland to postpone, the same was put, and the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Anderson, Bacon, Beall, Bengé, Bradshaw, Camp of Goliad, Camp of Upshur, Davis of Webb, Giddings, Hunt, Ireland, Lindsey, Nelson, Norton, Perry, Phillips, Porter, Record, Reeves, Richardson, Roberts, Shields, Smith of Colorado, Thomas of Cameron, Wilson and Woods—26.

Nays—Messrs. Armstrong, Ball, Bryan, Dalrymple, Davis of Cherokee, Degener, Dickson, Flanagan, Gentry, Hancock, Henderson, Hurt, Johnson of Tarrant, Johnson of Titus, Jones of Bastrop, Latimer, Ledbetter, Mabry, McCormack, Middleton, Norris, Parker, Parsons, Randolph, Runnels, Saunders, Saufley, Shepard, Shaw, Slaughter, Smith of Lamar, Spaight, Taylor of Houston, Thompson, Varnell, Walker, Waul, Whitfield and Young—39.

So the House refused to postpone.

The question recurring on the motion of Mr. Phillips to commit the ordinance to the Judiciary Committee, and the same being put, was lost.

The question recurring on Mr. Whitfield's proposed amendment,

Mr. Johnson of Tarrant offered following amendment :

Provided, That the Legislature may establish similar courts in any county of this State, at such times as may be deemed proper to do so.

Amendment accepted.

Mr. Walker offered the following as a substitute for the ordinance and the amendment of Mr. Whitfield :

“The Legislature may establish Criminal Courts in cities, with such jurisdiction, and under such regulations as may be provided by law.”

Substitute withdrawn.

The question recurring on the amendment of Mr. Whitfield, the same was put, and the amendment was adopted.

The question on the engrossment of the ordinance being put, the ordinance was ordered to be engrossed.

Mr. Dalrymple introduced the following

ORDINANCE,

To Provide for the Payment of State Troops, Mustered into Service Previous to March 2d, 1861.

SECTION 1. *Be it ordained by the people of the State of Texas in Convention assembled*, That all warrants issued for the payment of troops called into service of the State of Texas, by His Excellency Gov. Houston, previous to the 2d day of March, 1861, be and the same are hereby declared valid, under the regulations hereinafter prescribed.

SEC. 2. *Be it further ordained*, That the said warrants, before becoming chargeable upon the State, shall first be presented to the Comptroller thereof, and should they show upon their face that they were issued for the purposes above set forth, it shall become his duty, and he is hereby required, to approve and register the same; whereupon, after said approval and registry, noted upon said warrants, the Treasurer of this State is hereby required to pay the same to the holder or holders thereof, or to his or their legal representatives, together with the specified interest thereon, from the date of issue to the time of presentation for payment; *provided*, the same shall not exceed two months from the passage of this ordinance, and, *provided, further*, that no interest shall accumulate thereafter; such payment to be made out of any money in the treasury, not otherwise appropriated.

SEC. 3. This ordinance shall take effect from and after its passage. This ——— day of ———, 1866.

Ordinance read a first time.

Mr. Dalrymple moved to suspend the rule, and place the ordinance on its second reading.

Lost.

Ordinance referred to the committee on Finance.

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

COMMITTEE ROOM, March 15th, 1866.

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

The committee on Public Lands, to whom was referred an ordinance relative to the sale of the public domain of the State, and the appropriation of the proceeds thereof for educational purposes, &c., have had the same under consideration, and instruct me to report the accompanying ordinance, and recommend its passage by the Convention.

Be it ordained by the people of the State of Texas in Convention assembled, The Legislature is hereby vested with power and authority to sell and convey to the Government of the United States all that portion of the unappropriated public domain of the State of Texas lying above and north and west of a line beginning at a point where the one hundred and first degree of longitude west of Greenwich strikes the Rio Grande; thence north on the line of said degree of longitude to where it strikes Red river; thence down said river to the one hundredth degree of longitude; thence north along the line of said degree of longitude to the north-east corner of that portion of the State lying north of Red river; thence west to the north-west corner of the State of Texas; thence south to the thirty-second degree of north latitude; thence west to the Rio Grande; thence down said river to the place of beginning.

