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Citation: *Journal of the Texas State Convention: Assembled at Austin, Feb. 7, 1866. Adjourned April 2, 1866. [Austin, TX.]: Printed at the Southern Intelligencer Office, 1866.*

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Mr. Parsons moved to reconsider the vote adopting the amendment proposed by Mr. Norris.

Lost.

Mr. Norris moved to reconsider the vote adopting the amendment proposed by Mr. Norton; and the Yeas and Nays being called on the adoption of said motion, stood thus:

Yeas—Messrs. Allen, Armstrong, Bacon, Bradshaw, Bumpass, Davis of Webb, Gentry, Giddings, Gurley, Hancock, Henderson, Hunt, Hurt, Johnson of Tarrant, Jones of Bexar, Latimer, Ledbetter, Lindsey, Mabry, McCormack, Murchison, Parker, Phillips, Roberts, Shepard, Shields, Slaughter, Smith of Colorado, Taylor of Fannin, Thompson, Varnell, Walker and Woods—33.

Nays—Messrs. Anderson, Beall, Bengé, Burke, Camp of Goliad, Camp of Upshur, Dalrymple, Drake, Flanagan, Hart, Hill, Johnson of Titus, Jones of Bastrop, Lane, Nelson, Norton, Parsons, Perry, Porter, Reeves, Richardson, Saunders, Saufley, Shuford, Shaw, Taylor of Houston, Tyus and Young—28.

So the motion prevailed.

On motion, the Convention adjourned till 9½ o'clock to-morrow, pending Mr. Norton's amendment.

WEDNESDAY, March 21st, 1866.

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

Mr. Gurley presented the petition of W. A. Smith, of Travis county, and the following ordinance relating thereto:

AN ORDINANCE,

*Validating Claims therein named.*

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

SEC. 1. That the claims of W. A. Smith, for one thousand dollars, for services rendered in the years 1863, 1864, and 1865, as Superintendent of the Blind Asylum; the claim of Mrs. Julia A. Smith for seven hundred and fifty dollars, as matron of said Asylum for the years aforesaid; and the claim of Miss Mary E. Smith, for six hundred and fifty dollars, and that of Miss S. J. Smith, for four hundred dollars, for services as teachers in the Blind Asylum, for the years 1863, and 1864, and 1865, in all aggregating the sum of twenty-eight hundred dollars, be and they are hereby validated, and declared to be valid and subsisting claims against the State of Texas.

SEC. 2. That the sum of twenty-eight hundred dollars be and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated, to pay said claims, upon the presentation at the Treasury of vouchers properly certified, under the law governing the payment of money on account of said Blind Asylum.

Read first time.

Mr. Gurley moved to suspend the rules, in order to take up and consider the ordinance.

Lost.

On motion of Mr. Bacon, ordinance and petition referred to committee on Finance.

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

COMMITTEE ROOM, March 19th, 1866.

*Hon. W. M. Taylor, President, pro tem., of the Convention :*

The committee on Condition of the State, to whose consideration the subject encouraging immigration has been referred, believing that it is of the utmost importance that our vast territory should be settled up and improved by an energetic, enterprising, and industrious population, have authorized me to report the following resolution, and to recommend its adoption. The importance of the subject, in our judgments, must commend the resolution to the minds of all who desire the prosperity of the State.

### RESOLUTION,

*Authorizing the appointment of a Commissioner of Statistics for the promotion of Immigration.*

*Resolved,* That the Legislature may provide for the appointment of a Commissioner of Statistics, to organize a system for the promotion of immigration to the State of Texas, whose duty it shall be to collect information in regard to the mineral resources, productions, and population of the State, and to prepare and publish such documents as may be calculated to furnish correct information about all the counties of the State, and in inviting immigration from other States and countries.

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

Mr. Bacon, in behalf of the committee on Finance, made the following report :

*To Hon. W. M. Taylor, President pro tem. of Convention*  
To committee on Finance, to whom was referred an ordinance entitled an ordinance relating to debts contracted by counties in

support of the late civil war, have had the same under consideration, and have instructed me to report said ordinance back to the Convention, with the unanimous recommendation of the committee that it do pass.

