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Rules suspended and resolution adopted.

Mr. Lindsay moved that Wright be added to the Committee on Internal Improvements.

Mr. Caldwell moved that Mr. Buffington be added to the Committee on Printing.

Mr. Evans moved that Mr. Patten be added to the Committee on Internal Improvements.

Mr. Hamilton of Travis, moved that Mr. Smith, of Galveston, be added to the Committee on Apportionment.

Mr. Bryant, of Harris, moved that Mr. Ruby be added to the Committee on Education.

There being no objection it was so ordered.

W. Flanagan offered the following resolution, and asked that it be referred to the Committee on Contingent Expenses:

Be it ordained by the Convention, That the sum of one hundred and twenty-five thousand dollars be, and the same is hereby appropriated out of any money in the Treasury of the State of Texas, not otherwise appropriated, or as much thereof as may be necessary to pay the current expenses of the Convention, and the per diem and mileage of the members; and that the per diem of each member be fixed at the sum of fifteen dollars, and the mileage at twenty-five cents per mile; to be governed by the computation of the United States army regulations.

Mr. Newcomb offered the following resolution:

Resolved, That the morning sessions of this Convention commence at 9 o'clock, and continue until 12 M; the evening session commence at 3 o'clock, and continue until 5 o'clock.

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

Carried.

On motion, House adjourned till nine o'clock to-morrow morning.

CAPITOL, AUSTIN, TEXAS,

JUNE 6, 1868.

Convention met pursuant to adjournment. Roll called. Quorum present. Prayer by the Chaplain. Journal of yesterday read and adopted.

The President announced the following additional standing committees:

Counties and County Boundaries—Pedigo, Chairman; Wilson, of Brazoria, Fleming, Kuechler, Sorrel.

Examining Comptroller's and Treasurer's Office—Smith, of Gal-

veston, Chairman; Webster Flanagan, Butler, Lieb, Armstrong, of Jasper.

The President, also, announced Messrs. Caldwell, Lippard, Whitmore, Sumner, Evans, of McLennan, Bledsoe, Cole, Bell, as the special committee on "Lawlessness and Violence."

Mr. Buffington introduced the following Memorial, and moved that it be referred to the Committee on State Affairs:

ANDERSON, TEXAS, *May, 20, 1868.*

To the President and Members of the State Convention of Texas.

The undersigned, W. R. Storey, a minor, aged near twenty years, a resident of Grimes county, Texas, would respectfully represent, that he is now, and has been, doing business on his own responsibility, and is without any guardian, save and except an aged mother who is, by the law of the State, guardian of his person only.

That, to enable him more effectually to carry on business in his own name, he would respectfully ask your Honorable Body to declare him of lawful age to do, perform and transact any and all business of whatever name, kind, character, or description; and that his acts in such business transactions may be made and declared good, valid and binding, as though he was of lawful age.

And as in duty bound, will ever pray, &c.

WILLIAM R. STOREY.

We, the undersigned citizens of Grimes county, Texas, would respectfully represent that we are personally acquainted with the said W. R. Storey, the signer of the foregoing petition, that the facts there stated are true, and that we believe that the said petitioner is fully competent and capable of managing and transacting his business, and would recommend that his said petition be granted.

A. D. STOREY.

J. BUCHANAN.

A. BUFFINGTON.

BEN. GOODRICH.

E. T. TERREL.

D. C. DICKSON.

WM. E. BARRY,

Clerk C. C. G. C.

G. M. MOORING,

County Judge.

G. M. PATRICK,

ex-Co. Judge.

The petition was referred to the Committee on State Affairs.

Mr. McCormick, from the Committee on Contingent Expenses, made the following report:

COMMITTEE ROOM,
June 5, 1868.

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

SIR: The Committee on Contingent Expenses, to which was referred the resolution introduced by Mr. Webster Flanagan, relating to the *per diem* pay and mileage of the members of the Convention, and current expenses of the Convention, have had the same under consideration. They find that the Convention of 1845 fixed the *per diem* of the members of the first Legislature at three dollars per day; that, subsequently, the Legislature raised the *per diem* to five dollars per day for members of the Legislature; that what is known as the Secession Convention, did not take any action on the subject of their pay, but the Legislature, then in session, passed an act providing that the delegates to the State Convention, and the officers thereof, should receive the same pay as the members and officers of the Legislature. Pay was then made in gold. In February, 1866, the Convention, then assembled here, taking into consideration the difference in the market value of gold, and the currency of the United States, in which pay was then, and is now, made, raised the pay of members and officers to eight dollars per day, and fixed the pay of the first Legislature at that figure. Since February, 1866, United States currency has not depreciated to any considerable extent, if at all, so far as the Committee is informed, and a majority of the Committee are of opinion, and instruct me to report, that they are unable to discover sufficient reason, either in the history of past legislation, or the present condition of the State to justify them in reporting favorably on so much of said Resolution as proposes to fix the *per diem* of members and officers at fifteen dollars per day. So much of the Resolution, as relates [to] the general appropriation for the current expenses, has received the favorable judgment of the committee. And I am instructed by the majority of the committee to return said Resolution, with the recommendation that it do not pass, but that the Declaration herewith reported be passed in lieu thereof.