And the Legislature, if such sale is made, shall cede to said United States Government the right of jurisdiction and soil, reserving all private rights lawfully acquired up to the time of said sale.

Said sale shall be made upon such terms and for such amount as the Legislature may determine to be expedient.

The proceeds arising from such sale shall become a part of the common fund of the State.

Read, and carried to the orders of the day.

Mr. Maul offered the following resolution :

Resolved, A majority of this Convention shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members.

Mr. Maul moved to suspend the rule, and take up the resolution. Rule suspended, and resolution taken up.

M

Mr. Davis of Webb offered the following amendment:
Provided, This Convention adjourn, *sine die*, on the 29th instant, or sooner.

Accepted.

Mr. Gentry offered the following amendment:

“And all the amendments to the Constitution and ordinance passed by this Convention shall be submitted to the people for ratification or rejection.

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

Mr. Runnels moved to strike out 28th, and insert 21st.

On motion, laid on the table.

The question recurring on the adoption of the resolution amended, and the Yeas and Nays being called for, stood thus:

Yeas—Messrs. Allen, Anderson, Armstrong, Ball, Bradshaw, Bumpass, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Webb, Davis of Cherokee, Degener, Dickson, Gentry, Giddings, Gurley, Henderson, Hill, Hunt, Hurt, Johnson of Tarrant, Jones of Bastrop, Ledbetter, Lindsey, McCormack, Middleton, Nelson, Norris, Phillips, Ranck, Record, Reeves, Richardson, Roberts, Saunders, Saufley, Selman, Shepard, Spaight, Taylor, Houston, Thomas of Cameron, Thompson, Tyus, Varner, Walker, Waul, Whitfield, Wilson and Woods—48.

Nays—Messrs. Bacon, Beall, Bengel, Bryan, Flanagan, Hancock, Johnson of Titus, Latimer, Mabry, Norton, Parson, Porter, Shields, Shuford, Smith of Colorado, Smith of Lamar and Young—18.

So the resolution was adopted.

Mr. Whitfield offered the following resolution:

That hereafter no delegate speak longer than ten minutes, upon any question before the Convention, and only once, except on leave.

Mr. Whitfield moved to suspend the rule, and take up the resolution.

Lost.

Mr. Jones of Bastrop offered the following resolution:

Resolved, That the committee on Public Lands inquire into the propriety of adopting an ordinance to obviate difficulties arising from lost lines and corners of surveys, and report such an ordinance as they may deem proper.

Adopted.

Mr. Johnson of Tarrant offered following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of preparing an ordinance relating to payments made in Confederate money, to administrators and

executors, during the war, under direction of the military authorities.

Adopted.

Mr. Bradshaw offered following

ORDINANCE,

Scaling the Amounts Paid into the State Treasury by Railroad Companies, under the following Acts, to-wit:

An Act authorizing the Comptroller to receive from Railroad Companies, in the State, the interest that may be now due, or hereafter become due, on their bonds. Approved December 16th, 1863.

An Act amending an act authorizing the Comptroller of the State to receive from Railroad Companies, in this State, the interest that may be now due, or hereafter become due, on their bonds. Approved May 24th, 1864.

An Act to authorize Railroad Companies to discharge their indebtedness to the special school fund, with the treasury warrants, bonds and coupons of the State. Approved November 15th, 1864.

Be it ordained by the people of the State of Texas, in Convention assembled, That all payments made by said companies, under said acts, or either of them, with State Treasury Warrants, issued since the 1st day of February, 1861, shall be credited to the account of said company or companies paying the same, at the fair market value of said warrants at the time the payments were made, to be determined by the Comptroller of the State, and subject to the ratification of the Legislature of the State.

Ordinance read first time, and referred to Finance Committee.

Mr. Shepard offered the following amendment to the Constitution:

The Governor may approve any appropriation, and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved, and shall return a copy of such appropriations, with his objections, to the House in which it originated, and the same proceedings shall then be had as in the case of other bills disapproved by the Governor.

To come in at the end of Section 17, Article V, of the Constitution.

Amendment of Mr. Shepard laid over till the Article of the Constitution touching Executive Department taken up.