Received, to come up in order.

Mr. Thompson, in behalf of the committee on Enrolled and Engrossed Ordinances, made the following report :

COMMITTEE ROOM, March 20th, 1866.

*Hon. W. M. Taylor, President, pro tem., Convention :*

The committee on Enrolled and Engrossed Ordinances instruct me to report that they have examined Article X, Education, and found it correctly engrossed.

Received and adopted.

Mr. Ranck, chairman of select Committee, made the following report :

COMMITTEE ROOM, March 20th, 1866.

*Hon. W. M. Taylor, President pro tem. of Convention :*

The select Committee, to whom was referred an ordinance in relation to sending a Commissioner to Washington City, to procure troops to be stationed upon the frontier of the State, and for other purposes, have had the same under consideration; and instruct me to report the following preamble and resolutions, and respectfully recommend their adoption :

Whereas, the Convention, at a former day, passed resolutions declaratory of the defenceless condition of the people settled upon the frontier of the State ; and,

Whereas, authentic information has been received by the Convention from almost all the counties of the frontier, of extensive raids by Indians since that time ; raids in which large herds of horses and cattle were stolen and driven off, and many men, women, and children murdered, and mutilated in the most barbarous manner, and many others carried away into captivity, whose condition is far worse than that of those who suffered death by the tomahawk and scalping knife ;

And whereas, whole counties on said frontier, heretofore settled, have been depopulated by savage incursions, and it being fully demonstrated that without efficient aid, speedily afforded, the people of the frontier counties must and inevitably will give way, and the settlements recede still further into the interior :

*Therefore, be it Resolved, by the people of Texas in Convention assembled, That the Governor be requested, and he is hereby authorized to appoint immediately a suitable Commissioner, to repair to Washington City, to make known to the General Gov-*

ernment the condition of the people settled upon the frontier of this State, and that the State is utterly powerless to afford the necessary aid and protection.

*Be it further Resolved*, That said Commissioner is hereby instructed to urge upon the President and Secretary of War the fact that the Kickapoo tribe of Indians, now settled in Mexico, between Piedras Negras and Santa Rosa, are continually making raids into the settlements of Texas, and killing and carrying off our citizens, and driving off large quantities of cattle and horses into Mexico; that they are well armed, and savage in the warfare they wage, and now have in their possession numbers of white children captured in their raids; and also, the necessity of sending immediately a sufficient number of troops to occupy the posts heretofore occupied by United States forces, between Red River and the Rio Grande, in order that the frontier of the State may be fully protected, and the people secured in their persons and property.

Read first time.

Mr. Norris moved to suspend the rule, and take up the resolution reported by the select Committee.

Carried.

Resolution taken up, read a second time, and ordered to be engrossed.

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

Mr. Lindsey, one of the select Committee to whom was referred certain resolutions, in regard to the raising of mounted volunteers for frontier defence, made following report:

*Hon. W. M. Taylor, President, pro tem., of Convention:*

Your special committee of five, to whom was referred a resolution in reference to raising mounted rangers for the protection of the frontier, have had the same under consideration, and instruct me to report the following ordinance, and recommend its adoption:

#### AN ORDINANCE,

*Providing for the Protection of the Frontier.*

*Be it ordained by the people of the State of Texas in Convention assembled*, That the Provisional Governor is hereby authorized to raise five companies of mounted rangers, consisting of seventy men each, rank and file, to serve for the term of four months, and to be raised as follows, and required to protect the immediate districts from which they are respectively raised:

The first company will be raised from the counties of Cooke,

Montague, Wise, Jack, and Young; the second from the counties of Parker, Palo Pinto, Buchanan, Callahan, and Eastland; the third from the counties of Comanche, Brown, Coleman, San Saba, and McCulloch; the fourth from the counties of Menard, Mason, Llano, Gillespie, and Kimball; and the fifth from the counties of Kendall, Kerr, Bandera, Medina, Uvalde, and Frio: *Provided*, that the consent of the United States authorities shall be obtained, before said companies are organized.