A. P. McCORMICK,

for the majority of the committee.

A DECLARATION, making an appropriation for the per diem pay and mileage of the members, and per diem pay of the officers of the Convention.

SECTION 1. Be it declared by the delegates of the people of Texas, in Convention assembled, That the members and officers (not to include Messengers and Porters) of said Convention shall receive from the State Treasury, as a compensation for their services, the sum of eight dollars per day, and the members, likewise, eight dollars for

every twenty-five miles of travel, coming to, and going from, the Convention; and the messengers and porters the sum of four dollars per day.

SEC. 2. Be it further declared, That the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to pay the mileage and *per diem* aforesaid.

SEC. 3. Be it further declared, That the certificate of the Secretary of the Convention will be sufficient to authorize the Comptroller to draw upon the Treasurer, for such sums as may be due the members and officers aforesaid; and that this Declaration take effect from its passage.

Mr. Webster Flanagan moved it be recommitted to committee on Contingent Expenses, with instructions to report fifteen dollars per day as the *per diem*.

Mr. Hamilton, of Travis, moved to lay the motion on the table. The Yeas and Nays were demanded, which resulted as follows:

Yeas—Armstrong, of Jasper, Bell, Bledsoe, Board, Boyd, Bryant, of Grayson, Bryant of Harris, Burnett, Carter, Coleman, Constant, Curtis, Degener, Downing, Evans, of McLennan, Fayle, Flanagan, Fleming, Foster, Gaston, Glenn, Goddin, Gray, Hamilton, of Bastrop, Hamilton, of Travis, Harne, Hunt, Johnson, of Calhoun, Jordan, Kealy, Kuechler, Leib, Lindsay, Lippard, Long, Mackey, McCormick, Mills, Morse, Mullins, Mundine, Munroe, Newcomb, Oaks, Patten, Pedigo, Phillips, of San Augustine, Phillips, of Wharton, Posey, Rogers, Schuetze, Slaughter, Sorrel, Stockbridge, Sumner, Talbot, Thomas, Varnell, Watrous, Whitmore, Williams, Wilson, of Brazoria, Wilson, of Milam, Wright, Yarborough—55.

Nays—Adams, Bellinger, Buffington, Caldwell, Cole, W. Flanagan, Glenn, Harris, Johnson, of Harrison, Kendal, Kirk, Muckle-roy, Ruby, Smith, of Galveston, Smith, of Marion, Vaughan—17.

So the motion prevailed; Yeas, fifty-five; Nays, seventeen.

Mr. Wright moved that the rules be suspended to take up report of committee on Contingent Expenses.

Rules were suspended.

Mr. Varnell offered the following amendment to the Declaration: Amend by inserting "ten dollars per day" in place of "eight".

Mr. Degener moved the previous question. The motion not being seconded by the required number, was lost.

The question again recurring upon the adoption of the amendment offered by Mr. Varnell; Mr. Degener again moved the previous question, which was seconded.

Upon the question, "Shall the main question be now put?" the Yeas and Nays were ordered, and resulted as follows :

Yeas—Messrs. President, Armstrong, of Jasper, Bell, Bledsoe, Bryant, of Grayson, Burnett, Carter, Constant, Curtis, Degener, Evans, of McLennan, Fleming, Foster, Goddin, Hamilton, of Bastrop, Hamilton, of Travis, Harne, Hunt, Jordan, Kealy, Kuechler, Leib, Lindsay, Mackey, McCormick, Mills, Mundine, Oaks, Patten, Pedigo, Phillips, of San Augustine, Phillips, of Wharton, Rogers, Schuetze, Sorrel, Sumner, Talbot, Thomas, Whitmore, Wilson, of Brazoria, Wright, Yarborough—42.