Mr. Allen offered following resolution:

Resolved, That the committee on Finance be instructed to ascertain the amount of indebtedness incurred on account of the Lunatic, the Blind, and the Deaf and Dumb Asylums, since the surrender of the Trans-Mississippi Department, and for what purpose said indebtedness was incurred. Should the committee be satisfied that any just and meritorious claims exist against the State, on account of necessaries furnished any, either or all of said institutions, to report an ordinance providing for the payment of the same.

Adopted.

Mr. Gentry moved to suspend the rule, to take up an ordinance introduced by Mr. Hancock, relative to the moneys expended for the support of the Asylums, and other purposes, for the purpose of referring it to a select committee.

Rule suspended, ordinance taken up.

Mr. Davis of Webb moved to refer it to Finance Committee.

Motion prevailed.

Mr. Henderson moved to take up an ordinance fixing the time for the election of State and County officers, and for the meeting of the Legislature.

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

Lost.

Mr. Saunders moved to adjourn till 10 o'clock to-morrow.

Lost.

On motion, the Convention refused to adjourn till 3 o'clock.

On motion of Mr. Gentry, Convention adjourned until 7½ o'clock, P. M.

7½ o'clock, P. M.

Convention met; roll called; quorum present.

An ordinance providing for the election of State and County officers, and fixing a time for the meeting of the Legislature, taken up.

Mr. Roberts offered following amendment;

SEC. 5. *Be it further ordained*, That the Constitution of the State of Texas (except Article VIII) in force on the 28th day of January, A. D. 1861, together with an ordinance adopted as a substitute for Article VIII, entitled "Freedmen," and the ordinance declaring the ordinance of secession void, and the ordinance declaring the war debt void, and for other purposes, and all other separate ordinances adopted by this Convention, (not embraced in the Executive, Legislative and Judicial Departments, in the General Provisions and Bill of Rights,) shall be recognized as the Constitution in force in the State of Texas.

SEC. 6. *Be it further ordained,* That the several amendments that may be made by this Convention to the "Executive Department," the "Legislative Department," and the "Judicial Department," and the "General Provisions and Bill of Rights," of the Constitution, be submitted to the people of the State, for their acceptance or rejection, by a vote of the qualified electors of the State, on the 1st Monday of May, A. D. 1866.

SEC. 7. *Be it further ordained,* It shall be the duty of the several returning officers, at the said election, to open a poll for, and make a return to the Secretary of the State of, the votes polled for and against said amendments.

They shall be valid, as parts of the Constitution.

Mr. Saunders moved to lay the amendment of Mr. Roberts on the table, and the Yeas and Nays being called for, stood as follows :

Yeas—Messrs. Armstrong, Bacon, Benge, Bumpass, Davis of Webb, Degener, Flanagan, Hart, Hill, Johnson of Tarrant, Lane, Latimer, McCormack, Murchison, Nelson, Norton, Saunders, Shuford, Smith of Colorado, Taylor of Fannin, Thomas of Cameron, Varnell and Young—23.

Nays—Messrs. Anderson, Ball, Beall, Bradshaw, Burke, Camp of Goliad, Camp of Upshur, Dalrymple, Dickson, Gentry, Giddings, Gurley, Hunt, Ireland, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Ledbetter, Lindsey, Middleton, Norris, Parker, Parsons, Perry, Phillips, Porter, Randolph. Record, Reeves, Roberts, Runnels, Saufley, Selman, Shepard, Shields, Shaw, Spaight, Taylor of Houston, Walker, Waul, Whitfield, Wilson and Woods—44.

Lost.

Mr. Bacon offered the following as a substitute for the ordinance, and the amendment proposed by Mr. Roberts :

Resolved, That the whole of the action 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 State and County officers be holden at the same time in the several counties of this State.

Mr. Davis of Cherokee moved that the subject matter be postponed till to-morrow at 11 o'clock, A. M.