*Be it further ordained*, That the Governor be requested to appoint one captain and two lieutenants, from each one of the districts above specified, whose duty it shall be to organize and command said companies, and that he be requested to take such other steps as may be necessary to carry into immediate effect the provisions of this ordinance.

*It is further ordained*, That the faith of the State is hereby pledged for the payment of all reasonable expenditures made on account of said companies, and that the first Legislature that meets be required to make provision for the payment of the same.

Received, to come up in order.

#### ORDERS OF THE DAY.

The question pending at the hour of the last adjournment, viz: the amendment of Mr. Norton to the 13th section of Art. IV, Judicial Department, again taken up.

And the question being on the adoption of said amendment, and the Yeas and Nays being called for, stood thus:

Yeas—Messrs. Anderson, Armstrong, Ball, Beall, Bengé, Burke, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Cherokee, Drake, Flanagan, Hart, Hill, Johnson of Titus, Jones of Bastrop, Lane, Middleton, Murchison, Nelson, Norton, Norris, Parsons, Perry, Porter, Ranck, Record, Reeves, Richardson, Saunders, Saufley, Selman, Shaw, Slaughter, Smith of Lamar, Taylor of Houston, Thomas of Cameron, Tyus, Walker, and Young—40.

Nays—Messrs. Bacon, Bradshaw, Bumpass, Davis of Webb, Degener, Giddings, Gurley, Hancock, Henderson, Hunt, Hurt, Johnson of Tarrant, Jones of Bexar, Latimer, Ledbetter, Lindsey, Mabry, McCormack, Parker, Paschal, Phillips, Roberts, Bunnels, Shepard, Shields, Taylor of Fannin, Thompson, Varnell, Waul, and Woods—30.

So the amendment was adopted.

Amendments being in order to Sec. 14, Mr. Ball offered to amend as follows:

SEC. 14. Amend, "the people shall elect a District Attorney,"

instead of, "the Governor shall nominate," &c., in 1st and 2d lines.

Mr. Saufley proposed to substitute Section 14 with the following :

There shall be a District Attorney for each Judicial District in the State, elected by the qualified electors of the district, who shall reside in the district for which he shall be elected; shall hold his office for four years, together with the perquisites prescribed by law; shall receive an annual salary of five hundred dollars, which shall not be increased or diminished during his term of office.

Mr. Davis of Webb moved to strike out "five hundred," in the substitute of Mr. Saufley, and insert "one thousand."

Adopted.

Mr. Norton moved to strike out "four," in the substitute, and insert "two."

On motion, laid on the table.

Mr. Hurt moved to strike out "four," and insert "six," in the substitute.

On motion, laid on the table.

Question recurring on the substitute as amended, the same was put, and the substitute adopted.

Mr. Hill offered a substitute for the 14th section.

Ruled out of order by the President.

Amendments being in order to Sec. 15, Mr. Norton offered to amend 4th line by striking out four, and insert two.

Lost.

Mr. Walker offered the following amendment :

Amend 2d line of 15th section by reading, after the word "court," as follows : "and there shall be elected by the qualified voters of the county or counties composing the County Court district, as hereinafter provided, a Judge of said court, who shall be a conservator of the peace; shall hold his office for four years, and shall receive an annual salary of not less than five hundred dollars, and such further compensation as may be prescribed by law; and who may be removed, &c."

Adopted.

Amendments to Sec. 16 being in order, Mr. Walker offered the following amendment :

Amend Sec. 16th by adding after the word "months," on 10th line, "and the Legislature shall form districts, composed of one or more counties, in which the Judge of said court shall hold the sessions thereof, at such times and places as may be provided by law. Adopted.

Mr. Degener moved to reconsider the vote adopting the amendment proposed by Mr. Walker to the 15th section.

Mr. Norton moved to lay the motion to reconsider on the table. Lost.

The question recurring on the motion to reconsider, it was carried.

Mr. Walker then asked leave of the Convention to withdraw his amendments to Sections 15 and 16.

Leave granted, and amendments withdrawn.