Nays—Adams, Bellinger, Board, Boyd, Brown, Buffington, Caldwell, Dole, Coleman, Downing, Fayle, Flanagan, Webster Flanagan, Gaston, Glenn, Gray, Grigsby, Harris, Johnson, of Harrison, Johnson of Calhoun, Kendal, Kirk, Lippard, Long, McWashington, Morse, Muckleroy, Mullins, Munroe, Newcomb, Posey, Ruby, Scott, Slaughter, Smith, of Galveston, Smith, of Marion, Stockbridge, Varnell, Vaughan, Watrous, Williams, Wilson, of Milam—42.

Yeas : forty-two ; Nays : forty-two.

Being a tie vote, the chair decided the Convention had refused to sustain the call for the main question.

Mr. Sumner moved to adjourn until Monday morning, 9 o'clock.

The Yeas and Nays were demanded and resulted as follows :

Yeas—Messrs. President, Bell, Bellinger, Boyd, Buffington, Caldwell, Cole, Coleman, Flanagan, W. Glenn, Gray, Grigsby, Hamilton, of Travis, Harris, Harne, Hunt, Kuechler, Leib, Lindsay, Long, McWashington, Muckleroy, Mullins, Mundine, Munroe, Pedigo, Rogers, Schuetze, Smith, of Marion, Sorrel, Stockbridge, Sumner, Varnell, Vaughan—34.

Nays—Messrs. Adams, Bledsoe, Board, Brown, Bryant, of Grayson, Bryant, of Harris, Burnett, Carter, Constant, Curtis, Degener, Downing, Evans, of McLennan, Fayle, Flanagan, Fleming, Foster, Goddin, Hamilton, of Bastrop, Johnson, of Harrison, Johnson, of Calhoun, Jordan, Kealy, Kendal, Kirk, Lippard, Mackey, McCormick, Mills, Morse, Newcomb, Oaks, Patten, Phillips, of San Augustine, Phillips, of Wharton, Posey, Ruby, Scott, Slaughter, Smith, of Galveston, Talbot, Thomas, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson, of Milam, Wright, Yarborough—49.

The Convention refused to adjourn.

Mr. Hamilton, of Bastrop, moved to adjourn until 4 o'clock. Lost.

Mr. Caldwell moved to adjourn until Monday morning, 9 o'clock. Lost.

Mr. Evans, of Waco, moved to lay the amendment offered by Mr. Varnell on the table. The Yeas and Nays being demanded, resulted as follows :

Yeas—President, Bell, Bledsoe, Bryant, of Grayson, Bryant, of Harris, Burnett, Carter, Constant, Curtis, Degener, Evans, of McLennan, Fleming, Foster, Goddin, Hamilton, of Bastrop, Hamilton, of Travis, Harne, Hunt, Jordan, Kealy, Kuechler, Leib, Lindsay, Mackey, McCormick, Mills, Mundine, Patten, Pedigo, Phillips of San Augustine, Phillips, of Wharton, Rogers, Schuetze, Sorrel, Sumner, Talbot, Thomas, Whitmore, Wilson, of Brazoria, Wright—40.

Nays—Messrs. Adams, Bellinger, Board, Boyd, Brown, Buffington, Caldwell, Coleman, Fayle, Flanagan, Flanagan, Webster, Glenn, Gray, Grigsby, Harris, Johnson, of Harrison, Johnson of Calhoun, Kendal, Kirk, Lippard, Long, McWashington, Morse, Muckleroy, Mullins, Munroe, Newcomb, Oaks, Posey, Ruby, Scott, Slaughter, Smith, of Galveston, Smith, of Marion, Stockbridge, Varnell, Vaughan, Watrous, Williams, Wilson, of Milam, Yarborough—41.

The Convention refused to lay the amendment on the table.

Mr. Hamilton, of Travis, asked leave of absence for Mr. Schuetze. Leave granted.

Mr. Buffington asked leave of absence for Mr. Armstrong. Leave granted.

On motion, the Convention adjourned until 9 o'clock, Monday morning.

CAPITOL, AUSTIN, TEXAS,

JUNE 8, 1868.

Convention met pursuant to adjournment. Roll called. Quorum present. Prayer by the Chaplain. Journal of yesterday read and adopted.

The President announced the following additional standing committees :

Committee on Engrossed Provisions—Munroe, Chairman; Harne, Goddin, Scott, Wright.

Committee on Enrolled Provisions—Fayle, Chairman; Bledsoe, Bellinger, Yarborough.

Committee on Style—Carter, Chairman; Buffington, Hamilton of Travis, Pedigo, Newcomb.

The President announced that the first business in order was the presentation of Petitions. There being none, Reports of Committees were called.

Mr. Thomas, from the Committee on Printing, made the following report :