Mr. Smith of Colorado offered the following amendment :

Immediately after the adjournment of this Convention, the Provisional Governor of this State will issue his proclamation, directing the chief justices of the several counties in this State, and they, or if the office in any county be vacant, or the chief justice be absent from the county, or otherwise unable or unwilling to act, any two commissioners, are hereby required to cause polls to be opened in their respective counties, at the established precincts, on the first Monday in next —, for the purpose of taking the sense of the people of the State in regard to the adoption or rejection of the Constitution, and the votes of all persons entitled to vote under this Constitution shall be received. Each voter shall express his opinion by declaring, *viva voce*, for “the Constitution accepted,” or “the Constitution rejected,” or some words clearly expressing the intention of the voter. The election shall be conducted in conformity with the existing laws regulating elections; and the chief justices of the several counties, or two commissioners to act in cases as aforesaid, shall carefully and promptly make duplicate returns of said polls, one of which shall be transmitted to the Secretary of State, endorsed “election returns,” and the other deposited in the clerk’s office of the County Court.

On motion of Mr. Davis of Cherokee, the subject matter under consideration postponed till to-morrow at 11 o’clock, A. M.

ORDERS OF THE DAY.

Article X, Education, taken up.

Mr. McCormack offered the following amendment:

“Strike out the word ‘white,’ 6th line. 2d Section.”

Mr. Beall offered the following as a substitute for the ordinance:

ARTICLE X—EDUCATION.

Resolved, That all the lands, funds, and other property, known as, or belonging to, the school fund, shall revert to the State, to be used as the Legislature may deem most conducive to the public benefit.

Mr. Whitfield moved to lay the amendment and substitute on the table.

On motion of Mr. Davis of Webb, a division of the question was granted.

The question recurring on laying Mr. Beall’s substitute on the table, the same was put, and the substitute was laid on the table.

The question recurring on laying the amendment of Mr. McCormack on the table, and the Yeas and Nays being called for, stood thus:

Yeas—Messrs. Allen, Anderson, Armstrong, Bacon, Ball, Beall, Benge, Bradshaw, Bumpass, Burke, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Cherokee, Flanagan, Gentry, Giddings, Hancock, Hart, Henderson, Hill, Hunt, Hurt, Ireland, Johnson of Tarrant, Johnson of Titus, Jones of Bastrop, Lane, Latimer, Ledbetter, Lindsey, Mabry, Middleton, Nelson, Norton, Norris, Parker, Parsons, Perry, Porter, Randolph, Record, Reeves, Runnels, Saunders, Saufley, Selman, Shields, Shaw, Slaughter, Smith of Colorado, Spaight, Taylor of Fannin, Taylor of Houston, Waul, Walker, Whitfield, Wilson, Woods and Young—60.

Nays—Messrs. Davis of Webb, Degener, McCormack, Murchison, Shepard and Varnell—6.

So the amendment was laid on the table.

The question recurring on the engrossment of the Article,

Mr. Degener offered the following amendment ;

“Strike out the words “one-half of,” 8th line, Section 3.”

Mr. McCormack offered the following amendment :

SEC. 2. After “State,” in the second line, insert “providing that the white schools and colored schools shall be kept separate and distinct.”

The question being on the adoption of the amendment of Mr. McCormack,

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

Yeas—Messrs. Allen, Anderson, Armstrong, Ball, Beall, Benge, Bradshaw, Bumpass, Burke, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Cherokee, Flanagan, Gentry, Giddings, Hancock, Hart, Hill, Hunt, Hurt, Ireland, Johnson of Tarrant, Johnson of Titus, Jones of Bexar, Lane, Latimer, Ledbetter, Lindsey, Mabry, Middleton, Nelson, Norton, Norris, Parsons, Perry, Phillips, Porter, Randolph, Record, Reeves, Roberts, Runnels, Saunders, Saufley, Shuford, Shaw, Smith of Colorado, Spaight, Taylor of Fannin, Taylor of Houston, Thomas of Cameron, Walker, Whitfield, Woods and Young—56.

Nays—Messrs. Bacon, Davis of Webb, Degener, McCormack, Murchison, Parker and Waul—7.

So the motion prevailed.

Mr. Davis of Cherokee offered the following amendment to the 2d Section :

“And the Legislature shall not, under any pretense whatever, loan said fund, or any part thereof, for any purpose whatever.”

Withdrawn.

Mr. Degener offered following amendment to the 3d Section :

“Strike out the words ‘one-half of,’ 8th line.” Lost.

Mr. Ireland moved to amend the 4th Section by striking out the words “upon time,” 3d line.