Amendments being in order to the 17th section, Mr. Norton moved to strike out four, in 2d line, and insert two.

On motion, laid on the table.

Mr. Beall moved to amend as follows :

Provided said commissioners shall be selected from different sections of the county.

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

Amendments being in order to the 18th section, Mr. Norton moved to strike out four, in line 2d, and insert two.

On motion of Mr. Camp of Goliad, laid on the table.

Amendments being in order to the 19th section, Mr. Norton moved to amend by striking out four, in the 4th line, and inserting two.

On motion, laid on the table.

Mr. Bacon moved to amend by striking out the word "appointed," in the 1st line, and inserting "elected."

Adopted.

Amendments being in order to section 21, Mr. Smith of Colorado offered the following amendment :

After the word "cases," in the 1st line, insert, "in which the right of trial by jury is secured by this Convention."

On motion, laid on the table.

Mr. Hill offered the following, as a substitute for Sec. 14 :

SEC. 14. There shall be elected, by the qualified electors of each judicial district in the State, at the first general election for State and county officers, one District Attorney, who shall reside in the district for which he shall be elected; shall hold his office for four years, unless sooner vacated by death, resignation, or otherwise; in that event it shall be the duty of the Governor to immediately order an election, to fill said vacancy; and if the Governor shall fail to order such election within fifteen days after said office become vacant, then, and in that case it shall be the duty of the Chief Justice, who may be the returning officer of the district, to order said election; and together with the perquisites of the office, shall receive an annual salary of twelve

hundred and fifty dollars, which shall not be increased or diminished during his term of office.

Substitute withdrawn.

Mr. Roberts offered the following amendment to 10th section

Amend, by adding after the word, District Court, 2d line, the words, Attorney General and District Attorney, and by striking out the word and, in the 1st line.

Adopted.

Mr. Hancock offered the following as a substitute for the 21st section :

In all cases of law or equity, where the matters in controversy shall be valued at or exceed twenty dollars, the right of trial by jury shall be preserved.

Adopted.

Mr. Parsons offered the following amendment :

SEC. 13. Strike out all of the 3d line after the word receive to the word which, in 4th line, and insert the words, "shall receive such salary as may be prescribed by law."

On motion, laid on the table.

Mr. Johnson of Titus moved to reconsider the vote fixing the salaries of Supreme and District Judges.

On motion laid on the table.

Mr. Varnell offered the following as an additional Section :

SEC. 22. All vacancies occurring in any office created under this Constitution, and not otherwise provided for, and for which the term of office is fixed at a certain term of years, the vacancy shall be filled by the successor, for the unexpired term of the former incumbent.

Mr. Slaughter moved the previous question.

Seconded.

The question being shall the main question be now put, the same was submitted, and the main question was ordered.

The main question, which was the engrossment of the article being put, and the Yeas and Nays being called, stood thus :

Yeas—Messrs. Anderson, Bacon, Beall, Camp of Goliad, Camp of Upshur, Davis of Webb, Davis of Cherokee, Degener, Gentry, Giddings, Gurley, Hancock, Henderson, Hill, Hunt, Hurt, Johnson of Tarrant, Jones of Bastrop, Jones of Bexar, Lane, Ledbetter, Lindsey, Mabry, Murchison, Norris, Parker, Paschal, Phillips, Record, Richardson, Roberts, Shepard, Shields, Slaughter, Smith of Colorado, Taylor of Houston, Thomas of Cameron, Thompson, Tyus, Varnell, Walker, Waul and Woods—43.

Nays—Messrs. Allen, Armstrong, Ball, Benge, Bradshaw,

Bumpass, Dalrymple, Drake, Flanagan, Hurt, Johnson of Titus, Latimer, Middleton, Norton, Parsons, Perry, Porter, Ranck, Reeves, Runnels, Saunders, Saufley, Selman, Shuford, Shaw, Taylor of Fannin and Young—27.

So the article was ordered to be engrossed.

Mr. Henderson moved to suspend the rule, and take up the report of the committee on the Executive Department.

Prevailed.

Report and ordinance taken up.

On motion the rule was suspended, and the ordinance taken up section by section.

Amendments being in order to Section 4,

Mr. Norton proposed to substitute for the amendments of the committee the 4th section of the 5th article of the Constitution of 1845, and the question being on the adoption of said substitute, a motion to lay the same on the table, and the Yeas and Nays being called for, stood thus:

Yeas—Messrs. Anderson, Beall, Camp of Goliad, Camp of Upshur, Davis of Webb, Davis of Cherokee, Degener, Drake, Gentry, Giddings, Gurley, Hancock, Henderson, Hill, Hunt, Hurt, Johnson of Tarrant, Jones of Bastrop, Latimer, Ledbetter, Lindsey, Mabry, Murchison, Norris, Parker, Paschal, Phillips, Porter, Record, Roberts, Runnels, Selman, Shepard, Shaw, Slaughter, Smith of Colorado, Taylor of Fannin, Taylor of Houston, Thompson, Varnell, Waul and Woods—42.

Nays—Messrs. Allen, Armstrong, Ball, Bengé, Bradshaw, Bumpass, Dalrymple, Flanagan, Hart, Johnson of Titus, Jones of Bexar, Middleton, Norton, Parsons, Perry, Ranck, Reeves, Richardson, Saunders, Saufley, Shields, Shuford, Thomas of Cameron, Walker and Young—25.

Mr. Davis of Cherokee proposed to amend thus:

After the words six years, in 3d line in 4th section, insert "and shall be installed the second week of the session of the Legislature, succeeding his election."

Mr. Paschal offered the following substitute for Mr. Davis of Cherokee's amendment:

That the Governor elect shall be inaugurated on the first Thursday after the organization of the Legislature, or as soon thereafter as practicable.

Adopted.

Mr. Giddings offered the following amendment:

Strike out the word three, in the last line, and insert six.

Mr. Norton moved to lay the proposed amendment on the table. Lost.

Question recurring on the adoption of the amendment of Mr. Giddings,

On motion, the question was divided.

The motion to strike out three, on being submitted to the House, prevailed.

Mr. Gentry moved to fill with six.

Mr. Davis of Webb moved to fill blank with five.

The question being first submitted on the motion of Mr. Gentry to fill with six, and the Yeas and Nays being called for, stood as follows :

Yeas—Messrs Allen, Armstrong, Ball, Beall, Benge, Bumpass, Camp of Goliad, Camp of Upshur, Davis of Cherokee, Drake, Gentry, Giddings, Hancock, Henderson, Hill, Hunt, Hurt, Johnson of Tarrant, Mabry, Norris, Parsons, Porter, Record, Richardson, Roberts, Saufley, Selman, Shepard, Slaughter, Smith of Lamar, Thompson and Woods—32.

Nays—Messrs. Anderson, Davis of Webb, Degener, Flanagan, Hurt, Johnson of Titus, Jones of Bastrop, Jones of Bexar, Lane, Latimer, Ledbetter, Lindsey, Middleton, Murchison, Norton, Parker, Paschal, Perry, Phillips, Ranck, Reeves, Saunders, Shields, Shuford, Shaw, Smith of Colorado, Thomas of Cameron, Varnell, Walker, Waul and Young—31.

So the motion of Mr. Gentry prevailed.

On motion of Mr. Mabry, Mr. Randolph was excused indefinitely, because of indisposition.

On motion, the Convention adjourned till 3 o'clock.

3 O'CLOCK, P. M.

Convention met ; roll called ; quorum present.

Mr. Davis of Cherokee moved a reconsideration of the vote ordering the engrossment of Article IV, Judicial Department, as reported by the Judiciary Committee.

Mr. Phillips moved a call of the House.

Call ordered.

On motion of Mr. Henderson, call suspended.

On motion of Mr. Henderson, the motion to reconsider was laid on the table.

The question under consideration at the hour of the last adjournment, viz : Article V, Executive Department, again taken up.

Amendments being in order to Section 5,

Mr. Varnell offered to amend as follows :

Strike out the words three thousand, and insert the words four thousand five hundred.