Adopted.

Mr. Davis of Cherokee offered following amendment to 5th Section :

Insert the words “or loan,” between the words “appropriate” and “any,” in the first line.

Mr. Bradshaw offered the following amendment to Section 5 :

“Strike out all after the word ‘Texas,’ in the sixth line.”

Withdrawn.

Mr. Wilson moved to lay the amendment of Mr. Davis of Cherokee on the table, and the Yeas and Nays being called, stood as follows :

Yeas—Messrs. Allen, Anderson, Camp of Upshur, Dalrymple, Gentry, Giddings, Gurley, Hunt, Hurt, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Latimer, Mabry, McCormack, Nelson, Parsons, Phillips, Randolph, Record, Reeves, Roberts, Saufley, Shepard, Shields, Spaight, Taylor of Houston, Whitfield and Wilson—29.

Nays—Messrs. Bacon, Ball, Beall, Bengé, Bradshaw, Bumpass, Burke, Camp of Goliad, Davis of Webb, Davis of Cherokee, Degener, Flanagan, Hancock, Hill, Ireland, Ledbetter, Middleton, Murchison, Norton, Norris, Parker, Perry, Saunders, Selman, Shaw, Smith of Colorado, Taylor of Fannin, Thomas of Cameron, Thompson, Varnell, Walker, Waul, Woods and Young—34.

Lost.

Mr. Smith of Colorado offered the following as a substitute for the amendment of Mr. Davis of Cherokee :

After the word appropriate, in the 1st line, insert the words “or loan or invest, except as follows.”

Adopted.

The question recurring on the adoption of the substitute as part of the Section, the same was put, and adopted.

Mr. Ireland offered the following amendment to 5th Section :

Strike out all after the word “guarantee,” in the 7th line.

Adopted.

Mr. Bumpass offered to amend as follows :

Strike all after the word “America,” in the 6th line.

And the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Bradshaw, Bumpass, Davis of Webb, Davis of Cherokee, Degener, Flanagan, Hart, McCormack, Murchison, Norton, Parker, Perry, Saunders, Taylor of Fannin and Young—15.

Nays—Messrs. Allen, Anderson, Bacon, Ball, Beall, Benge, Burke, Camp of Upshur, Dalrymple, Gentry, Giddings, Gurley, Hancock, Henderson, Hill, Hunt, Hurt, Ireland, Johnson of Titus, Jones of Bastrop, Latimer, Ledbetter, Mabry, Nelson, Norris, Phillips, Record, Reeves, Roberts, Saufley, Shields, Shaw, Smith of Colorado, Spaight, Taylor of Houston, Thomas of Cameron, Thompson, Varnell, Walker, Waul, Whitfield, Wilson and Woods—43.

Lost.

Mr. Thompson offered the following amendment to Section 5 : Strike out all after "whatever," in 2d line, down to "and it," in 4th line.

Lost.

Mr. Hart moved to adjourn until 9½ o'clock to-morrow morning.

Carried.

SATURDAY, March 17th, 1866.

Convention met, pursuant to adjournment; prayer by the chaplain; roll called; quorum present.

The President pro tem. being excused by the House on yesterday, and the President being still sick, the Convention was called to order by acting chief clerk Wheeler, and nominations being in order for President pro tem.,

Mr. Runnels nominated Mr. Taylor of Houston.

Mr. Taylor of Fannin nominated Mr. Hart.

Mr. Jones of Bexar nominated Mr. Johnson of Tarrant.

Name of Mr. Johnson withdrawn.

Mr. Taylor of Fannin and Mr. Davis of Webb appointed as Tellers.

The ballots being told, it appeared that Mr. Taylor had received 39 votes, and Mr. Hart 25 votes; Scattering 2.

Mr. Taylor, having received a majority of the votes cast, was declared duly elected President pro tem. of the Convention.

Mr. Ledbetter and Mr. Latimer were appointed to conduct him to the chair.

Journal of yesterday read and adopted.

On motion of Mr. Norris, Mr. Gurley was excused for the day.

On motion of Mr. Latimer, Mr. Beall and Mr. Hart were added to the committee on Finance.

On motion of Mr. Slaughter, Mr. Bryan was excused indefinitely.