Mr. Norton moved to lay the amendment on the table. Lost.

The question recurring on the adoption of Mr. Varnell's amendment,

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

And the question being first shall the words three thousand be stricken out, and the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Allen, Bacon, Ball, Bradshaw, Camp of Goliad, Camp of Upshur, Davis of Webb, Degener, Giddings, Gurley, Henderson, Hill, Hunt, Hurt, Johnson of Tarrant, Jones of Bexar, Ledbetter, Lindsey, Murchison, Norris, Paschal, Phillips, Roberts, Runnels, Saufley, Shepard, Shields, Smith of Colorado, Taylor of Houston, Thompson, Varnell, Walker, Waul and Woods—34.

Nays—Messrs. Anderson, Armstrong, Benge, Bumpass, Davis of Cherokee, Drake, Flanagan, Johnson of Titus, Middleton, Nelson, Norton, Perry, Reeves, Richardson, Saunders, Shaw, Smith of Lamar, Thomas of Cameron and Young—19.

So the motion prevailed.

The question recurring on the latter part of the motion, to fill with four thousand five hundred,

Mr. Davis of Webb moved to fill with five thousand.

The question being on the motion of Mr. Davis of Webb, and the Yeas and Nays being called for, stood thus :

Yeas—Messrs. Davis of Webb, Degener, Giddings, Gurley, Henderson, Johnson of Tarrant, Ledbetter, Murchison, Paschal, Roberts, Shepard and Thompson—12.

Nays—Messrs. Allen, Anderson, Armstrong, Bacon, Ball, Benge, Bradshaw, Bumpass, Camp of Goliad, Camp of Upshur, Davis of Cherokee, Drake, Flanagan, Hill, Hunt, Hurt, Johnson of Titus, Jones of Bexar, Latimer, Lindsey, Middleton, Nelson, Norton, Norris, Perry, Phillips, Reeves, Richardson, Runnels, Saunders, Saufley, Shields, Shaw, Slaughter, Smith of Colorado, Smith of Lamar, Taylor of Houston, Thomas of Cameron, Tyus, Varnell, Walker, Waul, Woods and Young—44.

So the House refused to fill with five thousand.

The question recurring on the motion of Mr. Varnell to fill with four thousand five hundred, and the Yeas and Nays being called, stood thus :

Yeas—Messrs. Ball, Bradshaw, Camp of Goliad, Davis of Webb, Degener, Giddings, Gurley, Henderson, Hunt, Hurt, Johnson of Tarrant, Ledbetter, Lindsey, Murchison, Norris, Paschal, Phillips, Roberts, Shepard, Thompson, Varnell, Waul and Woods—23.

Nays—Messrs. Allen, Anderson, Armstrong, Bacon, Bengt. Bumpass, Camp of Upshur, Davis of Cherokee, Drake, Flanagan, Hill, Johnson of Titus, Jones of Bexar, Latimer, Middleton, Nelson, Norton, Parsons, Perry, Reeves, Richardson, Runnels, Saunders, Saufley, Shields, Shaw, Slaughter, Smith of Colorado, Smith of Lamar, Taylor of Houston, Thomas of Cameron, Tyus, Walker and Young—34.

So the House refused to insert four thousand five hundred.

On motion of Mr. Saufley, the blank was filled with four thousand.

Amendments being in order to Section 8,

The amendment proposed by the committee adopted.

Amendments being in order to Section 23,

Mr. Henderson proposed to amend as follows :

Insert after years, in third line, and in case of a vacancy in either of said offices, the Governor shall have power to fill the same by appointment, which shall continue in force until the office can be filled at the next general election for State and County officers, and the successor duly qualified.

Adopted.

Mr. Henderson proposed to further amend as follows :

Strike out all after the word years, in the third line.

Adopted.

Mr. Shepard proposed to amend 17th section of the Constitution, Article V, as follows :

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 the bill shall have originated: and the same proceedings shall then be had as in the case of other bills disapproved by the Governor.

Mr. Smith of Colorado, offered to amend Section 17 as follows :

Strike out the word one, and insert two, in the 4th line from the close of the article, and add to the end of the article,

“All bills presented to him within two days after adjournment, and approved by him within two days thereafter, shall become a law, and have the same force and effect as if signed by him before the adjournment.”

By leave, Mr. Smith of Colorado withdrew his amendment.

Mr. Shepard amended his amendment so that it should read as follows :

“The Governor may approve any appropriation, and disapprove

prove 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 the bill shall have originated; and the same proceedings shall then be had as in the case of other bills disapproved by the Governor; but if the Legislature has adjourned before the bill is returned to the house, he shall return the same to the Secretary of State, with his objections, and also to the next session of the Legislature."

Adopted.

The question being on the engrossment of the Article as amended, the same was put, and the Article was ordered to be engrossed.

On motion of Mr. Henderson, rule suspended, and Article taken up.

On motion of Mr. Mabry, the vote suspending the rule was reconsidered.

The question recurring on the motion of Mr. Henderson, to suspend the rule, was put and lost.

Mr. Mabry moved to take up an ordinance validating the formation of counties with an area of less than 900 square miles.

Lost.

An ordinance making valid the laws and acts of officers therein mentioned, and for other purposes, taken up.

Mr. Bradshaw moved to postpone the ordinance till Saturday at 11 o'clock.

Lost.

On motion of Mr. Hancock, ordinance postponed till to-morrow at 11 o'clock, for which hour it was made the special order.

On motion, the rule was suspended, and Mr. Selman offered the following resolution:

*Resolved*, That the committee on Printing be respectfully requested to make such arrangements as will place in the hands of the Delegates present ten printed copies of all the ordinances passed by this Convention, on or by the first day after its adjournment.

Adopted.

Preamble and resolutions in regard to Union Pacific and South West Branch Railroad taken up.

Mr. Waul moved to postpone indefinitely.

Mr. Beall moved the previous question.

Seconded.

The question being, Shall the main question be now put? and the same being submitted, the main question was ordered.

The main question, which was the adoption of the resolution, being put, and the Yeas and Nays being called, stood thus :

Yeas—Messrs. Allen, Anderson, Bacon, Ball, Beall, Benge, Bumpass, Camp of Goliad, Camp of Upshur, Dalrymple, Davis of Webb, Davis of Cherokee, Degener, Flanagan, Gentry, Giddings, Gurley, Hancock, Henderson, Hunt, Hurt, Johnson of Tarrant, Johnson of Titus, Latimer, Ledbetter, Lindsey, Mabry, Middleton, Murchison, Nelson, Norton, Norris, Paschal, Porter, Record, Reeves, Saufley, Shields, Slaughter, Smith of Colorado, Smith of Lamar, and Woods—42.

Nays—Messrs. Bradshaw, Parsons, Perry, Phillips, Roberts, Vaul, and Young—7.

So the resolution was adopted.

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

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THURSDAY, March 22d, 1866.

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

Mr. Henderson, chairman of committee on Legislative Department, made following report :

*Hon. Wm. M. Taylor, President pro tem. of the Convention :*

The committee on Legislative Department, to whom was referred a resolution of instruction to apportion the State into four Congressional Districts, have instructed me to report the following ordinance, and recommend its passage :

SEC. 1. *Be it ordained by the people of Texas, in Convention assembled,* That the territory comprised within the limits of the following named counties shall compose the Congressional Districts of the State of Texas, until otherwise provided by law.

SEC. 2. The First District shall be composed of the counties of Anderson, Angelina, Cherokee, Harrison, Henderson, Houston, Jasper, Jefferson, Liberty, Nacogdoches, Newton, Orange, Panola, Rusk, Sabine, San Augustine, Shelby, Smith, Trinity, Tyler, Hardin, Chambers and Polk.

The Second Congressional District shall consist of Davis, Marion, Bowie, Upshur, Titus, Red River, Lamar, Hopkins, Wood, Van Zandt, Kaufman, Hunt, Fannin, Grayson, Collin, Dallas, Tarrant, Denton, Cook, Montague, Wise, Parker, Palo